

From *Broken: Thought-Images of Life in the State of Exception*
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PREFACE

The camp . . . is the new biopolitical *nomos* of the planet
—Giorgio Agamben

The political events of the past few years have demonstrated the urgent need to think seriously about the politics of radical separation and exclusion. The creation of an internment camp outside all international law at Guantánamo Bay, Cuba, the prisons in Eastern Europe established to conduct “legal” torture and by-pass the Geneva Conventions, the PATRIOT Act, the illegal wiretapping of U.S. citizens based on the suspension of the U.S. constitution through executive order, the Military Commissions Act of 2006, the growing loss of civil liberties on a global scale, the pre-emptive Iraq War, the systematic torture at Abu Ghraib, invisible genocide in Darfur, the 2000 U.S. Presidential election, and the abandoned refugees of New Orleans in 2005 are all examples of the global state of exception.¹ Rather than locating the origin of these

¹ See George W. Bush’s “Military Order of November 13, 2001 On the Detention, Treatment, and Trial of Certain Non-Citizen’s in the War Against Terrorism” <http://www.whitehouse.gov/news/releases/2001/11/20011113-27.html> (accessed March 15, 2003), Giorgio Agamben, “No to Bio-Political Tattooing,” originally published in *Le Monde*, January 10, 2004, widely available on the WWW, for one example, see <http://www.ratical.org/ratville/CAH/totalControl.html> (accessed September 22, 2005), and Giorgio Agamben, *State of Exception*, Trans. Kevin Attell (Chicago: University of Chicago Press, 2005). The present text was written during a period of time in which there were little to no substantive secondary sources on the project of *Homo Sacer*. One volume that has appeared, as of the writing of this text, but which I have not had time to consult, is *Politics, Metaphysics, and Death: Essays on Agamben’s Homo Sacer*, Ed. by Andrew Norris (Durham: Duke University Press, 2005). Thomas Carl Wall’s manuscript for that volume, “Au Hasard,” was read as early as 1999 (unfortunately, I have not had the opportunity to compare this early work with the version published this year). I, also, regret that I have not had the opportunity to consult Judith Butler’s *Precarious Life: The Power of Mourning and Violence*, (New York: Verso, 2004). For my own work published during this time, see “Living in Urgency: *Homo Sacer* and the State of

events in a generalized rhetoric of terror, war, emergency, or fear—a rhetoric which is clearly evident in, and coextensive with, these events—we would do better to grasp the juridical and political limit within which these events have been allowed to happen. That limit is the simple act of suspension. The *event* of New Orleans deserves comment precisely because of the concrete example it presents to us of life in a state of suspension. It demonstrates the abandonment of life in the creation of a space of radical exclusion, in this case, refugee camps in sports stadiums, the modern city as modeled on a paradigm or, image of the camp, the relation between the spectacle and the exception, and how the exclusion of life, and entire populations of people, has now become the norm. As Agamben wrote in *Homo Sacer*, some ten years previously, “we must expect not only new camps but also always new and more lunatic regulative definitions of the inscription of life in the city.”² These events have made it obvious that we are increasingly “governed” on a global scale by a paradigm of separation and exclusion. Since the early 1980’s, entire populations of people who have no “home” and populate the streets of the U.S.’s major cities have simply been abandoned. This radical exclusion, which takes place in plain view of everyone, is experienced as a “normal” and “everyday” occurrence. Yet we act *as if* this experience of abandonment isn’t happening. *As if* these beings were simply not “there,” and *as if* we, who are ostensibly not homeless, weren’t separated from our own experience of this abandonment, which we plainly see and experience every single day in the contemporary city. This separation from experience is not something that can easily be relegated to “others” whom

Emergency of AIDS,” *Symposium* (No. 6, 2001): 9 – 76, and “Remnants of the World: Agamben and Messianic Affect,” *Crossings* (No. 5/6, 2002/2003): 269 - 295. For the first secondary work on Agamben in English, see Thomas Carl Wall, *Radical Passivity: Levinas, Blanchot, and Agamben* (Albany: SUNY Press, 1999).

² *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Palo Alto: Stanford University Press, 1998): 176.

we name the “homeless.” We all participate in this dissociation from the lives that we are living, as we live them. And this is only one example among many of a generalized separation that marks contemporary life. Certainly this experience is not something new in the history of the West, but its radical unmasking as a political paradigm in the period since World War Two *is* new and indicates the emergence of a global state of exception.

This book is based, in part, on the experience, detailed study, and meditation on, the teaching of Giorgio Agamben’s *Il tempo che resta* (*The Time that Remains*) at UC Berkeley in the fall of 1999.³ As such, it bears an intimate relation to Agamben’s work and the project of *Homo Sacer* as a whole. *Il tempo che resta* was written, and taught in the United States at Northwestern and University of California at Berkeley, between the publication of volume three

³ *Il tempo che resta. Un commento alla Lettera ai romani* (Torino: Bollati Boringhieri, 2000). The literal translation of *resta* is “remains.” The English word “remains,” however, includes a meaning of something “supplementary” or left over, as in a remainder. This meaning is not only absent in the Italian *resta*, it is directly at odds with Agamben’s concept of the *remnant* as that which can never be divided (a supplement or left over remainder would, in fact, allow for division, exclusion, and therefore, the exception). This is why Agamben prefers the translation *The Time that is Left*, which was also the title of the seminar. Both the seminar and the text are organized according to the first sentence of Paul’s “Letter to the Romans” *Paulos doulos ious christu, cletos apostolos eis evaggelion theou* (Paul a servant of Jesus Christ called to be an apostle set apart for the announcement of god), Giorgio Agamben, *The Time that is Left* (Audio tape recordings of course lectures, U.C. Berkeley, 1999), October 6, 1999. Throughout the following text, I refer to the audio tape recordings of the course lectures according to the title of the course and the date of the particular lecture or discussion cited. Incidentally, there was no discussion of the last word of the first sentence of Paul’s “Letter to the Romans” because, as Agamben explained in the final seminar “One should be free to write a work on theology without mentioning the word ‘god,’” *The Time That is Left*, November 10, 1999. All references below are to the Italian and the tapes from the seminar, unless otherwise noted. The English translation, which appeared in late 2005, is *The Time that Remains: A Commentary on the Letter to the Romans*, trans. Patricia Dailey, (Palo Alto: Stanford University Press, 2005). This text will hereafter be cited as *The Time That Remains*. I regret that this translation appeared after most of the present text was completed and I did not have time to fully consult this work.

of *Homo Sacer (Remnants of Auschwitz: The Witness and the Archive)* and *L'aperto: L'uomo e l'animale (The Open: Man and Animal)*.⁴ Therefore, it occupies an instructive place in Agamben's work. It is both outside the work of *Homo Sacer*, properly speaking, insofar as it does not comprise one of its volumes, and yet remains thoroughly bound-up with its project, particularly regarding the development of the concept of the exception in relation to contemporary politics. It is, therefore, a text that stands beside and exposes *Homo Sacer*: a *para* text.

The time of the following book cannot be separated from its work: written, as it was, both before the events listed above and after their effects continue to register in our everyday lives. What began as a patient effort to demonstrate the importance and applicability of the concept of the exception to our everyday lives—that is, an attempt to bear witness to life in the state of exception and to sketch out, as patiently as possible, the logic of that experience has, since that time, become something else: an exercise in patience and endurance. Patience because of the time it has taken to finish this work (interrupted innumerable times by the need to simply survive) and endurance because of what we have all been forced to “go under” as a result of living a life that is increasingly reduced to mere survival. This text is an existential-philosophical usage of Agamben's teaching in the United States at a unique moment in time. A moment marked by the radical rupture of the exception into everyday life in ways that he himself could scarcely have imagined. This prescience, I think, is a direct result of the fact that Agamben's work concerns what has been *excluded* from our thought of a radical, non-dialectical politics of the past 35 years: the experience of life in the state of exception. The present work seeks to think

⁴ *L'aperto: L'uomo e l'animale*, Torino: Bollati Boringhieri, 2002. Translated as *The Open: Man and Animal*. trans. Kevin Attell. (Palo Alto: Stanford University Press, 2004).

this experience of political, philosophical, and existential abandonment through the encounter between the work of Giorgio Agamben and Gilles Deleuze. At the same time, it seeks to engage in that philosophical activity, insofar as it is possible, in a way that is not separated from the experience of that abandoned life.

INTRODUCTION

Poets—witnesses—found language as what is left, as what
actually survives the possibility, or impossibility of
speaking
—Giorgio Agamben

The political theory of the exception is another way of continuing to develop what Michel Foucault called the concept of, “post-disciplinary societies,” and what Gilles Deleuze called our emerging “societies of control.” Michael Hardt and Antonio Negri, following these two thinkers, have recently thought our contemporary experience as one of “empire.” The uniqueness of the exception as a conceptual tool for thinking contemporary global politics lies, I think, in the intimate level of theoretical abstraction and analysis that it opens up for us: one that challenges virtually all post-war ethical and political thought. This fine level of philosophical abstraction makes any effort to translate this thought to a general audience all the more difficult. This is truly frustrating, given the urgency of its concerns and their applicability to our everyday lives. Moreover, despite the fact that the exception is an old concept, its usage and development within contemporary thought remains in its infancy. For this reason, I will endeavor to articulate some of the key concepts in the political, philosophical, and existential thought of the exception, wherever possible, through the use of specific examples in the historical present. The reader should be aware, however, that all good intentions have their limits. Below are seven conceptual innovations in contemporary social and political thought that can found in Agamben’s work on the exception. These conceptual innovations will be used and developed further in the main body of the text below. They are presented in contracted form, here, by way of an introduction. The first four examples, the camp as a paradigm, the end of classical politics, the limit concept of the law, and the theory of

potentiality, are presented for the sake of the reader who is unfamiliar with Agamben’s work. The last two concepts, the prior movement of the exception, and the failure of the political will be our first entry into the main themes discussed and developed in the book as a whole.

1. *The camp is a paradigm for how we are governed in the post-war era.* To think the exception is to locate the political on the terrain of modern *biopolitics*; a politics in which life has increasingly become the object of modern forms of power.¹ Perhaps the most important example of modern biopolitics is the creation of the concentration camps and the extermination of the Jews. On February 23, 1933, Hitler issued a declaration “for the *protection* of the people and the State.” This declaration—named a statement of “protection”—simply states, “articles 114, 115, 117, 118, 123 124, and 153 of the constitution of the German Reich are suspended until further notice.”² This simple suspension, which was guaranteed by article 48 of the Weimar constitution, remained in force throughout the Nazi’s rule and was, as Agamben reminds us, all that was needed in order for the concentration camps to happen. The camps and what happened there could not have happened, legally, without this suspension of the rule, which allowed for the emergence of a space—the camp—in which anything, quite literally, was possible. It was this juridical act that made the impossible—the previously unthinkable atrocities committed at Auschwitz and elsewhere—possible. For Agamben, “*The camp is the space that is opened when the state of exception begins to become the rule.*”³ Here, the term

¹ *The History of Sexuality: Volume I: An Introduction*, trans. Robert Hurley, (New York: Pantheon, 1978).

² *Homo Sacer*, 167-68—emphasis mine.

³ *Ibid.*, 168 – 169.

“camp” is used as a paradigm for the present, showing us how its juridical structure exposes the hidden foundation of our social and political lives. Just as Foucault used the paradigm of the *panopticon* in order to show us the power at work in disciplinary societies, and as Benjamin used the paradigm of the *arcades* to show us what was new in the modern, so too, Agamben treats the *camp* as a paradigm for *our* modernity, our present.

The clearest recent example of the concept of the exception is President George W. Bush’s military order of November 13, 2001, creating the United States’ prison at Guantánamo Bay, Cuba, as a space outside the reach of all civil rights and international law. “What is new about President Bush’s order,” according to Agamben, “is that it radically erases any legal status of the individual, thus producing a legally unnamable and unclassifiable being.”⁴ The use of the term “enemy combatants” to refer to U.S. citizens, and the refugees of New Orleans indicate that this exclusion is operative not only with respect to the “third world,” but to the excluded of the first world, as well. As Agamben noted as early as 1994, in the creation of a space of exception we are “facing a camp virtually every time that such a structure is created . . . an apparently anodyne place . . . delimits a space in which for all intents and purposes the normal rule of law is suspended and in which the fact that atrocities may or may not be committed does not depend on the law but rather on the civility and ethical sense of the police that act temporarily as sovereign.”⁵ This almost perfectly describes the political space of the Superdome, the New Orleans Convention Center, the Astrodome, and even the entire city of New Orleans

⁴ *State of Exception*, 3.

⁵ “What is a Camp?” in *Means Without End: Notes on Politics*, trans. by Vincenzo Binetti and Cesare Casarino, (Minneapolis: University of Minnesota Press, 2000), 41 – 42.

in the aftermath of hurricane Katrina. It seems increasingly clear that what the United States “has,” at this point in time, is not any (functioning) idea or concept of “democracy,” but a whole lot of bombs and a paradigm of the exception. This is even more obvious in the Bush administrations defense of its domestic spying operations, which began immediately after 9/11 in direct violation of the U.S. Constitution. The defense and rationalization for President Bush’s “sovereign decision” mirrors the theoretical arguments made by Carl Schmitt in his 1932 treatise, *Legality and Legitimacy*, for the establishment of a presidential power without any legal limits.⁶ These arguments have been supported through the legal memos of Professor John Yoo, a legal scholar at UC Berkeley.⁷ The modern history of juridical exclusion, both in Nazi Germany and the U.S., has been based, in part, on the racial exclusion laws enacted previously in the U.S., such as the Jim Crow laws and the Chinese Exclusion act of 1882. The later act prevented

⁶ *Legality and Legitimacy*, translated and edited by Jeffrey Seitzer, introduction by John P. McCormick (Durham: Duke University Press, 2004).

⁷ In a particularly chilling exchange with Notre Dame Professor Doug Cassell, Woo stated the following:

Cassel: If the President deems that he’s got to torture somebody, including by crushing the testicles of the person’s child, there is no law that can stop him?

Yoo: No treaty.

Cassel: Also no law by Congress. That is what you wrote in the August 2002 memo.

Yoo: I think it depends on why the President thinks he needs to do that.

See “Bush Advisor Has Legal Power to Torture Children” by Phillip Watts at Information Clearinghouse, 1/08/06. <http://www.informationclearinghouse.info/article11488.htm> (Accessed January 12th, 2006). An audio file of this exchange can be downloaded at: <http://dc.indymedia.org/media/all/display/28613/index.php> (Accessed January 12th, 2006).

Chinese laborers from entering the U.S. based solely on their “race”.⁸ Of course, we are all familiar with the fact that Japanese Americans were interned in camps on the West Coast during WWII, based on a similar “suspension” of civil liberties.⁹

2. “*There is no return from the camps to classical politics.*”¹⁰ The paradigm of the political subject is no longer the “citizen,” but the refugee. The people abandoned in the Superdome, Convention Center and the city of New Orleans were nothing if not refugees: that is, a completely stateless people. They were abandoned by “their” government. Hundreds of people in hospitals, nursing homes and prisons (the old spaces of disciplinary confinement, as it were) were simply abandoned to die: in the case of the prisons, these people were locked in their cells. The U.S. media, despite itself, got it right, when it initially named these abandoned beings *as refugees*. But precisely because the events in question were taking place in the “first world,” there was an immediate objection to the use of this term. The far less accurate, and more politically neutralized, term “evacuees” was substituted in its place. However, just as every thinking person was able to see through the media’s depiction of African-American survivors as “looters,” and

⁸ For a copy of this act on-line see, <http://www.mtholyoke.edu/acad/intrel/chinex.htm> (Accessed January 12, 2006). Although the act expired in 1892, many of its provisions were extended in various, subsequent, acts, and the provisions of this act were not fully repealed until 1943. Even then restrictions on Chinese immigration remained, with a cap of 105 immigrants per year for the entire U.S. This led to the creation of a barracks on Angel Island in San Francisco Bay in which all Chinese immigrants seeking to join family or friends entered a kind of no-man’s land (which could only be circumvented through the elaborate creation of fake identities with the help of sympathetic figures in San Francisco’s Chinatown, all the way up through the Mid-Twentieth Century).

⁹ One of these camps was located at a racetrack in San Bruno, CA, which is now the site of a shopping mall.

¹⁰ Agamben, *Homo Sacer*, 188.

white survivors as “scavengers,” in a similar way, the substitution of “evacuee” for “refugee” only served to demonstrate the correctness of the original term and the status of this new paradigm.¹¹ These events, of course, are perfectly in keeping with the decision by the U.S. Supreme Court to allow President Bush to treat U.S. citizens as “enemy combatants” (as well as Congress’ subsequent suspension of “habeus corpus” for those “combatants” at the request of the Bush administration, under the Military Commissions Act of 2006).¹² It is clear from these preliminary remarks that the exception provides us with a framework for thinking the movement of the U.S. and countries around the globe towards a state of permanent civil war. This antagonism appears to be manifesting itself in all areas of civil and public life.

3. *The state of exception is the limit concept of the law.* The paradox of the exception is that the simple act of suspending the law *makes the law all the more pervasive and powerful*. In the declaration of a state of exception the “norm” no longer defines the law: rather, it is the exception—in which anything is possible—that now defines and becomes the norm. In this way, the law becomes all the more pervasive, coinciding, as in Kafka’s *Trial*, with *life* itself. “The state of exception is not a special kind of law (like the law of war); rather, insofar as it is a suspension of the juridical order itself, it defines law’s threshold or limit concept.”¹³ Perhaps the simplest formulation of

¹¹ For Agamben on the “refugee,” see “Beyond Human Rights,” in *Means Without End: Notes on Politics*, especially 16, and 19.

¹² See *Rasul v. Bush, Hamdi v. Rumsfeld, and Rumsfeld v. Padilla*, June 28, 2004. It still appears to be an open question as to whether or not the Military Commissions Act of 2006 doesn’t suspend *habeus corpus* for U.S. Citizens. See the Military Commissions Act of 2006 http://www.loc.gov/rr/frd/Military_Law/pdf/PL-109-366.pdf (Accessed October 1, 2007).

¹³ *State of Exception*, 4.

the paradox of the exception can be found in Carl Schmitt’s opening sentence to his *Political Theology*: “Sovereign is he who decides on the exception.”¹⁴ The simple act of the suspension of the rule requires, as a condition of its possibility, that the sovereign be, “*at the same time* outside and inside the juridical order.”¹⁵ Thus, the sovereign “captures” what is outside the law within the law itself. Schmitt calls this a “taking of the outside.”¹⁶ What is excluded is excluded *in relation to* the rule. As Agamben writes, “the rule maintains itself in relation to the exception in the form of suspension. *The rule applies to the exception in no longer applying, in withdrawing from it.*”¹⁷ In this way, the exception to the rule paradoxically grounds the rule or *nomos* itself: the exception is the basis for the law, and not the other way around.¹⁸ The exception concerns, not merely the

¹⁴ 5. This decision is not merely circumstantial, but exposes the paradox of sovereignty within the theory of the State, itself. It is the “limit-concept” of the State. As Schmitt points out on the same page, “the exception is to be understood to refer to a general concept in the theory of the State, and not merely to a construct applied to any emergency decree or state of siege.”

¹⁵ Quoted in Agamben, “The Messiah and the Sovereign” in *Potentialities: Collected Essays in Philosophy*, 161.

¹⁶ Agamben in *Homo Sacer*, 19.

¹⁷ *Ibid.*, 162.

¹⁸ See Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*. Trans. George Schwab. (Cambridge: MIT Press, 1985): 15. As Schmitt writes, “The exception is more interesting than the rule. The rule proves nothing; the exception proves everything: It confirms not only the rule but also its existence, which derives only from the exception.” See, also, Agamben’s treatment of the question of the origin of the concept of the exception in Benjamin and Schmitt in his *State of Exception*, Chapter 4, 52 – 64. See, also, the comments on Schmitt and Benjamin that appear in Jacob Taubes, *The Political Theology of Paul*, trans. by Dana Hollander, (Palo Alto: Stanford University Press, 2004).

declaration of a “state of emergency” or “martial law,” but the limit concept of the law itself. This is the case because the “exception to the rule” becomes the foundation of the rule or law itself. As Agamben makes clear, it is the “constitutive paradigm of the juridical order.”¹⁹ The word *nomos* is instructive here. Usually translated as “law,” it has an original meaning as “to divide.” It seems especially important for us to think this meaning not only in relation to the division involved in the exception, but also to the division or, separation of potentiality from itself which marks our era. The *nomos* bears within its very name the radical separation and exclusion of the exception. Once again, President George W. Bush provides the clearest recent example of this suspension. In authorizing “illegal” domestic spying operations after 9/11, the president simply suspended, by executive decision, the privacy rights of the U.S. Constitution.

4. The exception is a theory of potentiality. The exception is predicated on a relation of separation between *life* conceived as the simple fact of our existence (*naked life*) and our *ways of living* that life (our public *forms of life*). Agamben traces this antagonism to classical Greek politics, which was predicated on the seldom-noticed exclusion of *zoe* (simple, natural, naked life) from *bios* (a qualified, particular, and public form of life)²⁰ in the *polis*. Here, natural life (*naked life*) was abandoned—placed in a state of exception—to public life. With this exclusion, public life became predicated on the exception of *naked life*, and politics became the increasing reduction of life to mere survival. The 20th century is the experience of this antagonism at its extreme limit; life as mere survival has become the norm and, “the dominant form of life everywhere.”²¹ This

¹⁹ *State of Exception*, 7.

²⁰ *Ibid.*, 1.

²¹ “Form-of-Life” in *Radical Thought in Italy: A Potential Politics*. Paulo Virno and Michael Hardt. Trans. Michael Hardt. (Minneapolis: University of Minnesota Press,

is precisely what the spectacular image of Terri Schiavo’s “living death” exposed. Moreover, this experience of a “living death” cannot be limited to those who are *literally* on life support. It speaks to us of a more generalized loss of life—of what it might mean to truly live, as opposed to merely survive in the present. For Agamben, this separation of life from itself *is* Western politics. The development of this separation in the 20th and 21st centuries is one way of thinking the extremity of the current social and political world, in which anything new, different, outside, “other” than the present order of things is simply absorbed or “taken,” often *before it even has a chance to emerge in the first place*. This is another way of thinking the “taking of the outside” of the exception.

In two interviews from the 1980’s that appear in *Negotiations*, Gilles Deleuze begins to diagnose the loss and destruction of potentiality as a problem. The first of these important statements can be found in an interview from 1980, which is worth quoting at some length:

What now seems problematic is the situation in which young philosophers, but also all young writers who’re involved in creating something, find themselves. They face the threat of being stifled from the outset. It’s become very difficult to do any work, because a whole system of ‘acculturation’ and anticreativity specific to the developed nations is taking shape. It’s far worse than censorship. Censorship produces a

1996): 153. As he writes in the introduction to *Homo Sacer*, “bare life . . . gradually begins to coincide with the political realm, and exclusion and inclusion, outside and inside, *bios* and *zoe* right and fact, enter into a zone of irreducible indistinction” 9.

ferment beneath the surface, but reaction seeks to make everything impossible.²²

These comments reappear in different form in an interview from 1985 entitled “Mediators” (of particular interest are the sections “The Conspiracy of Imitators” and “The Proletariat in Tennis”). He concludes the interview with the following comment: “What’s really terrible isn’t having to cross a desert once you’re old and patient enough, but for young writers to be born in a desert, because they’re then in danger of seeing their efforts come to nothing before they even get going.”²³ This problem has only gotten worse since the time of Deleuze’s initial diagnosis in the 1980’s, with such explicit efforts of prevention and control now assuming openly political and juridical forms throughout all aspects of contemporary life. One can assume that had Deleuze lived longer, he would have continued to look at this problem, so that this question of the radical destruction of potentiality would have come to occupy a much greater place in his thought. It is precisely here that Agamben’s work marks an intervention.

As a teenager in the 1970’s, I was exposed to the idea, just by living in the world, of living one’s life as a work of art; as a new and absolutely different creation that would be one’s contribution to the world. In the late 1990’s and at the turn of the century, I have asked my students at San Francisco State University, many of whom are the excluded of our present, what they think of this idea. Their response to me has been: this was the first time they had ever heard of this idea, or even considered it. They were, they said, much too busy working and going to school, and just trying to survive in the world, to even consider such a concept. To them, this idea seemed positively utopian—and completely

²² Gilles Deleuze, *Negotiations*, trans. Martin Joughin, (New York: Columbia University Press, 1995), 27.

²³ *Ibid.*, 134.

disengaged from the world they knew. This idea, that there would be no separation between one’s life and one’s thought, between one’s existence and one’s expressions or creations, remains a powerful idea, to this day. And it is precisely the separation of this potential from itself that Agamben’s work is concerned with. This is one way for us to enter into Agamben’s work: as an ethics, following Deleuze, of the immanent potential of *life as thought*. And it is, precisely because the potential for *life as thought* and *thought as life*, has never been greater than at any time in the history of the West that such a potentiality would be so radically policed. One of the consequences of the thought of the exception is that it enables us to rethink the place of potentiality in contemporary thought. If power is located at the site of potentiality, as would seem to be the case, and if resistance is primary in relation to power, as Foucault taught us, this means that we need to look to potentiality as the site or location for radical thought and politics *today*. What I would like to suggest is that Agamben’s work, and this is just a thought, may be pointing us in the direction of a new concept of *force* or meaning itself: as neither power (Foucault, Nietzsche), nor desire (Deleuze and Guattari), but as potentiality.

5. *The exception concerns a “prior movement”—one that precedes all of our ways of thinking about ethics and politics in the post-war era.*²⁴ The “prior movement” of the exception is not an *apriori* movement. Rather, it is the case that the “taking of the outside” of the exception is so intimate that it happens *before* we are used to thinking the ethical and the political. Post-war thought has been heavily influenced by Nietzsche’s concept of the “eternal return,” in which the ethical takes place in an “abyssal” moment, with the throw of the dice, the affirmation of chance, chaos, and all that exists. The exception, according to Agamben, *precedes* this “abyssal” moment. This obliges us to think ethics *before* the abyss because the exception precedes and, therefore, is capable of

²⁴ *The Time that is Left, passim.*

“taking” this ethical relation. No other sign has had more of an influence on post-war social and political thought than Nietzsche’s eternal return. And this is especially the case with regard to the work of Deleuze and Guattari. Thus, to think the exception as a political and ethical problem is to confront something that precedes virtually all of our ways of thinking and doing the political. This is the case despite, and even because of, the important work that has been done since May ‘68 on a radical non-dialectical politics. We need to think about this “prior movement “and how it effects what we take for politics and thought, including what Deleuze called our “image of thought.”²⁵ This concept will be discussed in more detail in Chapter One, particularly in relation to the problem of subjectivity, and illustrated with examples throughout the text below.

6. *The exception is a theory of the failure of the political.* The apparent dismantling of civil liberties in the West has happened at such an alarming pace that keeping up with these developments has proved difficult, if not impossible, in the realm of social and political thought. The seminar on *The Time That is Left*, which took place in 1999 immediately prior to these developments, was an effort to pose and develop the problem of the exception in the time that was left before our civil liberties were lost. Since then, we have to ask ourselves whether or not this loss of civil liberties has not become permanent. The fact that there has been absolutely no practical response to these developments is even greater cause for dismay. This points us to the larger problem of the failure of the political. Agamben asks us to consider what has been the practical effect of poststructural social and political since May ‘68. Given the importance of the development of this thought, particularly in the work of Foucault and Deleuze and Guattari, how are we to account for the lack of any appreciable effect on the ground of

²⁵ For Deleuze on the “image of thought” see his *Proust and Signs*, trans. by Richard Howard, (Minneapolis: University of Minnesota Press, 2000), and *Difference and Repetition*, trans. By Paul Patton, (New York: Columbia University Press, 1994).

contemporary politics? Might this not have something to do with the generalized separation of the exception? How do we account for the failure of all of our work on the political in the period surrounding May '68 to think the problem of the exception? This failure is instructive.

The concept of “lines of flight” in the work of Deleuze and Guattari can be taken as an example of this problem. In *A Thousand Plateaus*, they articulate this concept as a micropolitics: “From the viewpoint of micropolitics, a society is defined by its lines of flight, which are molecular. There is always something that flows or flees, that escapes the binary organizations, the resonance apparatus, the overcoding machine: things that are attributed to a ‘change in value,’ the youth, women, the mad, etc.”²⁶ The problem with this formulation is that the radical destruction of potentiality, and the failure of every leftist political project in the history of the West, cannot even be posed as a problem from within this perspective. The “taking” accomplished by the exception simply doesn’t matter because this is what “always” happens: it is simply a matter of negotiating the varying levels of re- and de-territorialization characteristic of global capitalism. Moreover, the exception points to a problem that *precedes* the creation of every “line of flight” precisely because it is that which is capable, eventually, of “taking” any such movement. The concept of lines of flight is, on its own terms, incapable of accounting for how those lines, which are always supposed to be available, are “taken” before they have a chance to be written, mapped out, and created in the first place. The consequences of the reception of this thought, *unmodified* by scholars who have come in the wake of Deleuze and Guattari—and, I might add, during a time in which the exception has been radically unmasked as a problem in our everyday lives—has been the radical exclusion of the problem of the exception. This is because articulating the problem of the exception,

²⁶ *A Thousand Plateaus*, 216.

even existentially, is impossible within the terms available to this concept. This is neither Deleuze nor Guattari’s fault, but rather a symptom of how their thought has been received; in a manner that has been wholly separated from life. The concept of “lines of flight” is, for many, the predominant “image of thought” in the work of Deleuze and Guattari; an image associated with thought itself. One of the unintentional consequences of this has been the exclusion and policing of any other image of thought (e.g. that of “bearing witness”). This illustrates the previous conceptual innovation discussed above: the “prior movement” of the exception and the implications of this for Nietzsche’s thought of the eternal return. Moreover, this exposes the larger problem of the reception and usage of Nietzsche’s thought—and what *it* excludes—within poststructuralism. This concept of the failure of the political will be developed and discussed further throughout the text below, particularly in relation to modernism and modernity in chapter three.

Despite these negative examples of the failure of the political, Agamben’s startling interpretations of the concept of “weakness” in Paul and Benjamin powerfully suggest that failure harbors an unknown potential that can be used against the exception. This positive relationship to failure, which will be discussed at length in chapter one below, is instructive in relation to Agamben’s project in *Homo Sacer*. This project is an effort to go on thinking with Deleuze, Foucault, and Benjamin at the final point of their work; to pick up their thought where it left off, where it remained incomplete and unfinished, in order to continue their projects, for us, today. And it is precisely to the “final” texts of these three thinker’s that Agamben’s work points: “Immanence: A Life . . .” (Deleuze), “Experience: Life and Science” (Foucault), and “On the Concept of History” (Benjamin). In the work of the seminar on *The Time that is Left*, this is how Agamben characterized his own work. Perhaps a quote from each one of these texts can help us as we prepare to enter into this project. Foucault: “In this sense life—and this is

its radical feature—is that which is capable of error.”²⁷ Benjamin: “Then, like every generation that has preceded us, we have been endowed with a *weak* messianic power, a power to which the past has a claim.”²⁸ And Deleuze: “*A Life* is everywhere, in all moments that a given living subject goes through that are measured by given lived objects: an immanent life carrying with it events or singularities that are merely actualized in given subjects or objects.”²⁹

Posing these questions and problems of the failure of the political after the events of the past few years seems, at once, both positively utopian and increasingly vital. The conceptual innovations of the exception listed above will be used and developed throughout the text. What follows is my effort to enter into Agamben’s project of developing the concept of the exception. And I do this, primarily, by rethinking the concept of *affect* in the work of Gilles Deleuze. *Affect*, in Deleuze, is the sign under which we have come to think that absolutely intimate concept of thought, being, and politics as an *a*-subjective experience, encounter, or relation with the outside. Exposure, passivity, and vulnerability are the conceptual signs under which the radical intimacy and fragility of this thought has emerged. But how can we think, and account for, radical exteriority, predicated as it is on an *a*-subjective *encounter* with the outside, if we remain separated from our “experiences,” encounters, and relations in the exception? To think

²⁷ “Life: Experience and Science,” *Aesthetics, Method and Epistemology*, ed. by James D. Faubion, trans. by Robert Hurley and Others, (New York: The New Press, 1998), 476

²⁸ “On the Concept of History,” *Selected Writings Volume Four: 1938 – 1940*, trans. by Edmund Jephcott and Others, ed. by Howard Eiland and Michael W. Jennings, (Cambridge: Harvard University Press, 2003), 390.

²⁹ “Immanence: A Life,” in Gilles Deleuze, *Pure Immanence: Essays on A Life*, trans. by Anne Boyan, into. By John Rajchman, (New York: Zone Books, 2001), 29.

the problem of the exception in relation to *affect* means to rethink the theory of radical exteriority in poststructural thought. I will not consider the work of Maurice Blanchot in relation to this problem because it occupies a unique position with regard to this thought and the concerns of trauma and bearing witness raised here. Psychoanalysis is a theory of *interiority* founded within the thought of the dialectic, and already has a built-in capacity for thinking “bearing witness”—something that appears to be missing in the philosophical tradition of the thought of the outside from Nietzsche to the present. Although a serious consideration of what the theory of radical exteriority, and non-dialectical thought, generally, has to offer the psychoanalytic tradition would be a welcome development. Rather, I will focus my efforts on the work of Deleuze and Guattari, which is, arguably the most recent, and thus fully developed concept of radical exteriority in poststructural thought. And its most intimate expression remains, for me, Deleuze’s concept of *affect*. If the exception is a prior limit on our thought and experience, then it has the potential to radically displace our basic assumptions about the limit itself: to displace the limit of the limit. This is one of many instances in which the thought of the exception presents a radical critique of all post-war thought, insofar as it brings about a clearing away of presuppositions.³⁰ It seems especially important for us to make use of such a critique in the time that we have left.

This book is composed of four “thought-images” (*Denkbilder*) in Benjamin’s sense, modified as subjective thought-images: affective experiences, encounters or relations with the global state of exception.³¹ Two of these chapters are dedicated to the

³⁰ *The Time that is Left, passim*. This is also Deleuze’s definition of “critique” in *Difference and Repetition*.

³¹ This is a translation of *Denkbilder* in Benjamin’s work. The usage of *Denkbild* (thought-image) goes back to the 18th century, with antecedents in the Baroque “emblem.” It was picked-up again by Benjamin, Bloch, Adorno, Kracauer, and Brecht, in the 1920’s and 30’s as a way of thinking about materialism and modernity. See, for example, the selection of works under the heading “Thought Figures, 1933,” in *Walter*

Benjamin, Selected Writings: Volume Two: 1927 – 1934, trans. by Rodney Livingstone and Others, ed. by Michael W. Jennings, Howard Eiland, and Gary Smith, (Cambridge: Harvard University Press, 1999). The return to the thought-image in the 20’s and 30’s may (or may not) have been the result of the appearance of Franz Rosenzweig’s earlier work, *The Star of Redemption* in 1919 (which creates a philosophical system based on the image or, paradigm of the “Star of David”). Though the exact influence of this text, in this respect, is difficult to determine, the figures named above not only had access to this text, but, in the case of Benjamin and Brecht, clearly had read and studied it. See, for example, Stephane Moses, “Walter Benjamin and Franz Rosenzweig,” in *Benjamin: Philosophy, Aesthetics, History*, Ed. Gary Smith, (Chicago: University of Chicago Press, 1989): 228 – 246. In general, the term *Denkbild* points to Benjamin's unique form of prose-philosophy, as collected in his many fragments, the *Arcades Project*, and works such as *One-Way Street*. Such work can be viewed, I think, as a precursor to the concept of "theoretical fictions" or "critical fictions" that have emerged in the wake of the work of Gilles Deleuze (and this is precisely how I am using the concept here). I do not think, however, that Benjamin's usage of the *Denkbild* can be separated from his concept of the "dialectical image." For example, the use of the Paris arcades as a paradigm for modernity, and the use of Klee’s “Angelus Novus” as a paradigm for history. As a materialist concept, the dialectical image has the advantage of including the immateriality of the image within the material (and all of the abstraction, with regard to thought, that this allows). To my thinking, the "dialectical image" is a way to not only create a connection with the past, but as an image, it also creates a desire to do so in all those who encounter this unique thought-image *in thought* (to enter into and participate in, its abstraction, its thought, its desire . . . if you will, the life of the image or form, which for Benjamin is history). It is precisely here that I find it difficult to meaningfully distinguish between the thought-image as a form of philosophical prose and the dialectical image as a “paradigmatic” thought-image (a way of thinking-in-images). This appears, to me, to be Benjamin’s approach, as described in his “Convolute N” of the *Arcades Project*. “Method of this project: literary montage. I needn’t say anything. Merely show” [N1a8] 460. Benjamin is one of those cases, Foucault is another, where “style and form” coincide, in a very unique way, with “content.” Not only is this based on a critique and even destruction of the representative (dialectical) distinction between these two terms, such as one finds in Deleuze (a direct influence on Foucault’s work), but it also points us to the very problem of the exception as a theory of the separation of life and thought. This way of doing philosophy is closer to all of our lives because of the proliferation of the image in “postmodern” capitalism. In other words, thinking-in-images is also a way of thinking the inseparability of thought and life (which is to say, immanence) in the present. This thinking above, in any event, is behind my own rather modest stylistic choices in the present text. The *musselmanner* in *Remnants of Auschwitz*, it should be noted, is also a subjective paradigm in Agamben’s work

singular intelligence and sensibility of a life—as Deleuze defined that term—but which, nevertheless, points to a real person whose intelligence subtends its thought.³² Furthermore, this real person with an immanent thought, experience, or sensibility, does not have a voice within the horizon of contemporary thought, because they remain separated or excluded from what we take for contemporary thought, or because their voice has, in some way, been radically silenced. The entire project is an effort *to bear witness to the intelligence of a life*—immersed in the exception, but rendered mute and speechless within it—that *does not exist* in the realm of expressions and public gestures. It is my hope that this will aid, however slightly, those forms of life to begin to realize or accomplish even a part of themselves. The following is also a unique experiment in, and contribution to, Agamben’s developing concept of a “paraontology”—the thought of the paradigm as a theory of being “beside itself,” showing, or exposing itself by means of its example.³³ It seeks to think this not only in relation to the Berkeley seminars on *The Time That is Left*, and the lives of the friends whose names bear the dedications to each chapter, but also in relation to my own life. This is not an exhaustive treatment of the concept of, and philosophical foundations for, the thought of the exception. Rather, it is a

³² Deleuze, “Immanence: A Life . . .” in *Pure Immanence: Essays on a Life*, 25 – 33. This concept of an *a*-subjective individuation is what Deleuze calls a “singularity.” (In the simplest of terms, we can think of singularity as the concept of the *event* in Nietzsche’s thought with regard to individuation.) While I am not using these terms interchangeably, the connections between them are, by now, fairly obvious: the theory of transcendental empiricism in Deleuze is a theory of affect, which is also a theory singularity. For an interesting perspective that draws out these connections at the same time that it presents a meditation on the problem of belonging,” see Agamben’s *The Coming Community*. The misunderstandings surrounding the intellectual trajectory of Agamben’s usage of the term “singularity” highlights the need to read Agamben *with* Deleuze.

³³ In “What is a Paradigm?” Agamben states, “The paradigm is neither universal nor particular, neither general nor individual, it is a singularity which showing itself as such, produces a new ontological context.” HTML <http://www.egs.edu/faculty/agamben/agamben-what-is-a-paradigm-2002.html> (Accessed March 14, 2004). (Please note that there are amusing transliterations of Agamben’s speech in this text. For example, Canguilhem is rendered as “Kandellam”.) See, also, Agamben’s comments on the difference between the paradigm and the exception on page 22 of *Homo Sacer*.

thought-experiment: a singular effort to enter into the development of this concept, and, in so doing, bring a little of its potentiality back to life. This is particularly the case with regard to the thought of Deleuze and Guattari. Another way of thinking about this text is to say that it has set for itself the problem of how to go about writing a critical fiction—in the sense of Deleuze’s “transcendental empiricism”—of life in the state of exception. As David Wojnarowicz once wrote about his relation to the existential landscape of AIDS “I want to know what the structure of all this is in the way only I can know it.”³⁴

In chapter one, “Apocalypse,” I use the image of the end of the world to think radical exteriority in the exception. Through a discussion of the problem of the prior movement of the exception in relation to Nietzsche’s thought of the eternal return, I articulate our contemporary relation to the world as one which is profoundly and irreparably broken. The outside, the world, radical exteriority, can only be thought as the broken. Blurring the distinction that Agamben makes between the ethical thought of the eternal return and its epistemological thought, and making productive use of Agamben’s research on messianic time and subjectivity in Paul and Benjamin, I rethink affect in Deleuze as a radical *non-encounter*; a *failed encounter* that *precedes* every encounter in the exception. This introductory chapter lays out the philosophical groundwork for a new way of thinking radical exteriority in the exception, and sets up the work that follows. This chapter is concerned with largely epistemological considerations of the exception, even as it draws from and explores the ethical, political and aesthetic implications of this thought.

In chapter two, “Urgency,” I use the image of the subjective experience of urgency found among individuals living with HIV to articulate the concept of the state of

³⁴ *Close to the Knives: A Memoir of Disintegration*, (New York: Vintage Books, 1991), 116.

exception pragmatically, and to show how, in the example of AIDS, the exception has become the norm. This chapter presents a reading of the discourse of HIV/AIDS—particularly in its relation to questions of extremity, law, right, and radical exclusion—through a usage of the work of Foucault, Agamben, and Benjamin. More importantly, this chapter seeks to give expression to an ethics immanent to gay men living in the time of AIDS. This chapter is largely concerned with the ethical thought of the exception, particularly the project of thinking an ethics without relation and its connection to the problem of messianic subjectivity.

In chapter three, “Failure,” I present a philosophical reading of modernism according to a paradigm of failure. This chapter thinks the relation between the exception and the modern. How can failure, as a political and philosophical concept, enable us to think the excluded of modernity? And what can this teach us about the failure of our contemporary conceptions of the political, today—particularly with regard to the work of Deleuze and Guattari? This problem is briefly sketched out in relation to the work of Benjamin and through reference to the work of Franz Kafka and Robert Walser: three exemplary figures of modern failure. Drawing on recent scholarship on the philosophical concept of the modern, particularly works that make productive use of Deleuze and Guattari, and building on the previous two chapters, I highlight the need for maintaining a “redemptive” relation to the excluded of modernity in any effort to write a history of the present. That is, in any effort to create new ways of thinking and living, as Deleuze and Guattari propose in *A Thousand Plateaus*, in the present.

In chapter four, “Spiral,” I use the image of the spiral to express the subjective experience of radical complicity with the forces of power that mark the post-war era as the “horror” of the “taking of the outside.” Reading select examples from contemporary Japanese film, film noir, Kathryn Bigelow’s *Strange Days*, and the films of Tsai Ming-Liang, I formulate a new way of thinking affect and narrative cinema according to my concept of the *failed encounter*: a cinema of bearing witness. Utilizing the work of

Deleuze, Benjamin, and Agamben, I ask how it is possible to experience filmic meaning in a world defined by relations of radical separation and dissociation. This chapter is concerned with the relation between the exception and cinematic thought. Rather than a usage of Agamben’s work on cinema and gesture, this work goes in a slightly different direction to consider the compatibility between the theory of exteriority in poststructuralism and a rethinking of filmic experience, and cinematic thought, according to my concept of the failed encounter. It presents another way of thinking affect in the exception, and highlights the problem with theoretical engagements, inspired by the work of Deleuze, that attempt to think filmic meaning based on the exclusion of the problems of radical separation and dissociation.

This book is both philosophically speculative and expressive in nature. Every aspect of its thought, despite its inseparability from *a* life, in Deleuze’s sense, is bound-up with Agamben’s work and the project of developing the concept of the exception. The formulations that I present here would be impossible to develop outside that work. At the same time, it is a kind of testimony, a bearing witness, to my own life. A reader of my work once asked me what literary figures I could think of that would stand-in for the image of failure that I present below. While I gave this reader the list of my usual suspects, Robert Walser, Jack Smith, Tsai Ming-Liang —and as narratives of bearing witness in the post-war era, David Wojnarowicz, Primo Levi, and Ota Yoko—none of these figures could be said to fully “inhabit” the figure of radical failure that I develop here. The reason for this is simple: the concept of the “failed encounter” that I develop in the next chapter and use throughout the text is also a conceptual account of my own life and, as such, cannot be separated from that life. It is *a* life giving an account of itself, exposing itself in the exception. The only figure who could possibly stand-in for this thought would be my “self.” In this respect, there is a unique convergence or, “secret agreement,” as Benjamin would say, between Agamben’s theoretical formulations on the state of exception and the existential conditions of my life over the past ten years.

Agamben refers to the exception as an “empty space.” All the ways we have of thinking radical exteriority are theories of that abstraction that is “no thing”—not something literally, or “really” there—but which cannot, at the same time, be reduced simply to “nothing.” Here, perhaps, the image, itself, remains the paradigmatic example. During the seminar on *The Time that is Left*, Agamben kept reminding me that the exception was not a thing. Yet I had this way of speaking about and seeing the exception as something that was “really there” or “experienced.” This is because the experience of radical separation conceptualized by the thought of exception has had a profound effect on my life. I reserve the right, throughout this text, to occasionally make this “error” where I think this *indistinction* is appropriate or illuminating. Perhaps, and this is only a thought, this “error,” this mistake, this failure, exposes something to us about the exception. The reading of Agamben’s work that I present here fulfills itself in the radical failure of a life lived in the state of exception that has become the norm. In this sense, it is an account of a life lived in relation to that outside which is broken.

CHAPTER ONE

APOCALYPSE¹

What we most lack is a belief in the world, we've quite lost
the world, its been taken from us.
—Gilles Deleuze

In the inward side of the end
Are the things which are based
Upon the foundation of the Past
On the onward side of the Never-No-End
Are the things which are based
Upon the potentials of the ontology of the Future
That has no connection to the End
Of the Once-upon-a-time-eternity
Of the Past that was
It's After the End of the World!
Don't you know that yet?
—Sun Ra, “It's After the End of the World”²

One of the paradoxes of the exception is that it “includes” what is outside of it by means of an “inclusive exclusion.” In abandoning and banishing, the exception “captures” or “takes” what is outside of it. In this way, anything that is politically counter to, opposed to, or different from the exception is taken the minute it is exposed or

¹ This chapter is dedicated to my friend Chris Allert.

² Lyrics transcribed from *It's After the End of the World*, Sun Ra and His Intergalactic Research Arkestra (back cover of vinyl recording), 1970 MPS Records. Recorded live at the Donaueschingen Music Festival October 17, 1970 and the Berlin Jazz Festival, November 7, 1970.

expressed. This is one way of accounting for this phenomenon, which we see everywhere in contemporary political life, as we experience it today: beyond any notion of the recuperative powers of capitalism and its movements of re- and de-territorialization. Everything new and different appears to be taken the very minute that it emerges. The taking of the outside of the exception corresponds to a generalized “experience” of separation and exclusion. This taking implies a radical separation of our bodies from immanence—the outside, the “world”—as a non-essential, exterior foundation for politics, thought, and subjectivity. Life in the state of exception is that which everywhere remains profoundly separated from itself. Life divided from life. A life that is perpetually taken, a potential that experiences, even itself, as being perpetually emptied out, reduced to the brutal fact of mere survival.³ What *remains* of the world in the exception? Insofar as the time of and for the world has grown short—insofar as the post-war era is marked by a state of perpetual suspension, a radical deferral and delay of the potential of subjectivity, thought, and politics—we can read this situation as the *beginning* of the end of time; of and for the political, of and for thought, of and for life. Within the closure of the outside that marks the exception, the time for any potential politics has grown short. There is little time left for the political—that is, perhaps, before the hope of any and all politics becomes permanently suspended. Time is running out. The time that is left, the time that remains for life, for politics, for thought, has become contracted.

³ Giorgio Agamben, *Remnants of Auschwitz: The Witness and the Archive*, trans. Daniel Heller-Rosen. (New York: Zone Books, 1999): 156. Hereafter cited as *Remnants*.

Agamben uses a phrase by Gianni Carchia to distinguish between apocalyptic and messianic time: “The messianic is not the end of time, but the time of the end.”⁴ It is, as the title of his seminar made clear, “*the time that is left us.*”⁵ Thus, the very title of this chapter is, for him, an “insidious misunderstanding,” of messianic time.⁶ For the problem concerns not “the last day, the Day of Wrath,” he says, but “the time that contracts itself and begins to end.”⁷ This distinction is important for thinking messianic time and distinguishing it from eschatological time; even rescuing it from oblivion by the eschatological. There is an image of apocalypse in post-war culture that is instructive for us here. From *Gojira* (*Godzilla*) to fake lounge persona Rita Calypso’s album *Apocalypso* (Calypso has also covered Claudine Longet’s cover of Skeeter Davis’ version of the Sylvia Dee penned song, “The End of the World”) there is an image of the apocalypse as the present historical moment.⁸ Both of these works, I might add, simultaneously play with and disrupt this image. Perhaps this image from everyday life can be instructive for

⁴ *The Time That Remains*, 62.

⁵ *Ibid.*, 68.

⁶ *Ibid.*, 62. I hope the reader will note that I am not deliberately contradicting my teacher, just as I am not merely attempting to explicate his work, but rather, I am seeking to give expression to something, perhaps, which remains separate but related to it. Something, perhaps, that took place before it, but can now be considered alongside the work of this seminar. My incorrect usage of the image of the apocalypse has more than one meaning. Including the usage of our image of eschatological time, which is so familiar to us, against itself.

⁷ *Ibid.*

⁸ Rita Calypso uses happy and “sweet” music from the past in order to disrupt the present. For more on the messianic dimensions of this unique form of music, which I call lounge-philosophy, and includes such important figures as Louis Phillipe (Philip Auclair), Momus (Nick Currie), and Mike Alway, see my “Sweetness,” forthcoming.

us in our efforts to think and give expression to *life in the time of the end*. Insofar as the image of the apocalypse refers to an event that has already happened and, yet, is infinitely delayed, this image perfectly coincides with the “experience” of life in the exception. *Perhaps the world has already ended, we just don’t know it yet.*⁹ This statement preceded my participation in the Agamben seminar, formulated from within the existential conditions of my life, including the experience of homelessness, which is a paradigmatic experience of abandonment. My purpose in stating this formulation was to use this image of the end of the world, the end of time—made “out of time” with the Agamben seminar, so to speak, but which has its own logic, and may not be so far removed from Agamben’s work—as a means to think through the problem of the exception as a problem of radical exteriority. What can it mean to think, as it was for me in the wake of my homelessness, and actually “experience” the “end of the world” as something that has already happened? And how can we make use of this image, do something with it, so that it functions to bring us not to an image of a teleological end, of the end of our time, but an image of our present; the messianic “time of the now”?¹⁰

Messianic Time

⁹ This line of thought in my work preceded the Agamben seminar. During the seminar, Agamben mentioned Manganelli’s *La Notte*, in which he made a similar thesis with regard to time. As Agamben presents this thesis: “time had already ended, we just didn’t know it.” Agamben never said this about the “world.” However, in a recently translated section of *Il tempo che resta*, this formulation appears exactly as above (“The world has already ended, we just don’t know it yet”). In a personal e-mail correspondence, dated March 17, 2003, Agamben made it clear that this “convergence” between my statement, Manganelli’s work, and his own was just a coincidence and, as such, perfectly “fine.” Part of what I hope to convey in this work, by means of the *example* of my life (and, here, we need to remember that the example is that which stands beside itself or shows itself), is not to draw attention to myself, but to show how the thought of the exception invites us to rethink the relationship between thought and life.

¹⁰ *The Time That Remains*, 61.

For Agamben, Benjamin grasped the link between the state of exception and the messianic event in Jewish mysticism; that is, between the status of the law in the state of exception and the confrontation with the law marked by the arrival of the messiah. The arrival of the messiah does not, as is commonly thought, mark the end of time, the time of the apocalypse, or the Last Days, but rather a time in which the Law is radically suspended.¹¹ With the arrival of the Messiah, “the hidden foundation of the law [as *being in force without significance*] comes to light, and the law itself enters into a state of perpetual suspension.”¹² The arrival of the messiah inaugurates a radical suspension of the exception (a suspension of the exception’s suspension). Messianism is, according to Agamben, “a theory of the state of exception—except for the fact that in messianism there is no authority in force to proclaim the state of exception; instead, there is the Messiah to subvert its power.”¹³ In the Jewish tradition, this is the time of the messianic event. Between the time of the creation, which includes the time of the end of the world, and the time *after* the end of the world, there is the time of the messiah.¹⁴ This time is a

¹¹ “The Messiah and the Sovereign” in *Potentialities: Collected Essays in Philosophy*, 166. Hereafter cited as “The Messiah.” A useful introduction to Messianic thought is Gershom Scholem’s “Toward an Understanding of the Messianic Idea” in his *The Messianic Idea in Judaism* (New York: Schocken, 1971). For a good secondary work on Benjamin’s early work on Messianism, particularly in relation to Scholem, see Eric Jacobson, *Metaphysics of the Profane: The Political Theology of Walter Benjamin and Gershom Scholem* (New York: Columbia University Press, 2003), especially Chapter 1, “The Messianic Idea in Walter Benjamin’s Early Writings.” See, also, Jacob Taubes, *The Political Theology of Paul*.

¹² “The Messiah,” 162, brackets mine. Here Agamben makes the point that the messianic, insofar as it can be defined by this unique relationship to the law, is the “limit concept” of religious experience (just as the exception is the limit concept of State power). Furthermore, insofar as the messianic confronts a meaningless law—a law that is *being in force without significance*—it exposes “the problem of law in its originary structure” *Ibid.*, 167. On these points, see also, *Homo Sacer*, 56-57.

¹³ *Homo Sacer*, 57-58.

¹⁴ *The Time That Remains*, 62.

remnant. It is the time that is left in the disjunction between two traditional concepts of time: historical or chronological time, and a future time *after* the end of the world. Thus, it is the time that is left *between* the beginning and ending of the world, as chronological time and relation. This enables us to begin to think the concept of messianic time as an immanent time: a “time *within* time.”¹⁵ This immanent time is not another time, but makes use of, and radically disrupts, the chronological, homogenous, and empty time of the exception—the reduction of life to mere survival. For Agamben, messianic time is a way of thinking time as an operation on, or usage of, the time that we have left for politics and thought. This usage of time is operational: it is an immanent work on time itself. What is being brought to an end, what is being accomplished, the time that is being “operated” on, is our “image” of time; the image of chronological time. This is what is being brought to an end and radically suspended by the time of *kairos*; the non-chronological time inaugurated with the arrival of the Messiah. He writes:

Whereas our representation of chronological time, as the time in which we are, separates us from ourselves and transforms us into spectators of ourselves—spectators who look at the time that flies without any time left—messianic time, an operational time in which we take hold of and achieve our representations of time, is the time we ourselves are, and for this very reason, is the only real time, the time we have.¹⁶

¹⁵ *Ibid.*, 67.

¹⁶ *The Time That Remains*, 68.

The time that is left is a remaining time; a *remnant* of time. Here, we need to note that the concept of the *remnant* does not refer to a supplement—to something supplementary or left over—but to that gap which occupies the “empty space” in the disjunction, the non-coincidence, between a possibility and an impossibility: in other words, contingency. The remnant is, “*the non-coincidence of the whole and the part.*”¹⁷ What *remains* is that which can never be entirely subsumed by a representative power. Thus, “testimony is the disjunction between two impossibilities of bearing witness.”¹⁸ The witness *is* the remnant, in the sense that the witness marks that empty space that *remains*—that is left, that cannot be divided—in the disjunction between those who died and those who survived.¹⁹ Messianic time, then, bears witness to a time that cannot be divided. According to Agamben, this remaining time is “a gap between our image and our experience of time. It is the gap between representation and thought.”²⁰ The first definition of messianic time is “the time it takes the ‘time’ to come to an end; to finish, to accomplish itself.”²¹ He writes: “What is truly historical is not what redeems time in the direction of the future, or even the past; it is rather what fulfills time in the excess of a

¹⁷ *Remnants* 164 (emphasis mine). The genealogy of the concept of the “remnant” in Agamben can be traced to Franz Rosenzweig’s *Star of Redemption*, translated by William W. Hallow, (Notre Dame: University of Notre Dame Press, 1985). See, in particular, the final section, “The Star or, The Eternal Truth,” especially 404-405, and 409-410.

¹⁸ *Remnants*, 39.

¹⁹ On these last two points, see *Remnants*, 133-134, and 164.

²⁰ *The Time that is Left*, October 20, 1999. See, also, *The Time That Remains*, 64.

²¹ *Ibid.* See, also, *The Time That Remains*, 67.

medium. The messianic Kingdom is neither the future (the millennium) nor the past (the golden age): it is, instead, *a remaining time*.²² What can it mean, Agamben asks, to think and make use of this *remnant* of time? This time that is left.

Following Agamben, I would like to ask how this “contraction of time” that marks our present relates to our ability to think and experience something called *the world*? What can it mean to think the world as that which has already ended, without our being able to say why or, even *that* we fully know that this event has happened? It is in this image of the end of the world, I think, that the “now of recognizability <*Jetzt der Erkennbarkeit*>”²³ of the potential of the world (the outside) and its radical destruction and separation in the exception comes to us. How can we think—when thought itself, according to Deleuze, is based on an exteriority without reserve—in a situation that implies and enforces a radical separation from experience, one that would take any, potentially every, encounter with the outside? How, in the taking of the outside of the exception, is radical exteriority possible? And how, following Deleuze’s singular individuation, can thought be based on our unique experiences, encounters and relations—all of which “happen” in a space of radical exteriority; that is, in the world—when it is precisely the “taking” of this that is accomplished in the exception? All of this is to ask, how can we think exposure in the exception?

²² *Remnants*, 159. The last sentence means, literally, the time that is left. A few pages later in the same work he defines messianic time as the disjunction between historical time and eternity, 164.

²³ Walter Benjamin, *Arcades Project*, trans. Howard Eiland and Kevin McLaughlin (Cambridge: Harvard University Press, 1999): 867.

I am employing the term “world” here in the sense that Nietzsche uses it in his thought of the eternal return which, among much else, is also a theory of the world.²⁴ For Nietzsche, the “world” is the abyss in which subjectivity and exteriority coincide in the exact same moment—a moment that is grasped, or should we say expressed and performed, in the ethical stance of the return: the willing of the eternal return of all that exists (the abyss), and the affirmation of chance and chaos. Deleuze’s statement regarding the loss of the world cited above refers, I think, to this conception of the world. In the speculations that follow, I want to delimit my inquiry to this aspect of the return—as an abyssal theory of the world in which subjectivity and exteriority coincide in the same moment (within the abyss). Such delimitation allows us to simultaneously blur the distinction between the ethical and epistemological thought of the return without, at the same time, completely abandoning every aspect of the latter (which seems both unnecessary and undesirable).

In this delimited sense, my statement about the end of the world means two things. In the first place, it means the loss of the concept of an abyssal encounter with the world (as an existential-ontological and epistemological foundation) contained explicitly in Nietzsche’s “eternal return.” In other words, the “end of the world” as the experience of the exception means the end of the eternal return, of any truly abyssal thought as the basis for thinking exteriority and subjectivity (I will explain this in more detail below).²⁵

²⁴ See, for example, the following sections of Nietzsche’s notes translated by Kaufmann and Hollingdale under the title *The Will to Power* (New York: Vintage, 1968): 1062, 1066, and 1067 (pages 546–50).

²⁵ Here, we need to note that not all theories of immanence are created equal—the thought of immanence does not depend, thank goodness, on an abyssal moment in which subjectivity and exteriority coincide.

Secondly, my statement is a play on the idea that without such a thought, which has influenced much, if not all, post-war thought on exteriority, we cannot think; it is the end of the world *for thought*, politics, and subjectivity. In other words, this statement points to the reaction to the thought of the exception and the problems it exposes. The “end of time,” as I read Agamben, does not literally mean that we are living in the time of the return of the Messiah, but rather that we are living in the “end of time” of a politics that would be counter to Modernity and the West; as a result, I think, of the complex force relations which have emerged since the end of World War 2; forces which appear to have as their goal the destruction of the world itself and the containment of the political. This contracted time is marked, as it is in the return of the Messiah in Jewish mysticism, by the pragmatic structure of the state of exception. It is precisely because of this moment, this now, Agamben suggests, that the “now of knowability” and the “now of readability” of Benjamin’s work on the exception—comes to us. This is why the concept of the state of exception, which is an old concept, is only now being developed and considered within poststructural thought.

The separation from the world, the outside, which marks the state of exception, means that our ability to have a relation to the world, to make use of its potential—for thought, for life, for politics—has become permanently policed or, suspended in the post-war era. This is, in part, because of the “prior movement” of the exception.²⁶ This has far reaching implications, I think, not only for our lives, but also for any corresponding

²⁶ *The Time That is Left, passim.*

theory of exposure, affect, and becoming.²⁷ The exception, in other words, may *precede* our ways of thinking about both subjectivity and exteriority. What can it mean to say that the world and our relation to it have become suspended? Any effort to affirm our lives today as exposure and vulnerability—as the encounter of an abyssal body with an abyssal world—runs up against this limit of a “world” that, defined in this sense, has effectively ended. This is because *every abyssal encounter with the world, with the very potential of the outside, is capable of being taken in the exception*; it is in this sense that the “world” has become suspended. What can we do when the world itself is now what Gershom Scholem called “*being in force without significance*”?²⁸ As Agamben writes in *Potentialities*, “The entire planet has become the exception that the law must contain in its ban.”²⁹ In other words, we can no longer think the political (and, quite possibly, thought itself) as a (non-relational) relation to the world.³⁰ It appears that Carl Schmitt was well aware of this relation. According to Samuel Weber, in *The Nomos of the World* Schmitt seeks to recover the primordial and lost meaning of the word *nomos* “as a

²⁷ And, in particular, Deleuze and Guattari’s theory of “lines of flight.” The exception *precedes*—and is therefore capable of taking—the creation of any line of flight, any process of becoming-other. It seems important to point out, in this regard, the appearance of *homo sacer* in the final pages of Agamben’s *Coming Community*, trans. Michael Hardt. (Minneapolis: University of Minnesota Press, 1993): 86-87. I am suggesting that immanence itself has become “policed” in the post-war era precisely because it presents the possibility of an experience of the world—the outside—without relation. The theory of singularity and transcendental empiricism in Deleuze are not immune to this *prior movement* (although Deleuze’s final work is, as I point out below, a special case).

²⁸ Cited by Agamben in *Homo Sacer*, 50–51.

²⁹ This idea, this simple statement—the world has become suspended—is not merely provocative, it is radical in every sense of the word; and this, precisely because the thought of the exception calls into question every major political ideology, ethics, and philosophy of the post-war era.

³⁰ 170.

partitioning [partition] and a distribution [repartition]—of space, but most of all of the earth—which Schmitt calls a *Landnahme*, or, literally, ‘seizing of the earth.’”³¹ How can we suspend this force? How can we continue to believe, if not in a world that we have lost (the eternal return), then in the potentiality of politics, subjectivity, and thought and that radical exteriority that subtends them? Once again, Agamben’s work on messianism in Paul and Benjamin contains the elements for a remarkable response. I was haunted by a statement that Agamben made in the seminar on *Il tempo che resta*: that ours is the era of the eternal return.³² As I understand Agamben, this statement refers to the self-image of our theoretical and pragmatic present; that we live in an age that is predicated, in part, on a radical separation from what he calls “bearing witness” and what Benjamin calls “history”. What can this statement possibly mean? How can the present era, which corresponds to a global state of exception, be considered the age of the eternal return? This statement set in motion a speculative study on my part; a re-examination of Agamben’s published work on the exception in light of this statement, the work of *Il tempo che resta*, and the question of affect in the exception. What I found as a result of

³¹ Samuel Weber, “*Nomos in the Magic Flute*” *Angelaki* Vol. 3 No. 2, (1998): 61–68. Also, see *Homo*, 19. It is in this context, going beyond this meaning, that Agamben points to the meaning of the exception as a “taking of the outside.”

³² In the seminar, Agamben made it clear that he was referring to the ethical and political dimensions of the return, and not its “epistemological” aspects. This was, for me, all the encouragement I needed to pursue this line of thought, which had already been sketched as a philosophical problem in my work on the “End of the World” prior to the Agamben seminar (incidentally, this work began with an unfinished meditation on the work of Swiss author Robert Walser, whose work, it seemed to me, coincided with a love for the world—the outside—without presupposition). It is important to point out that Agamben does not treat the eternal return as I do here. His comments on the eternal return are much more careful than my own. I am deliberately—and, hopefully, provocatively—blurring the distinction between the epistemological and ethical dimensions of the return precisely because they remain blurred in our ways of thinking exteriority. My statements should be taken as experiments with this problem rather than as final or definitive answers.

this (incomplete and speculative) inquiry or, rather, the unique response to the questions enumerated above that emerged out of these speculations, has its trajectory in a thought that moves between Agamben’s work on subjectivity in Foucault, “weakness” in Paul and Benjamin, the status of “bearing witness” in relation to language and poetry (or, rather, “non-language” and “non-poetry”), the brief statements about the eternal return that appear in a discussion of Primo Levi and the camps in *Remnants of Auschwitz*, and the unique experiences of my own life at the end of the 20th century. The present work, everything that came before and everything that follows, is an account of this theoretical “experience.”

The “Virtual” and the Real State of Exception

The potential for creating new ways of thinking and living in the present—announced by the *event* of May ’68 and given its most sustained political and philosophical expression in Deleuze and Guattari’s *A Thousand Plateaus*—is not spared by the exception. It is precisely in this sense that *Homo Sacer* marks an important intervention within contemporary thought. In an early interview with Michel Foucault, Gilles Deleuze talks about the *event* of May ’68 as a practical critique of representation and the dialectic. Speaking to Foucault he states: “In my opinion, you were the first—in your books and in the practical sphere—to teach us something absolutely fundamental: the indignity of speaking for others. We ridiculed representation and said it was finished, but we failed to draw the consequences of this ‘theoretical’ conversion—to appreciate the theoretical fact that only those directly concerned can speak in a practical way on their

own behalf.”³³ Deleuze’s comments in this interview have to be placed within his theory of singularities or, a-subjective forms of life.

To say something in one's own name is very strange, for it is not at all when we consider ourselves as selves, persons, or subjects that we speak in our own name. On the contrary, an individual acquires a true proper name as the result of the most severe operations of depersonalization, when he opens himself to multiplicities that pervade him and to intensities which run right through his whole being.³⁴

These formulations on the concept of singularity in Deleuze are important foundations for Agamben’s work from *The Coming Community* to *The State of Exception*. In *The Coming Community*, Agamben thinks Deleuze’s concept of *singularity* as a theory of belonging.³⁵ A singularity, in the simplest of terms, is an intensive difference composed of everything

³³ “Intellectuals and Power” in *Language, Counter-Memory, and Practice* (Ithaca: Cornell University Press, 1977): 209. In the same interview, Deleuze states very clearly, “Representation no longer exists.” 206.

³⁴ Gilles Deleuze, *Negotiations*, 6-7. In his final work, Deleuze formulated the singular as the “pure immanence” of “A life . . .” *Pure Immanence*, 28. “A life . . . contains only virtuals. It is made up of virtualities, events, singularities” *Ibid.* 31. He goes on to say, “What we call virtual is not something that lacks reality but something that is engaged in a process of actualization following the plane that gives it its particular reality.” The virtual is not in conflict with the real, from the perspective of the exception, rather it is the case that the abyssal thought that founds Deleuze’s work, as I demonstrate in chapter one below, presents a problem for bearing witness, and a non-dialectical redemption. Consider, in this respect, Deleuze’s comments on the wound, which appear on pages 31 to 32 of this essay, and which appear to this reader to be echoes of Nietzsche’s comments in *Twilight of the Idols*, “even in a wound there is the power to heal” *The Portable Nietzsche*, trans. Walter Kaufmann, (New York: Viking, 1977): 465.

³⁵ One way of conceptualizing the Deleuzian foundation of *The Coming Community* is to state that in it Agamben treats Deleuze’s theory of transcendental empiricism as a theory of affect as a theory of singularity. This is how I, myself, have read Deleuze’s thought of affect since 1991.

a given body has experienced, encountered, or related to in the external world as that body has, in turn, selectively folded or, internalized, that external experience. No two bodies—and this goes for “human” as well as “non-human” bodies—are exactly the same because no two bodies have had the exact same (*a*-subjective) experiences, encounters, and relations and selectively folded these exterior experiences in the exact same way. This is the intensive difference that Deleuze names a singularity or, difference-in-itself.³⁶ In *The Coming Community*, Agamben thinks this idea in relation to belonging, Heidegger, Walser, Debord, and the political upheavals of 1989. Through the example of fakes, cartoons, and the unique form of politics at Tiananman, he suggests that this intensive difference is what we have in common—and that allows us to come together and belong—and not representative identities. One image of such belonging is a gay bar, where the patrons have nothing in common not simply other than the fact that they don’t belong (in the “straight” world), but even among each other because there can be no literal representation—despite efforts to the contrary—of what it means to “be gay”. A gay bar, in this sense, is an assemblage of intensive differences, or “being, as such.”³⁷ Coming out of the closet in the 1970’s and saying “I’m gay,” marked an incorporeal transformation that included entering into this unknown, unrealized potential for belonging based on nothing other than singular difference. The historical potential, to think, live, and come together on the basis of what we love, want, need, or desire is how Deleuze and Guattari think the *event* of May '68: as the practical collapse of the dialectic.

³⁶ A singularity is an individuation without subject or object. The simplest way to think this concept is to consider a part of its intellectual trajectory: as the theory of the *event* in Nietzsche that is thought with regard to individuation.

³⁷ For the “as such,” see *The Coming Community*, *passim*.

Agamben's theory of belonging in *The Coming Community* is an extrapolation of this thought, but one with an important difference. This potential will not come to pass, he argues in the final pages of that work, until a *prior* problem—one not considered by these authors—is dealt with: the exception. *A Thousand Plateaus* exposed the potential of singularities on a global scale, but the reaction against the *event* of May '68, which we have been living through and which Agamben theorizes as a state of exception, means that the potential of these singularities will remain only as that: potential. A potential that is never realized, that remains only as potential, is a lost potential, a lost possibility. The profound *failure* of the political in the post-68 era, Agamben suggests, and the failure of the really vital and important work of Deleuze and Guattari to have any appreciable effect on this politics, calls to us to think seriously about how we can “accomplish” even a part of this nascent potential; albeit in a non-teleological manner.

According to Agamben, Benjamin makes a distinction between the “virtual” state of exception and the “real” state of exception in the “On the Concept of History.”³⁸ This distinction, Agamben points out, is made immanently; that is, within the text itself. Benjamin never explicitly states, much less explains, what he means by this distinction. We only know of it, in fact, because of the unique usage he makes of quotation marks. When Benjamin is referring to a “virtual” state of exception, he places the phrase “state of emergency” in quotation marks. When he writes in the eighth thesis of the production of a *real* state of emergency, the quotation marks are dropped. Agamben asks us to keep in mind that Benjamin died before he could complete the work that the “Theses” point to or, even publish the thought contained within them in a public form. For this reason, he

³⁸ *Homo Sacer*, 54–57.

suggests, it seems especially important for us to consider this distinction and the problems it opens up for us—as Agamben proposes, with an appropriately messianic gesture, to bring this unrealized or unfulfilled thought to completion. Benjamin’s distinction (which has nothing to do with the virtual and the actual in the work of Deleuze and Guattari) is crucial to the question of the political. In order for the political to happen, even to begin, for Agamben, the virtual state of exception must be suspended. How can we suspend the force of the exception with regard to subjectivity; that is, to new forms of life, new ways of thinking and living?

Agamben, following Foucault, provides an extraordinary response. Foucault, he reminds us, presents a “split” or two-part notion of subjectivity: it has both the capacity to be produced (subjectivation, subjection, the subject) and to produce (auto-production, resistance, creation, desubjectivation).³⁹ Picking-up this unfinished work—in the unique convergence between Benjamin’s final work and the final work of Foucault—Agamben argues that if subjectivation and desubjectivation “perfectly coincide” (i.e. occur, happen, in the exact same moment), then it is always possible for the first (subjectivation, the subject) to take the latter (desubjectivation, singularity) in the form of the exception.⁴⁰ In

³⁹ This formulation of Foucault’s becomes complicated in Agamben’s thought. It is not simply a matter of desubjectivation (as something “good”) as opposed to subjection (as something “bad”). As the example of the camp shows us, both immanence and desubjectivation can fully be made use of in the radical destruction of the human being. This is why, Agamben argues, something more is necessary: the possibility of being subject to our own desubjectivation (or, as he puts it in *Remnants*, the possibility of the desubjectified subject giving an account of its own ruin, and thus transforming itself). The same is true, I think, for immanence (or, what is the same thing, exteriority, the encounter, affect, etc).

⁴⁰ *The Time that is Left*, October 13, 1999. This is an extremely complex formulation. If we remember that the camp is a space of total immanence that corresponds with the complete and radical destruction of the self (of the human being), then this formulation can, perhaps, acquire its full force in relation to contemporary thought. Immanence and desubjectivation (and potentiality), in contrast to the not-so-subtle *reception* of much that is important in contemporary thought, are not ends in themselves. We need something more; we need to be able to “inhabit” our own desubjectivation and realize some part of our potential (otherwise, both will continue to be taken in the exception).

other words, the exception obliges us to find a way for desubjectivation to remain within itself (if, even, for a moment) without being taken in the exception (and this has nothing to do with a teleological movement, but an immanent transformation and accomplishment of potentiality, as such). How can we accomplish or fulfill *even a part of* a potential? Which is to ask, how can the (virtual) potentiality of desubjectivation—which, in the global state of exception, is now everywhere, but only as unfulfilled potential—become, in even a small way, *real*? How can we fulfill the potentiality of potential? How can the singular, the different, touch or “inhabit” itself?

Almost all of our ways of conceiving of desubjectivation and of radical exteriority in poststructuralist thought have been based on an abyssal encounter with the world. This is an extraordinary observation, particularly with regard to our theories of radical exteriority.⁴¹ It points to the legacy, I think, of the political thought of the “eternal return” in post-war thought. Alain Badiou goes so far as to assert that “One can argue that most of Deleuze’s work is devoted to defending, unfolding, and understanding more comprehensively the founding intuition of Nietzsche regarding the eternal return.”⁴² It is

⁴¹ It is in this respect that Benjamin may be the first philosopher of the 20th century.

⁴² “Eternal Return and Chance” in his *Deleuze: The Clamor of Being*, trans. Louis Burchill (Minneapolis: University of Minnesota Press, 2000): 67. Badiou’s text is really quite remarkable in the context of the work I am doing here. I only wish that I had more time to explore it within the problem at hand. Briefly, Badiou’s text is directed against three misinterpretations of the eternal return: 1) that it is the repetition of the same and the similar, 2) that it is a “formal law” imposed on chaos, and 3) that “the return of the same can be considered to be a hidden algorithm that would govern chance, a sort of statistical regularity, as in probability theory,” 71. Neither of these misinterpretations is operative in my discussion of the eternal return here (precisely because it points to something, following Agamben, that is new, that we have not yet thought or considered, in relation to this thought). Badiou’s text is so provocative for me because in the course of my on-going research I have often found myself asking the question: what remains of Deleuze’s thought without the return? This is a provocative question that I cannot even begin to answer here (if I have even adequately posed it). In many respects, I have come to think of my own work as an effort to re-think or re-write Deleuze’s *Nietzsche and Philosophy* in light of the exception (insofar as this text points to a radically non-dialectical ethics). One area that the thought of the exception, in particular the

in this sense that Agamben formulates a fundamentally new way of asking the question, at a very intimate level, how can we refuse the subject? The exception, in other words, is a problem that *precedes* our notions of subjectivity, and thus enables us to carry the critique of the subject even further.

The critique of the subject, which is an extremely important development in the history of thought, has increasingly been received with a subtle and specific form of dogmatism, to the point, I think, that it has been used to actively “police” the creation of new forms of life, new ways of thinking and living, new statements, and new subjectivities. The relatively recent “discovery” of the importance of subjectivity in contemporary thought, including the *reception* of the theory of *affect* in Deleuze in the past 10 years, has done little to change this relation. In fact, one could argue, the problematic reception of this thought has only hastened this process of radical destruction. This is precisely because many of our theories of exposure, vulnerability, affect, and radical passivity have been separated from the problem of the exception. (In terms of the reception of Deleuze’s thought, this corresponds to the complete separation of *affect* from any discussion, connection or relation to *incorporeal transformation*. This is why Agamben’s work on the exception is so important. It is *a redemption of subjectivity*—of what is “real” and vital in both the critique of the subject and the creation of new ways of living and thinking—in contemporary thought. It enables us to think the movement from the “virtual” to the real as *the incorporeal transformation of contemporary subjectivities*; from despair and a “living death” to life. To put this in terms

concept of failure and weakness in Paul and Benjamin, necessitates, I think, is a radical rethinking of the theory of fascism in the work of Deleuze and Foucault (which, it seems, can no longer be defined purely in terms of reactive power and *ressentiment*).

specific to my concerns here, it is extremely important for us to think about and take seriously those who have “failed” to be subjects, particularly those forms of life in which individuation and (de)subjectivation are existential problems. Nothing may be more annoying to the present order, marked by the hyper-proliferation of relations of subjection, than those who radically *fail* to treat themselves and others as “subjects.” This is not without consequence for the production and expression of thought itself.

All of this enables us to repose the problem of the fate of the world in the state of exception. The eternal return, it should be pointed out, is both a theory of the world (exteriority) and a theory of subjectivity in which both moments, the encounter with the world and the possibility of “becoming who you are,” must occur in the exact same moment. It is in the ethical relation to this abyssal moment, locating oneself, so to speak, within it (the abyss), that one “masters” one’s fate in the willing of its eternal return. This ethical stance, Agamben has noted, appears ridiculous, even appalling, when placed in relation to the camps.⁴³ Are we to believe, for example, that the Jews, in order to “master their fate” at Auschwitz, should will the eternal return of the camps and what happened there? Or does posing this question itself only serve to obviate the impossibility (and undesirability) of such an ethical response? Moreover, it seems that the very problem would remain veiled in the eternal return, which is not, “how can we will the return of the camps as a means of mastering the brutal fact that they happened (in opposition to the *ressentiment* of negation)?” but, “how can we stop the camps (and the exception) from continuing to happen?”

As a “theory of the world” the eternal return provides an abyssal ground for

⁴³ *Remnants*, 99-103.

subjectivity, one in which subjectivation and desubjectivation coincide in the exact same moment (the moment of the encounter itself). One can point to several recent, important texts that take this abyssal notion of subjectivity and exteriority (the return as a theory of the world) for granted, postulating it as the basis for all radical thought and politics, including, even, in response to the exception.⁴⁴ In a remarkable passage in *Being Singular Plural*, Jean-Luc Nancy points to this problem while, simultaneously, obscuring it:

. . . the thinking of the eternal return is the inaugural thought of our contemporary history, a thinking we must repeat (even if it means calling it something else). We must reappropriate what already made us who “we” are today, here and now, the “we” of a world who no longer struggle to have meaning but to be meaning itself. This is we as *the beginning and end of the world*.⁴⁵

Nancy’s project to appropriate our potential for “being meaning” rather than “having meaning” (as something that resists any teleological movement) shares much with the work of the exception (particularly the possibility of “inhabiting” the political as potentiality). But it should be clear by now that there are several problems with this (admittedly, complex) formulation. By formulating this problem within the abyss of the

⁴⁴ See Michael Hardt and Antonio Negri, *Empire* (Cambridge: Harvard University Press, 2000): *passim*, and Manuel De Landa, “Deleuze, Diagrams, and the Open-Ended Becoming of the World” in *Becomings: Explorations in Time, Memory, and Futures*, ed. Elizabeth Grosz (Ithaca: Cornell University Press, 1999): 29 – 41.

⁴⁵ *Being Singular Plural*, trans. Robert D. Richardson, (Palo Alto: Stanford University Press, 2000): 4, emphasis mine. Needless to say, the present work has an entirely different trajectory and was written before the appearance of Nancy’s *The Creation of the World or, Globalization* (Albany: SUNY Press, 2007).

return, Nancy steps over the movement from the virtual to the real (continuing to “take” it in an abyss), making his explicit project, named above, impossible to achieve. It seems unlikely that we will ever be able to realize the potential to “inhabit” meaning unless we confront the problem of the exception. Furthermore, Nancy’s formulation seems positively reactive in its insistence on the eternal return as the only possibility for thought and politics, exteriority and subjectivity, today. What is it in our contemporary experience of and relation to the eternal return that Nancy is afraid of? Could it be the very failure of this thought? Is this what is being defended against by continuing to think in a manner that may be wholly inadequate to the “reality” of our contemporary experience? Clearly, Nancy is correct in pointing to the return as the site of a problem, but what is that problem?

A Weak Messianic Power

In the second thesis “On the Concept of History,” Benjamin writes, “Like every generation that preceded us, we have been endowed with a *weak* Messianic power, a power to which the past has a claim. That claim cannot be settled cheaply. Historical materialists are aware of that.”⁴⁶ The word “weak” in this passage—appears in Benjamin’s own typewritten manuscript in German spaced as *s c h w a c h e*. Agamben is well aware of the influence of Hofmannsthal on Benjamin’s “theses.” “The historical method,” Benjamin writes, “is a philological method based on the book of life. ‘Read what was never written,’ runs a line in Hofmannsthal. The reader one should think of

⁴⁶ “Theses,” 254.

here is the true historian.”⁴⁷ But Agamben is curious about the messianic dimensions of this, apparently, hidden quotation (whomever it is) in Benjamin’s text. He asks, “Why is the messianic force weak? Is Benjamin quoting something here? Is this one of those hidden temporal indexes which will pose a text to another, especially in a constellation with the past? The only text in which there is a mention of a weak force is the messianic text of Paul.”⁴⁸ The *schwache*, according to Agamben’s research,⁴⁹ may refer to a passage in 2 Corinthians 12:9: “The force fulfills itself in weakness . . . This is why I rejoice in weakness, in insults, in needs, in persecution and in anguish for the Messiah. For when I am weak, then I am powerful.”⁵⁰ Whether Benjamin is actually quoting Paul here, or not,

⁴⁷ “Paralipomena to ‘On the Concept of History,’” 405

⁴⁸ *The Time that is Left*, November 10, 1999.

⁴⁹ For the sake of time, I am skipping over a great deal of information and research. For now, it is particularly important to note the place of citation in Benjamin’s work, as well as to consider the following two examples from Agamben’s research. As Benjamin writes in “What is Epic Theater?”: “to quote a text involves the interruption of its context,” *Illuminations*, 151. He goes on to say that “An actor must be able to space his gestures the way a typesetter produces spaced type,” *Ibid*. Interestingly enough, Agamben discovers that there is a reference to the same passage in Paul (2 Corinthians 12:7) in Scholem’s commentary on Benjamin’s “Agesilaus Santander.” This appears in English in “Walter Benjamin and his Angel” in Scholem’s *On Jews and Judaism in Crisis* (New York: Schocken, 1976): 216. According to Scholem, the anagram that is the title of this text is “Angle of Satan,” and with this device, Benjamin is referring to himself as the “angel of Satan.” Agamben refers to this as an “indirect proof” that Benjamin is quoting Paul. “This means,” Agamben says, “and who knows if it is true, that Benjamin is identifying himself with Paul, because Paul is the one who was an angel of Satan.” “The Time that is Left” November 10, 1999. The specific passage, which directly precedes the one on weakness, is 2 Corinthians 12: 7: “to keep me from being too elated, a thorn has been thrust into my flesh, an angel of Satan has been sent to torment me, to keep me from being too elated.” Agamben’s work on Paul was influenced by Jacob Taubes *The Political Theology of Paul*. Agamben dedicated the seminar at UC Berkeley to the memory of Taubes. Also, see Martin Hengle, *The Pre-Christian Paul*, Trans. John Bowden, (Trinity Press Intl.: Philadelphia, 1991).

⁵⁰ This reference is extremely complex. On page 130 of *Il tempo che resta*, Agamben writes:

Mentre Girolamo traduce “*virtus in infirmitate perficitur*,” Lutero, come la maggioranza dei traduttori moderni, ha “*denn mein Kraft is in den schwachen Mechtig*,” entrambi i termini (Kraft e schwache) sono presenti ed e questa iperleggibilita, questa segreta presenza del testo paolino in quello delle tesi, che la spazieggiatura vuloe discernimento segnalare.

this is certainly a provocative quotation, particularly when we place it in the context of the essay, as a whole. In the first place, we must note that in the preceding thesis, there is the story of the “automaton:”

constructed in such a way that it could play a winning game of chess, answering each move of an opponent with a countermove. A puppet in Turkish attire and with a hookah in its mouth sat before a chessboard placed on a large table. A system of mirrors created the illusion that this table was transparent from all sides. Actually a little hunchback who was an expert chess player sat inside and guided the puppet’s hand by means of strings. One can imagine a philosophical counterpart to this device. The puppet called “historical materialism” is to win all the time. It can easily be a match for anyone if it enlists the services of theology, which today, as we know, is wizened and has to keep out of sight.⁵¹

While Girolamo translates [this as] “*virtus in infirmitate perficitur*” [*virtue completes itself in illness*], Luther, as a majority of modern day translators have [done, translates it as] “*denn mein Kraft ist in den schwachen Mechtig*” [*for my force is powerful in the Weak*]; both the terms (*Kraft* and *schwache*) are present, this spacing between the lines discreetly indicates the presence of the text of Paul in the thesis.

According to Agamben, Luther’s translation of the *Bible* (1534) is the text that Benjamin *probably* had available to him during the time he wrote the “Theses,” *Il tempo che resta*, 130. The original German appears in the second paragraph of 2 Corinthians 12 (*Die ander epistel/an die Corinther*) in Luther’s translation of the Bible. In Italian, the first sentence of the passage (translated by Agamben from the Greek) is rendered as “*Potenza si compie nell bebolezza*” (The power fulfills itself in weakness), *Il tempo che resta*, 129. I want to thank Therese Grisham for her help with the translation of the Italian and Gisela Brinker-Gabler for her help with the German.

⁵¹ Walter Benjamin, “Theses on the Philosophy of History,” trans. Harry Zohn (New York: Schocken Books, 1968): 253.

Agamben asks, “is the secret theologian Paul?” The answer, I think, precisely because it cannot be known, is irrelevant to our inquiry here. But what matters for us, a great deal (I think), based on what we *do* know about the text, is that this *weak* messianic power is and can only be, it seems to me, the “secret” referenced in the first thesis according to which, “historical materialism is to win all the time.” For Benjamin writes in the “Paralipomena,” “Just as a physicist determines the presence of ultraviolet light in the solar spectrum, so the historical materialist determines a messianic force in history.”⁵² The messianic force of the “Theses,” according to such a formulation, *is* weakness (for this is the only such force or power mentioned in the “Theses”). The power (potential) of weakness is the messianic weapon (the “services of theology”) waiting to be deployed against the power of fascism and modernity. I think that this formulation is provocative enough. But let me add, as Agamben does, Benjamin’s comments to Gretl Adorno that the essay was composed of thoughts he had kept not only to himself, but “from himself . . . for some twenty years” as well as the historical “moment of danger” that gave rise to the essay, in the first place, the Hitler-Stalin pact.⁵³ Finally, the following comments from the “Paralipomena” are worth quoting at some length, and shed additional light on the meaning of these two theses:

⁵² *Selected Writings Volume Four: 1938-1940*, 402.

⁵³ This letter has yet to be translated into English. For references to it, see Momme Broderson, *Walter Benjamin*, trans. Malcolm R. Green and Inrida Ligers, ed. Martina Dervis (New York: Verso, 1996): 248.

The third bastion of historicism is *the strongest and the most difficult to overrun*. It presents itself as “empathy with the victor.” The rulers at any time are the heirs of all those who have been victorious throughout history. Empathizing with the victor invariably benefits those currently ruling. The historical materialist respects this fact. He also realizes that that this state of affairs is well-founded. Whoever has emerged victorious in the thousand struggles traversing history up to the present day has his share in the triumphs of those now ruling over those ruled. The historical materialist can take only a highly critical view of the inventory of spoils displayed by the victors before the vanquished. This inventory is called culture. For in every case these treasures have a lineage which the historical materialist cannot contemplate without horror. They owe their existence not only to the efforts of great geniuses who created them, but also to the anonymous toil of others who lived in the same period. There is no documents of culture that is not at the same time a document of barbarism. The historical materialist keeps his distance from all of this. He has to brush history against the grain—even if he needs a barge pole to do it.⁵⁴

There can be little doubt from this where Benjamin’s sympathies lie: with the memory of the anonymous—with those who, from the perspective of the victors of modernity,

⁵⁴ *Selected Writings Volume Four: 1938-1940*, 406 – 407, emphasis mine.

radically failed (and were themselves *failures*). In other words, those for whom no memory (in the ruling culture) exists: the radically excluded.

This poses a question on the relation between modernity and the exception. Could it be that in his final work Benjamin is articulating not only *his* most radical critique of modernism and modernity itself, but *the* most radical critique of modernity that has ever been posed: that is, *modernism as radical failure* (and modernization as a continuation, in the present, of the state of exception)? In effect, did Benjamin finally reach the pre-history of modernity in the concept of the exception (insofar as the exception is, apparently, as old as Western civilization itself)? And is he not suggesting that the failure of every liberatory potential is rooted in our inability to grasp the “pre-history” of the modern (and modernization itself) *as* the state of exception?

What can it mean for a force to fulfill itself in weakness? How can weakness be a messianic power or potential? In the first place, we should note that the second thesis *precedes* the eighth thesis, the latter concerning the movement from the “virtual” to the real state of exception. Why does the power (potential) of weakness *precede* the movement from the virtual to the real? How is it that weakness, abjection and failure precede—in the everyday life that is lived within the exception—every effort to think through this problematic, even preceding the possibility of formulating and practically working on the problem of the movement from the “virtual” to the real? How is it that weakness is the existential ground—as radical exposure—of the non-philosophy (to borrow from Deleuze and Foucault) that subtends the philosophy of the exception?⁵⁵ And

⁵⁵ For two examples of Deleuze on non-philosophy, see Deleuze and Guattari, *What is Philosophy?* trans. Hugh Tomlinson and Graham Burchell (New York: Columbia University Press, 1994): 218, and Deleuze’s interview “On Philosophy” in *Negotiations* trans. Martin Joughin (New York: Columbia University Press, 1995): 139–140.

how is it that what Paul refers to as the condition of weakness—“whatever your condition make use of it brother”⁵⁶—illuminates the pragmatic condition within which we find ourselves today? How is it that this weakness provides the very means of inhabiting the “failure” of the political? And how is it that this weakness—which has remained excluded from our ways of thinking about radical exteriority and exposure, precisely because it *precedes* them—has been excluded from the domain of virtually all post-war ethical and political thought?

This enables us to re-pose the question of exteriority in a new light. What can it mean to “fulfill” the thought of exposure and radical exteriority in weakness? To paraphrase Foucault, what use can the encounter make of becoming an error?⁵⁷ How can we inhabit the failure of the encounter—the failure to “inhabit” our own exposures, encounters, and relations—in the exception? How can we think failure as the gesture of a *worldless* people? Agamben provides us with some important clues in our efforts to

⁵⁶ Paul, *1 Corinthians* 7:21. “And even if you become free, make use of it brother.” Cited by Agamben, “The Time that is Left,” October 8, 1999. This points to the importance of “usage” in the theory of Messianism. (This was the subject of several lectures in the seminar).

⁵⁷ See Foucault, “Life: Experience and Science,” trans. Robert Hurley. *Aesthetics, Method, and Epistemology: The Essential Works of Michel Foucault, 1954–1984 Vol. 2*, ed. James D. Faubion (New York: The New Press, 1998): 465–478. Foucault defines “life” as “that which is capable of error,” 476. For Agamben on this essay, see his “Absolute Immanence” in *Potentialities* 220 – 239. See, also, my earlier essay on affect and drag, “Becoming-vulnerable: The Sensation of Drag,” 1991 [http://www.gestures.org/teach/becoming_vulnerable.html] where, paraphrasing Foucault, I ask the question “What use can a body make of becoming an error?” 4. In the language of Messianic time, Agamben is considering these three thinkers’ thoughts at the moment not of the end of their time, but the time of their end (in other words, thought and subjectivity at a unique moment of particular intensity, a Messianic moment). This is the point at which there is an inseparability of thought from *a* life, in Deleuze’s sense, and a “real” life that is actually lived (in other words, this Messianic moment, it seems to me, is predicated on a zone of indistinction between *a* life and one’s “real” life, the singularity of a “person”). This is why the idea that thought has absolutely nothing to do with the “personal” life of the one who thinks, the author (which seems to find its most ardent proponents among post-war Heidegger scholars), is really the ultimate division and separation of thought from life. In other words, we need, I think, to look more closely (and poetically) at the inseparable convergence of individuation and thought.

answer these questions: in particular, his discovery of “something like a new ethical element” in what Primo Levi called “the ‘gray zone.’”⁵⁸

What is at issue here, therefore, is a zone of irresponsibility . . . that is situated not beyond good and evil but rather, so to speak, *before* them. With a gesture that is symmetrically opposed to that of Nietzsche, Levi places ethics before the area in which we are accustomed to consider it. And without our being able to say why, we sense that this ‘before’ is more important than any ‘beyond’—that the ‘underman’ must matter to us more than the ‘overman.’⁵⁹

One of the consequences of the theory of the state of exception is that it necessitates a radical rupture of (and with) the ethical itself. This is the problem of thinking and living, of an ethics *after* Auschwitz. According to Deleuze’s famous formulation, the ethical thought of the eternal return is, “*whatever you will, will it in such a way that you also will its eternal return.*”⁶⁰ For Agamben, the state of exception—and, in particular, the brutal fact of the camps—means that such an ethical thought is no longer possible. “After Auschwitz,” he writes, “it is not possible to use a tragic paradigm in ethics.”⁶¹ The

⁵⁸ *Remnants*, 21. Here we should note Deleuze’s comments on the “gray zone” in his interview with Antonio Negri, “Control and Becoming” in *Negotiations*, 172.

⁵⁹ *Remnants*, 21.

⁶⁰ *Nietzsche and Philosophy*. Trans. Hugh Tomlinson. (New York: Columbia University Press, 1983): 68. In Nietzsche’s words, “If, in all that you will you begin by asking yourself: is it certain that I will to do it an infinite number of times?” Quoted in Deleuze, *Nietzsche*, 68.

⁶¹ *Remnants*, 99.

eruption marked by this *event*—and, indeed, the whole of World War 2—has placed us irrevocably beyond the tragic as Nietzsche defined it: the overcoming of *ressentiment* through the affirmation of all that exists as it existed, saying, in effect, that it was thus willed. Would this make any sense to those who survived Auschwitz? To master their fate in the camps and what happened there by willing its eternal return? Is this even the problem of ethics after Auschwitz, or does it not skip over the very problem we now face, which is not how to will the eternal return of the camps, but how to stop it (and the exception) from continuing to happen.⁶² Nietzsche’s gesture of going *beyond* good and evil, Agamben suggests, has been displaced by Levi’s “gray zone,” which points to an ethical thought that would have to be placed *before* good and evil. Any ethical thought conceived of as an *amour fati*—love of fate—and an affirmation of the world, of all that exists, as it exists (as the abyss) comes up against the limit of the exception (as does any theory of becoming). That is, against the limit of a world that has itself become suspended. This problem confronts every ethical thought after Auschwitz. Clearly, this includes certain interpretations of Deleuze’s “transcendental empiricism,” and constitutes a minor limit beyond which this concept cannot continue.

I would like to reformulate Agamben’s treatment of Levi in terms specific to the question I am posing here: how can we think exposure in the exception? If the “taking of the outside” is accomplished, in part, through a productive use of immanence—as it was in the camps—then we can think, at least provisionally, about the need to relocate any encounter or exposure that we could “have” prior to an abyss (which would simply obliterate any such movement). That is, any answer to this question would have to concern that which *precedes* an abyssal encounter with the world: something that would, at the same time, allow the moment of desubjectivation to remain within itself and not be

⁶² *Ibid.*

taken in the exception.⁶³ Perhaps, prior to every actual (abyssal) encounter, there is a failure to “have” this encounter (because it is always capable of being taken in the exception). Perhaps, it is this failure—this radical failure to “have” an encounter—that we can “own.” And, perhaps, maybe this is all that we can “have” with regard to exteriority in the exception. What’s more, this failed encounter may turn out to be substantially more than what we thought we “had” with the thought of an abyssal subjectivity-exteriority in the eternal return. That is, it may be *more intimate, more exposed, more vulnerable*, than all of our previous ways of thinking about vulnerability and exposure, predicated, as they were, on an abyssal encounter with the “world,” excluding the exposure of this prior non-encounter. This failed encounter can be sketched out logically as a *non-encounter* that *precedes*, and may subtend, every encounter in the exception. Thus, just as testimony (language) requires a radical non-language, a “non-language in which language is born,”⁶⁴ in order to bear witness, and just as philosophy needs a non-philosophy (Deleuze, Foucault) in order for new ways of thinking and living to emerge,⁶⁵ so too, exteriority (our experience and thought of it) may need a radical non-

⁶³ On the very last day, at the very end—immediately *after* the final moment of the seminar (in other words, the “time of the end”)—I suggested to Agamben that precisely because the exception concerns a “prior movement” and because the “second thesis” precedes the “eighth thesis” in Benjamin’s own formulations, that this may give us a clue in our efforts to rethink affect both in light of the exception and in relation to Paul’s work on weakness. His comment on the beginning of this thought was, “I like the way you think” (Personal communication, 1999). This thought finds the beginning of its fulfillment in the theoretical formulations sketched out above.

⁶⁴ Agamben, *Remnants*, 38. This is the figure of the witness and the problem of testimony. In testimony, “the impossibility of bearing witness, the ‘lacuna’ that constitutes human language, collapses, giving way to a different impossibility of bearing witness—that which does not have language,” 39. Agamben formulates this as a radical non-poetry that subtends poetry itself. The remnant, as I read it in Agamben, cannot be equated with a “disjunctive synthesis” in Deleuze because it is neither a synthesis nor a relation. It is a *disjunctive potential* that calls for the work of redemption; it is *the encounter that is left*.

⁶⁵ As Deleuze states in an interview, “philosophy needs not only a philosophical understanding, through concepts, but a non-philosophical understanding, rooted in percepts and affects. You need both . . . Nonphilosophical understanding isn’t inadequate or provisional, it’s one of philosophy’s two sides, one of its two wings.” *Negotiations*, 139–140.

encounter that would precede every encounter. This *non-encounter* may be more intimate, more intense (we do not know, yet, as this thought and idea is so new) than the encounter itself, precisely because it precedes it (precisely because it is that which subtends our relation to the outside—a relation that has been obscured, even excluded, by the abyss). The *non-encounter* is not simply a disjunctive synthesis, as in Deleuze, insofar as this concept remains tied to the abyss of the return (although, clearly, this is a question deserving of further research). If it were, we wouldn’t have a problem at all (the exception itself would not be a problem), and could go on thinking with Deleuze as before. (The *remnant*, as I read it in Agamben, cannot be equated with a “disjunctive synthesis” because it is neither a synthesis nor a relation. Rather, it is a *disjunctive potential*.) Rather, *the non-encounter*, as I conceive of it—and to reformulate Agamben’s work on testimony and “non-language”—*is what remains in the disjunction between a possibility and an impossibility of experience*. It is what remains in the gap between the possibility of “having” an experience and the impossibility of having an exterior encounter with anything at all (even as a non-relational relation, as in Deleuze’s “disjunctive synthesis”). This *remnant of the encounter* is found and fulfilled in failure, in weakness, in that *exteriority without reserve that is broken*.

Here we must insist on proceeding with caution. This radical non-encounter cannot exist outside our expression of it. This means that it requires a performative in which the desubjectified subject would then be able to “inhabit” this very failure by means of *bearing witness to an encounter that did not take place*. (Potentiality may itself involve a mode of transformation that *precedes* any becoming-other: the potential, not merely of realizing itself in an actuality, but grasping itself in its own virtuality. This would point to the capacity of a given a-subjective body to live, to “touch” its own forces and relations, as weakness, error, and failure; to grasp itself in this failure, to “inhabit”

this failure, and, in the process, opening up the radical potential of potentiality as such).⁶⁶ To think the failed or non-encounter without the movement from the virtual to the real—that is, without posing the problem of subjectivity in the exception—is to run the risk of imposing all of our old ways of thinking about exteriority onto this (radical new potential for) thought. In this case, we would simply go on thinking exposure and exteriority as before, with the same values and practices of an abyssal encounter, simply displaced onto what I have formulated here as a non-encounter. This is a very real danger: the separation of this radical non-encounter not only from its pragmatic context within the exception, but also removed from any substantive effort to work on the problem of the exception as a concept or thought of its own. Thus, this thought would be separated and divided twice: from the existential conditions within which the problem exposes itself and from within the internal terms specific to its own line of thought, both of which are in the process of emerging (of finding the means of their expression within the exception). Such a non-reading would be disastrous from the perspective of the potentiality of this thought, actively preventing what is truly new and radical in it from emerging in the first place. In this sense, it is important for us to consider the exception as something fully present within the site of our work.⁶⁷ (My work on the failed or non-encounter is not simply an explicit effort to re-think the concept of affect in Deleuze in light of the exception; it is also an effort to redeem this concept, to reclaim it from a similar separation and division of potentiality in its reception in the U.S., which seems to have been based on the radical

⁶⁶ As I am formulating it here, the failed encounter is an encounter with the exception. This failure (as an encounter with the present) is expressed and revealed in the despair of everyday life in the exception. How can we own this failure? How can this experience with what is beyond the tragic be used to refuse the exception, to refuse the very “taking” of the outside that is this failed encounter? That is, as an encounter that fails or refuses to be taken, on the one hand, and that makes of this failed encounter its own being?

⁶⁷ See, for example, Agamben’s stunning reformulation of the problem of the “author” in the context of the exception in *Remnants*, 148–150.

exclusion of affect itself.)⁶⁸ This problem, that of the exclusion of (an immanent-subjective) thought on which all academic discourse today may be based, needs to be carefully considered along with any development of this line of thought (not to mention in any serious treatment of “intellectual subjectivities”).

To return to the outlines of this thought, it may be the case that it is only in *bearing witness to an encounter that fails*, that did not happen, an encounter that one is not able to “own,” that we can then be said to “have” an encounter at all. There are a lot of implications for this line of thought (including how it relates to the reception of *Homo Sacer* among theorists of radical exteriority). One of the first things it points to, I think, is the urgent need to re-evaluate the narratives of bearing witness that have emerged in the second half of the 20th century as containing a radically new thought of exteriority (one which enables us to rethink immanence in the exception). Here I think we need to look at the work of Primo Levi, Ota Yoko and David Wojnarowicz, to name three figures.⁶⁹ What is extraordinary about these thinkers’ work is precisely that, as narratives of extremity (the camp, Hiroshima, AIDS) there is no eternal return, no abyssal ground for

⁶⁸ I have been patiently sketching out this line of thought in relation to my everyday life over the course of the past few years. Such work takes time. Here we would be well advised to consider the extreme patience of the man from the country in Kafka’s parable “Before the Law.” To close the gate on the problem of exteriority in the exception may take a very long time—the work, even, of a lifetime. (This is, in any event, how I have considered my own work for the past several years—existentially, politically, and intellectually.)

⁶⁹ See, for example, Primo Levi, *The Drowned and the Saved*, trans. Raymond Rosenthal. (New York: Vintage, 1989); *Survival in Auschwitz*, trans. Stuart Hood. (New York: Summit Books, 1986); *Voice of Memory: Interviews 1961–1987*, Ed. Marco Belpoliti and Robert Gordon, trans. Robert Gordon. (New York: The New Press, 2001); Ota Yoko, *City of Corpses* in Richard H. Minear, ed. and trans., *Hiroshima: Three Witnesses*. (Princeton: Princeton University Press, 1990); and David Wojnarowicz, *Close to the Knives*. In literature, the work of Kafka and Robert Walser can be pointed to as important philosophical precursors of this line of thought: that is, as figures, together with Benjamin, of radical failure. Finally, the life of performance artist, filmmaker, and writer Jack Smith would have to be included in any treatment of this subject. What is unique about all of these figures is that there is no “becoming-other,” in a sense that would remain tied to Nietzsche’s eternal return, in any of their work. These figures simply “inhabit” a radical otherness that does not take place in an abyssal moment. In other words, their otherness is grasped or inhabited *prior* to any abyssal movement of becoming.

thought and politics, contained within them.⁷⁰ It is essential that these narratives be placed in this context—as existential-philosophical narratives about exteriority in the post-war era, and the “taking of the outside” that this involves. Of course, Agamben has already sketched out an approach to this with regard to Primo Levi in *Remnants of Auschwitz*. It is vital for us to pick up this line of thought and extend it further. But such work cannot be separated from the work of patiently elaborating and developing the unfinished, unfulfilled concept of the exception. Without this, we will simply find new ways to continue thinking about exteriority as we have before, not only missing the challenge that the thought and experience of the exception poses for us, but also emptying out (in the process) its radical potential.

What remains of the encounter in the exception? That is, what can it mean to think *the encounter that is left*? The idea of a non-encounter, a failed encounter, is simply one way of thinking the encounter as a *remnant*; an encounter that cannot be divided from itself. As such, the non-encounter may point to the limit-concept of the limit itself with regard to the thought of the outside, insofar as it doesn’t so much displace the limit, as it does relocate it prior to any previously thought notion of the limit itself. Does not this failure to even experience, or, encounter a limit indicate something *far more intense, more vulnerable, more exposed* than we have previously thought? Isn’t it time for us to take this exposure seriously?⁷¹

⁷⁰ Agamben makes this point with regard to Levi’s work in *Remnants*. Referring to the ethical and political thought of the return, Agamben states “There is nothing of this in Primo Levi,” 101.

⁷¹ As Agamben writes in *Remnants*, “The *Musselmann* is a limit figure of a special kind, in which not only categories such as dignity and respect but even the very idea of an ethical limit lose their meaning,” 63. He goes on to state, “If one establishes a limit beyond which one ceases to be human, and all or most of human kind passes beyond it, this proves not the inhumanity of human beings but, instead, the insufficiency and abstraction of the limit,” *Ibid*. Everything I have been doing in my work on the exception can be characterized as an effort to think the terrain that Agamben has fleshed out with regard to ethics in relation to epistemology (i.e. exteriority, affect, etc).

Being Broken

My friend Chris Allert has an amazing, singular, way of describing everything that he sees around him as “broken.” At some point in my encounters with him, I realized that Allert wasn’t merely making pejorative comments by naming everything in his exterior path as “broken;” he was describing, in effect, his very encounter(s) with the world, with the “outside” as that which is broken. This naming and visualization of exteriority itself as that which is “broken” is, I think, highly provocative. Allert’s statement, uttered with amazing frequency throughout his everyday life, is a performative that concerns the radical separation of exteriority, of the outside, in the exception. And as a performative, intimately tied to the sensibility of a life, it seeks to make use of this very separation; to make “being broken” a form of life that one can then inhabit. This is remarkable precisely because its intelligence comes from everyday life within the exception. We need to ask, with Allert, what can it mean to think that which is broken? That is, how do we think that which is in error, what doesn’t work, as the expression of an existence, of a life? In other words, what can it mean to think the very experience of radical exteriority in the exception as one of “being broken?” To think being as that which, in the state of exception, is “broken,” as that which is capable of inhabiting this failure, claiming this very “brokenness” as its own. There is, in this sense, a relation of this line of thought to an aesthetics, or, art of existence (which, I think, is precisely what is operative in Allert’s life and thought). How can we think the beauty of that which is broken? And, clearly, there is a connection, which I do not have time to sketch out here, with Benjamin’s notion of the “ruin,” as well as Agamben’s notion of the “irreparable” in

The Coming Community. What can it mean to be broken?⁷² This makes possible a redemption of affect in the exception; pointing to its inseparability from redemption itself. Is it even possible to think affect, in Deleuze’s sense, as something separate or divided from its redemption within the exception? This means that the broken is not an “end” in itself—as an aestheticization of the exception and its insidious continuation—but the “means without end” of a redemptive existence. In order to “be beautiful” it is not enough that the broken simply be embraced and affirmed (this would be nothing more than the horror of merging the exception with the sublime, of aestheticizing the exception—or, what is the same thing, grasping the beautiful as *being in force without significance*). Rather, the grasping of that which is broken *cannot be separated* from a love for its reparation and redemption; that is, its *life*. The broken is beautiful *because it calls for the work of redemption*, because it needs to be repaired (and not in any teleological or ideal sense).⁷³ To see, experience and grasp—that is, to love—that which

⁷² I want to leave this question open for now in order to return to it in another context. My thought on that which is broken not only derives from the sources named above, but from my more explicit work-in-progress on affect in the exception: “Sweetness.” This work concerns the “beauty of the broken” as a way of thinking affect in the exception through a discussion of the messianic dimensions of easy listening and lounge music, the subculture of 8-track tapes (which are broken *and* beautiful), and the political economy of music in relation to everyday life in the historical present.

⁷³ In a passage in “On Some Motifs in Baudelaire,” Benjamin writes:

What prevents our delight in the beautiful from ever being realized is the image of the past, which Baudelaire regards as veiled by the tears of nostalgia. “*Ach, du warst in abgelebten Zeiten meine Schwester oder meine Frau!*”—this declaration of love is the tribute which the beautiful as such is entitled to claim. Insofar as art aims at the beautiful and, on however modest a scale, “reproduces” it, it conjures it up (as Faust does Helen) out of the womb of time. This no longer happens in the case of technical reproduction. (The beautiful has no place in it.) *Illuminations*, 187.

While this last statement may be debatable, we can deduce the following from the logic sketched out by Benjamin in this passage. In the age of technical reproduction—and beyond it, the spectacle and the exception—the beautiful may only exist as something forever lost; something broken which *becomes*

is broken is to redeem the potential of what does not exist; the potential of that being (*brokenness*) which has been excluded *from life* in order to return it *to life*. And, thereby, to move *life* from the radical separation and division of the “virtual” to the fullness of the real. This is the ethical operation that cannot be separated or divided from Messianic affect. It is the unknown or unrealized potential contained in every failed encounter. It is the potential *of life* (a life that is capable of *being broken*). The love of the broken is the *love of life* (and this, outside, or radically *before*, any abyssal moment, any philosophy of will).

One of the final works that the artist, writer, and activist David Wojnarowicz ever created, “Untitled, 1992” (Gelatin-silver print and silk-screened text, 38 X 26”), features an image of a pair of broken and bandaged hands, with an accompanying text that was originally recorded, in slightly different form, in his final diary entry dated August 1, 1991.⁷⁴ The text, in red, laid over the black and white image of broken and bandaged hands reads:

Sometimes I come to hate people because they can’t see where I am. I’ve gone empty, completely empty and all they see is the visual form: my arms and legs, my face, my height and posture, the sounds that come from

beautiful only through its redemption and reparation. This redemption and reparation, as Benjamin notes, can only proceed through love. Perhaps, it is only in the love for that which has been lost, for the “irreparable” and the broken, that this redemption and reparation can happen.

⁷⁴ This is the text that begins “Sometimes I come to hate people . . .” and ends “I am disappearing. I am disappearing but not fast enough,” which first appeared in print in *Memories that Smell Like Gasoline* (San Francisco: Artspace Books, 1992): 60–61. A reproduction of this image can be seen in his *Brush Fires in the Social Landscape* (New York, Aperture Foundation, 1994): 83. The diary entry can be found in *In the Shadow of the American Dream: The Diaries of David Wojnarowicz*, ed. and intro. by Amy Scholder, (New York: Grove Press, 1999): 265–266.

my throat. But I'm fucking empty. The person I was just one year ago no longer exists; drifts spinning slowly into the ether somewhere way back there. I'm a xerox of my former self. I can't abstract my own dying any longer. I am a stranger to others and to myself and I refuse to pretend that I have history attached to my heels. I am glass, clear empty glass. I see the world spinning behind and through me. I see casualness and mundane effects of gesture made by constant populations. I look familiar but I am a complete stranger being mistaken for my former selves. I am a stranger and I am moving. I am moving on two legs, soon to be on all fours. I am no longer animal vegetable or mineral. I am no longer made of circuits or discs. I am no longer coded and deciphered. I am all emptiness and futility. I am an empty stranger, a carbon copy of my form. I can no longer find what I am looking for outside myself. It doesn't exist out there. Maybe it's only in here, inside my head. But my head is glass and my eyes have stopped being cameras, the tape has run out and nobody's words can touch me. No gesture can touch me. I've been dropped into all of this from another world and I can't speak your language any longer. See the signs I try to make with my hands and fingers. See the vague movements of my lips among the sheets. I'm a blank spot in a hectic civilization. I'm a dark spot in the air that dissipates without notice. I feel like a window, maybe a broken window. I am a glass human. I am a glass human disappearing in rain. I am standing among all of you waiving my invisible arms and hands. I am shouting my invisible words. I am getting so weary. I am growing

tired. I am waiving to you from here. I am crawling and looking for the aperture of complete and final emptiness. I am vibrating in isolation among you. I am screaming but it comes out like pieces of clear ice. I am signaling that the volume of all of this is too high. I am waving. I am waving my hands. I am disappearing. I am disappearing but not fast enough.

Wojnarowicz was bedridden from December of 1991 until his death from an AIDS related illness in July of 1992, so this is one of the last works he created. Perhaps this image and its accompanying text need to be read along with the “final” works of Foucault, Deleuze, and Benjamin, per Agamben’s project, in *Homo Sacer* as containing a “messianic moment,” particularly with regard to the questions of subjectivity it raises. The image and text are startling in what they evoke: Wojnarowicz’s hands, his body, his potential to touch other bodies and the world, to encounter anything at all—including, perhaps, his “self”—has become completely broken.

What *remains* of the world may be, perhaps, our failed encounter with it—and not, let us hope, any final or, teleological end to the world, to thought itself. The idea that the world really is ending, that thought and politics are no longer possible, needs to be resisted (insofar as this exposes the radical separation accomplished by the exception). And this resistance is what we are trying to do here, in this work, this thought of the exception, with the time that is left (before all civil liberties are erased in the West). But this resistance should not be at the expense of an immanent subjectivity that remains immersed in a world that, for it, really is at an end precisely because there is no

possibility of working on the questions I am raising here, due both to the contraction of time in everyday life, and the radical separation of potentiality from itself. It is in this dual sense that the “end of the world” must be suspended: we cannot allow the realization of any such teleological “end” to happen. The latter experience of the “end,” as a subjective experience of the outside and the political as that which is broken, has, for far too long now, been “policed” by an abyssal thought of exteriority placed, ironically, in the service of the former “end.” It is time to begin the work of suspending both of these “ends.” The reception of *Homo Sacer* in the U.S. is instructive in this respect. The reaction to the thought of the exception (particularly among theorists of radical exteriority) has been unfortunate (until post-9/11 events, this thought was greeted with a great deal of suspicion, although much of that seems to have changed now). But, rather than dwell on the negativity of this experience (which I can only describe, ironically, as “extreme”), perhaps it would be more productive for us to think the “loss” of the eternal return, the “end of the world,” as a failure, an error, that we can now begin to inhabit *as thought*. When I was first formulating my thoughts along these lines, I mentioned my work to a colleague and his response was one of complete horror. “That leaves us,” he said, “with absolutely nothing.” Perhaps from the preceding exposition one can gather that I beg to differ. It may be that we, as theorists working at the end of the 20th and the birth of the 21st century, never “had” anything to begin with (at least with respect to the thought of the return as a theory of the world—a thought which may be wholly inadequate to the period of time, *after* World War II, in which it emerged as a popular current of thought). Maybe the very idea that we actually “had” something with any of our lines of thought contributed to this failure to see and experience something that was

happening all around us (the exception). And with it, a failure to see a prior limit on the important work that we have expounded so much energy on over the past 30 years. In other words, maybe it is time for us to inhabit our own failure of thought, which may be the weakness of all thought in the face of the exception. Perhaps, this weakness of thought, this failure to “know” what it is that we are thinking and doing at any given moment, will open up lines of thought that we had previously not considered. It’s just a thought.