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The Political and the Violent. On Resistances

Politics and the Political

This essay explores *the political*, in particular that which we might call the vanishing of the political. We should first be aware that the terms *politics* and *the political* are polysemous and their applications are many. Politics as praxis can be used against the political as a discursive principle or attitude and, vice versa, the political as an ethos or universal category of "being-with" (Nancy) can be opposed to politics. If we take *politics* to mean the organization of societies and their futures, including institutional systems and the handling of conflicts, *the political* addresses firstly the human state of *being political*; our existence as *zoon politikon*, which has always placed us in a space of "dispute" (Lyotard), dissent or "disagreement" (Rancière). At the same time, the political denotes that discursivity in which the reasons for the structuring orders of the social are experienced as divided and posited in conflict (*Aus-einander-setzungen*). The political thus also designates the necessity of forming and structuring the social, as well as the *dispositif* of its legitimacy and rejection, which always accompany it. We are thus dealing in two ways with measures that are as practical as they are theoretical, that equally produce and reflect upon the social. However, it is not the discursive alone which is most important – that *discursivity of discourse* which builds upon the classic political dichotomization between freedom and the lack thereof, justice and injustice, law and violence, etc. – but rather the *practical* which establishes and enforces the differences within the social. Nor should we fail to mention that the differences that pervade discourses of the political are on the one hand themselves the effects of practices which in turn can be described as such, just as on the other hand discourses *are* practices, situated in the space of politics and the political. The problem of talking about the political is therefore that it both has the power to create society to a certain extent – to order it and to quash it – and at the same time denotes reflections on this power, in which it is justified or criticized – and the two terms cannot simply be separated.

The intricate situation results thus from the political referring to both a practice of creation and a practice of theory or reflection, which, as a practice, is part of the political in which it intervenes. Every criticism of social conditions or the political systems which they uphold is itself already a political action, participating in the power structure, even and especially when suppressed or prohibited. There is thus no extrapolitical terrain, no apolitical discourse, no conflict about the political which transpires in a special philosophical space outside of that which the term denotes. This by no means should imply that the political nature of these practices is so unavoidable that we are locked into them as in a cage.[1] Politics and the political are rather complementary like the two sides of a mirror, which is not accidentally the cardinal metaphor of reflection; but – like with every mirror – they distort reflection and only make some aspects visible while highlighting selected details that otherwise would have remained

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[1] On this see for example Ulrich Bröckling and Robert Feustel, eds., *Das Politische denken. Zeitgenössische Positionen*, 2nd edition (Bielefeld: transcript, 2010).

hidden. This also means that we must see politics and the political to a certain extent as universal categories. Just as there is no beyond to social systems, there is no beyond to the political – the structure and organizational forms of the social necessitate politics and the political. It is this circumstance that makes the reciprocal clarification and understanding of their relationship so difficult; the question of the politics of discourse and the discursivization of politics, not to mention the politicalness of the question of the political, which always intervenes unreasonably in political relations and dares to criticize them.

However, in order to begin somewhere, I choose the *polis* as the paradigmatic stage on which all these questions play – on the etymological level as well. The *polis* already includes the symbolic question of the *politiké*, the *politeia*, and the problem of thinking about the source of these structures, their *arché* or foundation and legitimacy. The terms *politics* and *the political* thus both deal in equal measure with the *body politic* and its realization, whether in the form of different political systems and their specific instruments – or media –, such as laws, the public sphere, means of negotiation, relations to the outside world, etc., or in the form of the formulation of general principles which go before, and which, according to Martin Heidegger's reconstruction of early Greek philosophy, were of course situated in the *physis*.[2] It is also of note that all of these questions are directly connected to *ethos,* or were and still are touched upon in discussions on ethics – in particular all questions of justice and a just order and, correspondingly, laws such as the ones introduced in the Greek city-states after the overthrow of tyranny in the 6th century BCE. At the same time, these questions are contextually tied to *episteme*, knowledge and its philosophical justification which is taken on the one hand from an *other* – namely a natural ontology –, without asking whether this is a transferable category; and on the other hand from the *phronesis* of practical intelligence meant to guide governance and its tactics. The aim is not to justify the order and specific organizational structures of the *polis,* but rather to ensure strategies of exchange such as the long-term transmission of tradition and its protection through a way of life. The latter necessitates in particular the temporalization of the varying respective beings and the shaping of their relationship to one another. Differences between desires and order must be balanced and this balance must be preserved or withstood, whereby the former took the form of a kind of spatialization of participation (*methexis*), which invented the *polis* as a whole, as a unified organism.[3] This inventory makes the origins of the different terms and their particular perspectives clear, as well as the solutions they intend to offer and the extent to which clarifying them is in turn connected to questions of metaphysics, of life, and of relations between creatures, as well as the extent to which they are permeated by freedom and violence.

Performativity and the Political

The great philosophical systems of antiquity of course offered ambivalent answers to these questions. They either started with a sweeping idea from which they extrapolated the particular or, in contrast, took a particular case as given in order to develop concrete solutions from this case. One of the advantages of the Aristotelian *politeia* over the Platonic, especially

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[2] See in particular Martin Heidegger's many studies of the "first beginning," esp.: *Contributions to Philosophy (Of the Event)*, trans. Richard Rojcewicz and Daniela Vallega-Neu (Bloomington: Indiana University Press, 1989); also *The Event*, trans. Richard Rojcewicz (Bloomington: Indiana University Press, forthcoming).
[3] On the diverse organic metaphors in political theory and practice see Thomas Frank et al., *Der fiktive Staat. Konstruktionen des politischen Körpers in der Geschichte Europas* (Frankfurt/M: Fischer, 2007).

the *Nicomachean Ethics* as a foundation of the political, is that it searches for practical philosophy in *praxis* and action rather than by formulating general ideals and forcing these upon the creation of community. The basis of the political thus leads to individual human practices and their mode of existence. These do not subordinate themselves *per se* to the authority of higher institutions, laws or constitutions, but rather follow from them. If praxis comes from action, this also implies that the political must be thought of as something which belongs to the human being so absolutely that it defines the person and his options, not the other way around. The central realization of the Aristotelian *politeia* is that man is, as the famous definition states, "*zoon logon echon zoon politikon,*"[4] a political being by nature who is forced to live in community while its concurrent access to *logos* allows it to give community political meaning. Being *in nature* thus already means being political or becoming part of a community; however, the political is in itself not a natural given, but rather the product of *logos* and thus dependent upon realization, upon the Reason of rational meaning.

If we stay in an Aristotelian mode and take the practical as our starting point, we are immediately confronted – and this is the crux of the matter – with the dual meaning or ambiguity of the term *to act*. This ambiguity is linked to the category of the performative. The political is not simply about connecting praxis to *logos* to make the *polis* possible, but praxis itself contains an element which is always able to disturb or undermine *logos* – its performativity. The concept of performativity therefore becomes relevant to the question of the political. However it is important to say that the performative dimension is not added to praxis as if it were a second, additional element. Rather performativity is intrinsically linked to the practical as its form of execution or enactment and the manner in which it is posited, the two cannot be separated. The performative however suffers no rationalization – it must be differentiated from meaning and from the intelligibility of the intention.[5] This is what makes the concept so interesting with regard to the political, because it shows that there is an element within each action which resists "politicization," as the subordination to and control by the political. Put another way, we are dealing with an "an-archic" moment, something which sets a limit to jurisprudence and is able to destabilize or explode its order.

And in fact this intuitive idea accompanies theories of the performative from the very beginning, even if they did not deal with it explicitly. On the contrary, the category of performativity has been studied with an eye towards its ability to form identities and to rationalize, and in connection with intentionality and authorship. However, actions can be divided not only into *actiones* and *passiones* – proper actions and experiences –, but all praxis has a duplicitous character, as is expressed by aspects of the *symbolic* and the *performative*. On the one hand, actions accomplish something akin to setting aims and goals to which they give a meaning and which distinguish them within a field of other practices, separate or connected. As aims and goals, actions can in principle be guided or subordinated. On the other hand, they are themselves something that *intervenes* in the field, causing things to happen or changing them – even as an act of strengthening or rejection. In other words,

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[4] Aristotle, *Politics*, trans. Carnes Lord (Chicago: University of Chicago Press, 1985); Aristotle, *Nicomachean Ethics*, trans. Joe Sachs (Newburyport, Mass: Focus Publishing, 2002), 1162 a.

[5] On this see my diverse attempts to delineate this concept beyond the classical definitions: Dieter Mersch, "Kommunikative Identitäten und performative Differenzen. Einige Bemerkungen zu Habermas' Theorie der kommunikativen Rationalität," *Preproceedings of the 20th International Wittgenstein-Symposium* (Kirchberg: 1997), p. 621-628; Dieter Mersch, "Ereignis und Respons. Elemente einer Theorie des Performativen," *Performativität und Praxis*, ed. Jens Kertscher and Dieter Mersch (Munich: Fink, 2003), p. 69-94.

practices can always be read in two ways – as *symbolic praxes* which can be coopted by power, which always participate in the symbolic; and as *situated in the real*, which from the outset does not follow any rules, but rather lays something down, situates or asserts itself to bring something into the world which was not there before.

Jürgen Habermas famously described this in reference to communication, albeit in another context, as the "performative-propositional dual structure of speech acts."[6] This takes into account that a sentence, the declaration as an act, must take the form of an assertion, a promise, a threat, etc. From this we can extrapolate a series of far-reaching effects on the rationality of communication as well as on the constitution of the social and the normativity of the political and its legitimacy.[7] Public debates are bound to the form of discussion and its rules, but the question remains open whether there is such a thing as general or "universal pragmatic" rules of communication. We are thus confronted with a rationalization of the politicization of the political which is both procedural and a matter of discourse theory, whereby *discourse* must be understood as the reflective form of interactions that take the form of argumentations. This explanation of the performative, first applied only to linguistic philosophy, can be expanded to include actions in general, so that spoken and practical situations are fundamentally analogous. It is not Habermas' theory of democracy, a philosophy of the political grounded in communicative practices, which is decisive to an exploration of these questions, but rather his insight into linguistic practices: that the practical and the performative belong together and are directly interlinked, an insight which is in principle applicable to all practices and their performative contours. Habermas built in particular on the linguistic philosophy of John L. Austin and John Searle, who, however, traced the performativity of spoken utterances to an *intentio*, which they connected directly to an auctorial speaker/subject and its intention.[8] Concurrently, the performative points towards a *will to posit*: I *intend* to claim something or to doubt it, make a promise or express a feeling, rather than being unaware of my motives or reasons for doing something by saying something, or of completing an act in doing. The duplicity between the symbolic and the performative mentioned above is thus one-sidedly ascribed to the subjectivity of the subject, and any analysis of the speech act, and thus also of any performativity, is tied to the logic of intentionality. More than anyone, to Searle's great annoyance, Jacques Derrida pointed out in "Signature, Event, Context" and later in *Limited Inc*. that to each act belongs the moment of its *happening* as well as the *event* of its execution, which are at least capable of divorcing the act and the event from their intention.[9] The duplicity of the symbolic and the performative is thus crossed by a second duplicity which has largely been ignored by speech act theories as

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[6] Jürgen Habermas, "Vorbereitende Bemerkungen zu einer Theorie der kommunikativen Kompetenz," Jürgen Haberma*s* and Niklas Luhmann, *Theorie der Gesellschaft oder Sozialtechnologie* (Frankfurt/M: Suhrkamp, 1971), p. 101-141.

[7] See Jürgen Habermas, *The Theory of Communicative Action, vol. 1 and 2,* trans. Thomas MacCarthy (Boston, Mass.: Beacon, 1985).

[8] John Langshaw Austin, *How to do Things with Words,* 2nd. ed. (Oxford: Oxford University Press, 1975); John R. Searle, *Speech Acts. An essay in the philosophy of language* (Cambridge: Cambridge University Press, 1969).

[9] Jacques Derrida, "Signature, Event, Context," *A Derrida Reader*, ed. Peggy Kamuf (New York: Columbia University Press, 1991), p. 80-112; also Jacques Derrida, *Limited Inc.* trans. Jeffrey Mehlmann and Samuel Weber (Evanston: Northwestern University Press, 1988). John Searle, in his answer to Derrida, continues to insist on the primacy of intention: "There is no getting away from intentionality, because a meaningful sentence is just a standing possibility of the corresponding (intentional) speech act," John R. Searle, "Reiterating the Differences. A Reply to Derrida" *Glyph* 1 (1997): p. 198-208, p. 202.

well as theories of action and interaction. It is the *duplicity of the performative itself*, namely between an "act of positioning" and the "irreversibility" which follows from it.[10] For it should not be forgotten that the situating of the performative in reality, its impact and intervention *within* a situation causes reactions to and interactions with other actions, which in turn unleash their own, irreproducible powers. It is telling that analytical theories of speech and actions regularly leave out such interlinkages and do not make them an object of study,[11] or at best relegate them to the field of perlocutionary, secondary effects.

Divisions in the Performative

In contrast, we can assume that there is little difference between the illocutionary and the perlocutionary, even that the perlocutionary, as the medial form of praxis, is the *true heart of the performative*.[12] This is necessarily so, for the idea of the performative is that *through* an act something is brought into reality, a world of its own is created, as it were – at the beginning of the social is the act, which situates the fact. The *through* is important; it points towards an act of *mediation* that brings together the concepts of the medium and the performative. I would like to take a discursive detour here to reveal the explosive nature of this thought; for the *per* in perlocution makes it much closer to the *per* in performative than to illocution. In *per*, the true mediality of an act is expressed. If Austin in contrast differentiates between illocution and perlocution by stating that the illocutionary act constitutes meaning "in saying" whereas perlocution induces something "by saying" (through),[13] the latter proves to be analogous to the phrase "by means of," which, similar to mediation, describes a figure of immanence, located *in* the world. If we change linguistic camps and go to the Latin and Greek, *through* – by means of – can be translated as *per* or *dia* respectively, prefixes of composites such as *dialogoi* (to read from), *diaphane* (shining through), *diheiresis* (cutting through), *diagrammata* (to draw through), and others in which *dia* is meant actively and denotes a mediated process. In other words, *the performative and mediality cannot be separated*[14] – and to the extent that mediation takes place through language or through an act, we are in the arena of the concept of the performative which in the process of *locution* becomes *per-locution*. Performativity is characterized by an elementary division or differentiality, because perlocution diffuses meaning and can turn a statement into an insult or criticism into obeisance. In this way, the specific mediality of speech is revealed – or to put it more pointedly: *The mediality of the performative which is manifest in the perlocutionary participates not in the logic of identity, but in a logic of difference.*

Both, John Searle and Jürgen Habermas – and this is important to my argument – tried to ignore or even obliterate this difference as well as the constitutional ambiguity of that which can be called the act and its effect. For if an act creates a fact, it seems irrelevant whether the creation is an effect of the act or the effect of the effect of an act, because the act as act can

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[10] See Dieter Mersch "Das Ereignis der Setzung," *Performativität und Ereignis,* ed. Erika Fischer-Lichte, Christian Horn, and Matthias Warstat (Tübingen/Basel: Francke, 2002), p. 41-56.

[11] This also applies to Donald Davidson's action theory. See his essays translated and compiled in *Handlung und Ereignis* (Frankfurt/M: Suhrkamp, 1985).

[12] See in particular Dieter Mersch, "Performativität und Ereignis. Überlegungen zur Revision des Performanz-Konzeptes der Sprache," *Rhetorik. Figuration und Performanz, Schriftreihe Germanistische Symposien, Berichtband 25*, ed. Jürgen Fohrmann (Stuttgart-Weimar: Metzler, 2004), p. 502-535.

[13] Austin, *How to do Things with Words*, p. 121.

[14] On this delineation of mediality see Dieter Mersch "Meta / Dia. Zwei unterschiedliche Zugänge zum Medialen," *Zeitschrift für Medien- und Kulturforschung, vol. 2* (2010): p. 185-208.

only be analyzed retrospectively on the basis of its consequences. Embedded in a sequence of actions, at the site of their creation they are literally diverted. In contrast, the discursive maneuver of subjectification seems clear: If our starting point is the intentional, the "principle of expressibility"[15] as well as the fundamental conventionality of actions or their tendency to follow rules, then every speaker or actor stands for that which he says or does and can in turn, as in the case of libel, calumny, or false promises, be made accountable for his speech or actions. John Searle – like John L. Austin or later Karl-Otto Apel and Jürgen Habermas – further promotes belief in the stability of a subject in control of its self. This subject becomes the basis of their social theory, which presumes the existence of a certain legal structure that the political can build upon. We, however, are interested in those consequences which take place in practical events and which are not just *occasional* coincidences or casual side effects, for example when dialogic mishaps occur – what Austin calls "infelicities" or "misfires"[16] –, or when an action veers off course because of the convergence of numerous intentions which cannot be controlled. These effects are not sporadic anomalies. Rather, they are the core of the mediation of the practical and, as they are eventful, they stem from its systemic indetermination and inaccessibility. Most interesting are the moments in which both – intentionality and non-intentionality – become intertwined and create fractures or contradictions, where the splits and layers in the process of communication or interaction proliferate to such an extent that promises and deception or violence and recognition become so intertwined as to be indistinguishable. In short, while illocutions are what they say and thus call up figures of identification because they – following the "principle of expressibility" – are always already connected to the subject and his intentions, perlocutions and the performances thereof imply the enforcement of differentiations which mediate social situations from the inside just as much as they erode or disassociate these situations.

Thus if we take as our starting point neither the political as an ordering and situating of laws from the perspective of the practical, nor the responsibility of acting as the basis of the social, but rather the key dissociation and thus anomie or anarchy of the performative, then we attempt to add an element to thinking about the politicalness of the political and its models of power and structures of freedom which from the very beginning counters or resists these thoughts. We thus start with an ambiguity which is inherent to the simple act and its "scene": For the singular act does not exist, but it is only ever "situations"[17] which interweave the complexities of actions with contingencies, and of which we simultaneously try to show that they precede the political and that they are built upon a series of fundamental paradoxes, which, from the start, irritate the classical concept of politics. I shall return to this in greater detail below. For the time being it is sufficient to note that in this way something is inscribed into the necessity of the political which both precedes and complicates the possibility of community, of the *polis*. By thus posing the question of the constitution of human collectives, we reach a layer before communities, on which they are founded without being constituted and which bring to them a genuine inconsistency or "not being at home" (*Unbehaustheit*). This also means that if the political consists firstly of creating community and its organizations, or making available the media or *dispositif* necessary to its creation and

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[15] Searle, *Speech Acts*, pp. 19ff.

[16] Austin, *How to do Things with Words*, pp. 19ff.

[17] The term *situation* refers to the political theory of Jean-Paul Sartre, *Critique of Dialectical Reason. Vol. 1*, New Edition, trans. Quintin Hoare (New York/London: Verso Books, 2010).

initialization (for no collective preexists as an independent entity or organizes itself, even if, following Aristotle and the political philosophies founded on his work, people must have always come together in groups and from this point on assert themselves as people in the sense of *humanitas*), nevertheless from the very beginning there is an element situated in human action which continuously undermines this production or renders it precarious. This can also be understood as follows: human beings act, but they must first be made, in their relationships to one another and to their others, to react to one another and to act with one another, if a community is to be formed. That act itself, its *actio* and *passio*, contains an element founded neither in freedom nor in desire, an element which literally and chronically "disorients" this action. As this is the case, we must also describe the political and the site thereof somewhat differently: not only as the creation of community (*polis*) through the *dispositif* of collectivization, but as the power of the limitation and control of the performative itself, which inscribes a non-correspondence or discordance into the political. Thus there can be no concept of the political which is not contradictory: it is made up of both the conditions and requirements necessary to the constitution of society, as well as the conditionals of interpersonal relations and their connections or "engagements". Their very production implies their restrictions, and thus forms of resistance which stem from the performative elements themselves. Only then do questions of justice and its *separation* arise, questions of dissemination or, following Jacques Rancière, its systems of distribution and division.[18] The latter rest upon the former, not vice versa.

Positing Violence

To summarize our ideas on the performative up to this point, we can say that through the performative, a specific dialectic or dispersion is set into force which links it intrinsically to what can for now be termed *immanent violence*. It is virtually unavoidable. The concept of violence I am using here – or of power – is not a moral one; it is a violent force immanent to the performative which at the same time circulates within actions without being situated in a specific place or having a particular addressee. The term *violence* in a certain sense cross-references Searle's "illocutionary force"[19] or the Classical rhetorical term *peithein*, the persuasive force of language.[20] It describes the linguistic power of persuasion, which can be connected to the concept of performative violence, because *power* and *force* are unthinkable without violence. All three terms correlate to one another, because every human action contains the possibility of violence, as long as it posit or assert itself within a "situation" – a field of contexts, coincidences, and decisions which necessarily disturb it. As an act, it imposes itself on the Other and on that which came before by taking its place, partially transforming it, overwriting or suppressing it, while also limiting alternatives. Every practical instantiation or positioning is inscribed with a moment of principle asymmetry or non-reciprocity. It consumes, interrupts or divides the performative scene and delimits its opportunities, while shifting, reversing or obliterating others. To *posit* something means to

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[18] See Jacques Rancière, *Disagreement. Politics and Philosophy*, trans. Julie Rose (Minneapolis: University of Minnesota Press, 1999); and Jacques Rancière, *The Politics of Aesthetics*, trans. Gabriel Rockhill, (London/New York: Continuum, 2006), esp. "The Distribution of the Sensible," pp. 7ff.

[19] See John Searle and Daniel Vanderveken, *Foundations of Illocutionary Logic* (Cambridge: Cambridge University Press, 1985), pp. 1, 7-9, 20-21.

[20] See Andreas Hetzel, *Die Wirksamkeit der Rede. Zur Aktualität der klassischen Rhetorik für die moderne Sprachphilosophie* (Bielefeld: transcript, 2010).

make it manifest, and through this to prejudge every further step in time. Whether as continuation, break or refusal – all require an act of fundamental positing which in and of itself already includes self-affirmation. What is more, every action, by positing itself, must suffer the consequences without being able to reverse them. At best effects can be diverted or corrected, but only at the price of a further act which cannot undo that which the first act unleashed. This brings about new consequences – sometimes a series of further actions which themselves cannot avoid following their own logic and dictating their own distinctive conditions, etc. Furthermore, every action is passive endurance (*Erleidnis*) in that it can only refer to a previous situation or scene, with all its concomitant capricious and opaque qualities. This scene determines the act, delimits its scope, and defines its possibilities. No action can escape the shadow of its past, which has given it immutable conditions that are immediately transcended and abandoned. In short, the human situation and its praxis, which first summons and simultaneously dismantles the political, is characterized by an elemental temporalization which contains a paradoxical constellation even while wrestling with this paradox. One must therefore, if one takes the practical as a starting point for the examination of questions of the political, assume an inherent distortion or contradiction which colors the performative scene from the beginning without immediately subjecting it to ethical considerations or disciplinary measures.

The result is that violence, or better the discord, the overthrow, or *katastrophé* are intrinsic elements of the *conditio humana*. They are fundamental parts of being human and of human social reality and in fact permeate every human articulation, every symbolic form, even every term and concept that we posit in the world or impose upon reality and ascribe to the Other, the creature with the mark of Cain and the experience of violence. This applies even to the concept of Reason, which Habermas explicitly set in opposition to violence. "My wish is to show," he contributed to a debate, "that discourse is not subject to arbitrariness, but that we live within a social order which really only allows two mechanisms for solving conflicts of action: Violence or rational communication [*Verständigung*]."[21] We can counter this argument, for even rational discourse – limiting ourselves to philosophical argumentation or agreement in the emphatic form of consensus and political rapprochement – is intertwined with violence; and not only because of the superiority which in this way is ascribed to the supposed "unconstrained constraint of the better argument,"[22] but exactly through the gesture of limitation, of exclusion with which the discursive element is placed before all other forms of expression and given absolute priority. Paying attention to such gestures of exclusion or positing differences already means addressing a dimension of the performative which in this case, by positing rationality as the *only legitimate means of fighting and the sole form of solving conflicts*, reveals its own immanent violence: a violence that duplicates itself by positing itself as absolute to the same extent to which it denies that it *itself* is violent.

We thus touch on a further point: performative events not only contain an internal paradox that is always able to turn reason into unreason, and truth into lies, or justice into injustice, but rather they continuously shift and overturn the situation or scene of the performative, so that we must assume an event of incessant differentiation. No meaning can ever be stable or reliable – this is the core tenet of *différance* with which Jacques Derrida confronted

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[21] Jürgen Habermas, "Diskussionsbeitrag,"*Transzendentalphilosophische Normenbegründungen*, ed. Willi Oelmüller (Paderborn: UTB, 1978), p. 114.

[22] Habermas, "Vorbereitende Bemerkungen zu einer Theorie der kommunikativen Kompetenz," p. 137.

hermeneutics and the varying systems of structuralism as well as their reliance on the reconstructability of symbolic orders. We are now becoming aware of the same effect in the area of the practical; even in the form of the most inflexible norm or its social containment through fixed codices or conventions, because its release and its eventfulness are owed to what might be called a principle of performative *différance* – a concept that does not really aid its "deconstruction," but rather acts as a metaphor for the possibility of infinite shifts and turns or uses and abuses within the practical. It should be stressed that these turns caused by uses (Ver-wendungen) and these uses as 'turns' (Wendungen)[23] do not occur because they were intended. Rather, every action turns at the site of the scene, and is thus at once diverted, placed beyond the actor's control. Speaking, acting, creating or resisting thus always also mean doing or saying something else – because from the start the conditions of the scene have already been changed. Seen in this way, each performative act thus undergoes a continuous transformation because, as regards the scene, they are subject to an alterity which is not so much the alterity of the Others, but rather a diversion or distortion and estrangement that consists of the fact that we can never determine where an action or a speech act has already gone or will shift itself to. The power or force of the performative, that which we have identified as its specific violence, is not necessarily subject to this estrangement, rather it creates it anew in every moment.

The "Diabolical" and the Tragic
We therefore do not own ourselves – neither our actions nor their meanings or consequences. Rather we are owned by a force, a violence, which continuously subverts our common praxis and, with us, is always making trouble. It turns against the best intentions, pushes them into their opposite, inverts their aims or disperses them in impenetrable directions.[24] In fact, our ruminations aim to decipher this diversion, distortion, or estrangement as an indication of a genuinely tragic moment within the human condition. The term *tragic,* which we here mark as almost vital to existence, addresses the inescapable violence which happens to us although we do not intend it and which we therefore also cannot rule or control. It is similar to the paradoxical nature of the human condition which encroaches on the paradoxicality of all cultural formations. There is no praxis characterized by counter-finalities. For this reason, the scene of both the performative and the political, and every act of positing social relationships, are close to tragedy, because the performative *différance* operating behind the actors' backs continually confuses or disturbs their actions or even dooms them to failure. This is exactly what the old idea of *diabolé* or *diábolos* meant to express, literally to throw through, a counter-concept to *symbolon*, the symbolic or "thrown together" – the guarantee for meaning. Its calamitous force, the foundation of which is unidentifiable, shows itself mostly in the momentum of the turn towards immediate violence. This phenomenon is well-known in daily life – the decision that veers into chaos, the proposal that becomes intrusive, the innocent aid that causes humiliation, and the gift which, the moment it is accepted, turns into a burden that cannot be reciprocated. It is not man who – speaking anthropologically – is made of crooked

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[23] Org.: "diese Verwendungen aus Ver-wendungen und Verwendungen als Wendungen."
[24] As related to processes of understanding and communicating, see a similar argumentation in Dieter Mersch, *Posthermeneutik* (Berlin: Akademie, 2010).

wood, as Immanuel Kant put it,[25] rather we are confronted with the fragility or instability of the social. Continuously and against our will, an Other appears which "intervenes," uncannily and insubordinately, mocking the illusion of sovereignty and our attempts at unanimity – to the extent that the religions of antiquity as well as their Manichean and Christian successors did not hesitate to see in this the workings of a diabolical principle. Ethics of antiquity, rooted in tragedy, were oriented towards the fact that there is no stable, non-paradoxical reference point that can act as a solid ground or foundation and on which any kind of "truth" or objective law might rest. We waver, thrown upon subversion and contingency. For this reason ethics knows no universal principle, but, at best, the case, the singularity. This is particularly true for all ethical categories that are relevant to social contexts, which relate to the praxis of human relationships, such as trust, loyalty and belief – categories that precede every written law or normative sanctioning.

This means that being or existing in the practical implies that we posit that over which we have no control, just as we are permanently exposed and susceptible to it. If we earlier coupled the concept of the performative with *positing*, we must now place *exposure* as an equal partner at its side, in the sense of exposition, to the extent that exposure always simultaneously contains elements of a break and the violence of exposure. To act means to expose oneself both in the active and in the passive sense; it means presenting oneself, displaying oneself and at the same time imposing oneself and exercising power through the manifestation of a presence. In the same way to expose oneself means to be vulnerable to the attacks and the arbitrariness of others, not to know what the effects of an action will be and how it will assert itself within the situation or scene, only to become "perverted" bit by bit with every new step. Human existence is possible only in connection with others, and every participation or taking part also includes a parting or a difference and also needs an elementary responsiveness[26], which, to a certain extent, must always already include others, before *I*, my practice or the "economy" of my desires, can exist. Just so, I am equally dependent upon the Others and their practices, their benevolence or their violence, which I meet with, which attack me, which provoke my response. In turn my reactions themselves posit, intervene, pervert, and thus differentiate, they are accepting or rejecting and thus themselves exclude or are potentially violent.

This can also be expressed as follows: Performativity, with its genuinely triple act of positioning, exposing, and transposing, also includes a moment of injustice or guilt, which was already reflected by the saying of Anaximander: "Where the source of things is, to that place they must also pass away, according to necessity, for they must pay penance and be judged for their injustices, in accordance with the ordinance of time."[27] This saying's depth does not lie in its invocation of a fateful cycle of becoming and decaying, but in the connection of becoming and injustice. That which is, or that which we create and make, is

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[25] Immanuel Kant, "Idea for a Universal History with Cosmopolitan Intent," trans. Thomas M. Greene and H. Hudson, *German Essays on History*, ed. Rolf Sältzer (New York: Continuum, 1991), p. 8.

[26] On the figure of responsiveness see in particular Bernhard Waldenfels, *Antwortregister* (Frankfurt/M: Suhrkamp, 2007); and Dieter Mersch, *Was sich zeigt. Materialität, Präsenz, Ereignis* (Munich: Fink: 2002) and Mersch, *Posthermeneutik*.

[27] As interpreted by Friedrich Nietzsche, *Philosophy in the Tragic Age of the Greeks*, trans. Marianne Cowan (Washington, D.C.: Regnery Publishing Inc., 1998), p. 45. On this see also Martin Heidegger "Anaximander's Sayings," *Off the Beaten Track*, trans. Julian Young and Kenneth Haynes (Cambridge: Cambridge University Press, 2002), p. 242-281.

owed to an original illegitimacy which can only be mended by its transience – we will come back to this below. Similarly, Walter Benjamin noted that "guilt" is the "highest category of world history."[28] There is no intervention, no technical correction of a fault, no production or revolutionary act which does not carry a trace of violence on which its ethical volatility can ignite. Admittedly, it is impossible to change anything or to have an impact without intervening, crossing borders, and leaving the past behind; but there is also no transformation without deformation, no metamorphosis without disfigurement. These prove the uncanniness of the diabolical discussed above, which, recusant and tenacious, lodges itself into the work of realization only to oppose both knowledge and reflection. This is why it is haunted by the tragic which we are discussing here and which means that every project, every admonition or design of an *actio* is also a disenfranchisement. The human condition only exists because of this disenfranchisement, which counters the idea of political justice. This is the reason why the phenomenon of "violence" is found only in the human realm, because humans are inextricably bound to the inhuman, whereby the political – the focus of this study – is made up of the always futile sites of equalization and reconciliation. It is an answer to the ineluctability of violence – or power –, which it counters with violence or power of its own. We shall return to this below as well.

The Paradox in the Political

This means that the perspective of the performative makes violence ubiquitous, both as an element of *actio*, its irreversible positing in reality, and in relation to the *passio* – the vulnerability or passive exposure (*Widerfahrung*) to situational events that never become a whole or allow themselves to be subsumed under our practical aims and plans. This makes it sound as if, in light of the inevitability of violence, we should generally refrain from ever doing anything and opening ourselves to the world or to others. But not only is the conclusion unavoidable, so too is its avoidance. If we consciously try not to act, whenever we stop, are silent, or retreat, we are still acting in relation to the world and others. Practical asceticism cannot escape that which I have tried to reveal as the fundamental tragedy of humanity. The *tragic* connotes that Greek word that describes the insolvability of the conflicts relating to the practical and the violence thereof; just as the truthfulness of tragic consciousness lies in its mythical and ritual performance. And in fact Greek tragedy derives its volatility and its topics from unsparing descriptions of the human condition as a permanent unfolding and refolding of the performative scene, which in every moment is about to unleash the countering powers of destruction. The political is its blueprint and its counter-reaction. It refuses to accept these powers. This explains the restlessness of politics, its overexertion shortly before the fall. Sophocles' *Antigone* – alongside many other works[29] – can be taken as exemplary for this state, which can also be read as an enactment of the conflict between, on the one hand, individual desire and its incalculable effects – which can be neither controlled nor traced – and the order of law on the other hand, which attempts to rein in this force and domesticate it. One could say that the political comes "in between" the tragic performative, it interrupts it, sets caesura in actions and subsumes them under its sovereign dominion. Resolving the

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[28] Walter Benjamin, "Zur Geschichtsphilosophie, Historik und Politik," *Gesammelte Schriften, vol. VI*, ed. Rolf Tiedemann and Hermann Schweppenhäuser, trans. Laura Radosh (Frankfurt/M: Suhrkamp, 1991), p. 90-108, p. 92.
[29] See in particular Judith Butler, *Excitable Speech. A Politics of the Performative* (New York: Routledge, 1997).

paradoxical does not promise *catharsis* or reconciliation within the human condition – rather it forms its fundamental problem.

With this realization, the question arises as to the constitution of social orders as a political problem. At stake here, in the words of Jean-Paul Sartre, is the problem of "fusion" or "groups-in-fusion,"[30] those spontaneous associations or gatherings that carry the power of bundling, connection or possible cooperation. We should keep in mind that production would not be productive, and no communication or play could exist, without this concatenation of practices and without the bond of cooperation and its intrinsic commitments. The question of politics and the political is thus directly connected to this, for the political defines the conditions under which bonds can be created; it makes them possible despite the severances or differences engendered by the practical. The scene of the performative has been seen to be unavoidably permeated by violence; nevertheless it demands this violence be banned, delimited or inhibited, as is expressed in the plethora of social frameworks, laws, customs, norms, and rules of etiquette which in turn always tend to become repressive. Convening en masse at the site of the scene, they are also an indication of how many barriers and borders are necessary to tame the elementary paradoxicality of the practical and its intrinsic "anomie." One may therefore doubt the spontaneity of cooperative movements, of which Sartre believes the taking of the Bastille was exemplary, and in which the masses are moved only by the thought of ending their impossible social conditions. Social conditions must in this case be so impossible that they also end the performative dispersal; and in coming together, a political will must be articulated that is able to create another form of community. In contrast, the performative and its ambiguity, its violence or tendency to excess and especially to uncontrollability is first formed or *joined* under duress: joined in the sense of affiliated, subsumed, or continued. It marks the site of coming together, which Heidegger has in another context given the equally political denotation "assembly."[31] In this same essay, Heidegger deals with the question of "jointure," albeit in the context of the thing that "presences the presencing," the "between" to which "the jointure must belong."[32] The theme of joining thus replaces the question of the synthesis which, following Kant, imagination and understanding must undergo in theoretical questions, but which takes on a different shape in questions of the practical. We may have the same problem, namely how an "assembly" can be achieved, but political theories usually trace this back to voluntary actions meant to bring freedom and order into harmony. In contrast, in the problem of joining the link between the performative and its dispersals – the "between" which both connects and divides it – we do not see assembled beings, but rather the imperious manifestation of order.[33] It is therefore a *joining* which attempts to jump over the divide of the performative *différance*. One could therefore say that the foundation of the political is a continuous struggle against the anomies and anarchies of the practical by means of the tools of limitation and repression, which obsessively attempt to join their jointure. Its preferred forms are dominion, regulation, subservience, and, above all, the law as the basic form of the political – but these are not its only forms.

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[30] Jean-Paul Sartre, *Critique of Dialectical Reason, Bd. 2*, trans. Quentin Hoare (London/New York: Verso, 2006) esp. pp. 173ff. See also Dorothea Wildenburg, *Jean-Paul Sartre* (Frankfurt/M: Campus, 2004), pp. 123ff.

[31] Heidegger, "Anaximander's Sayings," p. 266.

[32] Ibid., p. 267.

[33] See also Christoph Tholen, *Die Zäsur der Medien, Kulturpolitische Konturen* (Frankfurt/M: Suhrkamp, 2006).

From this follows that the joining in question tries to pacify the interstice, the violence, and the literal alien-ation of the performative, in particular through the rule of law as a principle of order and formation. The constitution of the political in Greek antiquity – the source of political discourse and its philosophical reasoning – therefore begins with the problem of *nomoi*, laws, as the structuring of the practical in the *polis*. The law (*Gesetz*) thus marks the positing (*Setzung*) sanctioned by writing, which in turn limits the positings and therefore the divisions of the performative and in this way joins an order, the seeds of whose inversion are sown in its ascertainment. Politics is based on the formation of structures, as represented by their respective historically conditioned orders which have become powerful, but can only hold and try to temporalize their position by continuing and enlivening the violence they are perpetually attempting to hide. Since antiquity, the metaphor of the body politic has grown; the living organism whose *organs* or *members* come together as a unified whole and must collaborate as sub-systems with specific functions. The violence at its middle, or mediality, is thus masked as a natural phenomenon. In short, the image is a corpus of identity which subsumes the performative *différance* under a forced totalization.[34] It confronts the singular powers by taming and delimiting the productivity of division and subsuming it under the regulation of order to the extent that it creates a *secondary violence*. This secondary violence and the measure to which it accrues power – and concomitantly, legitimation – is nothing other than the law to which the anarchies and anomies of the performative are subsumed, and by which they are permanently consumed.

Commandment and Law

Other types of *joining* besides the figure of the political delineated above include the ethical with its system of traditional norms, values, and virtues, and the religious: in the original meaning of *religio*, or binding, meaning not only the covenant with God, but also the covenant between people. One must also add the aesthetic, or at least certain forms of the aesthetic, because art is not necessarily a tool of subversion, but rather develops its own means of binding. In this way we are confronted with different levels of *assembly* or coming together, just as all these figures correspond with one another and, together with the political, form a knot that is difficult to untie. Far from having thus formed figures of a political theology, my interest is in the localization of the particular character of the political; its localization *between* the performative and the asociality latent in the social which it aims to master, at the price of continuing violence. This is also true of both ethics and religion, each in their own way. For while the political acts at the site of the attempt to manage differences by means of law and hegemony, the religious community, at least in its Christian makeup – as Giorgio Agamben has recently shown in a study of monastic law – gives itself a law for life which it merges with the form of life (*forma vivendi*).[35] Emmanuel Lévinas, in his essays on the Talmud, makes a similar study of the concept of obedience.[36] However, obedience does not mean blindly following, as in the case of the early Greek local aristocrats who later

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[34] See Susanne Lüdemann, *Metaphern der Gesellschaft, Studien zum soziologischen und politischen Imaginären* (Munich: Fink, 2004).

[35] Giorgio Agamben, *Höchste Armut. Ordensregel und Lebensform,* trans. Andreas Hiepko (Frankfurt/M: Fischer, 2012).

[36] Emmanuel Lévinas, *Beyond the Verse. Talmudic Readings and Lectures*, trans. Gary D. Mole (London/New York: Continuum, 2007).

became the tyrants.[37] Instead, obedience – as Heidegger has also noted of *Gehorsam* – stems literally from *oboedire*, to listen to, and thus expresses a precondition of communication as does *religio* – the social bond as a holy bond or binding in God: Obeying the divine and obeying the Other to whom we are bound. Thus Lévinas writes in "Revelation in the Jewish Tradition": "Commandment […] constitutes the first movement in the direction of human understanding; and, of itself, is the beginning of language."[38] Language, as the transmitter of sociality, is preceded not by law, but by the Commandment, a *gift*. Commandment and law cannot be separated from one another – the former is not necessarily political, but is first and foremost literally a *given*, through the inalienable gift of the absolute to which life aspires to adhere, whereas the latter belongs to the political sphere and reacts to the ambiguity of the practical with regulatory disambiguation. Whosoever, as Lévinas continues in an interpretation of a Talmudic Midrash, adheres to the law is higher than he who does not.[39] To act outside of the commandment is not to be free, but to remain stuck in the anarchy of the performative. The enactment of a commandment in contrast demands abandon. The commandment thus denotes a defrayal of the task of overcoming, jumping over, or surmounting practical "anarchies," and thus first makes alterity or, more precisely, a relationship to others possible. This can perhaps be better understood as "response-ability," or responsiveness and responsibility.

However, seen in this way, the innate obligatory character of the commandment remains chronically underdetermined. It is based on a form of relationship which for its part is brought about by performatives and is neither guaranteed by a norm, the law and its order, nor by "obedience" as a form of life, but rather – in the true meaning of the word – always *obeys* the Other or tries to satisfy the Other and the site of the Other. The delineations which reduce the anomies of the performative are thus always in the preceding presence of the Other, which comes before the opportunity to act and thus the opportunity for the political. We are, we must agree with Lévinas, no longer under the reign of the precarious *right* of positioning, of suppression or supplanting. Instead, the focus is on overriding this right to replace it with the commandment which one has embraced within one's own life. It limits, qua life, the "animal energies," as Lévinas says, and subsumes them under true *response-ability*[40], because it places the positing of one's own praxis under the primacy of the Other and neutralizes its violent power: "Man is the rupture of being which produces the act of giving, only giving with one's hands full rather than bringing struggle and plunder."[41] But this is only true when he displays his humanity in the "face of the other," which carries signs of the "trace of God."[42]

Accordingly, in the past two or three decades, alternatives have been proposed to the classical concept of the political, based on varying terminologies and discourses – for example ideas on an "ethics of the gift", or a "politics of friendship", as well as the idea of hospitality, and

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[37] See Jean-Pierre Vernant, *Myth and Society in Ancient Greece*, trans. Janet Lloyd (New York: Zone Books, 1996).

[38] Lévinas, *Beyond the Verse*. p.141.

[39] Ibid., p. 77.

[40] Ibid., p. 58.

[41] Ibid., p. 142.

[42] Emmanuel Lévinas, "The Trace of the Other," trans. A. Lingis, *Deconstruction in Context*, ed. Mark Taylor (Chicago: University of Chicago Press, 1986), p.345-359.

similar concepts.[43] These theories all make use of *pre*-political arguments and deal with community before politics and its laws – a space from which the political and its categories could be newly delimited. Such conceptual efforts strive to solve the same problem of joining and balance, but without resorting to using the concept of justice or sanctioning the political through the instantiation of a structure. In fact, Lévinas expressly says that the commandment and its ethics are older and more binding than the political, which, without a relation to the Other, is founded only on concepts of rule or the tenets of natural law or the laws of reason. However, we must disagree with Lévinas in that this does not make the category of the political obsolete. Rather the site of the political is shifted to a different space, whether earlier or later, and the political is positioned at a site which is, to a certain extent, in opposition to religion and not affected by it. And in truth, the significant concepts of the political – at least in its European form – are drawn from varying concepts of justice that try to master social hierarchies and the violence of the practical by calling upon *equality* or *freedom*. They attempt in particular to neutralize the differences and asymmetries of the performative so that the political is involved with the *constitution* and the contouring of interstices, those gaps which literally tear participants asunder, and whose "media" of equalization are law and order, be they arbitrarily enacted or legitimized by a community. One could say that the arena and actions of the political are located at exactly this fault line, this dislocation (*Verwerfung*) which has haunted the social scene from the beginning; while the actions of the ethical and the religious attempt to save intersubjective commitments by means of belief, trust, *forgiveness* (Vladimir Jankelewitsch), etc. They always display a reciprocal structure and are rooted in the *relationship to others* and their *intrinsic alterity*, even before they appear on the performative scenes and are confronted with the latter's "anarchy."

Politics and Resistance

If we compare these ideas with the concepts of justice still found in the dominant political theories of John Rawls or Jürgen Habermas, we can immediately see the shortcomings of the latter – and also the futility of any political philosophy founded on Reason. In contrast to theological reasoning, which places the idea of binding or relationship before the order of the political and the idea of justice, political teachings on justice, from *Isonomia* to Liberalism, use varying rationales, but all end in postulates which skip over the true question of the form of the relationship – *the relationship to the Other, to creatures, to things*.[44] These are instead treated only formally. The concept of justice is also of course a concept of relationships, but it deals first and foremost, especially in the European tradition, with the *form* of this relationship. This is particularly true for law and jurisdiction, which judge mostly using formal criteria. Individual singular cases and singularities resist the rules, break rank, remain incompatible. Accordingly, the concept of justice shrinks to procedural principles such as the reciprocity of interests – sometimes written out on the basis of ideas on economic distribution[45] – whereby Habermas, for his part, relies completely on the process of discursive

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[43] See in particular Jacques Derrida, *The Politics of Friendship*, trans. George Collins (New York/London: Verso Books, 2006).

[44] One of very few alternative approaches can be found in the work of Michael Serres and Bruno Latour. On the ethics of nature see also Gernot Boehme, *Natürlich Natur. Über Natur im Zeitalter technischer Reproduzierbarkeit* (Frankfurt/M: Suhrkamp, 1992).

[45] For an early discussion of this question see Ludwig von Mises, *Liberalism,* trans. Ralpf Raico (Irvington on Hudson: The Foundation for Economic Education, 2002 [1927]); see also Friedrich August von Hayek, *Law,*

negotiation. His design therefore produces a meta-theory at best, which is lacking in bindingness because its obligation and the sociality it creates through "discursive praxis" can hardly be guaranteed, and because its concept of performance is drawn solely from illocutionarity. This, as I have intimated above, assumes both that action and meaning are identical, and gives primacy to *intentio*, which links the practical *situation* to subjective responsibility, while precluding the principle of responsiveness. In this way it denies the performative *différance* which forms the reason for division and violence in the social arena. Instead, Habermas locates the social obligation of practice within language itself and thus misses what we have called the event of the *joining*. The performative is not the foundation of the social, rather within it lurks the unconsidered abyss of incessant disruption which continuously separates that which binds the two. Reference and rift intersect: by leveling their chiasmus and rejecting its dialectic, he at the same time downplays and obscures the power or force rooted in the performative.

From this it follows that in the end Habermas does not answer or perhaps even pose the true question of the political, just as our deliberations suggest that the riddle of the *jointure* has no proper place in classical political theories. Instead, in the presence of the political we are always also confronted with the absence of that which makes it possible: the absent text of a force of law, which tries to bundle and condense the performative elements, to subsume them under that normative force which is supposed to constitute the social, but does not itself have the power to own it; or which go astray because the *jointure* or binding force of its normativity is extortionist, not inviting. The regimes of jurisdiction therefore have to derive their energies elsewhere, they cannot stem from that which constitutes the social, but are from the start founded on a form of repressive production which in turn lacks any grounding, in the literal sense of the ground, or any *jointure*. That which aims to reconcile and balance the anomie of the performative – its *an-archies* – at the same moment interrupts this reconciliation; for ἀναρχία does not only mean without rulers and, in the connection of *alpha privativum* with αρχία, i.e. the ground or source, a lack of a beginning or origin, but also the *unjoinability of the practical* – that which cannot in the literal sense be brought together through order, law or another form of norming or limiting. The 'anarchistical' hence , would be resistance itself, the insubordinate or literal counter-acting which refuses any integration just as it undermines the commandment, the gift and the hospitality, and repeatedly disperses the social.

I would like to note that the terms chosen and the thoughts behind them should not be read in the tradition of discourses on political theology, nor in the manner in which Giorgio Agamben has recently used the Pauline *oikos* or *oikonomia* to counter political theology.[46] Rather, my interest is solely in revealing an elementary contradiction inherent to the performative, its chiasmus between positing, violence, and irreversibility, as well as the anomie and rift that opens "on the scene," between the practical and its diversion or trans-position, and their chronic wound, which first poses the actual question of the political. The thesis is that any politics which roots in the principles of justice is beholden to an original incurable injustice,

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Legislation, and Liberty, 3 vol. (Chicago: Chicago University Press, 1978 and 1981); Robert Nozick, *Anarchy, State, and Utopia*, (Oxford: Oxford University Press, 1992); and for a general discussion Otfried Höffe, *Gerechtigkeit* (Munich: Beck, 2004).

[46] Giorgio Agamben, *The Kingdom and the Glory. For a Theological Genealogy of Economy and Government*, trans. Lorenzo Chieza (Stanford: Stanford University Press, 2011).

because it itself is not founded on a power or force that can be balanced or kept in check. This is the crux of the problem of the political; that it feeds parasitically on the same power or force that it attempts to battle by grafting it onto another violence and another power or force. It answers violence with violence, but in such a way that this cycle always begins anew. This is particularly true for juridical law: it creates a general norm and by thus confronting the anarchy of the performative also, in another manner, participates in it. The law thus seems to be fundamentally illegitimate, it denies its own right just as justice is always without rights, because the law which it speaks is always outside any juridical principle, but rather first legitimates it. Accordingly, there is no way to control these forces rationally, rather they act as unjust measures of an order that continually bears its disorder anew. This is why *diké* and *adikía*, as Heidegger understood it, belong together.[47] What is more, the dis-joint lurks as an abyss within the joint, for there is no just reasoning for justice, just as little as there is a commandment or gift which does not always already anticipate its conversion or undermine the possibilities of trading.

The political orders themselves prove to be – literally – anomic. By revealing their intrinsic illegitimacy at the site of violence, as an open reference to that which they claim to govern, they at the same time become a constant source of strife and resistance, and thus a site of perpetual objection. This, analogous to the famous Freudian phrase of the "unease in culture", could be called the "unease in the political." It offers cause for permanent revolt. Its resistance stems from its structure as another violent force that will never be able to override or tame the former, just as the former remains equally contradictory and insolent. Therefore no political system or law is forever, no commandment is eternal, because all always also participate in provocation through their own "insubordination" of resistance. No law – as the structural foundation of the political – and no commandment – the structural foundation of religion – and no gift – the structural foundation of exchange – can thus have an unparadoxical relationship to the social. They rein in the ambiguity of the performative on the basis of a further ambiguity which they cannot escape, and it is exactly this paradox that creates within itself continuous and unavoidable subversion.

(*Translation by Laura Radosh*)

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[47] See Heidegger, "Anaximander's Sayings," pp. 248ff.