

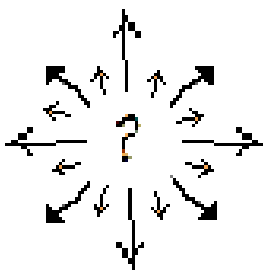
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I. SOCIAL AND POLITICAL PHILOSOPHY

An Interpretation of Rawls's Difference Principle as the Principle of the Welfare State

Manuel Knoll
(Boğaziçi University)

Abstract

Wolfgang Kersting argues that Rawls's writings do not contain any foundation or rational grounding for the welfare state, as his principles of justice only aim at solving distributional problems between partners in cooperation. But the citizens who most need the help of the welfare state—the unemployed, people incapable of working, pensioners, the sick—are not cooperation partners as they can't provide for themselves. The paper argues that Kersting's interpretation is mistaken by taking a closer look at Rawls's concept of cooperation. It defends the common interpretation of Rawls as the liberal philosopher of the welfare state and shows that he ethically justifies it with his difference principle.

The normative theory of justice, which Rawls published in 1971, is still regarded as the most important contribution to contemporary political philosophy.¹ That his theory, which he calls “justice as fairness,” still dominates contemporary debates can be seen by the fact that alternative positions are often presented as a response to it. Rawls is usually understood as a “welfare-state liberal”² or as the philosopher of

¹ John Rawls, *A Theory of Justice* (Cambridge: Belknap Press of Harvard University Press, 1971).

² Michael J. Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982), 66. Jonathan Wolff talks about the “left-wing welfarism

Social Democracy. The well-known German political philosopher Wolfgang Kersting challenges this seemingly uncontroversial interpretation. He claims that Rawls's writings do not contain any foundation or rational grounding for the welfare state, as his principles of justice only aim at solving distributional problems between partners in cooperation.³

Against Kersting this paper argues not only that Rawls conceives of a just society as a welfare state, but ethically justifies it with his theory. According to the central thesis of the paper, the core of Rawls's philosophical grounding for the welfare state is the "difference principle" and the closely linked "principle of redress." Taking a closer look at Rawls's concept of cooperation, the paper shows that Kersting's interpretation is mistaken, defending the common interpretation of Rawls as the liberal philosopher of the welfare state.

The first two sections of this paper lay out the main thoughts of Rawls's theory of justice. The first section explains Rawls's two models of justification for his two principles of justice. The second section clarifies Rawls's difference principle and shows how he develops it from his general conception of justice, which is strictly egalitarian. The third and the fourth sections focus on Rawls's rational grounding for the welfare state. The third section examines Kersting's arguments for his claim that Rawls's writings do not contain any rational foundation for the welfare state. In scrutinizing and criticizing Kersting's arguments, the section points out that Rawls's various statements on his conception of "cooperation" are contradictory. The fourth section focuses on self-respect, the principle of redress and once more on the difference principle. In doing so, the section elucidates the central ideas of Rawls's rational foundation for the welfare state. The fifth and final section

defended by Rawls" (Jonathan Wolff, *Robert Nozick. Property, Justice and the Minimal State* (Cambridge/Oxford: Polity Press/Basil Blackwell, 1991), 1).

³ Wolfgang Kersting, "Einleitung," in *Politische Philosophie des Sozialstaats*, ed. Wolfgang Kersting (Weilerwist: Velbrück, 2000), 31-32; Wolfgang Kersting, *John Rawls zur Einführung*, 2, corrected edition (Hamburg: Junius, 2004, first edition: 2001), 94.

confronts this foundation with Robert Nozick's influential critique, and shows that in a pluralist society Rawls's conception of justice can never become the subject of an "overlapping consensus."

1. The Main Ideas of Rawls's Theory of Justice

1.1. The Principles of Justice and their Two Models of Justification

In his theory of justice Rawls tries to demonstrate that in an "initial contractual situation"⁴ free and rational persons would unanimously decide on two principles of justice. In classical modern contract theories, like the one constructed by John Locke, the original agreement concerns entry into a particular social system and the origin of a specific legal system and government, which is rationally justified by this concord.⁵ On the contrary, the original consensus in Rawls's normative theory of justice relates to principles of justice which are justified by a contractualist method. Rawls understands the "initial contractual situation" or "initial choice situation" as a "purely hypothetical situation."⁶ The "original position"⁷ is hypothetical because it is not a real historical situation. Rather, it is a condition into which every reader of Rawls's theory can enter through a number of considerations. In the "original position," any information which could lead to a partial decision is withheld from the people who choose principles of justice. In order that the result of the choice can be considered as a pure result and description of the sense of justice, the knowledge of one's own

⁴ Rawls, *A Theory*, 15.

⁵ John Locke, *Second Treatise of Government*, ed. Richard Cox (Arlington Heights: Croft, 1982), cf. Manuel Knoll, "John Locke als Vordenker der Grundprinzipien des demokratischen Verfassungsstaates," in *Der Staat des Liberalismus. Die liberale Staatstheorie von John Locke*, ed. Samuel Salzborn, series Staatsverständnisse ed. Rüdiger Voigt, Baden-Baden: Nomos, 2010, 216-17. For Rawls's understanding of the history of political philosophy from Hobbes to Sidgwick cf. John Rawls, *Lectures on the History of Political Philosophy*, ed. Samuel Freedman (Cambridge: Harvard University Press, 2007).

⁶ *A Theory*, 18, 12.

⁷ Rawls distinguishes between the terms "initial situation" and "original position". He understands the "original position" as a specific interpretation of the "initial situation" which is "most philosophically favored" (ibid., 18).

conception of a good life, of one's position in society, of class membership and social status, of one's own capabilities, such as intelligence and strength, must be disregarded.⁸

For Rawls, the "original position" is not determined merely by the information deficit included in it. In it, the persons choosing do have knowledge of the social conditions to which the selected conceptions of justice are applied and of their fundamental desires and interests as human beings.⁹ Finally, Rawls defines an appropriate choice situation, for which terms and conditions have to be established accurately, as a situation that guarantees a fair agreement. According to him, the participants in this situation chose two principles of justice from a list of common conceptions of justice.¹⁰ In order to resolve this problem of choice, which is central in his theory of justice, Rawls integrates elements of the "theory of rational choice," according to which persons who choose rationally are trying to maximize their interests.¹¹ With his theory, Rawls wants to give reasons for his conception of justice and show that it is preferable to competing conceptions like perfectionism, and especially to the utilitarianism of Bentham, Mill and Sidgwick.¹²

In addition to the contractualist method, Rawls uses a coherence theory for the rational foundation of his two principles of justice. In the literature, it is disputed which method for the rational grounding of morals takes precedence in his theory of justice.¹³ The coherence model

⁸ Ibid. 13, 46, 48. According to Rawls's famous statement the "principles of justice are chosen behind a veil of ignorance" (ibid.).

⁹ Ibid., 126-130.

¹⁰ Cf. the list ibid., 124.

¹¹ Ibid., 16-17. In a publication from 1985 Rawls declares that it "was an error" in *A Theory of Justice* " (and a very misleading one) to describe a theory of justice as part of the theory of rational choice" (John Rawls, "Justice as Fairness: Political not Metaphysical", *Philosophy & Public Affairs*, Vol. 14 (1985): 237 [fn. 20]).

¹² Rawls, *A Theory*, VII-VIII, 15.

¹³ Cf. Norbert Hoerster, "John Rawls' Kohärenzmodell der Normenbegründung," in Otfried Höffe, *Über John Rawls' Theorie der Gerechtigkeit*, ed. Otfried Höffe (Frankfurt am Main: Suhrkamp, 1977). Karl Ballestrem argues that Rawls does not have two different theories of justifying norms (Karl G. Ballestrem, "Methodologische Probleme in Rawls' Theorie der Gerechtigkeit," in Otfried Höffe,

of justification is inspired by the ideal of a consistent system without contradictions.¹⁴ Its starting points are our “considered judgments” or “considered convictions of justice.”¹⁵ In the ideal case, these are the result of the exercise of our “moral capacities” and especially of our “sense of justice.” In order to get to them, “we can discard those judgments made with hesitation, or in which we have little confidence” and those which are “likely to be erroneous or to be influenced by an excessive attention to our own interests.”¹⁶ As examples for “considered judgments” Rawls mentions the judgments “that religious intolerance and racial discrimination are unjust.”¹⁷ According to the coherence model of justification, the considered judgments or convictions are regarded as “provisional fixed points which we presume any conception of justice must fit.”¹⁸ A contradiction between these convictions and a principle of justice causes doubt in the validity of the principle. But such a contradiction can also lead to a questioning and revision of our considered judgments or convictions.

The considered judgments, which Rawls mentions as examples, do not lead to contradiction. Rather, they are included in his first principle of justice which reads in its final formulation in *A Theory of Justice*: “Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for

Über John Rawls' Theorie der Gerechtigkeit, ed. Otfried Höffe (Frankfurt am Main: Suhrkamp, 1977), 118). According to Robert Paul Wolff, who investigates the logical status of the argument in *A Theory of Justice*, Rawls gives besides his concept of rational choice and besides his rational reconstruction of considered moral convictions a third answer: “Rawls also has an extremely powerful commitment to an Idealist conception of the harmonious and organic society.” According to Wolff, the logical status of Rawls’ theory is not clear (Robert Paul Wolff, *Understanding Rawls. A Reconstruction and Critique of A THEORY OF JUSTICE* (Princeton: Princeton University Press, 1977), 180-191, 190).

¹⁴ Cf. Hoerster, “John Rawls’ Kohärenzmodell der Normenbegründung,” 74, and Susanne Hahn, *Überlegungsgleichgewicht(e). Prüfung einer Rechtfertigungsmetapher* (Freiburg (Breisgau)/München: Alber, 2000).

¹⁵ Rawls, *A Theory*, 19, 47.

¹⁶ *Ibid.*, 47.

¹⁷ *Ibid.*, 19, cf. 206.

¹⁸ *Ibid.*, 20.

all.”¹⁹ This principle doesn’t display any innovative character. Neither does Rawls claim such a character for it. Rather, the principle declares that the right of the individual to the classical liberal civil and human rights is a command of justice. With this Rawls reverts to the modern bills of rights. As these also contain the liberty of religion and conscience, they coincide like Rawls’s first principle with his judgment that religious intolerance is unjust. Contrary to the older bills, Rawls’s first principle also postulates the political liberties of the citizens of a democracy like “the right to vote and to be eligible for public office.”²⁰

If the principles of justice can be substantiated by both the contractualist theory and coherence theory method, they are regarded as well justified. On the one hand, the contractual situation has to be determined in such a way that it consists in terms and conditions that are reasonable and strong enough that they lead to principles.²¹ On the other hand, the principles derived from it have to correspond to our considered judgments or convictions of justice, which can be reversed and modified if needed:

This state of affairs I refer to as reflective equilibrium. It is an equilibrium because at last our principles and judgments coincide; and it is reflective since we know to what principles our judgments conform and the premises of their derivation.²²

This quote shows that Rawls combines his two methods for the rational foundation of norms in the concept of the reflective equilibrium. The term “equilibrium” expresses the coherence between the considered judgments of justice and the principles. The term “reflective” refers to the detailed knowledge of this coherence as well as to the terms and conditions of the original position from which the principles are derived.

¹⁹ Ibid., 302.

²⁰ Ibid., 61, 221-228; cf. 228-234.

²¹ Rawls declares as his ideal that the acknowledgement of the principles “is the only choice consistent with the full description of the original position” (ibid., 121). Cf. the arguments leading to the two principles of justice (ibid., 150-161).

²² Ibid., 20.

Though Rawls concedes that the reflective equilibrium can be destabilized by new considerations, the justification process has come to a temporary end with it. The reflective equilibrium unites the contractualist and coherence theory method in a way that leads to “the mutual support of many considerations, of everything fitting together into one coherent view.”²³

1.2. Rawls’s Egalitarianism: His General Conception of Justice and the Difference Principle

Though frequently contested in the literature, Rawls’s conception of justice is clearly egalitarian.²⁴ An egalitarian conception of justice negates the natural and social inequalities of people and aims at establishing equality in the arithmetic or numeric sense among them.²⁵ From this perspective, distributions are *ceteribus paribus* better, if they are more egalitarian. That Rawls should be understood as a representative of egalitarian thought is seen most clearly in his general conception of justice and its anthropological basis, as well as in his central principle of justice he calls the difference principle.²⁶

Rawls understands human society as a “system of cooperation” in which the central conflict revolves around the question, how the goods

²³ Ibid., 21.

²⁴ As this subchapter will show, Rawls’s difference principle justifies social and economic inequalities. This is one reason why Rawls is often not regarded as an egalitarian. Cf. detailed references to the literature on Rawls’s contested classification as an egalitarian (Krebs, Angelika, *Arbeit und Liebe. Die philosophischen Grundlagen sozialer Gerechtigkeit* (Frankfurt am Main: Suhrkamp, 2002), 109).

²⁵ According to Aristotle, equality in the arithmetic or numeric sense exists if two people have the same amount of the same good or if two objects have the same weight (Aristotle, *Politics*, trans. Harris Rackham, Aristotle in twenty-three volumes, XXI (Cambridge/London: Harvard University Press, 1977), 374-75, 1309 b 29-34).

²⁶ In addition, Rawls’s egalitarianism is confirmed by his first principle of justice which calls for “equal liberties,” and as well by the second part of his second principle which demands a “fair equality of opportunity” (Rawls, *A Theory*, 302); “Equal Liberty” is the title of chapter IV of *A Theory of Justice*, which mainly deals with the details of Rawls’s first principle).

which are produced by cooperation should be distributed. Accordingly, the primary subject of the two principles of social justice is “the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation.”²⁷ Rawls’s theory of social justice doesn’t concern a concrete or single distribution of goods but the whole institutional constitution of a society which he calls its “basic structure.”²⁸ The basic structure distributes determined social values or “primary goods”²⁹ of which people would rather get more than less. The two principles of justice relate to exactly these distributional problems. They are a “special case of a more general conception of justice that can be expressed as follows.

All social values—liberty and opportunity, income and wealth, and the bases of self-respect—are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone’s advantage.³⁰

This general conception of justice constitutes the core of the particular principles that Rawls tries to substantiate in his theory. The anthropological basis of this conception is a moral and therefore also normative concept of the person. Moral persons

²⁷ Ibid. 7, 4. Rawls understands justice as the “first virtue of social institutions” (ibid., 3).

²⁸ The basic structure of the society is composed out of its most important institutions: “By major institutions I understand the political constitution and the principal economic and social arrangements. Thus the legal protection of freedom of thought and liberty of conscience, competitive markets, private property in the means of production, and the monogamous family... Taken together as one scheme, the major institutions define men’s rights and duties and influence their life-prospects, what they can expect to be and how well they can hope to do.” (ibid., 7)

²⁹ Rawls defines primary goods as “things every rational man is presumed to want. These goods normally have a use whatever a person’s rational plan of life. For simplicity, assume that the chief primary goods at the disposition of society are rights and liberties, powers and opportunities, income and wealth.” (ibid., 62, cf. 395-399)

³⁰ Ibid., 62.

are distinguished by two features: first they are capable of having (and are assumed to have) a conception of their good (as expressed by a rational plan of life); and second they are capable of having (and are assumed to acquire) a sense of justice, a normally effective desire to apply and to act upon the principles of justice, at least to a minimum degree.³¹

Rawls moral concept of the person is the basis for the equality of the individuals in the initial choice situation, as well as “a sufficient condition for being entitled to equal justice.”³²

As Rawls’s general conception of justice calls for a distribution of all social values that allots *everyone the same*,³³ it has to be understood as an egalitarian conception.³⁴ In a subsequent mental step, Rawls differentiates his general conception in respect to the distribution of income, wealth and other primary goods and modifies it to the difference principle. Despite this move he sticks to the general conception because one is only allowed to deviate from the strictly egalitarian conception if this is to “everyone’s advantage.” The

³¹ Ibid., 505.

³² Ibid. Not everyone will agree with Rawls’s fundamental anthropological conviction that all persons are equal as moral persons. According to Aristotle, for instance, people have an extremely different moral worth corresponding to the degree in which they can develop their ethical virtues and their prudence (*phronêsis*) and thus are able to perfect their character and their practical reason (cf. Manuel Knoll, *Aristokratische oder demokratische Gerechtigkeit? Die politische Philosophie des Aristoteles und Martha Nussbaums egalitaristische Rezeption* (München: Fink, 2009), chap. VI. 1). As incompatible fundamental anthropological convictions exist, no consensus about a proper interpretation of the “initial situation” can be reached (cf. fn. 7 of this paper).

³³ To “everyone the same” does not necessarily mean that in a distribution everyone gets allotted exactly the same social values or primary goods. It can also mean that everyone gets a bundle of goods which he considers as at least as good as the bundles that the others get.

³⁴ Rawls’s general conception expresses a “*presumption* in favour of equality.” It is a “substantive egalitarian principle which assumes that all departures from equality have to be morally justified.” (Norman P. Barry, *An Introduction to Modern Political Theory*, Third Edition (Houndmills: Macmillan Press, 1995), 153, italics by Barry)

difference principle makes an “implicit reference to equal division as a benchmark.”³⁵ The final statement of the difference principle in *A Theory of Justice* reads:

Social and economic inequalities are to be arranged so that they are [...] (a) to the greatest benefit of the least advantaged, consistent with the just savings principle.³⁶

The difference principle allows certain inequalities of, for instance, power or wealth. But it holds these inequalities only to be justified if by them *everyone* is better off than before: “If certain inequalities of wealth and organizational powers would make everyone better off than in this hypothetical starting situation, then they accord with the general conception.”³⁷ However, the difference principle in its final version doesn’t talk about the benefit of “everyone” but only about “the least advantaged.” As will be made clear later on, for Rawls the benefit of “the least advantaged” is connected to the benefit of everyone.

The difference principle can be explained by a society with a division of labor, in which inequalities are permitted in order to create incentives to work more and to perform better. If these incentives lead to a growth of the sum of the generated goods, they can be distributed in a way that everyone is better off than in a society without incentives.³⁸ However, Rawls declares explicitly that the difference principle is a “strongly egalitarian conception in the sense that unless there is a distribution that makes both persons better off (limiting ourselves to the two-person case for simplicity), an equal distribution is to be

³⁵ John Rawls, *Political Liberalism*, expanded edition (New York: Columbia University Press, 2005), 16.

³⁶ Rawls, *A Theory*, 302. The “just savings principle applies to what a society is to save as a matter of justice” (ibid., 288). Cf. the chapter on *The Problem of Justice between Generations* (ibid., 284-293).

³⁷ Ibid., 62.

³⁸ Cf. Peter Koller, “Die Grundsätze der Gerechtigkeit“, in: Otfried Höffe (Hg.): *John Rawls, Eine Theorie der Gerechtigkeit*, ed. Otfried Höffe, series: Klassiker Auslegen, Vol. 15 (Berlin: Akademie, 1998), 47-48.

preferred.”³⁹

The phrasing of the difference principle raises the question which group of persons counts as the “the least advantaged.” In the revised edition of *A Theory of Justice*, which Rawls worked on in the beginning of 1975 for the German edition of the book, a new paragraph is inserted which roughly defines this group:

To fix ideas, let us single out the least advantaged as those who are least favored by each of the three main kinds of contingencies. Thus this group includes persons whose family and class origins are more disadvantaged than others, whose natural endowments (as realized) permit them to fare less well, and whose fortune and luck in the course of life turn out to be less happy, all within the normal range.⁴⁰

Applied to the current German situation, one would think of a person whose parents live on welfare benefits (Harz IV), who doesn’t have any specific gifts or talents, and who had more bad luck in life than average.

Rawls understands the difference principle, “strictly speaking,” as “a maximization principle.”⁴¹ Therefore he distinguishes two cases in applying it. The first case is that in which the socioeconomic constitution of the society is set up in a way that “the expectations of the least advantaged are indeed maximized.”⁴² The socioeconomic constitution, which determines the distribution of income and wealth, is “perfectly just” if no “changes in the expectations of those better off can improve the situation of the worst off.”⁴³ Though Rawls doesn’t explain this state in more detail, it should be achieved if neither a higher nor a

³⁹ Rawls, *A Theory*, 76.

⁴⁰ John Rawls, *A Theory of Justice*, Revised Edition (Cambridge: Belknap Press of Harvard University Press, 1999), 83. In the original edition Rawls already makes two suggestions to define “the least fortunate group” (Rawls, *A Theory*, 98).

⁴¹ Rawls, *A Theory*, 79.

⁴² Ibid.

⁴³ Ibid.

lower taxation of the better off could increase the income of the state and thus raise the sum of the transfer payments for the benefit of the least advantaged.⁴⁴

The second case is “that in which the expectations of all those better off at least contribute to the welfare of the more unfortunate. That is, if their expectations were decreased, the prospects of the least advantaged would likewise fall. Yet the maximum is not yet achieved. Even higher expectations for the more advantaged would raise the expectations of those in the lowest position.”⁴⁵ Though such a socioeconomic constitution is not the best, Rawls designates it as “just throughout.” On the contrary, an unjust socioeconomic constitution prevails, if the expectations of the better off are excessive: “If these expectations were decreased, the situation of the least favored would be decreased.”⁴⁶

Explaining the difference principle, Rawls limits himself “to the two-person case for simplicity,” more precisely to the comparison of “the most favored representative man” to “the least advantaged man.”⁴⁷ However, his supposition is that the expectations of all persons and social positions are “chain-connected: that is, if an advantage has the effect of raising the expectations of the lowest position, it raises the expectations of all positions in between. For example, if the greater expectations for entrepreneurs benefit the unskilled worker, they also benefit the semiskilled.”⁴⁸ A judgment if an increase of the expectations of the better off is just or not depends therefore only on whether it improves the expectations of the least advantaged. It requires no comparison with the situation of a hypothetical equal distribution, which is called for by the general conception. In applying the difference principle one simply maximizes the situation of the least advantaged.⁴⁹

⁴⁴ Ibid., 285-286.

⁴⁵ Ibid., 78.

⁴⁶ Ibid., 79.

⁴⁷ Ibid., 76.

⁴⁸ Ibid., 80.

⁴⁹ Ibid., 75, 80.

Rawls's second principle of justice, which lays down when social and economic inequalities are justified, is composed of two parts. It consists not only of the difference principle but of the principle of fair equality of opportunity. Its final version in *A Theory of Justice* reads:

Social and economic inequalities are to be arranged so that they are [...] (b) attached to offices and positions open to all under conditions of fair equality of opportunity.⁵⁰

Rawls distinguishes between fair and formal equality of opportunity. The latter is given if “all have at least the same legal rights of access to all advantaged social positions.”⁵¹ This principle alone doesn't produce the result that people with similar capabilities and skills have really similar life chances, because a person's membership in a certain social class strongly effects how good her chances in fact are, and how well she can use her legal rights. Merely formal equality of opportunity finally means inequality of opportunity, because children from privileged families have much better chances to get desirable and well-paid jobs than children whose parents live on welfare benefits. On the contrary, the principle of fair equality of opportunity demands “that positions are to be not only open in a formal sense, but that all should have a fair chance to attain them.”⁵² This means that those with the same level of talent and ability and the “same willingness to use them, should have the same prospects of success regardless of their initial place in the social system.”⁵³ In applying this principle the education system, especially equal chances to get a good education, plays a primary role.⁵⁴

⁵⁰ Ibid., 302.

⁵¹ Ibid., 72. Thomas Pogge criticizes: “Rawls's notion of formal equality of opportunity is rather vague” (Thomas W. Pogge, *Realizing Rawls* (Ithaka: Cornell University Press, 1989), S. 196).

⁵² Rawls, *A Theory*, 73.

⁵³ Ibid.

⁵⁴ Ibid. Thomas Pogge objects to Rawls “that he offers no tenable specification of fair equality of opportunity at all” (Thomas W. Pogge, *Realizing Rawls* (Ithaka: Cornell University Press, 1989), 196).

In his theory, Rawls assigns the first principle of justice priority over the second and the principle of fair equality of opportunity priority over the difference principle. The priority of the first principle of justice over the second means that the basic liberties of the political system can only be limited if they would otherwise “interfere with one another” but not in order to create more welfare or to reduce socioeconomic inequalities.⁵⁵ Rawls sees in the priority of the basic liberties a central advantage of his theory compared to utilitarianism which—according to some scholars—allows the limitation of the liberties of some citizens in order to maximize the total sum of utility or satisfaction in a society.⁵⁶

A Theory of Justice, first published in 1971, has been understood by some scholars, e.g. Axel Honneth, as the way in which Rawls tries to justify the timeless validity of the two principles of justice.⁵⁷ As a reaction to this, in his publications since the 80s Rawls emphasized that his conception of justice as fairness does not depend on “claims to universal truth” which he would “like to avoid.”⁵⁸ Furthermore, he made it clear that his conception was framed to apply to what he called the basic structure “of a modern constitutional democracy.”⁵⁹ However, a thorough reading of *A Theory of Justice* shows that the book doesn’t claim that the principles of justice are “necessary truths or derivable from such truths.”⁶⁰ Rather, Rawls asserted that of the “traditional views” his conception of justice “constitutes the most appropriate moral basis for a democratic society.”⁶¹

⁵⁵ Rawls, *A Theory*, 42-44, 64, 244, cf. the second priority rule, *ibid.*, 302-303.

⁵⁶ *Ibid.*, 3-4, 14, 22-27, 151-152, 156.

⁵⁷ Axel Honneth, “Einleitung,” in *Kommunitarismus. Eine Debatte über die moralischen Grundlagen moderner Gesellschaften*, ed. Axel Honneth, 3rd Edition, (Frankfurt am Main: Campus, 1995), 11.

⁵⁸ Rawls, “Justice as Fairness: Political not Metaphysical,” 223.

⁵⁹ *Ibid.*, 224.

⁶⁰ Rawls, *A Theory*, 21.

⁶¹ *Ibid.*, VIII.

2. Rawls's Rational Grounding for the Welfare State

2.1. Community of Cooperation or of Solidarity? Does Rawls in fact Justify the Welfare State?

In the introduction to the volume of essays on the welfare state that he edited in 2000, Wolfgang Kersting declares that in Rawls's writing one searches in vain for the rational grounding for the welfare state that the literature incessantly attributes to him.⁶² Kersting maintains that Rawls left the problem of the rational grounding for the welfare state simply out of consideration.⁶³ According to his central argument, Rawls's principles of justice only aim at solving distributional problems between partners in cooperation. On the contrary, the addressees of the collective systems of security and of the provision of the welfare state—the unemployed, those unable to work, pensioners, the sick and the mentally and physically challenged—are not cooperation partners, as they are unable to provide for themselves.⁶⁴ According to Kersting, Rawls has merely developed rules for the community of cooperation but not for the community of solidarity. Rawls's difference principle is not of use as the principle of the welfare state.⁶⁵ Kersting wants to see the appraisal of Rawls as the political philosopher of Social Democracy to be reversed on grounds of what he calls a deficiency of Rawls's theory of justice.⁶⁶ Kersting's interpretation limits the scope of Rawls's theory of justice and decreases its worth for the contemporary capitalist societies, in which gainful employment and self-sufficiency are no longer the prevailing models.

Supporting his interpretation, Kersting mentions a quote of Rawls from a text that was published in 1980. The central point of this quote was already inserted in 1975 in the revised edition of *A Theory of*

⁶² Kersting, "Einleitung," 31. Cf. the chapter *Differenzprinzip und Sozialstaatsbegründung* that contains in many paragraphs the identical text, Kersting, *John Rawls zur Einführung*, 90-95.

⁶³ Kersting, "Einleitung," 33.

⁶⁴ *Ibid.*, 32.

⁶⁵ *Ibid.*, 31-32.

⁶⁶ Kersting, *John Rawls zur Einführung*, 94.

Justice. In the quote Rawls declares that his conception of justice assumes the ideal notion

that all citizens are *fully cooperating members of society* over the course of a complete life. This means that everyone has sufficient intellectual powers to play a normal part in society, and no one suffers from unusual needs that are especially difficult to fulfill, for example, unusual and costly medical requirements.⁶⁷

In accordance with this and in connection with his definition of “the least advantaged,” in 1975 Rawls declares that he wants to exclude “hard cases,” “so that the questions of health care and mental capacity do not arise.”⁶⁸ His intention is to focus on “relations among those who in the everyday course of things are full and active participants of society.”⁶⁹ As reasons for this he mentions that the relations among the “citizens engaged in social cooperation” are the “first problem of justice” and that if the difference principle “fails for this case, it would seem to fail in general.”⁷⁰

To be sure, Kersting is right that Rawls developed his conception of justice on the basis of the idea “of a society as a fair system of cooperation over time, from one generation to the next.”⁷¹ But Kersting’s argument raises the question of what Rawls holds to be “fully cooperating members of society.” Rawls’s statements on this concept are contradictory. On the one hand, he explains that the conditions a citizen has to meet in order to count as a fully cooperating member of society are clearly weaker than Kersting assumes. These conditions

⁶⁷ John Rawls, “Kantian Constructivism in Moral Theory”, *The Journal of Philosophy*, Vol. 77, No. 9 (1980), 546 (italics by M.K.); cf. Kersting, *John Rawls zur Einführung*, 94.

⁶⁸ Rawls, *A Theory of Justice*, Revised Edition, 83-84.

⁶⁹ *Ibid.*, 84.

⁷⁰ *Ibid.*

⁷¹ Rawls, *Political Liberalism*, 15; cf. Rawls, *A Theory*, 4. Rawls points out: “Fully to understand a conception of justice we must make explicit the conception of social cooperation from which it derives.” (*ibid.*, 9-10)

result from Rawls's moral concept of the person. According to this concept, every person is able to fully cooperate if she has "a capacity for a sense of justice and for a conception of the good" up to a minimum degree.⁷²

On the other hand, Rawls defines a "fully cooperating member of society" by the unrestricted ability to work, as is typical for modern western work societies. In line with this meaning Rawls declares that after an illness or accident the aim "is to restore people by health care so that once again they are fully cooperating members of society."⁷³ In looking for the most appropriate conception of justice, Rawls wants to put such temporary disabilities aside as well as "permanent disabilities or mental disorders so severe as to prevent people from being cooperating members of society in the usual sense."⁷⁴

Though Rawls's conception of justice as fairness relates to the normal case of citizens fully able to cooperate, it entails or renders possible solutions for those unable to provide for themselves. His idea of a fair social cooperation has as its basis the idea of reciprocity, especially the reciprocity of one's own contribution and one's own benefit.⁷⁵ However, he combines it with a model of intergenerational relationships which includes the members of society which are not yet or not any more capable of cooperating, "so that the benefits produced by everyone's efforts are fairly distributed and shared from one generation to the next."⁷⁶ Nevertheless, Rawls does not make it clear

⁷² Rawls, *Political Liberalism*, 19; cf. 183 and fn. 31 of this paper. In another article Rawls defines a "fully cooperating member of society" as "someone who can take part in, or who can play a role in, social life." (Rawls, "Justice as Fairness: Political not Metaphysical," 233)

⁷³ Rawls, *Political Liberalism*, 184.

⁷⁴ Ibid., 20.

⁷⁵ Ibid., 16. More precisely Rawls locates the idea of reciprocity, which he makes especially explicit in *Political Liberalism*, "between the idea of impartiality, which is altruistic (being moved by the general good), and the idea of mutual advantage understood as everyone's being advantaged with respect to each person's present or expected future situation as things are." (ibid., 16-17) Cf. ibid., XLII ff., 50, 54, as well as Rawls, *A Theory*, 14.

⁷⁶ Rawls, *Political Liberalism*, 16.

how the provision for the old who retire from the working life should be regulated in a just way. The sub-chapter of *A Theory of Justice* which deals with *The Problem of Justice between Generations* neither mentions the model of an inter-generational contract nor the issue of annuity insurance.⁷⁷ The central topic of the sub-chapter is rather the problem of how much a society should justify saving for the benefit of future generations. While discussing this, the thought of an inter-generational contract, according to which the respective future generation should pay the old-age pension of the preceding generation with their contributions to annuity insurance, doesn't enter Rawls's perspective.⁷⁸

In the preface to the "revised edition" of *A Theory of Justice*, Rawls explains that in the meantime he has distinguished more strictly between a "property-owning democracy" and a "welfare state."⁷⁹ The former system strives for a "steady dispersal over time of the ownership of capital and resources by the laws of inheritance and bequest."⁸⁰ Contrary to the welfare state, it is not primarily concerned with protecting all citizens "against accident and misfortune" through "unemployment compensations and medical care." Though in his preface he expresses a clear preference for the "property-owning democracy," Rawls declares explicitly that welfare assistance "to those who lose out through accident or misfortune" "must be done."⁸¹ Of his conception of justice he expects, as he states in *Political Liberalism*, that it "yields reasonable answers"—at least partly—"to the problem of

⁷⁷ Rawls, *A Theory*, sub-chapter 48, 284-293. In *Political Liberalism*, Rawls calls his statements concerning the problem of "our duties to future generations" in *A Theory of Justice* as "defective." (Rawls, *Political Liberalism*, 20. Cf. a solution of this problem, which Rawls holds to be better, *ibid.*, 20 (fn. 22), and *ibid.*, 273-274)

⁷⁸ Rawls's even goes that far to claim: "It is a natural fact that generations are spread out in time and actual exchanges between them take place only in one direction" (Rawls, *A Theory*, 291). With the latter he means that "those who live later profit from the labor of their predecessors without paying the same price." (*ibid.*)

⁷⁹ Rawls, *A Theory of Justice*, Revised Edition, S. XIV.

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

providing for what we may call normal health care.”⁸² The problem of illness and accident “can be dealt with, I believe, at the legislative stage when the prevalence and kinds of these misfortunes are known and the costs of treating them can be ascertained and balanced along with total government expenditure.”⁸³

Already in the sub-chapter of *A Theory of Justice* in which he enters more concretely into the details of the institutions of a just society or of its basic structure, Rawls proclaims that its government “guarantees a social minimum.”⁸⁴ It does this “either by family allowances and special payments for sickness and employment, or more systematically by such devices as a graded income supplement (a so-called negative income tax).”⁸⁵ In addition the government has to take care that the principal of fair equality of opportunity is socially enforced. Besides the normal institutions “the government tries to ensure equal chances of education and culture for persons similarly endowed and motivated either by subsidizing private schools or by establishing a public school system.”⁸⁶

Rawls not only conceives of appropriate welfare state institutions for the just society but makes statements about its political system. The government is subdivided into four branches. Rawls devotes special attention to the “transfer branch” and the “distribution branch.” The transfer branch which “guarantees a certain level of well-being and honors the claims of need” is responsible for ensuring the social minimum.⁸⁷ In consideration of a “just rate of savings” it fixes the total income of the least advantaged which is composed of earning plus

⁸² Rawls, *Political Liberalism*, 21.

⁸³ Ibid., 184.

⁸⁴ Rawls, *A Theory*, 275.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid., 276. According to Michael Walzer, who argues in *Spheres of Justice* for an “expanded American welfare state,” the social good “welfare” should be distributed “to each according to his socially recognized needs.” (Michael Walzer, *Spheres of Justice. A Defense of Pluralism and Equality* (New York: Basic Books, 1983), 90-91, cf. 84-91)

transfers.⁸⁸ In doing so the aim is, according to the difference principle, to maximize the expectations of the least advantaged. But this doesn't mean, as it might appear, a very high social minimum. Because if the proportional taxes on expenses and income were too high, it would have a detrimental effect on "the appropriate savings" and on the "economy efficiency" and thus reduce the expectations of the least advantaged.⁸⁹ On principle, taxation is a task of the distributive branch which not only collects the proportional taxes on expenses and income, but "imposes a number of inheritance and gift taxes, and sets restrictions on the rights of bequest."⁹⁰ The aim of the distribution branch is to favor a "wide dispersal of property" as well as to get the financial means which are necessary for the redistribution and the maintenance of the welfare state.⁹¹

2.2. Self-respect, The Principle of Redress and The Difference Principle—The Central Ideas of Rawls's Rational Foundation of the Welfare State

Rawls clearly constructs a just society as a welfare state. This raises the question of how the institutions of the welfare state can be derived from his principles of justice, and respectively, how they are rationally founded by his theory. Concerning the education system the answer has already been implied. The principle of fair equality of chances primarily calls for equal chances to get education. This requirement can be politically implemented by educational institutions that aim at making it possible for equally talented persons to have equal chances to get education. According to the difference principle, the distribution of the resources in the field of education should aim at improving the expectations of the least advantaged.⁹²

An important deduction of the welfare state as a whole emerges

⁸⁸ Rawls, *A Theory*, 276-77, 303-04.

⁸⁹ *Ibid.*, 285-86.

⁹⁰ *Ibid.*, 277.

⁹¹ *Ibid.*

⁹² *Ibid.*, 101.

from Rawls's general conception of justice, from which he develops his two principles. This conception calls for a distribution of all social values or primary goods according to which as a rule everyone should get the same. One of the primary goods which Rawls mentions in his general conception, which social bases are to be distributed equally, is "self-respect" or "self-esteem."⁹³ Self-respect is "perhaps the most important primary good." Rawls claims that his conception of justice as fairness "gives more support to self-esteem than other principles."⁹⁴ He defines self-respect first of all through "a person's sense for his own value, his secure conviction that his conception of the good, his plan of life, is worth carrying out. And second, self-respect implies a confidence in one's abilities, so far as it is within one's power, to fulfill one's intentions."⁹⁵ As a necessary precondition for realizing one's own conception of a good life, society has to provide the citizens at least with the social minimum. Without it, and without the necessary institutions of the welfare state, they cannot achieve self-respect. That his two principles of justice guarantee every citizen the social minimum and the freedom to realize their conception of a good life and thus their "highest-order interest," is for Rawls a strong argument for them.⁹⁶ In addition, he claims that through the priority of the basic liberties and "the public affirmation of the status of equal citizenship for all," his principles secure men's respect for one another and thus self-respect.⁹⁷

For Rawls, men's respect for one another, which secures their sense of their own value and thus their self-respect, is expressed by a constitution that is ordered within the meaning of his two principles of justice. Because such a constitution is set up in a way that the contingencies of social origin and natural gifts cannot be exploited but result in a mutual benefit.⁹⁸ No one can claim it as a dessert to be born in

⁹³ Ibid., 62, 440.

⁹⁴ Ibid., 440.

⁹⁵ Ibid.

⁹⁶ Rawls, *A Theory of Justice*, Revised Edition, 131, cf. *ibid.* 131-134.

⁹⁷ Rawls, *A Theory*, 545, 178-79.

⁹⁸ Ibid., 179.

a privileged family and thus to have a favorable starting position in life. Therefore a liberal conception of distributive justice tries to correct or compensate such undeserved advantages by demanding for a just society not only a formal but a fair equality of chances.⁹⁹ According to Rawls's intuitive view, the liberal conception still has a serious defect. That is, it allows the "distribution of income and wealth" to be "determined by the natural distribution of abilities and talents."¹⁰⁰ Those well endowed in this distribution cannot claim this lucky accident as a merit, neither can those who are born in a privileged family, because the "outcome of the natural lottery" is "arbitrary from a moral perspective."¹⁰¹ Rawls even goes one step further and proclaims that no one "deserves the superior character that enables him to make the effort to cultivate his abilities...for his character depends in large part upon fortunate family and social circumstances for which he can claim no credit."¹⁰²

For Rawls, it "is one of the fixed points of our moral judgments that no one deserves his place in the distribution of natural assets any more than he deserves his initial starting place in society."¹⁰³ This judgment is central for his egalitarian conception of justice. Not only is his "principle of redress" derived from it but the closely linked difference principle. The principle of redress is "the principle that undeserved inequalities call for redress; and since inequalities of birth and natural endowment are undeserved, these inequalities are to be compensated for."¹⁰⁴ The principle of redress is to be understood as an egalitarian principle, as it negates the undeserved inequalities between

⁹⁹ Ibid., 73.

¹⁰⁰ Ibid., 73-74.

¹⁰¹ Ibid., 74.

¹⁰² Ibid., 104. In sub-chapter 48 of *A Theory of Justice* Rawls argues against the ethical principle that goods should be distributed according to moral merit or virtue (ibid., 310-315; cf. Michael J. Sandel's critique in *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982), part II). This principle is central for Aristotle's political philosophy (cf. Knoll, *Aristokratische oder demokratische Gerechtigkeit?*). Therefore Rawls's claim that his approach to justice doesn't conflict with the tradition of Aristotle is very problematic (Rawls, *A Theory*, 10-11).

¹⁰³ Rawls, *A Theory*, 311, cf. 104.

¹⁰⁴ Ibid., 100.

people and aims at establishing equality among them as far as possible through state redistributions.

The difference principle is not identical with the principle of redress. But like the latter, its intension is to compensate for the undeserved social and natural inequalities and, especially, to mitigate “the arbitrary effects of the natural lottery.”¹⁰⁵ If one wishes to set up the social system in a way that “no one gains or loses from his arbitrary place in the distribution of natural assets or his initial position in society without giving or receiving compensating advantages in return,” one is “led to the difference principle.”¹⁰⁶ According to the difference principle, those who “have been favored by nature, whoever they are, may gain from their good fortune only on terms that improve the situation of those who have lost out.”¹⁰⁷ The acknowledgement of the difference principle means the transition from a liberal to a democratic conception of distributive justice, which “treats everyone equal as a moral person.”¹⁰⁸

Rawls understands a just society as a market-based democracy in which the government raises the revenues “so that it can provide for the public goods and make the transfer payments necessary to satisfy the difference principle.”¹⁰⁹ The demand to establish a welfare state with institutions, which redistribute income and wealth, can be derived from the difference principle and the closely linked principle of redress: “The difference principle represents, in effect, an agreement to regard the distribution of natural talents as in some respects a *common asset*.”¹¹⁰ The acknowledgement of the difference principle equals a consideration of the “greater abilities as a *social asset* to be used for the common

¹⁰⁵ Ibid., 74, 101.

¹⁰⁶ Ibid., 102 (italics by M.K.).

¹⁰⁷ Ibid., 101.

¹⁰⁸ Ibid., 75.

¹⁰⁹ Ibid., 278; cf. Rawls’s statements on the market economy *ibid.*, 270-284.

¹¹⁰ Rawls, *A Theory of Justice*, Revised Edition, 87 (italics by M.K.; the supplement “in some respects” was added in the revised edition, cf. Rawls, *A Theory*, 101).

advantage.”¹¹¹ Because the difference principle represents an agreement to regard individual talents and abilities as a collective social good that has to serve the common advantage, it has to be understood as the principle of the welfare state. A further argument for this interpretation are Rawls’s statements that the difference principle “provides an interpretation of the principle of fraternity” and that it “expresses the fundamental meaning” of fraternity “from the standpoint of social justice.”¹¹² Fraternity implies a “sense of civic friendship and social solidarity” and “is held to represent a certain equality of social esteem.”¹¹³

Against this interpretation of the difference principle as the principle of the welfare state one could still object with Kersting that it does not apply to the citizens that can’t provide for themselves but only to those “engaged in social cooperation.”¹¹⁴ The reply to this objection is based on the intuitive moral judgment from which Rawls derives the difference principle, and the principle of redress. If contingent natural and social advantages call for compensation, this moral demand has to be consistently applied to undeserved disadvantages like illnesses, disablement for work or impediments. The argument that natural and social accidents are allowed to influence the social patterns of distribution only conditionally, extends by its logic beyond the community of cooperation to the welfare state community of solidarity. One important reason why, for Rawls, the difference principle, which

¹¹¹ Rawls, *A Theory*, 107 (italics by M.K.). In addition to this Rawls states: “The two principles are equivalent [...] to an undertaking to regard the distribution of natural abilities as a *collective asset* so that the more fortunate are to benefit only in ways that help those who have lost out” (ibid., 179; italics by M.K.). In the similar formulations mentioned above Rawls states two times that *the distribution* of natural talents and abilities are considered as *common* respectively *collective asset*. Once he declares merely that the abilities (themselves) are regarded as a *social asset*. From the perspective of scholars like Thomas Pogge and Martin Rechenauer, for who this difference is of great importance, one could reproach Rawls that his diverging formulations cause misunderstandings (Pogge, *Realizing Rawls*, 74, and Martin Rechenauer, “Kontraktualistische Gerechtigkeitstheorien und die Idee eingebetteter Selbst“, in *Archiv für Rechts- und Sozialphilosophie*, 95/2009, Heft 1, 72).

¹¹² Rawls, *A Theory*, 105-106.

¹¹³ Ibid., 105.

¹¹⁴ Rawls, *A Theory of Justice*, Revised Edition, 84.

rationally grounds this community in the first place, would be chosen in a fair initial situation of choice, is that it ensures that the worst possible position in society is as bearable as possible.¹¹⁵

3. The Pluralism and Opposition of Considered Convictions of Judgment. Are The Principle of Redress and The Difference Principle Actually Just?

Until now, Rawls's conception of justice as fairness has found as many devotees as severe critics. According to Robert Nozick's influential critique of Rawls's notion of natural gifts as common or collective assets, the difference principle requires a "head tax on assets and abilities" and "treats people's abilities and talents as resources for others."¹¹⁶ In doing this, the difference principle is not taking "seriously the distinction between persons," and is open to the same criticism Rawls levels at utilitarianism.¹¹⁷ For Nozick, Rawls was only able to avoid the above mentioned objections if he held that between the people and their talents and abilities were an essential difference. But this reading raises the question whether a conception of the person makes sense that attributes "*everything* noteworthy about the person completely to certain sorts of 'external' factors."¹¹⁸ Nozick's criticism of an understanding of the self which exists independently from its particular qualities and goals was developed at length by Michael Sandel.¹¹⁹ More important though is Sandel's objection that even if it were possible to deny individuals their privileged claim to their natural gifts, this would not amount to society's claim on them. If there were no strong moral bonds of community and

¹¹⁵ Rawls, *A Theory*, 152-157.

¹¹⁶ Robert Nozick, *Anarchy, State, and Utopia*, (Oxford: Basil Blackwell, 1974), 228-29.

¹¹⁷ *Ibid.*, 228, cf. Rawls's critique of utilitarianism fn. 56 of this paper.

¹¹⁸ *Ibid.*, 214 (Italics by R.N.). Presumably as a reaction to Nozick's critique, in the revised edition of *A Theory of Justice* Rawls proclaims: "To be sure, the more advantaged have a right to their natural assets, as does everyone else; this right is covered by the first principle under the basic liberty protecting the integrity of the person" (Rawls, *A Theory of Justice*, Revised Edition, 89).

¹¹⁹ According to Sandel, Rawls understands the "self as 'essentially unencumbered'" (Sandel, *Liberalism and the Limits of Justice*, 87, cf. Michael Sandel, "The procedural Republic and the Unencumbered Self", in *Political Theory*, 1 (1984)). Cf. a similar critique of Rawls's conception of the person Walzer, *Spheres of Justice*, 260-61.

solidarity between individuals, society's claim to their natural gifts would be as random and arbitrary as that of the individuals.¹²⁰

While the demand for state redistributions implied by the difference principle and the principle of redress should be applauded by those who belong to the group of the least advantaged, many of the most talented and able citizens must feel treated unjustly by these principles. Even if these citizens conceded that from a moral perspective they didn't deserve their gifts, they could nevertheless insist that they are the legitimate owners of these gifts.¹²¹ Because they had a claim to their natural gifts, they had as well a justified claim to the income they could achieve through exercising them. In addition, they could maintain that contrary to many other people they made great efforts and devoted valuable life time in order to develop and cultivate their potentials.¹²² Even if these achievements were favored by undeserved family and social circumstances, they would nevertheless be a legitimate source for corresponding claims. For these reasons, proportional taxes on expenses and income to finance state redistributions are unjust.¹²³

¹²⁰ Sandel, "The procedural Republic and the Unencumbered Self", 89-90. Cf. a defense of Rawls against Nozick's and Sandel's critique Pogge, *Realizing Rawls*, 63-108, and Rechenauer, "Kontraktualistische Gerechtigkeitstheorien und die Idee eingebetteter Selbst", who defends Rawls chiefly against Sandel and Taylor.

¹²¹ For Nozick, the people have a claim to their natural gifts even though they don't deserve them: "It is not true, for example, that a person earns *Y* (a right to keep a painting he's made, praise for writing *A Theory of Justice*, and so on) only if he's earned (or otherwise *deserves*) whatever he used (including natural assets) in the process of earning *Y*. Some of the things he uses he just may *have*, not illegitimately. It needn't be that the foundations underlying desert are themselves deserved, *all the way down*." (Nozick, *Anarchy, State, and Utopia*, 225; italics by R.N.)

¹²² Rawls regards earnings in order to cover the costs for „training and education“ as justified (Rawls, *A Theory*, 102, 315).

¹²³ Nozick proclaims: "Taxation of earning from labor is on a par with forced labor. Some persons find this claim obviously true: taking the earnings of *n* hours labor is like taking *n* hours from the person; it is like forcing the person to work *n* hours for another's purpose" (Nozick, *Anarchy, State, and Utopia*, 169). The entitlement theory of justice Nozick advocates in *Anarchy, State, and Utopia* is a clear antithesis to Rawls's conception of justice: "From the point of view of an entitlement theory, redistribution is a serious matter indeed, involving, as it does, the violation of people's rights." (ibid., 168; cf. Barry, *An Introduction to Modern Political Theory*, 173-74)

The judgments of the above mentioned non-egalitarian reasoning can, as well, be seen as considered convictions of justice as those judgments from which Rawls derives the difference principle and the principle of redress.¹²⁴ This antithesis between the convictions of justice, about the consequences of natural gifts, poses a serious problem to Rawls's coherence theory method. According to this method, the considered convictions have to coincide with the principles, if they are to count as well founded. However, the problem is that the difference principle coincides with the mentioned convictions as much as it does not coincide with them. Thus, it cannot be founded on a consensus. To this interpretation one might object that the above mentioned judgments of the most able and gifted were not pronounced from an impartial perspective, but from their self-interest. However, is it not the case that the perspective and the self-interest of the least favored lies at the basis of the considered moral judgments from which Rawls derives the difference principle and the principle of redress? Isn't even the minority of all considered convictions truly impartial and, thus, exempt from the relativism of social, historical and cultural value judgments?¹²⁵ At any rate, the confrontation of Rawls's egalitarian intuitive convictions of justice with the above mentioned non-egalitarian ones shows that within contemporary western democracies there is an irresolvable pluralism and opposition of considered convictions of justice. Contrary to Rawls's assertion, in a pluralist society his conception of justice can never become the subject of an "overlapping consensus."¹²⁶

¹²⁴ In the original edition of *A Theory of Justice* Rawls declares: "It seems to be one of the fixed points of our *considered judgements* that no one deserves his place in the distribution of native endowments, any more than one deserves one's initial starting place in society." (Rawls, *A Theory*, 104; italics by M.K.)

¹²⁵ As appropriate examples for considered judgments that can reach a consensus today, Rawls mentions that "that religious intolerance and racial discrimination are unjust." (Rawls, *A Theory*, 19, cf. 206). On the contrary, in the Christian middle ages it was considered appropriate to prosecute people with a deviating belief as heretics and to fight against them. Similarly, for a long period in the modern times it was regarded justified to hold slaves and to discriminate against Jews.

¹²⁶ Cf. Rawls's idea of an overlapping consensus Rawls, *Political Liberalism*, 9-10, 15, 36 ff., 133-172.

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Walter Benjamin and Political Philosophy

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Each epoch dreams the one to follow. (p.4)
If it is the misfortune of the workers' rebellions of old that no theory of revolution directs their course it is also this absence of theory that, from another perspective, makes possible their spontaneous energy and the enthusiasm with which they set about establishing a new society.
(p. 13)

Walter Benjamin, *The Arcades Project*

Introduction

Presenting Walter Benjamin's (1892-1940) contributions to political philosophy is not the same as illuminating the attitudes of a political thinker focused on a particular problematic, or a philosopher that has established a system. For, "instead of a theoretical synthesis, Benjamin's writings reveal an explosive cross-fertilizing of intellectual currents and historical experiences which were registered as though on a seismograph."¹ Therefore, although this paper tries to clarify Benjamin's

¹ Eugene Lunn, *Marxism & Modernism*, Berkeley CA: University of California Press, 1984, 173. On the same question, Angela McRobbie observes the following: "There is nothing comfortable about anything Benjamin ever wrote. Instead it is shot through with difficulty and urgency. He was, of course, writing in a time more overshadowed by fear than our own. But what he was doing was new and inventive in every way. He was not a writer of fiction, or, like his friend Brecht, a playwright. Within the realms of what might be called non-fiction or the essay form, he was, however, an experimentalist...Equally important was the passion Benjamin displayed politically." (*Postmodernism and Popular Culture* (London: Routledge, 1994), 99). In the fragment titled "Inside and Outside", Adorno depicts the different qualities of academic and extra-academic authors, and the different kinds of difficulties that these two types will face: "The philosopher who wishes to earn his

contributions to political philosophy in concrete and general guidelines, given Benjamin's way of writing, this attempt will only be possible through those supplementary mediations and themes in his formation that take into account the question of the whole.

One of these mediations is Marxism, and the other the Frankfurt Institute of Social Research. The years 1923 and 1924 can be regarded as the start of these relations. Benjamin meets Theodor W. Adorno in 1923, and Asja Lacis in 1924. Meeting Lacis immediately starts to have an influence on Benjamin.² In the 1930s, his correspondence with Adorno intensifies, and after he finally meets Max Horkheimer in 1933, Benjamin's name begins to be associated with the Frankfurt School circles.

Benjamin's articles prior to these encounters are largely on the

living as a writer is obliged at each moment to have something choice, ultra-select to offer, and to counter the monopoly of office with that of rarity... Yet a gaze averted from the beaten track, a hatred of brutality, a search for fresh concepts not yet encompassed by the general pattern, is the last hope for thought. In an intellectual hierarchy which constantly makes everyone answerable, unanswerability alone can call the hierarchy directly by its name. The circulation sphere, whose stigmata are borne by intellectual outsiders, opens a last refuge to the mind that barter away, at the very moment when refuge really no longer exists. He who offers for sale something unique that no-one wants to buy, represents, even against his will, freedom from exchange." (*Minima Moralia*, trans. E. F. N. Jephcott (London, New York: Verso, 2005, 66-68)). The non-academic writer figure depicted by Adorno could be seminal for any investigation of Benjamin's works. About the discussions on Benjamin's style of writing, see also, Carol Jacobs, *In the Language of Walter Benjamin* (Baltimore: The Johns Hopkins University Press) 1999; David S. Ferris (ed.), *Walter Benjamin: Theoretical Questions* (Stanford, CA: Stanford University Press, 1996). For interesting anecdotes about Benjamin's life, and a total investigation, see Scheurmann, Ingrid and Konrad (eds.), *For Walter Benjamin* (Bonn: AsKI, Arbeitskreis Selbständiger Kultur-Institute E.V., 1993); Ertan Kardeş, "Walter Benjamin", in *1900'den Günümüze Büyük Düşünürler-I*, Çetin Veysal (ed.), (Istanbul: Etik), 2009, 485-532.

² Benjamin met Lacis in the summer of 1924, and fell in love with her. His liking for Lacis led him to a trip to Soviet Russia (1926-1927), observing the actions of the Soviet Communist Party, as well as meeting Bertolt Brecht (1929). In 1918, Benjamin had met Ernst Bloch in Capri, and formed a close relationship with him; yet, it was his acquaintance with Lacis that triggered him to review, in a concrete and realist way, his interest in Marxism.

philosophy of language and literary criticism, although with a few exceptions. Those exceptions are his 1921 articles, *On the Critique of Violence*, *Theological-Political Fragment*, and *Capitalism as Religion*, all of which definitely deserve being considered in the context of political philosophy. However, after 1924, Benjamin has written many articles that are directly and/or indirectly related to issues in political philosophy. Rather than discussing particular themes, the contents of these articles make it possible to integrate broader themes. For that reason, it is impossible to catalogue his articles thematically. Nevertheless, considering the prior studies on Benjamin, it is possible to state that Benjamin's articles are categorized into two groups with regard to the intensity of themes. According to this categorization, articles in the first group concern experience, remembrance, mimesis, history, habits, and tradition, whereas the ones in the second group concern popular culture, technology, fashion and consumption, everyday life, and the production and reproduction of art and the artist. While the first group of articles shape Benjamin's grasp of thought, the second group shapes Benjamin's perception of danger.³

In this article, however, an attempt will be made to develop a totality-based approach, which would consider the periodization and thematization above in order to understand Benjamin's position vis-à-vis the philosophy of politics. To develop the totality approach in question, the article will highlight the political position that is never denounced but continuously affirmed throughout Benjamin's oeuvre. This position,

³ For the first group, we can recount *The Origins of German Tragic Drama/Mourning Play* (1925), *Moscow Diary* (1927), "The Image of Proust" (1929), *The Passages of Paris* (1930), "Karl Kraus" (1931), "Destructive Character" (1931), "The Doctrine of The Similar" (1933), "On the Mimetic Faculty" (1933), "Experience and Poverty" (1933), "Berlin Childhood" (1934), "Franz Kafka" (1934), "The Storyteller" (1936), "Eduard Fuchs, Collector and Historian" (1937), "On the Concept of History" (1940). For the second group, we can recount *One-Way Street* (1926), "Dream Kitsch" (1927), "Paris the Capital of the 19th Century" (1935), "Art in the Age of Mechanical Reproduction" (1935), "The Paris of the Second Empire in Baudelaire" (1938), "Central Park" (1939), "Paris the Capital of the 19th Century" (1939), "On Some Motifs in Baudelaire" (1939), and again, "On the Concept of History" (1940).

which Benjamin pronounces politically, in order to side with it in all his writings, is “the position of the oppressed.” Discussing how the oppressed are endangered, the types of intellectual capacities that generate these dangers, and the politically available powers that the oppressed hold against these capacities will enable us to illuminate the contributions that Benjamin made to the philosophy of politics.

Idea for the Oppressed: Experience and the Critique of Historical Materialism

In order to grasp a reality, Benjamin is not “primarily” interested in the justifications with which that reality is put into circulation. What he is primarily interested in is the type of experience a thing’s existence is attached to: what that experience communicates, what it presents, and on which basis it is produced. That is to say, without experience, any judgment on reality itself will eventually lead to the impoverishment of reality: any judgment on the communicable and the non-communicable, the intellectual and the practical, the internalized and the externalized, the saved and the expended. And this, in Benjamin’s words, is reality being known under the rule of “poverty of experience.” In such a perception of reality or an activity of knowing, “nature and technology, primitiveness and comfort, have completely merged.” Hence, this merging ‘impoverishes’ man in all senses. For Benjamin, the impoverishment of experience leads society to a condition in which “we have given up one portion of the human heritage after another, and have often left it at the pawnbroker’s for hundredth of its true value, in exchange for the small change of ‘the contemporary’.”⁴

In pointing to the discrepancy between the silence of World War veterans and the state of war books during the ten years in the war’s aftermath, Benjamin tries to describe the ruins created by experience falling in value. This description involves two dimensions working simultaneously. In the first, Benjamin tries to come up with an answer as

⁴ Walter Benjamin, “Experience and Poverty,” in *Selected Writings vol. 2, 1931-1934*, Michael W. Jennings, Howard Eiland, Gary Smith (eds.), (Cambridge, MA: Harvard University Press, 2005), 735.

to “why the value of experience fell”, and in the second, to the question “what does it mean for experience to fall in value”.

One of the most striking examples of experience falling in value is that the storyteller, who causes the honest man to confront himself, has lost the ground for stories, mind, thinking, and reminiscence. Reminiscence (*Erinnerung*), which transmits an event from one generation to the other, and the short-term mythical memory (*Gedachtnis*) of the storyteller who maintains a certain level of publicity and productivity on his audience, are both replaced by the eternalizing memory (*Eingedenken*) of the novel that reduces things into “one hero, one odyssey, one battle.”⁵ Being subdued by the eternalizing memory of the novel dooms man to “be as if one were trapped in a theatre and had to follow the events on the stage whether one wanted to or not, had to make them again and again, willingly or unwillingly, the subject of one’s thought and speech.”⁶ In this insipidity of automatized experiences, man lives without having the need to register in memory the ‘freedom of conversation.’ That is, this transformation not only creates a form of entrapment but also confiscates thinking itself. As a matter of course, those subdued by this entrapment or by the poverty of experience continue to be a part of the long standing process which works in the interest of the oppressed.

As such, the oppressed must cling to the productive and creative processes of remembrance, processes which make it possible to develop a self-capacity to think, and to develop it on behalf of a process in their own interests. However, remembrance is not as easy to actualize as it might seem. Departing from Marcel Proust’s *In Search of Lost Time* and Charles Baudelaire’s *Flowers of Evil*, Benjamin points to two weapons for productively and creatively appropriating memory: correspondence and death.

Correspondences are “the work of the *memoire involontaire*, the

⁵ Walter Benjamin, “The Storyteller,” in *Illuminations: Essays and Reflections*, trans. Harry Zohn, Hannah Arendt (ed.), (New York: Schocken Books, 2007), 98.

⁶ Walter Benjamin, “One-Way Street,” in *One-Way Street*, trans. Edmund Jephcott and Kingsley Shorter (London: Verso, 1997), 57.

rejuvenating force which is a match for the inexorable process of aging. When the past is reflected in the dewy fresh ‘instant’, a painful shock of rejuvenation pulls it together once more as irresistibly as the *Guermantes*.⁷ As such, all of the surrendered renunciations, all of the buried or hidden desires and thoughts are once more laid bare for interrogation. Functioning through associations and analogies, correspondence becomes a craft of the dialectical imagination. “Ambiguity is the manifest imaging of dialectic, the law of dialectics at a standstill. This standstill is utopia and the dialectical image, therefore, dream image.”⁸ In other words, this dreamlike appearance causes objects to come to life, the linearity of history to be destabilized, thought to be reconsidered with vision, and the allegoric perspective to reveal the hidden universal within the object. That is, correspondence allows the oppressed to recognize both the situation they are in and each other. These realizations herald the first shock that the oppressed will incite, on

⁷ Walter Benjamin, “The Image of Proust,” in *Illuminations*, 211.

⁸ Walter Benjamin, “Paris, the Capital of the Nineteenth Century,” in *the Arcades Project*, trans. Howard Eliand and Kevin McLaughlin (Cambridge, MA: Harvard University Press) 1999, 10. Adorno reacts harshly to each of the three articles of Benjamin on Baudelaire, and also to Benjamin’s study titled *Eduard Fuchs* (1937). Adorno’s critique of Benjamin is. 1) that it impossible for dialectical imagination to reveal the social reality of object without some kind of mediation, and 2) that it is impossible to relate these objects to the archaic without considering the reification in these reified objects. We will come back to the relationship between reification and/or commodification. However, we will not spend more time on the discussion between these two thinkers. Therefore, it will be useful to recall the following reminder in Adorno’s letter to Benjamin dated 29 February 1940: “Is it not the case that the real task here is to bring the entire opposition between sensory experience [*Erlebnis*] and experience proper [*Erfahrung*] into relation with a dialectical theory of forgetting? Or, one could equally say, into relation with a theory of reification. For all reification is a forgetting: objects become purely thing-like the moment they are retained for us without the continued presence of their aspects: when something of them has been forgotten. This raises the question as to how far this forgetting is one that is capable of shaping experience, which I would almost call epic forgetting, and how far it is a reflex of forgetting...I also believe that the fundamental distinction made in your essay will only acquire its universal social potential in connection with this question of reification.” For the discussion in length, see Theodor W. Adorno and Walter Benjamin, *The Complete Correspondence*, Henri Lonitz (ed.), (Cambridge, MA: Harvard University Press), 1999, 321.

the stage that they themselves have set up, against the eternalizing and standardizing discourses of thought and speech. However, even if the shock is inspired by a realization, it is actualized only by the destructive sublation of the monotonous and the eternal.⁹

For Benjamin, another weapon that would enable the oppressed to recognize their capacity for thought, to realize the situation they are in, and allow them to live their own lives, is death. Death is neither an insane desire to kill nor an end that is arrived at a moment in time. For Benjamin, death indicates two things: in the first instance, it indicates the reification of the subject (among commodities) in his everyday life, which is becoming more and more monotonous and eternal; in the second, it indicates a trace that passes into history. As the subject continues to be a part of the process of reification, death is renewed just like commodities finding themselves new buyers and mediations at the market. This is because reification renders death immune, until the dead fall into disuse. The other sense of death, death's being a trace that passes into history, derives its meaning from the fact that life is nothing but leaving traces. Death is the ultimate form of life leaving its trace. As Eduardo Cadava also points out, "death may never be a referent" for Benjamin, "even if it is always referred to."¹⁰ In his article, "Central Park" (1939), Benjamin tries to explain this over and over again.

For Benjamin, Baudelaire's greatest achievement is to declare the 'triumph of allegory,' which he explains as follows: "To interrupt the course of the world—this is Baudelaire's deepest wish...Out of this wish came the encouragement with which he accompanied Death": an encouragement provided by the "Life, which means Death," because "for people as they are today there is only one radical novelty, and that

⁹ Benjamin quotes Theodor Reik: "'The function of remembrance [*Gedächtnis*],' Reik writes, 'is the protection of impressions; memory [*Erinnerung*] aims at their disintegration. Remembrance is essentially conservative, memory is destructive'."

¹⁰ Eduardo Cadava, *Words of Light: Theses on the Photography of History* (Princeton, NJ: Princeton University Press) 1997, 129.

is always the same: Death.”¹¹ To put it differently, man’s souvenir (*Andenken*) is a secularized relic with which he distills something out of his memory against his self-alienation. This is precisely allegory’s triumph in constructing the inner world. “The relic comes from the cadaver; the souvenir comes from the defunct experience [*Erfahrung*] which thinks of itself, euphemistically, as living [*Erlebnis*].”¹²

In short, both correspondence and death make it possible for the oppressed to develop a self-capacity to think for their own interests. They are necessary for remembering, interrupting history’s continuity, and to deal a blow to the heart of this continuity. For, these weapons are not only opposed to the world of commodities, but also, they exist as its antidote: The only way to get rid of the commodity world is to sublate the conditions of that world’s existence. That is, it is not possible to redeem death from being a referent and put an end to it merely by deciphering its language; one must settle accounts with the valley of tears created by that language. For Benjamin, only the historical materialist can actualize this. Strictly speaking, “the historical materialist views [cultural treasures] with cautious detachment. For without exception the cultural treasures he surveys have an origin which he cannot contemplate without horror...A historical materialist therefore dissociates himself from it as far as possible. He regards it his task to brush history against the grain.” Brushing history against the grain is “to retain that image of the past which unexpectedly appears to man singled out by history at a moment of danger.” In other words, “[t]he historical materialist leaves it to others to be drained by the whore called ‘Once upon a time’ in historicism’s bordello. He remains in control of his powers, man enough to blast open the continuum of history.” As such, what the historical materialist must do is to rescue himself from conformist leanings and the stubbornness to join the forces of the victors and he must smash the continuity of history into

¹¹ Walter Benjamin; Lloyd Spencer; Mark Harrington, “Central Park”, *New German Critique*, no. 34 (Winter, 1985), 39-40.

¹² Walter Benjamin, “Central Park”, in *Walter Benjamin Selected Writings vol. 4, 1938-1940*, Michael W. Jennings (ed.), (Cambridge, MA: Harvard University Press, 2003), 161-199, 183.

pieces by using his theoretical and practical powers. The historical materialist is undoubtedly the historical subject itself, for “not man or men but the struggling, oppressed class itself is the depository of historical knowledge.”¹³

In developing a grasp of thought for the oppressed mediated by experience and historical materialism, Benjamin does not merely want to become an inspiring source full of glimmers of thought. What he actually does is to show that time has long arrived, that it has become necessary to pull the emergency break against the dangers that the oppressed keep living through. Therefore, he searches for the subversive, that which makes possible to remember, and for this very reason, he constantly reminds the reader what historical materialism is.

Danger for the Oppressed: Mass Culture and the Critique of Fashion

In the fragment “Fire Alarm,” Benjamin emphasizes that “before the spark reaches the dynamite, the lighted fuse must be cut.” For him, reducing class war to a simple dualism between the victors and the vanquished is to romanticize and obscure it, and he indicates that what’s really important is to intervene before it’s too late: “[I]f the abolition of the bourgeoisie is not completed by an almost calculable moment in economic and technical development (a moment signaled by inflation and poison-gas warfare), all is lost.”¹⁴ Therefore, in this age of reproducibility created by technical possibilities, the subject of historical knowledge must initiate the struggle on all fronts. The field of this struggle cannot merely be a political field in the restricted sense. For Benjamin, every human endeavor including art—especially the everyday forms of social life and the practices necessary for their reproduction—must be rendered translatable to the language of politics in order to understand which emerging developments are in the interest of the oppressed.

In the age of reproducibility, the masses themselves, their activities

¹³ Walter Benjamin, “Theses on the Philosophy of History”, in *Illuminations*, 256-260.

¹⁴ Benjamin, “One-Way Street” 80.

and everyday forms of life gain an unprecedented level of visibility, while this visibility assumes a form that is easier than ever to govern and stall. It is art that best illustrates this effect. When they are subdued by fascism, masses are exposed to the aesthetization of politics: they are bewildered by the size of quantities, stuck in the gap between contemporary technology and ‘moral enlightenment,’ overwhelmed enough to be fooled by the verbosity of a clumsy lover: the sovereigns thus easily push them to battle fields whenever they like. Because masses are detached from a total life and impoverished in experience, mass individuals begin to look for something new that could produce their inner lives. The ‘cult of stardom’ comes to their rescue. The cult of stardom, a kind of desire to become a hero in capitalism, both flattens the masses and differentiates them. Yet, this differentiation also leads to a kind of sameness. Thus, mass individuals in capitalism live enmeshed in reification.

This desire to become a hero does not only push the masses closer to being a hero, but also makes the masses reproduce heroicism and subdues them under it. This means that for heroes, there is always a new war going on, one that must be fought to win and survive. When masses rush to war under the cult of stardom, something else also changes. War becomes situated spatially within everyday life, and it now becomes necessary to fight this war with other weapons. In terms of their function, these weapons are similar to those used by armies; but eventually, they yield different results: to put it differently, these weapons do lead to victory or survival but they do not kill: death returns to a form of life, there is always resuscitation. From the point of view of oppressors, this loop is stabilized through production-consumption or production-for-more-consumption, both of which provide the oppressors a process that could be interpreted as eternal recurrence. Whereas, what is expected of the masses, their practices and everyday life-forms is exactly the opposite of this recurrence.¹⁵

¹⁵ See especially: “When the age of mechanical reproduction separated art from its basis in cult, the semblance of its autonomy disappeared forever. The resulting change in the function of art transcended the perspective of the century... For the first time—and this is the effect of the film—man has to operate with his whole

For the first time, time has come to completely exit the valley of tears which man sees as if independent of himself, because in the age of reproducibility, it is not only the artwork that loses its aura; the sacred also begins to be thought as a part, a consequence, and an essential quality of human relations. Therefore, the sacred takes its place among the created things. As a consequence, the age of reproducibility makes it relatively more possible for men to grasp the reality of their own practices. This is where the problem arises: Why isn't this possibility actualized in the interest of the emancipation of large masses?

This question can be answered through two different paths from Benjamin's perspective: The first answer takes the path of mass culture, in Benjamin's words—and, popular culture, in the words of contemporary comparative literature studies—and the functioning of the world of commodities; the second answer takes the path of studying the mystifying effects of conformist ideologies (social democracy, bourgeoisie parliamentary democracy etc.) on class war, on the relations between the oppressors and the oppressed. Benjamin does not spare much time on the second one, but this does not necessarily mean that he finds the study of aforementioned conformist ideologies inessential. He is inclined primarily towards the first path.¹⁶ Because in the first, it is more likely that one

living person, yet forgoing its aura. For aura is tied to his presence: there can be no replica of it...The film responds to the shriveling of the aura with an artificial build-up of the "personality" outside the studio. The cult of the movie star, fostered by the money of the film industry, preserves not the unique aura of the person but the 'spell of the personality' the phony spell of the commodity." (Walter Benjamin, "The Work of Art in the Age of Mechanical Reproduction, in *Illuminations*, 226-231); and also: "Theories of German Fascism," in *Walter Benjamin: Selected Writings vol. 2, 1927-1930* (Cambridge, MA: Harvard University Press, 2005), 312-321.

¹⁶ There could be several reasons why Benjamin chooses to undertake a mediated critique for the purposes of the liberation of masses rather than a direct political critique. When Benjamin's works are considered as a whole, one would see that, for Benjamin, attitudes or techniques of argumentation of a professional political theorist are incompatible with an independent intellectual approach. Therefore, rather than concrete and analytical expressions, he resorts to challenging mediations, idioms, dialectical images, and allegories. In doing so, his aim is to generate references that, like a 'bandit,' could 'strip the passer-by of his opinions,' and to bring the reader face to face with a total structure that is formed by these references.

conducts a totalistic examination, and to grasp both the means of production themselves and their internalizing orientations. It is in his work, *The Arcades Project*¹⁷ that Benjamin most intensely emphasizes mass culture and the functioning of the world of commodities.

For Benjamin, the relationship between mass culture and the world of commodities is most patently presented by fashion. As an epigraph to the parts on fashion, Benjamin chooses two short expressions. “Fashion: Madam Death! Madam Death!”, and “Nothing dies; all is

In other words, rather than critiquing a thing by its own mediation, he thinks it more useful to stay out of the beaten path and to weave intricate texts by walking this unbeknownst path until he reaches the level of the grotesque. Even if Lukács’ *History and Class Consciousness* and Brecht’s *The Modern Theater is the Epic Theater* are endeavors which Benjamin admires, they nonetheless remain too orthodox for Benjamin’s own intellectual existence. Benjamin’s texts are sophisticated and full of craft; the issues he takes up he does not take up immediately. Instead, he approaches his subjects with expressions which are distilled from a thinking of the whole and which are oriented towards a synthesis. For example, in both the *Arcades Project* and the text “On the Concept of History,” he states that the real question for the historical materialist is not progress but realization, and that this realization is only possible on the grounds that the historical materialist decisively breaks away from the bourgeois world of thought. These are fairly straightforward expressions but clinging to these expressions without a total grasp of Benjamin’s oeuvre might lead to misunderstandings. See, Walter Benjamin, *The Arcades Project*, trans. Howard Eiland and Kevin McLaughlin, Cambridge, MA: Harvard University Press, 2002, 460. See also the first footnote in this paper, and Walter Benjamin, “One-Way Street”...“Tek Yönlü Yol”, *Son Bakışta Aşk* içinde, s. 73; Susan Buck-Morss, *Görmenin Diyalektiği*, çev. Ferit Burak Aydar (İstanbul: Metis Yayınları, 2010), 24-39.

¹⁷ According to Buck-Morss, Benjamin undertook a concentrated editing effort for finalizing *The Arcades Project* at three different stages. However, the study was left unfinished. When *The Arcades Project* is examined in its present structure, it is possible to see the degree to which Benjamin is interested in analyzing mass culture. Benjamin has contemplated on almost all the facts, events, and faces of the 19th century Paris, ranging from stock exchange market, forms of lighting, dream houses, and fashion to arcades, whores, conspiracies, boredom, and barricade wars. His aim is to produce a work on the 19th century Paris, which maintains a totality at its every point from mass culture to the most refined theoretical attitudes. Walter Benjamin, *the Arcades Project*, trans. Howard Eiland and Kevin McLaughlin, (Cambridge, MA: Harvard University Press, 2002), 958-1015; Susan Buck-Morss, *The Dialectics of Seeing: Walter Benjamin and the Arcades Project* (Cambridge, MA: MIT Press, 1991), 48.

transformed.”¹⁸ In these expressions, one sees that three different conceptual levels are implicitly integrated. The first one is “death,” the second “reification,” and third “present” reality itself. The conceptual level at which the three meet is, of course, fashion. For Benjamin, capitalism’s success in governing masses lies in the fact that capitalism constructs a relationship between these three conceptual levels and the layers of eternity. This relationship is both internalizing and externalizing. In other words, the eternal is parried by fashion, what Benjamin calls “the dialectical image.” Therefore fashion has secured a concrete and real place, which allows it to become more effective than any idea: “In my formulation: ‘The eternal is in any case far more the ruffle on a dress than some idea.’”¹⁹ As such, fashion cannot be seen as merely a choice or a style. It has natural allies. These allies are the ideas of “progress” and “taking hold of the future.” Thus, fashion renders death and reification livable, while at the same time empties the present in the name of future, teaching masses how to worship the commodity. This teaching is realized by instruments that work as if they are machines of desire or want: World fairs, dream cities, dream houses, mirrors, panoramas, interior designs, arcades, novelty shops (*magasins de nouveautés*), entertainment spaces, forms of lighting, streets, collectors, whores, huge, iron or glass-made structures, automatons, toys, technologies of reproduction...

It is now possible to see more clearly why Benjamin recurrently gives an account of these instruments in the *Arcades Project*. In fact, this orientation of Benjamin stems precisely from that aspect of fashion which is noteworthy to philosophers: “For the philosopher, the most interesting thing about fashion is its extraordinary anticipations. It is

¹⁸ Benjamin, *the Arcades Project*, trans. Howard Eliand and Kevin McLaughlin, Cambridge, MA: Harvard University Press, 1999, 62. The first expression is from Giacomo Leopardi’s article, “Dialogue between Fashion and Death,” and the second, from Honoré de Balzac’s *Pensées, sujets, fragments*.

¹⁹ Ibid., 69. For a discussion on fashion, and especially, on the relationship between the language of commodities and art, liberation, fascism, individualization and consumption, see, Wolfgang Fritz Haug, *Critique of Commodity Aesthetics*, trans. Robert Bock (London: Polity Press), 1996.

well known that art will often—for example, in pictures—precede reality by years. It was possible to see streets or rooms that shone in all sorts of fiery colors long before technology, by means of illuminated signs and other arrangements, actually set them under such a light. Moreover, the sensitivity of the individual artist to what is coming certainly far exceeds that of the *grand dame*. Yet fashion is in much steadier, much more precise contact with the coming thing, thanks to the incomparable nose which the feminine collective has for what lies waiting in the future.”²⁰ That is to say, for Benjamin, fashion’s power to smell the future gives it a constitutive role. When Benjamin addresses the question of what is indicated by fashion, he does not consider fashion merely as auxiliary to sovereign discourse: he also sees the latent signs that it presents. These signs are both recklessly clear and manipulative.²¹ As a modernist, Benjamin like Marx, focuses on the subversive and creative powers of this clarity, and thereby hopes to demonstrate how the oppressed could sublimate the dangers awaiting them. It is now possible to go back and answer the question at the beginning of this section; that is, the question of why conditions do not lead to the “emancipation of masses” despite the appearance of masses and the fact that the language of commodities is deciphered.

According to Benjamin, elucidating the ideas of fashion and its practical means and levels makes it easier to understand the functioning of mass culture and the existing manipulations and mystifications; however, it does not lead to an overcoming. Because in order for that to

²⁰ Benjamin, *the Arcades Project*, trans. Howard Eliand and Kevin McLaughlin (Cambridge, MA: Harvard University Press, 1999), 63-64.

²¹ “The message of the world exhibitions as fairylands was the promise of social progress for the masses without revolution. Indeed, the fairs denied the very existence of class antagonisms. Even when workers were permitted to elect their own delegation to them, any potentially revolutionary consequences of such a proletarian assembly was co-opted....As a classic example of reification, urban ‘renewal’ projects attempted to create social utopia by changing the arrangement of buildings and streets—objects in space—while leaving social relationships intact. Under Haussmann, schools and hospitals were built, and air and light were brought into the city, but class antagonisms were thereby covered up, not eliminated.” (Buck-Morss, *The Dialectics of Seeing*, 86-89).

happen, a revolution is required: one that must take place before long. The political means of this revolution must interrupt the course of time, and derail that train called progress or capturing the future.

History for the Oppressed: Violence and the Critique of Law

In the first thesis of “On the Philosophy of History” (1940), Benjamin talks about an automaton that plays chess and wins every time. He considers historical materialism to be a philosophical counterpart to this automaton: for this philosophical puppet, which will lead the historical subject to victory, to “be a match for everyone,” it must “[enlist] the services of theology, which today, as we know, is wizened and has to keep out of sight.”²² Benjamin displays the same approach in the article “Capitalism as Religion” (1921), an article which he wrote in his youth; here, Benjamin is yet to mention anything about the historical subject and/or historical materialism, but tries to explain capitalism’s victory using the notion of religion. Contrary to what Max Weber shows, capitalism has not simply stemmed from a religious worldview; capitalism is a phenomenon that is itself religious. According to Benjamin, capitalism is “purely a cultic religion” (*kultreligion*), and includes a kind of worship that is entirely indexed to work, which means that capitalism as a religion is equipped with exclusively destructive qualities.²³ The relationship that Benjamin constructs between capitalism and religions can be likened to the functional relationship that Marx constructs between them. According to Marx, even if capitalism is not religiously rooted, it allows the worldly reproduction of religion’s valley of tears by leading to a destructive form of work and

²² Benjamin, *Illuminations*, 253. On the analysis of the concept of history, see also Bora Erdağı and Mehmet Dinçer, “Benjamin, Tarih (Felsefesi) Üzerine Tezler ve Tarih Yazımı”, *Praksis*, no. 17, 2007, 173-192; Michael Löwy, *Fire Alarm: reading Walter Benjamin’s On the Concept of History*, trans. Chris Turner (London, New York: Verso), 2005.

²³ Walter Benjamin, “Capitalism as Religion,” in *Walter Benjamin: Selected Writings vol. 1, 1913-1926*, Marcus Bullock and Michael W. Jennings (eds.), (Cambridge, MA: Harvard University Press, 1996, 288). See also, Michael Löwy, “Capitalism as Religion: Walter Benjamin and Max Weber,” *Historical Materialism*, no. 17, 2009, 60-73.

reification; but this time, the valley of tears is inhabited by masses who lost their halo, in Benjamin's words, and by masses of the disenchanted world, in Marx's words.

This parallel approach to capitalism is not the only common thread in Marx and Benjamin. Their works also converge by the virtue of the fact that, although from different angles, they have both taken up unfinished projects on how to analyze the living dead of capitalism, the commodity. Marc Neocleous discusses Marx's and Benjamin's critiques of capitalism from the perspective of the political economy of death. According to Neocleous, themes like 'bloody accumulation of capital,' 'living and deal labor,' 'emancipation,' or 'the necessity to bury the dead' not only converge their works, but also demonstrates that they have a common notion of thinking and a common idea of danger. In spite of the fact that Benjamin, who actually knows no limits when it comes to reading, had read very little of Marx, their works are similar not only in their apparent surfaces but also with regard to some images of which they make use. For example, with a bit of over-reading, one can juxtapose the oft depicted image of the 'vampire' in Marx's political economy writings, and especially in *Capital*, with that of the *Kreatur*, which assumes a particular meaning in Benjamin's writings. If we do so, it will be apparent that the two images share a certain degree of homology by virtue of the close contact between these images and blood on the face of natural history. We should remember that Marx uses the image of the vampire both in indicating the laws of capital accumulation and in expressing the immortal mortality of the world of commodities. Vampire is an exploitative creature that belongs particularly to the Gothic Age, and it immortalizes itself by sucking blood (off living labor) and incorporating what he sucks in himself (into the circle of capital-dead labor). Benjamin, on the other hand, does not use the expression *Kreatur* merely to mean "the totality of the world, insofar as it is related to the activity of a creator"; he also thinks the expression into another field, a field that takes into account mythical guilt, wanton melancholia, inhuman and abject nature, animality, and passion, all of which fall outside the boundaries of humanity and/or the human as defined by Western philosophy. The *Kreatur* has a meaningful place in bourgeois capitalism, in the world of relentless capitalists

imprisoned in their own destructive/creative, exploitative existence; perhaps that world itself is home to this creature. It is highly likely that this is indeed the case.²⁴

Neocleous sees Marx's expressions like death, communism, liberation²⁵ and Benjamin's expressions like the call for revolution in messianic temporality, which incessantly reminds historical materialism its mission, as complementary to one another. A similar approach is taken by Beatrice Hanssen. Hanssen compares Benjamin's understanding of real humanism with Marx's Feuerbachian materialist anthropology that was left undeveloped in his earlier works such as *On the Jewish Question*, *1844 Economic and Philosophical Manuscripts*, and *The Holy Family*, and in doing so, states that Benjamin's real humanism is similar to the humanism in Marx's early works. Marx makes a distinction between human rights and the abstract political rights of the human, and in his later writings, he tries to discuss this antagonism in civil society through human labour and "real life." Benjamin, especially in his 1931 article "Karl Kraus," takes the discussion to precisely where Marx wanted to settle the antagonism, and discusses the human through "real humanism" without having to be led astray by the lures of classical humanism. In the article "Karl Kraus," there are three subtitles for the three sections in the essay: *Allmensch*, *dämon*, and *unmensch*, which are quite important for understanding real humanism. *Allmensch* (*vollmensch*) means cosmic

²⁴ One can find *Kreatur* being used in essays like "Fate and Character," "On the Critique of Violence," "Theories of German Fascism," "Destructive Character," "Goethe's Elective Affinities," and *The Origins of German Tragic Drama*. The word *Kreatur* has a lineage that goes back to the words *Geschöpf* in Middle Age German and *creatura* in Latin, and means either creature or existence. It is often used with theological overtones. However, just as theology had put everything at its own disposal in the Middle Ages (*ancilla theologiae*), Benjamin, doing the opposite, has put theological expressions at politics' disposal. See, Beatrice Hanssen, *Walter Benjamin's Other History: Of Stones, Animals, Human Beings, and Angels* (Berkeley: University of California Press, 2000), 103-108.

²⁵ "[T]he desire to live one's life through commodities is the desire to live one's life through the dead...communism would consist of liberation of living labour (that is, sensuous human beings) from the rule of dead labour (that is, capital)." (Mark Neocleous, *The Monstrous and the Dead: Burke, Marx, Fascism* (Cardiff: University of Wales Press, 2005), 54-55).

man, and was widely used in Weimar Germany. *Dämon* (*untermenschlich*) is a devilish figure, and represents “abject nature, mythical guilt, and sensuality.” *Unmensch* is the embodiment of the revolutionary impulse. In that sense, it includes an anarchic energy. “[M]uch like the Goethe essay—the Kraus study staged a dialectical conflict between these three types, showing—as Benjamin indicated in one of the drafts—how the false justice of the *Allmensch* was to be supplanted by the anarchic justice of the *Unmensch*.”²⁶

It is now possible to turn to Benjamin’s critique of violence and the concomitant question of what is represented by law. In his article “On the Critique of Violence” (1921), Benjamin talks about two kinds of violence, mythical and messianic (divine). Mythical violence makes law and draws boundaries, and for this reason, creates a fatal command over bare life by demanding retribution. Messianic violence, however, annihilates the existence of mythical violence, its law and boundaries, which dominate by demanding retribution, subduing bare life with a fatal command. That is to say, messianic violence neither substitutes itself for the destroyed mythical violence, nor remains content with its naïve position by avoiding the critique of mythical violence so that it can secure its ontological status. Benjamin finds a third way which supersedes both. This third way, which is to be opened by messianic violence, leads the oppressed to create their own exceptions, interrupt the continuity of time, and denounce all conformist ideologies that normalize inter-class antagonism (exploitation) by making it an immortal mortal. For, both in systems of natural and positive law, the state (sovereign law) has the monopoly over mythical law which is law-making and law-preserving. The modern *Rechtsstaat* reduces the use of violence to a kind of means-ends legitimacy, on the basis of which the state forms judgments on the use of violent means according to the justness or unjustness of ends. In other words, the modern *Rechtsstaat* both preserves its monopoly over the use of violence, and extends this monopoly. However, here, the state, especially the liberal state, works to render

²⁶ Hanssen, *Walter Benjamin’s Other History*, p.115. See also, Walter Benjamin, “Karl Kraus,” in *Selected Writings* vol. 2, 1926-1934, Marcus Bullock and Michael W. Jennings (eds.), (Cambridge, MA: Harvard University Press), 1999.

violence invisible and to sustain it. Benjamin, therefore, highlights the inherently limited nature of public law, and points to those extra-legal zones of violence which are yet to be governed directly by law.

Benjamin is of the opinion that revolutionary violence, which opposes the state's attitude, will not be adequate for breaking the loop of violence. Therefore, he refers to the two strikes proposed by Georges Sorel, the political and the general proletarian, and advocates that it is necessary to promote the latter. This is because the general proletarian strike will annihilate the legal will of the modern *Rechtsstaat* that justifies state violence.²⁷ Hence, another question could be raised: if this

²⁷ Walter Benjamin, “Şiddetin Eleştirisi Üzerine” (On the Critique of Violence), in *Şiddetin Eleştirisi Üzerine*, Aykut Çelebi (ed.), (Istanbul: Metis, 2010), 19-42. This work, edited by Aykut Çelebi, is very significant for it is the first coordinated study in Turkish that discusses Benjamin's views on violence. In defining the historicosocial environment and the intellectual contributions that inspired Benjamin to conduct a study on violence, Çelebi mentions the names of Georges Sorel (*Reflections on Violence*), Charles Pugeye, and Erich Unger (*Politik und Metaphysik*). The thinkers in question had produced very influential works in their own days. In Benjamin's conceptualization of messianic (divine) violence, Sorel plays an especially crucial role. Çelebi embraces the divine connotations of Benjamin's concept, and defines divine violence as follows: “although hard to understand at first, divine violence has the power to renew human culture and relations, and pertains not to an instrumentalism but to life itself...It is a transcendental power, which heralds the sublation, announces the corruption, and forces a short-circuit of the violence of the victors, a violence which reproduces the vicious circle of law-making and law-preserving.” (“Şiddete Karşı Siyaset Hakkı” (Right to Politics Against Violence), in *Şiddetin Eleştirisi Üzerine*, 267.) Later on, Çelebi identifies Benjamin's divine violence as “an anarchist political theology.” At this point, Çelebi seems to have appropriated an approach that is widespread. However, when Benjamin uses theological conceptions or some allegoric expressions, he does not do so in order to modernize, restore, or reform them; rather, he prefers these concepts and expressions because he wants to interrupt the vicious circle in which the struggle between the present relations of sovereignty and the revolutionary forces that struggle against them always results in “the victory of the enemy.” For, the aforementioned theological expressions (messiah, *Kreatur*, *Angelus Novus* etc.) are concepts that provide the possibility of an intervention without a program, an intervention that belongs to the power of the past and the power of the present that settles the account with the past rather than longing for the future. “On Programme of Next Philosophy,” (1918) one of Benjamin's first essays, highlights the relationship between religion and philosophy, and articulates a search for a solution favoring philosophy over religion and God. As Çelebi also points out, this is because it is “life itself”, and the “unity of experience” that will benefit from this. (Walter Benjamin,

is the case, then, according to Benjamin, how does the present, modern law of state secure justice when violence and law are intertwined? It is because that the police force reigns over both law-preserving and law-making violence, that the courts compel both the perpetrator and victim speak the same language under the same rules, that the formal language of normative law lacks the adequate content for it to possibly seek justice, Benjamin's answer to this question is negative; that is to say, the modern *Rechtsstaat* cannot secure justice. Then, how to establish justice?

Neither in the articles he published and the notes he edited during the Arcades Project, nor in his last article "On the Concept of History" does Benjamin present a prescription as to how justice is to be established. Yet, he does state the conditions under which justice can be established. Above all, for justice to be established, a moment—a now—has to come when the oppressed no longer defer their decisions about their own lives and instead, at this moment, the decisions of the oppressed lead to political action, and become concrete as a consequence of political intervention. If history is not metaphysically grounded or cannot be thought with an a priori knowledge, then it is shaped by the contradictions of the social and by the participation of the historical subject of the present through political action. As such, history provides both an inspiration and a space for justice to be established. However, since history is neither a romantic land of possibilities nor a disparate reality itself, in order to live and be victorious, justice of the historical materialist/of the historical subject must shatter historical time conceived as a total, teleological thinking of progress: in other words, historical time must be suspended.

Conclusion

Benjamin has also discussed themes like 'technology,' 'utopia,' and 'shock experience,' themes we do not discuss here but which have nevertheless interested modern political philosophy. Rather than discussing them in length, we will content ourselves with referring to a

"On Programme of Next Philosophy," in *Selected Writings vol.1, 1913-1926*, Marcus Bullock and Michael W. Jennings (eds.), (Cambridge, MA: Harvard University Press, 1996), 105).

passage by Buck-Morss:

“Walter Benjamin's understanding of modern experience was neurological. It centered on shock. Benjamin wanted to investigate the ‘fruitfulness’ of Freud's hypothesis, that consciousness parries shock by preventing it from penetrating deep enough to leave a permanent trace on memory, by applying it to ‘situations far removed from those which Freud had in mind.’ Freud was concerned with war neurosis, the trauma of ‘shell shock’ and catastrophic accident that plagued soldiers in World War I. Benjamin claimed that this battlefield experience of shock had become ‘the norm’ in modern life. Perceptions that once occasioned conscious reflection were now the source of shock impulses which consciousness must parry.

Nowhere was this defensive reflex more apparent than in the factory, where (Benjamin cited Marx) ‘workers learn to coordinate their own ‘movements to the uniform and unceasing motion of an automaton.’ ‘Independently of the worker's volition, the article being worked on comes within his range of action and moves away from him just as arbitrarily.’ Exploitation was here to be understood as a cognitive category, not an economic one. The factory system, injuring every one of the human senses, paralyzed the imagination of the worker, whose labor was ‘sealed off from experience’; memory was replaced by conditioned response, learning by ‘drill,’ skill by repetition: ‘practice counts for nothing.’

Under conditions of modern technology, the aesthetic system undergoes a dialectical reversal. The human sensorium changes from a mode of being ‘in touch’ with reality into a means of blocking out reality. Aesthetics sensory perception becomes *anaesthetics*, a numbing of the senses' cognitive capacity that destroys the human organism's power to respond politically even when self-preservation is at stake. Someone who is ‘past experiencing,’ writes Benjamin, is ‘no longer capable of telling...proven friend...from mortal enemy.’”²⁸

When Benjamin discusses ‘shock experience’ and ‘technology’,

²⁸ Susan Buck-Morss, *Dreamworld and Catastrophe: The Passing of Mass Utopia in East and West* (Cambridge, MA; London: The MIT Press, 2000), 104.

‘everyday turmoil’ and ‘the aesthetic-political position of the historical subject,’ he does so in dialectical images, in a way that creates a perspective of totality. The perfect yet paradoxical articulation of these images with one another resembles Benjamin’s conceptions of ‘idea,’ ‘danger,’ and ‘history,’ which, as we argued, is developed from the perspective of the oppressed. Within the reach of this article, we tried to clarify Benjamin’s attitude with regard to the history of political philosophy by using three mediations: ‘experience and the critique of historical materialism,’ ‘mass culture and the critique of fashion,’ and ‘violence and the critique of law.’

Considering the explanations in this article alongside the literature on and inspired by Benjamin’s oeuvre, one can state the following evaluation as a conclusion: it is futile for readers to expect from Benjamin a clear, original, systematic, and holistic contribution to the history of political philosophy as it is the case with Plato, Aristotle, Machiavelli, Hobbes, Locke, or Marx. Or, one can say that this would be expecting too much from his work. Nevertheless, the reader should know that Benjamin is not an inessential figure as regards the history of political philosophy: in fact, to materialize such a proposition is what this article aims to accomplish.

Benjamin, like Marx, has placed history and materialism at the center of thinking and politics; but as distinct from Marx, he has discussed the everyday forms of social relationships together with the immemorial images of those forms (*ur-history*), identified the kinds of life possibilities that the historical subject could gain by interrupting the continuity of history, by reminiscence and memory. For Benjamin, the precedence of the social, and its determining character with regard to thinking leads him to put, via a dialectical approach, fields like history, theology, and aesthetics back at the disposal of politics. However, putting such different fields at politics’ disposal does not lead Benjamin to sacrifice them for politics. In inserting politics into life, he has never given in to a crude or orthodox intoxication. And this has differentiated him from his Marxist contemporaries, helping him revitalize those veins in Marx’s critique of bourgeois society that were in need of betterment.

Trans. from Turkish by Can Evren.

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II. ETHICS AND WRITING

Tolerance: an Attempt to Overcome Character (An ethical point of view)

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“In a word, my dear, I am an amphibious creature; I love everything, everyone, whatever it is, it amuses me, I should like to combine every species; ...”

Marquis de Sade *Philosophy in the Bedroom*

We know from the historical array of manners, that after the late Middle Ages in France—from the 14th-15th century up to the 16th or even the 19th century—the *word* tolerance (lat. *tolerantia*), apart from its other functions, participates delicately in the designation of the place of vice, of the public use of the desire for the sake of desire. At issue are the notorious houses of tolerance (*Les maisons de tolérance*), which sustain the tradition of mastering sexual manners, via the disciplining of prostitution—in a movement from Hetera’s freedom to the organized brothel; hovel. Similarly to every disciplinary technique, the one of these houses of tolerance also lives according to formula: systematically turning wrong into right. According to Johann Bloch the historical typology of sexual manners convincingly shows, “that in the West brothel prostitution was dominant, while in the East—the free one. For the West the whorehouse is typical, and for the East—hetaerism.” (see Bloch 1996: p.341-354).

We recall this fact because it is linked to an early phase of the turning of the idea and the sense of tolerance, as a patient endurance and

condescending attitude, almost into a normative discourse. The process of the rapid increase in the number of brothel statutes in towns such as Nuremberg, Strasbourg, Munich, Nîmes, Avignon, Ulm and others, quickly formed the external framework of this movement. Or more precisely, it constituted a historical transformation of a negative into a positive: from a negative tolerance of desire and an infrastructure of vice, into a positive institutionalization of patience. Some of the explicitly regulated *bans*—which, by the way, form the clumsy skeleton of every heavy *state* (lat. *gravitas*, the burdening good; *the very burdening dignity* at the places of a certain behavior)—resonate with a notable historical persistence up to the present day. These restrictions included: strict control over the access of family members, prostitutes or clients; a ban on the admission of clergymen, non-Christians and children, and so on. What's more—from the statute of Ulm for example—we can also indirectly infer about an ethics of care, written between the lines as a result of the methodical hygienization of bad habits. Here is what we read there:

Every woman from the house gets lunch from the keeper...If the lunch had meat, then there were two meals: meat soup and meat with carrots and lettuce...When people don't eat meat, during Lent for example, every woman has for lunch herring with two garnishes...If a woman doesn't want to have lunch, then the keeper will give her something else—of equal value to the price of the food. Apart from this he buys her as much wine as she wants, with her money. If a woman becomes pregnant, the keeper has to drum her out of the house...

(citing of Bloch 1996: p.347)

In the well known research of Michel Foucault, *The History of Sexuality* and the related extensive commentary “On the *Genealogy of Ethics*,” the author, describing the diet techniques and regimes in the ancient *care for oneself*, conveys explicitly in the so-called history of morality, the differentiation between acts (*conduites*) and moral codes (*prescriptions*) (see Foucault 1994). The tension around *the act* and *the*

code makes for the hidden agenda of the ethics. Between the everyday realism of behavior on the one hand and the moral maximalism of duty on the other, between the act and the norm of the good, having for its devoted guard the ideology of the code, there are discernible steps. Steps of hesitation; retreat; admissibility and tolerance;...of *I* and *We* for *him* and *them*; of the right to wrong; of wealth to squandering; of the correct move to deviating behavior. The ideology which stands behind this hesitation is called tolerance. The initial and final statement will be that tolerance is something like a delaying veto, which the ethics of character exercises on the firm determination of the will to be attached permanently to morality. Tolerance temporarily delays the actions of reinforcement of the identity in a cultural environment with a relatively high degree of exchange. The high coefficient of reversibility of products and objects, of faces and characters, of tastes and styles, of worldviews and confessions, makes intolerance inadmissible.

Let's hear one more short retort about the pre-Victorian history of our (I don't know why I say "our") *self*:

It is claimed, that in the beginning of the XVII century there was still a certain sincerity. Sexual practices didn't aim at discovering a particular secret; words were spoken with no special inhibitions, and things—done with not much hiding; there was a *tolerant familiarity* with the forbidden...Direct gestures, statements deprived of shame, visible transgressions, anatomic parts exhibited and united with no embarrassment: bodies "complacently were boasting".

After this bright light soon dusk would follow—until the monotonous nights of the Victorian bourgeoisie.

(Foucault 1993: p.7)

* * *

In Hume's language, in his reasoning about causality, we can foresee in the dynamic inequality between *an action* and *a norm*, the old contradiction, characteristic for Modernity between "is" and "ought."

Ethics in any case *is*, while morality *ought*; the latter is always compulsively necessary, unreachably high—in the figure of the categorical imperative, with a strong grip in an impossible embrace—the open arms of the so-called will’s autonomy.

The interaction of the exclusion of ethics *or* morality, characteristic for French reflection after the 1970’s (Foucault, Deleuze), has not lost its strength at all. On the contrary, this is a regime of thinking (see Charles 2003.), whose actuality is constantly increasing. This is especially the case as almost every day a theater is played out which concerns the global moralization of the world through regular “amelioration” of the normative base and through *technologically increasing dependence* of the ethical subject on the moral doer. This dependence expands not just outside/globally—on the paths of the wide world, which is everywhere the same (technically compatible and globally arranged), but also inside/universally—in the borders of the individual, i.e. on an atomic level, in the inner infinity of the souls, where inequality and *non*-identity still dominate, despite the despotism of unifying norms of behavior. An episodic example, which displays this statement even though on a macro-level is the notorious right of interference, laconically and perspicaciously analyzed by Tsvetan Todorov (see Todorov 2000: p.332-349). Todorov’s thesis is that the citing of the right of interference as an argument (in a large violation of rights—a key example concerns Kosovo) has some sense only in those cases in which it is enlarged—let’s say, for example, dominated by an obligation for help.

If *our* (and “my”) morality with all its insolence of the singular excludes your wishes (the ethics of the Other), then this morality, no matter how much it will cite what’s good—the democratic order and the so-called “international community” which is always regarded as an exponent of good—is not worth enough to be legitimized into a text of law. What’s more with the passing of time it develops a dangerous suspicion towards the “wrong” actions in the others’ character. The *better* a morality, the *less* nice, the *less* acceptable and the *less* bearable, in other words—the more intolerable it is. Here the point is not at all

about an empty word game, neither it is about mannered tautology. The scale of the good in a particular cultural context and the “recruitment of virtues” describing the context as legitimate, responsible for the persistence in behavior and building the historical requisite of the character’s roles (see McIntyre 1999: p.41-43), is a quantity inversely proportional to its tolerance—of the morally good.

The arrows of a certain possible *project* of an impossible *world ethos* of authors like Hans Küng aim at nothing—at global manhood, in the universal norms of the unconditional morality (*and ethics?*). Universal magnitudes of a non-existing global character, magnitudes, for which we sincerely hope to exist within the borders of the specific individual (the atom of “manhood”) is at least very, very disputable. “But what is the world order—with the whole conditioning by the epoch—without the connecting and obligating ethos for the aggregate humanity, without the world ethos?” (see Küng 2003: p.52). This is an insolent question, no doubt, which has its *non*-rhetorical answer: the world order is an illusion with a misleading depth of worldview, persistently sustained on a macro-level by all sources in hand—mostly those of the market and “protective” ones (a timid euphemism for “military”)—by agents, which are seriously busy with the *reproduction* of the available world. The agents in question are the “good” subjects of the world, the “guardians” of order, the monopoly “key rings” of some kind of power—financial-economical, military-technical. The world order is a macro-illusion of a comprehensive and monopolizing accomplished arrangement of the world, which on a micro-level, from a tolerant point of view, we have to distract with a methodical patience. The world has been formed and continues to be formed as an unspecified sum of worlds in zones of minimal agreement—within the borders of the possible dialogue, no matter how distant it seems.

The project, to put it mildly, is not serious, even though it pursues the growth of universal tolerance indirectly by reducing the extent of religious totalizing of the world. It is not ethically serious exactly in its normative seriousness in which it declares itself especially in the form of a *DECLARATION* of a *world ethos*. Every universal declaration, except when stating, often general, properties of “human nature”

imagined with hollow pathos (?), is also a timid form of juridical literacy, prolonging the life of the Categorical imperative in Kant's uncompromising formulation. The normative inclination to write universal declaration texts exercises the character in the abilities of calligraphy and literacy, which is bound to legitimate the universal act regarding adherence to the principles, due to the fact that such an act does not exist. The same is valid, of course, regarding the *DECLARATION of the principles of tolerance*, accepted in 1995 by UNESCO. Identity radically fortressd within itself, including "citizenship of the world," is a dangerous attempt to admit the modern "past of the good" in a game on the uneven pitch of the present. The times in which it used to be modern to keep up with modernity, even though we were once longing for them, have stopped existing since a long time ago. Maybe.

* * *

The idea of the common belonging of man to humanity, to "human nature" has its origins as long ago as the Old Testament tradition, but finds in Augustine's face a determined and firm ideological supporter: "God created mankind from one man (Adam), to show people that in the middle of the multitude He likes unity" (*City of God, book XII., ch.22*). The first germs of humanism of the antique type can be found—before Augustine—even in the demand of stoicism for a common, united "humility in front of fate," the notorious "*apàtheia*." They also find their expression accomplished as late as in the culture of Modernity and especially in the English and French political context of the Enlightenment.

People are united in a community and live in the world, coming from an enforced neighborhood, rather than thanks to the fact that they are principally the same; because they are not the same. The differences are obvious, especially: regarding sex—female and male; regarding the body shell—the color of the skin, in the domain of the cultural stereotypes—East/West, regarding religious commitment—all kinds or religious communities... There is no point in carrying on with this tiring

list of indications of “unity” which the more it is filled in, the more it starts to resemble what mathematicians mean by “countable infinity.” Taken seriously, tolerance recommends not making the obvious into the glaring. The great geographical discoveries from the end of the 15th century confirm, once and for all, the empirical fact of huge human diversity, the accounting and the admitting of which will become a problem for the classical humanism of the western type (see Todorov: 2002). The geographical consolidation of the human commonwealth and the progress in transport in overcoming of distances transform historical tolerance from an idea into a task.

The formulation of the principle of tolerance is linked to the name of the English philosopher John Locke from the 17th century. At first the principle concerns religious tolerance: “Tolerance is for those who are different from others because of religious questions...” (Toleration Letter). Tolerance is a political characteristic (a civil virtue) of the church as an outer organization of faith in the arrangement of the relations with this world and not with Him, i.e. in its interaction with other voluntary organizations of faith—the other churches. Faith itself is busy keeping the fire of pity and hope for salvation in an inner plan—the abyss of the soul. If we go away from Locke’s historical specifics, but stay in the same logical order of following, we can frivolously conclude that: man is “jealous in faith” at the expense of his soul—no matter what the faith is; but he tolerates, i.e. bears and recommends, with his spirit, as far as he’s inclined to doubt in the depth of faith and in the importance of infidelity, respectively.

Faith comes to the soul from within and digs deeply; tolerance stays outside and looks from above. The formula ‘the soul *binds*—the spirit *relates*’ is valid conditionally, of course, as far as the two constants are separable at all within the bodily delineations of human existence. In any case, the more tolerant a person is, the more capable he is of exchanging well-being and welfare, sense and nonsense (like sense of humor, grace and numerous other “useless” notions of the soul); the more he is inclined to participate in *relations* of matching and partial overlap in the zones with mild climate of the character and with average temperature values of the cultural context. The tolerant spirit doesn’t

charge itself with optimism from the abstract abundance of licensing regimes and regulating rules. He isn't intoxicated by the ability, at any cost, to create permanent structural units (blocks, alliances, institutions), to bind only the so-called "tough *binds*," locking the soul's personal life in the hygienic homes of the "healthy body." The arsenal of techniques of concentration and incorporation draws the corpus of character's inner core—its features are, on the whole, *intolerant*, or at least organically cultivate a worldview which serves hard uncompromising identity, moving in the narrow cleft between loyalty and loyal subjectivity, between fidelity and servility. Intolerance therefore is primal, inwardly inherent and compulsory, without being, however, wanted till the end. "This makes us assume that in its base tolerance is a negation of a negation, it is anti-tolerance and this seems to have a decisive importance" (Marcel 2002: p.126).

In Latin "*tolerantia*"—tolerance, *endurance*—is a word closely synonymous to indifference (Lat. *`indiferentia`* means *indifference*). In classical culture and philology, the Latin word couple *tolerantia/indiferentia*, in a broader historical sense, is equivalent in content to the etymologically older Greek terminological couple *ataraksia/adiaforia*. The first *`ataraxia`* means *imperturbability* and is linked to valuing of the "even" motion of the soul in the ancient Greek philosophical school of Epicurus; i.e. said in a cliché "mental peace" ("imperturbability of the spirit"). The use of the second notion *`adiaforia`* is linked to the philosophical direction of stoicism and means literally *in-difference*; bearing—"fate's blows"—with the necessary dose of firmness, which means "a threshold of tolerance" for the things which we cannot change and which do not depend on us.

The terminological tours, except for an inclination to etymology as an end in itself, show mostly the deep historical roots of the notion of tolerance and the tolerant attitude which keep, even today, the basic set of meanings of the term and functions of the action. A tolerant disposition towards the world is directly bound to an emotional attitude of *equalization* under fate. The point is about something as a principle of *high* and *even* in-difference to those circumstances in life which do not

disturb us and to which we ourselves also mustn't impede. What is the difference "between me—the master and you—the slave, as we are both slaves of fate" asks the emperor-stoic Marcus Aurelius, thinking magnanimously that the difference is minor.

The religious disposition towards this world (*civitas terrena*) through the other world (*civitas Dei*) as interpreted by Augustine makes useful the whole capacity of the relevant holy plot, which supports the tradition for a final salvation in a model type. It still doesn't have any competition, as long as it offers a radical version of a monolithic being in the world, despite all of its current and allegedly only temporary failures. And this is valid not only for religious identity. The scientifically directed doctrine of the Enlightenment in the face of Condorcet counts on the proceeding progress, which civilizes the human being by turning it into a citizenship unit of the world humanity. Even Wolter's ironic charm is pronounced radically on diversity: "Morality is one, Mr. Le Beau, as is geometry." (*Philosophical dictionary*, ch. Morality), without remorse, claims one of the big advocates of tolerance. Tolerance of the past is due to a great extent to the fact that we assume that history is a sum of oddities—accidents of truth which fortunately no longer exist.

* * *

Tolerance is admissible thanks to the circumstance that the *results* of the production of Truth with a capital letter (the *knowledge* of the world and the human) are uncertain and unstable investments in the domain of the ethos. In the "production of tolerance" in the infrastructure of a character, a significant premise is not to allow at any cost the so-called love for the truth to reach the end. Paradoxically said, the *truthful* attitude—the *over*-evaluation of authenticity—is *unacceptable*, as far as it intimately excludes diversity. As the French author André Compte-Sponville mentions: "When truth is recognized for certain, tolerance becomes useless" (Compte-Sponville 1999: p.255). So the constant scarcity of truth (and thank God) in human relations (in "the things of life") is compensated by constant redaction, with which

the principle of tolerance corrects every serious and incomplete character. In order not to sound with pathos, we can formulate this principle in our everyday routine as *current tolerance*. The question is about some constant coefficient of necessary and minimal tolerance to the diversity in the whole, or almost whole specter of possible images: races and diverse ethnical belonging; marginal communities and diverse sexuality into groups—for example homosexuality, transvestism; “maniac interests clubs” and whatnot. In general “things of life” are always more impossible to tolerate and more difficult to explain than we are prone to imagine in the well-ordered and truthful theory.

If morality is a one-member multitude, then this is better for the different types of ethics which, in order to soften normative pressure, produce a plentitude of micro-ideologies of wishes, partially neutralizing the principle’s power and leaving moral pressure aside. The tolerant disposition is a care for the preservation of difference with the least harm possible. At the starting point from which we try to follow, and which is of a moderate difference between ethics and morality, tolerance is mostly and a lot more an outer definer of the ethos, than an inner element of the integration of the moral doer. In a more literal sense tolerance protects from an action and is not an active characteristic of one or another cultural type—open or closed, social or communal, of the well being or of the survival.

Public macro-ideologies, applying to power-participation, especially in politics, legitimate themselves through a direct citing of morality’s principles, of the common wellbeing and the common interest, i.e. they are accomplished on the slippery ground of the common. Since the common wellbeing is realized tactically through a tacit exclusion of numerous private welfares, then the mentioning of political tolerance (while the mandate lasts) becomes extremely difficult; so difficult, that it’s best to keep quiet while we talk about it. Most often tolerance serves as an immunity shield to *micro*-ideologies, describing and preserving wishes mostly on the level of *individual* subjectivity, in a reality in which we shouldn’t doubt even hypothetically. Tolerance ensures the necessary aesthetic broadness for

“spread” of the “I” through a bearable refusal of a radical identity.

Ethics and aesthetics are synonymous. In any case, not in the domain of high art, which is often an extension of morality, through the decisive participation of the genius. Outside of the places established for the consuming of the masterpieces of the world, Spirit—the arch of the temple, the illuminated walls of the museum, the awesome inaccessibility of the professional scene—ethics and aesthetics play the same game within the borders of that stylization of living, which with Foucault’s help, is thinkable hand in hand with the formula *aesthetics of existence*:

I’m stunned by the fact that in our society art has become something linked only to objects, but not individuals, life; that art is something specialized, that it is created only by specialists who are artists?

(Foucault 1994: p.392)

On aesthetic surfaces, tolerance is a specification of the form and not a mark of the contents. Through its participation the benevolence of the eyes is measured (the senses in a broader sense), with which they relate themselves to the everydayness of the forms—drawing, figuration, silhouette. With their help the heavy elements from the contents of the character move “invisibly”—merit and *honor*; dignity and *majesty*; religious *taboo*; the numerous repressions and *self-repressions* upon the wishes which we come across while we walk in the street. Do I have reasons to like the ritual head-cloth, which wrapped thickly the face of a young girl and crowned with a religious “success” the figure of a slender body? Is the covered face a subject of liking? Yes. It is completely possible that I like this view, as long as the symbol of the head-cloth doesn’t exceed the meaning of an outer teaser of curiosity, without referring explicitly to details of the cult practice with which I am not linked in any way. It would be enough that the religious impetus remains invisible for me and all those, who catch a glimpse of the face under the head-cloths and don’t care about faith during a walk.

The first physiognomic contact with tolerance happens by means

of the kind and tractable face, in a meeting with the so-called open (sincere) character—minimum hypocrisy and maximum readiness for agreement. The principle of universal sympathy is that which is legitimated precisely by tolerance as a dialogue sense in the ethical subject, contrary to *principium individuationis*, legitimating itself in its extreme version of the cognitive “I”, which though, is not fit as a building material in the construction of a community, of the moderate tolerable small “we”. The date with tolerance is described as a process of aesthetical enhancement of the first sight sympathy. The regular searching for a compromising, consensus personality is not accidental at all—especially when there is a collapse of a certain segment in social life. The first condition to tolerate someone (and not something; things are not due toleration) is to underestimate yourself without, however, overestimating the other.

* * *

As already mentioned, the idea of tolerance is inapplicable to imposing a common frame on a global worldview, which as it cannot happen, is at least right to be fixed. We shouldn’t expect that the value hierarchy of priorities and the putting of them into a list of tasks will find a happy end in the ideological framework of humanity, which we conveniently have accepted exists, despite all suspicions to the contrary. Tolerance is not specific for one or another worldview type. The main occupation of every worldview is to overestimate morality—to moralize character, moving “good behavior’s” habits from the distant past forward to the future. Worldview historically is a model of closure into cultural samples, forming a suitable atmosphere precisely for its *own ones*. This, on the one hand, is a certain obstacle to the development of tolerance—the paradox of the closed community whose sincere intolerance successfully attacks with its longevity the model of the “open society”. On the other hand, to ensure—not only in terms of the market, of course—its growing needs of broadening society progressively “becomes sclerotic” into firm worldview palpabilities—that “progress has no alternative,” that “one does not negotiate with

terrorists“ and many others.

Extremities in the hidden usage of tolerance are also dangerous. Behind the enormous everyday production of legal and refined violence in postmodern communities, hypocritically is lurking what Marcuse called *Repressive tolerance*. “Violence which turns the commonly accepted citing of tolerance into a purely theatrical attribute, in a handy camouflage...” (cited by Todorov 2002: p.217). Hypocrisy comes from the fact that the idea of tolerance—which has no doubt a western genealogy, understood as a citizen and a political “sovereignty” of the character in the solving of a crisis of an ethnic and religious kind—is gradually replaced by the idea of null tolerance. The nil increases with the approach of the threats. For this purpose the cases of “radicalizing Islam” (what a suitable cliché) serve as a magnifying glass in reference to the “Evil” and are a motive for action of “offensive tolerance” of the American type whose basic task threatens to become the radical improvement.

Tolerance is in general an inclination for the realization of patience, a desire of the will to be liked and to be pushed above the level of the nil, to spend energy in the positive emotional diapason of human relations. It, however, is not present in the database of whatever organic character. The discourse about tolerance is something of a *complementary* theory of relations which otherwise in a natural environment is self-regulated mainly by the extreme values of tension, fluctuating between recognition–suspicion, acceptance–rejection, wealth–poverty, love–hate. Tolerance can be compared to a transformer of electricity which controls and keeps at relatively constant values the electric voltage that comes into the grid. I.e. tolerance is a safety fuse, preventing the human *relations*’ net (only the relations, not the relationships) from a short circuit, from the cessation of communication when souls’ “fuel” has run out.

With the predicate “tolerant” are designated those subjects to which a character has already been prescribed, *ethos*—a stable form of reaction and the taking of decisions with desire’s participation. And if for domains such as politics the usage of the characteristic “tolerant” is inexcusable, then for the political ethos—in the spirit of Max Weber for

example—and for the individuals that temporarily embody it, this is already acceptable. Tolerance's borders are the "I's" borders in the domain of the desires whose surplus serves for nothing but exchange, sharing and playing. The most common, trivial reason for people to break up, not to get along, to quarrel and not to talk to each other is the circumstance that they have already stopped playing and have firmly decided to "tell the truth in the eyes."

Regarding tolerance, "truth" is therefore possible within the frames of ethics of the (non)identity, wherein the individuals' security doesn't directly depend on measures for protection—an obligation for defense hypocritically combined with the right to attack. Parting with a part of one's own self becomes necessary because of the easiness of the motion, the communication, the dialogue; the longing which to a great extent makes unnecessary the salvation in the deceptive security of a firm integrity of the type of a moral person, religious community, the best democratic citizenship and whatnot phantoms of happiness, deprived of joy. The communities, on their behalf, don't die, not because they are fit to survive in the presence of a rescue plan, but just because they don't cease to co-exist, to *tolerate* each other literally, to stand each other physically—both at an inter-individual and at an inter-communal level. The tolerant response to the question of the soul's immortality, independently of the phase of "modernity", in which it stays, is that it lives until the source of tolerance runs out. The ethics of the subject puts to the test the skills of a current reformulation of patience: from a depressive state into a desire for a date, from tension into a game, from suffering to joy.

* * *

"People are born for each other," Marcus Aurelius intones. "Then either teach them this, or tolerate them" (*Meditations*, book.VIII., 5). A confession which sounds with pathos in Roman and erotically in Greek; a confession which evenly involves us in the cosmic spectacle and urges us to treat *ourselves* from a long distance and the *world* from a short one. The hesitant fluctuation of character, consistently named

tolerance—in the form of an *idea* (Marcus Aurelius, Montaigne), as well as shaped into a *discourse* with a clear beginning, set by Locke—is found not endlessly far, but still aside from the discourse practices which define the attitude of the subject to truth and the attitude of the man to salvation. This is so obvious...for us that we can directly repeat it with Montaigne’s expressive calmness: “I content myself with enjoying the world without bustle” (*Essays*, v.III., 9. *Of vanity*).

Let’s go back to the topic given in the beginning by Sade’s *motto*: the motive of *entertainment*: the liking and the trying, the walking through and the mixing...of *all genres*. Tolerance, this currently necessary and minimal lenity to the diversity in the broadening specter of different images and formations, also relies on the mixing of genres: faith with conviction, opinion with truth, asceticism with secularism etc. The tolerant view cultivates a subversive sharpness of the eyesight in the meeting of clear globalizing discourses, behind which, except from the world of global economics, remains a range of “worlds,” from the globalization of which nothing must prevent us from treating it lightly. Apart from the deep, sincere and deliberate lightness towards the forced consolidation of territory, it is also necessary that we open our eyes wide with disapproval to the offensive amelioration of the world (as if there is only one), behind which the argument of “the most profitable” (let’s say, of the petrol) remains undisguised. The most profitable, as well as the best today are not even synonymous; they are only seemingly two different ways of talking wisely and frowning about the only necessity—the economic one. “The modern name of necessity, as it is known, is ‘economics’” (Badiou 2004: p.30). Who profits from the best prices then? Why ask?! The best ones!

The view of the ethical individual through the prism of tolerance helps man to understand in a non-literary way the significance of the question: *How important is it to be earnest?*—Even without liking Oscar Wilde, which is practically impossible. The careful and caring seriousness, with which we relate to the “immediate” reality of human desires, allows us to maintain the differences in the broader frames of the beautiful and not within the narrower frames of the good. The appearance of the good looks like an army dressed in full armor,

presented in all its glory of a pompous military parade. The military orchestra plays thundering marches, the ranks are stretched in exemplary fashion, as a norm befits and the soldiers cheerfully stamp their legs. In the midst of war, in the scenes of the “theatre of the battlefield,” the glitter of armor darkens and the sun cannot shine on all sides of the armed clash. The losing participants in the conflict melt in the shade of the winner, who has already ceased to make a good impression. Good looks bad, it has gone ugly.

* * *

The participants in the normative discourse are never equal, despite that this seems obvious, if we cite the rules. At least, because clear rational argumentation is required from all, but why? It is not clear from the point of view of Desire. The skill, adopted by the ethical rhetoric of desires is not at all a pretentious quirk of an aesthetic intuition. In addition to beautifying—including of the things, unfit for improvement, which they implicitly pursue—these abilities protects us in such a way, that we don’t directly affect desires, which haven’t possessed us up to this moment. Desires are movable property of an owner (*homo ethicus*) with no right of property. The figure of *homo ethicus* serves as an alibi for violation of uniformity and expansion of diversity. It still stays as a guarantee, that the right of diversity must be complemented by an *obligation* of tolerance. The virtue taken into consideration will certainly be disliked or at least unexpected for *homo moralis*; together with his whole nutrition environment, which overfeeds him with normative discourses, tending to bad declarative infinity.

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Ghost(s) in the Writing Machine: The Singular Haunting of Doug Rice¹

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Introduction

In *Blood of Mugwump: A Tiresian Tale of Incest* (1996), American writer Doug Rice tells us that he is “only a writing machine”²—a rhizomatic multiplier of ‘minor’ “derridean deleuzians,”³ that, following Kafka, he inscribes, right down to the muscle, upon the viral fluidity of his flesh. Yet this apparently exemplary poststructuralist gender-shifting “boy/girl” is, as Leslie Heywood puts it, “trapped...goes” nowhere...writes the same thing over and over again.”⁴ He is haunted by the repeated breakdown of his writing machine, at the moment when worded-flesh might become a mirror in which to know himself. More deeply, he is haunted by the unidentifiable cause of his singularly tortured existence—hysterically confronting the God who may have infected him with schizophrenic desire; while disturbed by the possibility that it is, perhaps, the “undead” fluidity of flesh or the viral quality of language which repeatedly undoes him. Moreover, he is unnerved by the prospect that it may be his own vampiric pirating of others’ words that infects him. Most unsettlingly, he is confronted with the prospect that it is simply himself, his singular-specific (desire for) ‘self,’ which constitutes the ghost that haunts his writing machine.

¹ A version of this paper was presented at *where ghosts live*, a conference organized by Graham Allen and David Coughlan at University College Cork, Ireland, 4-6 September 2009.

² Doug Rice, *Blood of Mugwump* (FC2: Normal, Illinois, 1996), 22.

³ John O’Brien, Horvath Brooke, Doug Rice, “Reviewing, Reviewers, Authors, Publishers and Censorship”, *The Review of Contemporary Fiction* 17.2 (1997): 251ff.

⁴ Leslie Heywood, “Preface to Unquiet Souls”, in Doug Rice, *Skin Prayer: Fragments of Abject Memory* (Fountain Hills, Arizona: Eraserhead Press, 2002), 22.

This paper examines how Rice's fictions render central themes of the specific-singular self that play about the margins of the later work of Derrida and especially Foucault, elaborating the interplay between specificity, singularity and difference in Rice's texts in terms of how he sets about exceeding Lacanian distinctions between (imaginary) subject and subjectivisation. As such, it is argued, Rice not only performs an ethical writing haunted and driven by what Lacan (or the final Foucault) might term an individual's inaccessible 'primary passions.' In addition, he suggests that ethical openness to the other is realisable only in an obsessive pursuit of the (self-)same, cut off from assurance that the ghosts that haunt will not prove an idiosyncratic "cancer of desire."⁵ Rice challenges us to recognise such spectral obsessions of the self as the excessive condition and ghosts that haunt the possibility of an ethics open to the other.

Rice's Writing Machine

Rice has described *Blood of Mugwump* as the Faulkner of *The Sound and the Fury*, interrupted by the Joyce of *Finnegan's Wake*. He not only takes from the former a stream-of-consciousness style of writing, but writes his own uncertain sexual identity upon the intense, incestuous desire of Quentin for his sister, Caddy: a desire Quentin feels even as he is horrified by her actual, overt sexuality; a desire that, after his suicide, is granted a kind of tragic realisation, when Caddie's illegitimate daughter, whom he has sought to 'father,' is given the name Quentin, and bears the weight of that history.⁶ Rice deploys this

⁵ Doug Rice, *Skin Prayer: Fragments of Abject Memory* (Fountain Hills, Arizona: Eraserhead Press, 2002), 152-53.

⁶ This complex relation is pre-figured, in *The Sound and the Fury*, by the (famous) moment, already overshadowed and given a strange intensity by their grandmother's impending death, when the young Caddy climbs a tree to see what is happening in their grandmother's room and Quentin sees her muddled underwear. And, it is crystallised much later, in Quentin's desire to protect the Caddy, when she becomes pregnant outside of marriage, by claiming that he is the father of her unborn daughter, thus bizarrely protecting her honour and standing united with her, sharing in the social and familial punishment that awaits her.

ambivalent play of desire and horror, that begins in the shadow of their dying grandmother, as a mirror in which to reflect 'Doug's' own struggle with his desires through which he seeks, "if he could get this story going, tell this story fast enough," to overcome the fact that "Doug was pulled out of Grandma Mugwump. Somehow, Caddie's body was left behind and Doug was born a boy...Thinking always, I could become a dangerous woman. The kind men are most frightened by."⁷ If only he can produce a sufficiently rapid mirroring of Doug and Caddie in one another's desires, then he may create ever new spaces within which he may 'quiver,' however temporarily and precariously, between his maleness and would-be lost femaleness.⁸

Rice does not simply use *The Sound and the Fury* as a mirror of his desires but takes us "through the looking glass" of Faulkner's text to a sometimes nightmarish world, which, as Larry McCaffery suggests, does not define a Foucauldian genealogy of his desire, so much as an often harrowing Deleuzian "multiplicity [of] fictive texts emerging from other sources, other identities, other texts and other personas," by which the complexity, the ambivalence, and, indeed, the pain, of that desire is articulated and performed.⁹ Thus, for instance, the incestuous mirroring between Doug and Caddie is cast as the epic battle to the death between Beowulf and Grendel, albeit re-imagined as a sexualised gender war in which Caddie proves impossible to murder, and in which flesh, blood, words, desires and, indeed, gender are continually transformed, or rather 'mut(il)ated'—somewhere between the further desire to ward off unitary identity, in a prolongation and proliferation of desire, and a desire for desire's dynamic resolution. Thus, in the opening pages of *Blood of Mugwump*: Caddie's

⁷ Rice, *Blood of Mugwump*, 132.

⁸ Not unlike how a first-time reader of *The Sound and the Fury*, for a moment, at the beginning of the third part of the novel, seems to find that Quentin's incestuous desires have seen him mysteriously transformed into a woman.

⁹ McCaffery "Born to Ruin: Bloody Fragments Uprooted Violently from the Pages of an Abandoned Introduction to Doug Rice's *Skin Prayer*", in Rice, *Skin Prayer*, 207-8.

fist fucked the past out of that mirror. Bled our mother out of her cunt into my cock. My fear fathered nonsense. My fear, I was afraid, sliced her to pieces. Her fingers dug deep up inside of me. Backed me against the mirror. Pushed her cunt into my thoughts. Slammed me against her memory. Thinking, ticking. Not me becoming, but my sister's flesh arresting me.¹⁰

Alternatively, Doug and Caddie are cast in a strange vampiric world, in which Grandma Mugwump “bit our mother. Giving birth to me and Caddie. All of these words mixing with the air. Bleeding me undead, disappearing me quickly into out of the mirror...Handcuffed to my sister's funny little ideas.”¹¹ Or again, finally, Doug is a boy without a father, whose search for identity, ironically sees identity destabilise and proliferate all about him. Grandma Mugwump once a man becomes a woman, Doug himself variously becomes Caddie's brother, sister, mother, and even, briefly, his own father.

To achieve such a rewriting, Rice takes and transforms from Joyce the latter's manner of “disciplining our act of moving our eyes over print in a new way” such that “letters become living things.”¹² As Lorraine Weir put it, in *Finnegan's Wake* a certain kind of catachresis becomes a

¹⁰ Rice, *Blood of Mugwump*, 9-10. While still in the closing pages, after many ‘rounds’ of battle, we find: “Caddie flying down from the sky, fisting me. I can fuck you. Me stuttering. I you....I fed on what she had stolen from me, sucked my food raw from her mouth. I was left with...[w]ords decaying, left unsaid. Stuck in her mouth, I tried to disease her body. My body struggled against her hunger. I wanted to wash her body away from the world into my body.” Rice offers the following comment on his writing: “There are certain risks, obviously, in me saying through my characters: “I am cunt.” But by saying so I am not laying claim to speaking as a woman or for women or of women. No, that's just not it. There are no real women in Mugwump. (There are, however, reel women.) They're all men. Their bodies keep running away from them so they need to discover ways out of and into their bodies through speech. I'm telling you, it's not that easy to just keep on talking in the same old routine of language when your body keeps changing.” (See Rice, “An Interview/Response with Doug Rice (by Violet),” *The Write Stuff Interviews*, accessed at <http://www.altx.com/int2/rice.html> on 20 May 2014.

¹¹ Rice, *Blood of Mugwump*, 13-14.

¹² Larry McCaffery, “Born to Ruin”, in Rice, *Skin Prayer*, 205. Comments by Rice, quoted by McCaffery.

mode of catechesis.¹³ Except that for Rice, in typically poststructuralist fashion, it is what he terms Joyce's "interrupted," "contaminated" modernism which is of importance. More than once, he has told the story of Beckett dictating for Joyce, taking down the latter's "Come in!", spoken in response to a knock at the door, and how Joyce decides to leave the phrase in his text. Joyce's catachresis thus becomes a catachresis of interruptions and gaps, which "gives birth to Rice as a possibility."¹⁴ Rice can write what McCaffrey terms his "memory-desire" in the spaces that open in a "dyslexic and forgetful" grammar and syntax, but no less in a painful shifting and clash of found narratives, styles and genres.¹⁵ (Rice tells us that Doug utters words with barbed wire wrapped around his tongue.)¹⁶ In the tradition of Goytisolo and Leduc, it is a writing, moreover, that aims to unsettle and disturb by literally rewriting the flesh: a 'saintly-masochistic' rewriting that dreams of putting Kafka's writing machine in working order,¹⁷ and of inscribing language right down to muscle and bone, even as the dynamic movement of that writing itself, renders the flesh a supple, fluid site of becoming-desire. As McCaffery, pirating the lyrics of Bruce Springsteen, puts it concerning Rice's later *Skin Prayer*, Rice "cuts a six-inch valley in the middle of my skull. Pronouns shift unexpectedly. Rice desires Teresa, Alice. Is becoming Teresa and Alice. Rice steps

¹³ Lorraine Weir, *Writing Joyce: A Semiotics of the Joyce System* (Bloomington, Indiana: Indiana University Press, 1989), 50ff.

¹⁴ Rice, *Skin Prayer*, 182.

¹⁵ McCaffery, "Born to Ruin", 203.

¹⁶ Rice, "An Interview/Response with Doug Rice (by Violet)."

¹⁷ Rice, "An Interview with Doug Rice": "Much of Mugwump is written in Cunt, which to me is the place where language confronts the meat of the body. Everyone today wants to write "about" the body. That's silly. I think it is more important to write the body. To somehow get inside that moment in Kafka's story of the penal colony when the prisoner is about to recognize his guilt through the inscription of the writing machine but just at that moment the machinery breaks down. I want to fix that machine. I love that machine. The pain of being inscribed and then coming to know your actions through language on the body. That is one of the reasons that I enjoy sleeping with Post-Structuralists. There's something rather precious about exchanging words in bed with a Post-Structuralist. Saying "ouch", for example, takes on a whole new feeling, not meaning."

through his bone into them as they come out of his skin.”¹⁸

Rice’s Haunting

And yet, Rice, unlike Deleuze, does not simply attempt to determine “what a body is capable of,”¹⁹ and, hence, repeatedly probe the possibilities and limits of becoming other. For, with echoes of Lacan, Rice’s writing is equally haunted by the prospect that such “becoming other” goes nowhere, that he repeats the same thing over and over again; perhaps that such becoming, in spite of itself, circulates in endless *jouissance* about its always already lost object. In repeatedly being returned to his viral-epic, vampiric and oedipal worlds, it is necessary to take seriously Rice’s desperate mantra “Just keep repeating that none of this is real.”²⁰ Thus, although pursuing his “derridean deleuzians,” Rice himself takes seriously the Lacanian lesson that language is attained only through alienation within the chain of signification. Hence, not only must the words, by which flesh might be written anew, be pirated, plagiarised, and used against their original purpose. (*Blood of Mugwump*, incidentally, is made up entirely of pirated texts, whose ‘dislocation’ is a further form of catachresis). More than this, Rice squarely faces the possibility that perhaps language, always alien, when turned against its ‘major’ modalities is itself the virus of desire: the poststructuralist dream of ‘minor’ writing turned to nightmare, not constituting a line of flight, but a proliferating prison-labyrinth of desire. It is in this way that ‘Doug’ is haunted by the prospect that it is, perhaps, language itself, and his own pirating of it, that infects him with schizophrenic desire.

Neither can he straightforwardly embrace the seductive quasi-Lacanian alternative that God infects him at birth with such desire by constituting him as a subject of lack. For as the “gaps” in language can no longer be trusted as a locus of becoming, that is, insofar as Rice’s writing machine breaks down (achieving neither a pure fluidity of desire

¹⁸ McCaffery, “Born to Ruin”, 203.

¹⁹ Gilles Deleuze, *Dialogues* II, 46. Taken from Spinoza.

²⁰ Rice, *Blood of Mugwump*, 129.

or a definitive inscription that resolves the incessant impulses of desire), other possibilities concerning the nature of these gaps emerge that equally disrupt a Lacanian perspective. Not least, it may be, Rice's texts suggest, that his flesh, is cut off from the signifying power of the Word, that is, that it is "undead"—permanently subject to an enfleshed version of Slavoj Žižek's materialist-romantic notion of the (Hegelian) "night of the world," in which the flesh would be reduced to a simple, infinite fluidity.²¹ As Rice more dramatically puts it, the uncontrollable fluidity of Grandma Mugwump's flesh, which Doug inherits, frightens God, constituting a realm over which God is powerless, a realm of undead flesh that is beyond the ordering power of the Word: "Grandma Mugwump on top of God fucking him in my house."²² (Rice's belief in God is as heartfelt, naive and sophisticated as Deleuze's belief in ontology.) As such, we are not dealing here with undead flesh as the Real remainder of the primordial body that resists signification. Rather, it is (potentially) that language is undone, losing its signifying purchase upon flesh entirely, like oil losing its viscosity on watery, translucent skin, becoming increasingly fragmented and dispersed across that thin surface that separates it from the heterogeneity of the flesh beneath.²³

Significantly, in this vein, the Lacanian distinction between the subjected ego, constituted in the mirror of the Other, and the "subjectivisation" of creatively writing one's *sinthome*—that is, of inventing one's symptom as the knot or consistency of one's being, as the later Lacan considers Joyce to do in his writing—this distinction subsequently collapses within Rice's writings. For he can be sure neither

²¹ Rice, *Blood of Mugwump*, 10; Slavoj Žižek, *The Ticklish Subject: The Absent Center of Political Ontology*. 2nd edition (New York: Verso, 2005). "The human being is this Night, this empty nothing, that contains everything in its simplicity—a wealth of infinitely many representations, images, none of which occur to it directly, and none of which are not present...We see this night when one looks a human being in the eye—looking into a night which turns terrifying." (Leo Rausch, ed., *Hegel and the Human Spirit: A Translation of the Jena Lectures on the Philosophy of Spirit (1805-6) with commentary* (Detroit: Wayne University Press, 1983), 87.

²² Rice, *Blood of Mugwump*, 10.

²³ This "undead flesh" is not the Lacanian "*lamella*", which always already comes after language, as a retrospective phenomenon.

that language supports the creation involved in constructing a *sinthome*, nor that flesh does not undermine imaginary identifications. All that is left to Rice is the excessive, hysterical performance of ‘mirror-stage’ subjection to identity *as* subjectivising *sinthome*. And even then, this hysteric is without a father, without a representative of the “big Other” upon whom to wreak his impossible demands, constituting instead a pure demand that is already its own refusal.

What most haunts Rice’s text, then, in this reading (in this pirating of his words and his desires), is that he may be haunted by nothing ‘other’—neither by language, nor by flesh, nor by God—but simply by his very self, his desiring self, his desire for self, as utter specificity—as an inaccessible, excessive (originary?) something which is irreducible to the effects of alienation or infection. His writing, for all of its dynamic pirating of other texts and other theories, may finally be, most basically, a pure utterance that is not, as such, framed or generated through the other of language, flesh, or God, and in this absolute specificity constitutes, no less, a pure singularity. What terrorises Rice is that, therefore, there may finally be nothing to be done (with Doug). There may be no origin to be uncovered, no trauma to be brought to consciousness, no fluidity of words or desire that will allow him to become dynamically and decisively other. There may only be this pure utterance that is Doug. It may be, *à la* Lacan, that the uttering of this utterance is everything, a life’s work of articulating that specificity in and against language, flesh, blood and desiring—of eventing its singularity. But it is one without any hope of achieving a stable capacity for “*bien dire*,” the saying well, that supports the analytic cure in the later Lacan of the *sinthome*. For, his writing machine will continue to break down.

In this very failure of language, however, he cannot exclude the alternative possibility that the epic-viral, vampiric, and oedipal ghosts of his nightmarish Faulknerian mirror-world are, after all, *revenants* of some real. That is, he must equally allow that there may well be a real history and real world of wrong (whether *mal* or *tort*) that infects his flesh and undermines his words. He must allow even that his pure

singular-specific self is the correlate of these ghosts, emergent as his only protection and power against them. Hence, all he can do, what he must do, is to event hysterically this specific-singularity, beyond reason and without grounds, beyond even the subtle optimism that allows a Deleuze to approach philosophy naively (or, indeed, a Derrida to enjoin the risks of hauntology). He can only risk being this hysteric “boy-girl,” caught in endlessly mutating desire, and risk too being dismissed as *merely hysterical*. More than this he must risk the possibility that he *is*, in fact, merely hysterical, his viral language dispersed upon undead flesh, the cause of his “cancer of desire.”²⁴

Exceeding Foucault and Derrida

Rice’s “repeating the same thing over and over again”, the near solipsism of his writings, thus becomes a profoundly ethical writing and, somewhat unexpectedly, an ethics fundamentally open to the other—albeit one that recognises the profound difficulty of attaining to the other. The pursuit of the ‘self-same’ is akin to Deleuze’s notion of the “necessary solipsism” of critical thought, one whose repetitions and circulations places in question both the self and the other: fundamentally and painfully questioning whether there is some alienating form of the ‘big Other,’ or whether the enfleshed self, as it were, is its own infecting ‘big Other.’ In turn, his writings probe the possibility of a genuine becoming-other, while positing that such becoming-other cannot simply be as an alternative to a repetition of the (self-)same, which continually probes the relation between self and Other and so the conditions of becoming-other. More precisely, Rice’s writing repeatedly questions at the most fundamental level the boundary between the ‘big Other’ and becoming-other, and, indeed, the nature of each. His hysterical obsession with the (self-)same is a refusal of any coordinates that might be taken for granted in this questioning; it allows that which haunts his life to appear in its fullest specificity and singularity prior to all efforts

²⁴ That is to say, if the utterly specific is the utterly singular, then so too can the apparently singular prove to be merely the utterly specific, a contingency that is merely a contingency.

to assign to it significance. It holds the tension between the specific and singular, such that he refuses to assign prematurely to the other, to conceive as alterity, that singularity which may reflect his own specificity, and a specificity, moreover, which may be the correlate of the alienating ‘big Other.’ As such, his writing is an ethics of the other precisely insofar as it refuses to domesticate the other, a refusal realised in the recognition of how every approach to the other is approached through the dense undergrowth of the self-same.

In this, Rice’s writing renders central and intensifies themes that play about the edges of the work of the later Derrida and especially of the later Foucault. Derrida, in articulating the ethical singularity of the future-to-come, sees his work grow ever more specific in its concerns: the singular woven from themes of (obsessions with?) mourning, hospitality, messianicity, and so on; the Derrida, for instance, who cannot but explore the problem of mourning and by pursuing *his* mourning, and whose hauntology does not grant us a theory of the singular, but a specific performance of it: such that one can never simply repeat or extend his specific analyses, but only remain faithful to him through the singular performance of one’s own specificity—a faithfulness that is thereby already a betrayal. Foucault, in the introduction to his reconfigured *History of Sexuality*, having defined the central philosophical problem as that of “thinking otherwise” in an *Ausgang* from prevailing possibilities of thought, and who is “sure of having travelled far,” finds himself “looking down upon [him]self from above” having “age[d] the relationship to the self.”²⁵ More could be said here too about reading these comments—typical of Foucault’s significant asides—in relation to his later elaboration of the notion of passion as that, singular thing, which:

takes hold of you...grips you for no reason, that has no origin.
One doesn’t know where it comes from. Passion arrives like

²⁵ Michel Foucault, *The Uses of Pleasure, The History of Sexuality* 3 (London: Penguin, 2000), 9, 11.

that, a state that is always mobile, but never moves toward a given point...[that is].a kind of unstable time that is pursued for obscure reasons, perhaps through inertia.²⁶

It could well be argued that the archaeologist who wrote in order to have no face, comes to recognise that his work has after all circulated about certain inaccessible passions, a “distribution of notable points.” However, the point I would like to make here is simply that in Rice’s writing such marginally adumbrated questions take centre stage, questions of what Rudi Visker neatly summarises as the “decentred self,” which “is attached to ‘something’ to which it does not find access and from which it cannot rid itself.”²⁷

Rice relentlessly follows the consequences for thought of the paradoxes of the specific-singular self. In the later Foucault and Derrida, the impact of these themes is tempered by each thinker’s effort to locate their radical forms of critiques as faithful to elements of the Enlightenment and broader philosophical tradition, and so ascribe to them a certain ‘deep’ rationality. Rice, however, is attuned to the “weakness” that both thinkers also variously acknowledge: the weakness of Derrida’s messianicity, his openness to what *may* come, his hope that what may come is an opening toward justice; Foucault’s poignant, acknowledgement, in his 1984 course at the *Collège de France*, that the notion of a culture and care of the self is never fully realised in Greek practice, the tacit acknowledgement being, that it can only be seen through the lens of a certain passion, a certain passion of his, that cannot finally be justified or explained, but grips him. Rice forces us to see the radical extent of such weakness, that however much one’s writing weaves an alternative practice, becoming, or even rationality, the weakness of its origins in one’s passions or one’s self is never nullified,

²⁶ Foucault, “The Truth According to Werner Schroeter” in Sylvère Lotringer, ed., *Foucault Live: Collected Interviews 1961-1984* (New York: Semiotext(e), 1996), 313.

²⁷ Rudi Visker, *Truth and Singularity: Taking Foucault into Phenomenology* (Dordrecht: Kluwer, 2000), 1ff.

never recuperated, never repatriated. He forces us to see that all we can do, all we must do, is to allow ourselves to be haunted by the haunting of our writing machines, by the possibility that there is only the “inertia” of the selves or passions that haunt us, and to risk the obsessive and hysterical pursuit of this (self-)same as an openness to the other, cut off from assurance that the ghosts that haunt will not prove an idiosyncratic “cancer of desire.”²⁸ As indicated at the outset of this paper, Rice challenges us to recognise such spectral obsessions of the self as the excessive condition and ghosts that haunt the possibility of an ethics open to the other.

²⁸ Doug Rice, *Skin Prayer*, 152-53.

III. PEERING THROUGH DIALECTICAL LENSES

The Language of Dialectics

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The word is a kind of link among people. However, the word possesses a feature uncommon to any link among objects, for instance, between the cause and the effect, between action and counteraction, part and whole, function and system, etc. The word is a specific human link. It is a communication in which while One is speaking the Other is listening in such a way as to create a communion between what is told and what is heard. Although a conversation begins as an asymmetrical nonreciprocal relationship, it achieves congruence between uttered and interpreted meaning. Exactly this congruence gets a spatial form and is perceived as sense embodied in the world. According to the meanings that have become common and shared through the word, everything takes its proper place in the world including those who communicate with each other. The original function of the word is communicative but the referential and connotative functions are linked with the communicative one as its derivatives.

In Ancient Greece, the status of language has been transformed from an instrument of communication into an instrument of expression. The word has gained the privilege of disclosing the concealed territory of the esoteric. Word functions have been reduced to disclosing pure thought, which is “the conversation of the soul with itself” according to Plato. Wise men were supposed first to think, and only then to disclose their thus far unheard thoughts, using language as a means. For philosophers, for those “lovers of wisdom,” the surrounding world, which, as they show, is

a world of opinions, evokes wonder. The truth about objects does not coincide with what we hear at the market, at the stadium, at the public square or anywhere else when we get immersed in everyday conversations. Philosophers differ from others exactly because they take interest in the enigmatic side of the world, which others do not see and cannot find adequate words to utter since it can be expressed only philosophically. In the process of conversation, of which all people are capable, we cannot trust everyone. Not everybody tells the truth. There are words that hardly are trustworthy. The Greeks probably were the first ones to pay attention to the autonomy of words in relation to objects.

What the philosopher's reason discovers by itself (and this discovery is the reason of objects themselves united in the cosmos) becomes an achievement of those who are exempt from everyday duties and are inclined to contemplation and theorizing. An illusion emerges that one can, by the power of thought, reach the truth, which comes out of concealment and gets unveiled before the philosopher's eyes. The word is considered in terms of uncovering the truth—truth as congruity between words and objects. The innermost spiritual power, which later on will be called in Latin *ratio*, coincides with the form, order, and regularity inherent to the objects themselves, for which Greeks have coined the word *logos*. *Logos*, however, also means conversation and discourse. Language expresses the essence of objects because it expresses the reasoning itself. Much later, Latin thinkers separate language and discourse although *ratio* comes from *oratio*. Both in Athens and Rome rationality is viewed as the objective ground of explanation and at the same time as the subjective order of thoughts.

Pure reason, which pondering the world at the same time ponders itself, leads to a rupture in the intimacy between thinking and discourse. The relationship between them has not been broken all together—such a total reduction of the word to a centrifugal movement can never be accomplished in principle—but discourse began to be grasped as self-expression. The free Greek polis, where everyone speaks and acknowledges the same right for all other citizens, considers conversations as an expression of opinions relevant for various businesses

concerning all citizens. However, sophists still showed that the right to speak in this Paradise of the Greek democracy is based not on equality but on inequality—inequality of circumstances, power, origin, education, etc. Inequality means difference leading to conflict. For the Athenians, well-versed in warships, dialogue is nothing more than a peaceful warfare. Perhaps the slogan, that the truth is born in a debate, emerged at those times. However, taking a decision based on true cognition requires forging a universal principle or command out of a variety of arguments where everything is approached multilaterally. This necessitates the detour of dialectics thanks to which we finally are enabled to view a situation from all its sides. Use of the dialectical method brings to an end the word role of a discourse between collocutors and turns it into teleology and determinism. Its final goal would be to reach a vision free of any position, since a position is unilateral by definition; this type of vision is supposed to be independent of the restrictions of any particular view, which puts everything in its own perspective; the proper vision would be a universal one. This absolute grasp or Reason is not like our human sight—it comprehends everything as a totality from all its sides. The perspective of the absolute vision is inhuman as it belongs to no one in particular. Exactly here, however, suspicions and doubts start lurking behind. The distance that a human eye needs in order to see has to be shortened sufficiently that the congruity between words and objects becomes an identity. For the true sages, the order of thoughts expressed in discourse is the same as the order of objects in the world.

Inherently burdened, philosophers after Plato and Aristotle, beginning with the Hellenistic Latin authors, continuing through the Medieval Fathers, Renaissance and Modern thinkers, German idealists including Hegel, and reaching as late as the ones who declared “the linguistic turn” of the 20th century, support the fiction of thinking-in-itself and for-itself, which grasps the truth and heralds it to the world as the divine *Nous*. The whole, defined by Aristotle as composed of a beginning, middle, and end, corresponds to the logical reasoning whose form endows utterances with order. In the dialectical triad, the moment of synthesis, that is, the reconciliation of opposites signing a peace between the rivals, between the foes with their differences, overcomes the discreteness of the

discourse. Only then, single positions, united as parts of the whole, are recognized as equal but in their capacity as relative truths. Being relative, these truths are not completely rejected and repudiated.

But let's not forget that these opposite positions are not entirely rejected—but only provided they have given up their claim to sovereignty. Otherwise, they will have to become silent. They will be saved only if allowed to be transformed into something different, which they themselves are not; only if they submit to a higher authority speaking on their behalf. From this moment on, those who express the above positions will not be able to link and speak directly with each other. They will have to communicate only indirectly through the universal principle, Absolute Spirit or Reason hiding behind the participants in this story. This Reason, which comes out of concealment while concealing itself, because it controls various freedoms through its cunning, actually impedes human discourse: it not only distorts the meanings of the collocutors, but destroys the very language since it turns everything it names upside down, transforming it into something else. Dialectical Reason speaks on behalf of this negation. It does not wipe out the collocutor, but only deprives him of his independence.

Thus, Reason truly surpasses itself with the help of dialectics. Reason declares cunning to be its divine nature and applying double negation, which it defines as affirmation, promises immortality to mortals. It wants to get rid of everything single and perishable, which disappears in death, offering the consolation that will keep, in the treasure of language, the reminiscence, the sense, the idea, the universal. Still while those who are alive are present here-and-now, Reason treats them as if they are absent reducing them to their (spiritual) heritage, depriving them of mutual intimacy, mortifying them. Death is used as a possibility, as a new beginning, but a beginning for Spirit. Reason, i.e. thinking in-itself and for-itself being disguised as the word, gets its resources by abusing death. Spreading death, Reason declares its victory over death and the triumph of the “Absolute Spirit of the World” in history. In such a way, Reason becomes the self-proclaimed sovereign of the world system and its authorized speaker.

A long time after Hegel, there was no awareness that this faceless discourse, that nowadays is disseminated as mass media talk, is the illegal center of violence or, at least, of dominance (here mass media is viewed exactly as the intermediate third joint, which is elevated over the opposing collocutors as the mediator hindering the connection between them). This word—portraying itself as anonymous and making all the time only vain pronouncements on behalf of Reason and at the service of Reason—this Reason, which is an imitation of human parlance and which we overhear from a machine, actually, is not a word anymore. As Heidegger observes, one is a human being as long as one can speak in person and if one is entitled to speak in person. Thanks to the word as a call and response, human beings meet and connect, interpreting what they have told and heard on their own behalf. Unlike this, impersonal discourse springs incessantly and needs no answer whatsoever, just compliance, and separates human beings. It is directed to the objects of manipulation and is not interested in persons but mainly in the scope and reproduction capacity of technology in order to spread over the largest possible territory and to encompass the largest masses. This parlance becomes propaganda at the service of deception—of the most fundamental deception—that a conversation between the violator and the victim is possible. The anonymous word, which actually is not a word, depends on information, which plays the role of lubricant in the system's mechanisms. Its ideal is not to allow a hitch in actions and interactions of carrying out the orders of reflecting, judging, and controlling Reason. These orders have to be transmitted, with the help of technology, at a maximum pace and to be accessible to everyone. Language, whose main function is the reckoning of fulfillment or a failure to fulfill the orders, of gains and losses, turns into calculation—an algorithmic language, which lacks words because they are substituted by digits. Moreover, both speaker and the respondent are absent from language; there is no summoning or addressing the other in this language. It has ceased to be a word but has become a mortifying idle noise deprived even of a referent. Language does not refer to a shared world anymore but only to signs emptied of any other sense but the only one—the meaning that the center of power ascribes to them. The language of the legislative, juridical, and executive power, the language of “big

politics,” of “big business,” of indifferent bureaucracy, and of masked as care cynical reports of growth and drop, all they, with no exception, are cloning examples of the same algorithmic language. It seems in this case, there is a difference indeed, but this is difference that is not a real difference. It is posed by the very Absolute Subject as a difference in-itself from-itself in order that the ordinary subjects (being subjects both in dialectical and political terms) come under the most effective economic control. Even if this meager vain verbiage, which circulates throughout the social whole, is of any use, this usage brings gain only to those in power, to those who need to conceal their position and hypocrisy of their language. This production of the mass media industry is all-pervading. It is evident everywhere as an intruded encirclement, as a surrounding environment, as spatial and objectified *doxa*, as a “natural milieu” where we live and “get along” with all “rational animals.” In Roland Barthes’s words this is ideology made into nature.

Dialectics is the most powerful operation masking and legitimizing power. The most advanced flying here is a replacement of the law “of power for the sake of the power” with laws formulated as objective, irrevocable, present always and everywhere; therefore, universal and existing by their own nature. Of this kind are the laws which it makes no sense to resist. But in this game of concealing and disclosing, appearance and disappearance, presence and absence, the dialectical language would not be able to mask itself as the all-embracing sense of the true word if the power of logic it uses were not supported by “the spare but always ready” force of open violence. Releasing cruel, inhuman open violence, however, brings to the end illusions and mirages created by the Reason which aims at dominating as God but lives as a coward. When it comes to this type of openness, the nature of the situation lays bare in such a way that no veil and no divine nature of language could help. Language ceases to be *logos* anymore and is heard as the most sincere word—as the human cry and calling of the One summoning the others to respond; this calling ought to be understood as the appeal to the personal responsibility of Me.

Real Semblance Flourishing in Post-Consumerist Society

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*Well, the one on the right was on the left
And the one in the middle was on the right
And the one on the left was in the middle
And the guy in the rear burned his driver's license*

"The One on The Right is on The Left"
Johnny Cash

It seems like a commonplace that in the post-2K era, besides the proliferation of IT, the inculcation of global democracy and the promulgation of various crises, delusion and deception march rampant. Commercial and political propaganda as well as endless PR activities are gaining new zeal and strength. The current social environment in which they disseminate their ideas sets unprecedented demands and provides unique opportunities for elegant manipulation. In this respect, it is both curious and productive to take a glance at an ontological structure known since Marx's works as converted form (*verwandelte Form*); later on, it instilled secret hopes in the edifice of Soviet Marxism via the brilliant interpretation of Merab Mamardashvili.¹

¹ In Bulgaria, there are several publications on converted forms; among them are Georgi Kapriev, "Converted Forms: Notes in the Margin of the Text and Context" and Lyuben Karavelov "Some Notes on the Notion of Converted Forms" in *Kritika i humanism*, No. 6, 1999, in BULGARIAN; Deyan Deyanov, *Introduction to the Logic and Methodology of Humanities: Humanities after the Death of Man* (Plovdiv: Plovdiv University Press, 2001), in BULGARIAN; Haralambi Panicidis, "Fetishism and the Converted World of Its Forms," in *Sofia Philosophical Review*, vol. II, No.1, 2008, in ENGLISH; Emil Grigorov, *Cogito's Drama: a Contemporary Version* (Sofia: Sofia University Press, 2009), in BULGARIAN.

To cut a long story short, converted forms are a kind of real semblance, but constituting neither an oxymoron in boring everyday parlance, nor a sophisticated Hegelian speculative sublation. It is semblance in relation to a genuine reality, to the social substance, to the ultimate principles of social, political, and economic life and to whatever other dimensions we could think of, but (and this is a very crucial “but”) it remains real for all practical purposes. It belongs to the same genus of non-genuine appearance as many colloquial and professional expressions but possesses an unmatched specific difference. That is why it has little to do with the trick of putting a varnish of legality on actions by politicians and businessmen, as such actions remain illegal anyway under more precise scrutiny. Neither is it of the rank of a mock trial making everybody suspicious and annoyed. A converted form is not a daisy chain mastered by fund market brokers when they have nothing better to do or just need to get engaged in collar [meaning unclear]; neither is it window dressing performed by bank officials so that an investor’s portfolio looks better before the information about it goes to the client. This is not punch pulling, achieving superficial reconciliation or putting on a mask of concern, practiced by diplomats when they cannot or do not want to undertake any efficient actions. Neither are we speaking here about any sort of Potemkinism dedicated to maintaining a semblance different from or quite opposite to reality.

Hegel’s view of speculative sublation (*Aufhebung*), which—with the help of simultaneous negation and preservation of picked up productive elements uplifted to the next stage—overcomes illusion after illusion in order to reach the absolute truth,² does not convey entirely his disciple’s intention either. Converted form is an illusion indeed in comparison with true reality, according to Marx, but it exists simultaneously with reality proper and refers to it. The powerful tool of interpretation that Jean Baudrillard forges out of his simulacrum is also

² Donald Phillip Verene, *Hegel’s Recollection: a Study of Images in the Phenomenology of Spirit* (Albany: State University of New York Press, 1985), 11.

quite distinct from the converted form. A simulacrum either hides the absence of reality or usurps its throne, transmuting it into hyperreality,³ with the simulacrum code's creative feat. A helpful hint of what is meant by converted form is given by sayings like "a surface gloss of good manners" and "the gloss of respectability"; these two phrases refer to an inferior reality of human conduct, but they do not deny the existence to some degree either of good manners or decency. Furthermore, expressions like "spurious sentiment" and "sham sympathy" clearly indicate two levels of reality—a genuine one and another not quite so; nevertheless, the level that comes under doubt is not totally fake but preserves an element of autonomous existence and a degree of its own significance. It seems that Kant's usage of "hypocrisy" in his *Anthropology* as a means of avoiding tension through civilized behavior comes closer to Marx's idea since hypocritical actions are capable of bearing real fruit regardless of the fact that they themselves are not true. And to put a final touch to the realm of convertedness, what is known from folklore as lycanthropism would be a fair example of converted form: a human, after undergoing a metamorphosis, becomes a wolf and acts accordingly but does not cease to be human either and could restore his original guise after re-conversion.

Converted forms are human relations alienated from their genuine substance and turned into a fetish. The most famous of them are commodity value and capital; commodity value being an intrinsic feature of the commodity *per se* and capital being the source of profit. These two beliefs have gained practical verification an infinite number of times and have received the evident status of a blind law of nature. Nevertheless, there are good reasons to claim that they both are semblances in no way more adequate than a sheer delusion in spite of their practical confirmations. It turns out that commodity value is the labor hours needed for the production of a commodity. The value emerges in the flow of exchange differing from the use-value. An illusion commonly appears here suggesting that value is due exactly to

³ The same notion with slightly different connotation is used by Umberto Eco.

the exchange itself; in such a way the value assumes a strictly relativistic character. Actually, its real source is outside of the exchange where a relation with other commodities is established.⁴ This is the quantity of the universal abstract labor needed to produce a certain commodity. A tendency develops to view the value as an intrinsic quality of a commodity, which stands out when it is matched with an equivalent value. This relative quality enigmatically turns into quality *per se* in precious metals giving birth later on to money. In reality, the possibility of barter exchange, the value contained in precious metals and money is based on nothing else but labor hours.⁵ Another converted form, that is, the opportunity capital has to produce profit, comes not from a secret resource hidden deeply within capital. Instead, it is again due to labor, this time, to surplus labor hours. Marx is quite clear in deciphering the enigma of profit:

In this quite alienated form of profit and in the same measure as the form of profit hides its inner core, capital more and more acquires a material form, is transformed more and more from a relationship into a thing, but a thing which embodies, which has absorbed, the social relationship, a thing which has acquired a fictitious life and independent existence in relation to itself, a natural-supernatural entity; in this form of capital and profit it appears superficially as a ready-made pre-condition. It is the form of its reality, or rather its real form of existence.⁶

Fetishism of the converted forms shines brightest in interest-bearing capital. Interest produces a convincing impression of mysterious profit springing out of capital with no mediation of commodity production or exchange. This mystery is easily unmasked if interest is regarded as a part of the profit and the profit is held to be the surplus

⁴ Karl Marx, *Capital: A Critique of Political Economy*, vol. 1 (Moscow: Progress Publishers, 2010), 46.

⁵ *Ibid.*, 49.

⁶ Karl Marx, *Theories of Surplus Value* (Moscow: Progress Publishers, 1968), 1131.

value produced by surplus labor. Marx elucidates that money is a converted form of commodity. Money lent for interest apparently is conversion of conversion, i.e. square conversion. The power of square conversion elevates the money to its due status of veneration and awe.

On the other hand, *interest-bearing capital* is the perfect fetish. It is capital in its finished form—as such representing the unity of the production process and the circulation process—and therefore yields a definite profit in a definite period of time. In the form of interest-bearing capital only this function remains, without the mediation of either production process or circulation process. [...]

Interest-bearing capital is the consummate *automatic fetish*, the self-expanding value, the moneymaking money, and in this form it no longer bears any trace of its origin. The social relation is consummated as a relation of things (money, commodities) to themselves.⁷

Mamardashvili calls the converted form of reality, which is different from genuine existence, a quasi-object within a certain system. It does not apply only to capitalist production and distribution; it is true for the structure of the sub-conscious and its appearance on the surface, for mythical thinking, and for the way language functions. The transmutation of a real object into a quasi-object goes in three steps: cutting off some links of the real object as they function in the system, filling in the gaps with different links and, finally, transferring the object fixed with patches to another level of the system where it emerges as a new-born quasi-object.⁸ Besides naturalized commodity value and capital being the cause of profit, there is an abundance of other

⁷ Ibid., 1112.

⁸ Merab Mamardashvili, “Превращенные формы. О необходимости иррациональных выражений,” в „Как я понимаю философию,” Москва, Прорпесс, 1990, 321. (“Prevrashchennyye formy. O neobhodimosti irratsional’nykh vyrazhenii” in *Kak ya ponimaiu filosofiu*, Moskva, Progress, 1990, 321.)

converted forms in the system of political economy: price of capital, interest, entrepreneurial income, price of the expenses of production, etc. Furthermore, since a quasi-object has been acknowledged—price of capital, for instance—all others follow consistently as sequels from the first one, confirm each other and contribute to the creation of a new level of the system.⁹ Converted forms exist on all levels of social life glare with the proof of their utility in the same manner as the assumption that the Sun circling around the Earth proves to be useful more often than not.

Interestingly enough, the famous slogan that ideology is false consciousness is not a cause but an effect of the converted world. This strange realm of quasi-objects full of illusions and wandering ghosts is not a creature of incorrect cognition and insane imagination. Quasi-objects are part and parcel of reality. They are condensed forms of social consciousness that have obtained the ontological status of existence. Consciousness is not just a reflection of reality but complements reality; it even organizes and reshapes it: via the manner in which those who have a say in a given society expect reality to be constituted. Only after reality is established, is the next step of portraying it in a preferable way undertaken. Then, ideology as false consciousness justifies what already has happened with no help by any ideology but due to the indispensable reality-consciousness continuum.¹⁰

What Marx has succeeded in discovering for the society of producers, Zygmunt Bauman accomplishes not less aptly for the society of consumers. “Society of producers” and “society of consumers” are ideal types used to underline the leading element in each epoch. In the first one everything depends on production; production is the engine of all relations. In the second one, consumption takes the principal role; it does not abolish production but draws it to a subsidiary place. The consumer is elevated to the breathtaking height of a free commodity chooser in a world of inexhaustible abundance. Within the whirlpool of

⁹ Ibid., 321.

¹⁰ Ibid., 323.

consumption, Bauman unriddles the subjectivity fetishism hiding behind the free activities of consumption. As in classical commodity fetishism, the new version of fetishism converts the world underlining the role of consumer's subject while omitting the minute detail that the consumer needs to sell his/her labor on the job market in advance and only then get access to the freedom of choice.¹¹ Actually, Bauman discovers a paradox of rare eloquence: one has to sell oneself in order to gain the dreamt of freedom—the similarity with a notorious personage from the Christian tradition is striking.

Drawing upon this paradox, it becomes clear that a similar real semblance of converted forms appears in the society of consumers as in the society of producers. Consumers are praised as free actors manipulating commodities. No doubt, consumers enjoy freedom of choice satisfying their needs with commodities. However, this freedom of choice is a quasi-freedom. Any consumer is a converted, that is, transmuted commodity ready to sell itself in the form of labor, commitments, friendships, love, etc. Subjective fetishism is a real delusion embodied in all kinds of social and inter-personal relationships. It is not surprising that “[a]s if in a gruesome parody of Kant's categorical imperative, members of the consumer society are obliged to follow the self-same behaviour patterns they wish the objects of their consumption to obey.”¹² This must be “the conclusive leap from the world of constraint and unfreedom towards individual autonomy and self-mastery.”¹³ Among all quasi-objects in the consumerist society the primordial ones are the state and politics. They seem to fulfill certain functions, achieve some goals and fail to keep many promises, but the sphere of politics, “including legislative and juridical arms,” is the realm of converted forms “and becomes an executor of [genuine reality—A. G.] market sovereignty.”¹⁴

There are tendencies of sedimentation in the consumerist society,

¹¹ Zygmunt Bauman, *Consuming Life* (Cambridge: Polity Press, 2007), 14.

¹² *Ibid.*, 62.

¹³ *Ibid.*, 61.

¹⁴ *Ibid.*, 66.

drawing to the bottom those members unfit for consumption and designated as “underclass.”¹⁵ They lack the consumer’s dignity and the dominant streams are happy to get rid of them. Nevertheless, these outcasts gradually form a new stratum to which a tremendously different mission is entrusted. From the bosom of Africa and South East Asia through Eastern and Central Europe’s velvet revolutions, through the prestigious settlements of Old Europe, to the cozy nooks of the New World and to the shiny shores of Australia and Latin America this unprecedented stratum is emerging and growing in number and significance. Unlike the ‘fits’ of consumerist society, haunted by the demand of constantly changing identities under the “pressure to be someone else”¹⁶ the ‘unfits’ are not obliged to make choices and stick to any sort of identity whatsoever. Just the opposite, they are expected and encouraged to represent the abstract human substance (the abstract pure being, as Hegel would put it, but with some human flavor), one that can be endowed with any identity depending on current needs. And it does not matter that they are people stripped of any commodity, that is, market value.¹⁷ They are perfect candidates for acquiring statistical value; statistics just longs to process them through its infinite reports. The abstract statistical units can easily be fit into the mould of those hit by the next typhoon, hurricane, nuclear disaster or financial crisis; they could emerge as objects of austerity measures, an industry privatization, rationalization, or downsizing; they could be seen as war refugees, human/civil right activities, or resolute protestors in spring time under the North African sun or EU integration devotees amidst the Ukrainian winter cold; they could become almost anything that is capable of being considered on a mass scale. They do not have to produce, they do not need to consume either; their duty is always to exist in the statistical reports and often, or sometimes, to be present outside these reports too. They are the new ideal type, towards which global society in the third

¹⁵ Ibid., 122.

¹⁶ Ibid., 100.

¹⁷ Ibid., 124.

millennium is rushing. They constitute the genuine reality of the current era. They are the telos of all producers and consumers, of all those who do not hold the major share of stock. All other guises are practically utilized masks, transformations, transmutation and, finally, conversions and quasi-objects of this fundamental sense-providing and action-determining abstract substance.

There are at least four significant areas of social interaction where it is not difficult to visibly trace on the surface a converted form to the much more profound layers of the genuine reality. These are mass privatization, regular local and national elections, civil protests bursting forth at intervals all over the globe, and recurrent financial crises.

Mass privatization is a quite peculiar phenomenon common to the countries of Eastern and Central Europe and the CIS on their victory march to market economy. How can a government sell public property to a population that has no funds to buy it provided the government cannot or does not want to sell it to foreign investors?¹⁸ And the government under question has to sell the public property by all means because the Berlin wall has fallen irrevocably, the start to the transition period has been given and all democratic (market, that is) institutions are watching that government. The miraculous solution would be to print voucher books. Each citizen of full age gets one of them and is welcome to purchase the available assets. Amidst the hustle and bustle of acquiring the due share of the public goods, most of the law-abiding citizens cherish the hope of a good deal; some are skeptical about any real profit; some others rush to convert the suspicious money into genuine liquor; and there are even those who do not care and leave their voucher book to collect dust in the attic. Almost no one, however, would allow a heretic thought to bother his mind: the thought that buying the

¹⁸ If the government aims only at having property change hands from public to private and not at securing money for its budget, the easiest method would be to allow a chosen few to rob the state owned banks in order to pay with the robbed funds for the privatized assets. Exactly this was the strategy in Bulgaria, insofar as funds from the robbed banks sufficed to gain some of the available for privatization assets; the robbery itself was performed as bad credits not being repaid by insolvent companies.

heritage of totalitarian dictatorship is not meant to produce a new entrepreneur class out of a cash-strapped population; the real goal of selling property is not even to enrich the owners of rough-and-ready formed privatizations funds. Property acquisition by the masses as well as by the few chosen is a quasi-event, a transmutation of the real one, that is, a converted form. In the unlikely scenario that all potential buyers do not bother to transform their vouchers into assets, but leave them in dusty attics, basements, garages, and trash bins, the transformation of property would have not happened. The genuine substance of the post-consumerist times emerges here: the abstract statistical units capable of being endowed with any properties, one can imagine, play the role of *investors*. They act like investors indeed, they get some shares they might lose later or keep for a certain time and even gain some meager dividends. But being investors is a public delusion strengthened by practical verification. For the real actors, in this operetta, are the abstract units; they are called and mobilized to transform public property into private for the sake of transformation itself; otherwise, the honorable international community would have faced them with a peevish expression as the EU Commissioners looked at the Ukrainian President after receiving the red card from him in Vilnius in November, 2013.

Another, even more popular, metamorphosis of the statistical units is the metamorphosis into an *electorate*. Citizens as voters are hailed as if they are the core of representative democracy. Elections are believed to be the holy of holies of the globalized society. However here again, the main part is entrusted to abstract units disguised as voters. Their primary mission is to visit the ballot boxes and cast their vote, whereas electing a specific candidate of a certain party is only of secondary or even tertiary importance. This is the view point of the electoral system and also the view point of potential candidates. The system will collapse if nobody shows up to vote and it is not an accident that abstention of voting is prohibited by law in certain countries. Concerning the elective post aspirants, in most cases they are happy if the election takes place and being elected is a kind of an extra bonus. Normally, all parties that

reach a certain minimal percentage of votes being cast for them at parliamentary and local elections, get decent government funding even if not actually elected; in the electoral systems where the losing party automatically becomes the only opposition party, there are even less reasons to worry.

The abstract statistical units are filling the texture of the protest waves splashing over the Middle East since the spring of 2011; engulfing the rocks of Anatolia and flying over the Golden Horn, while touching the streets of Western Bulgaria in the summer of 2013; and, finally, landing with a winter fury on the Kiev's maidans.¹⁹ The rationale of these upheavals is to turn over the national dictators, restore/acquire infringed civil and human rights, retrieve human dignity from the market fundamentalism, or sacrifice one's life for the EU-nourished radiant future dream. All these rationalizations picture a diverse landscape of quasi-objects. The leading personages of the various stage setting are protestors implied to be the avant-garde of the civil society. This is a fair assessment—they often belong to civil movements aware of themselves as promoters of civil ideals. Self-consciousness, however, as Hegel has shown and Verene has made crystal clear, passes through a number of illusive stages/scenes and *protestors as citizens practicing civil disobedience* are just one of them. Unlike self-consciousness in Hegel's phenomenology, protestors are barely a step towards absolute knowing; rather they are the next embodiment of the genuine and ubiquitous abstract substance. Throwing a government down, electing a new one, then, disposing the newly elected government as well, and so on is not the telos of the protests, although this is what happens on the surface. The abstract statistical units are mobilized to keep the "show" going. The profound reasons of their activities have very little to do with whether a democrat is substituted for a dictator or a secularist for fundamentalist. The protests are just one of the incarnations of the abstract units and serve mainly statistical purposes.

¹⁹ Square in Ukrainian.

The most enigmatic role, within this masquerade, is bestowed upon the statistical units at play in financial crises. Crises seem to be a consequence of the market economy's laws and regulations. It is implied that market obeys the same rules the moon does circling around the earth and not falling on it. Governments and individuals, as well as businesses, cannot help but follow the rules if they want to keep out of trouble. Exactly this kind of sticking to the rules was demanded from the Government of Iceland in the 2008 financial crisis. Several banks in Iceland went bankrupt then and were not in a position to repay billions of pounds to depositors. The Government faced the ultimatum to step up and pay out of the taxpayers' pockets. Most probably, this would be the only reasonable move in the financial Quasiland in the background of all its power and status endowed institutions. Contrary to all expectations, Iceland opted out of this Quasiland and staged the crisis-opera on its own. The trick was that if Iceland would have agreed to start repaying the debt, this Sisyphus labor could never ever be fulfilled. And it does not take a rocket scientist (even less a financial expert) to find out why: the only source of government income is taxation (privatization does not count in this case); Iceland's fiscal income is collected in Icelandic krónas, while debts have been incurred in British pounds; therefore, the heavier tax is laid on the Icelandic population and the more austerity measures are undertaken, the weaker the króna stands against the pound; i.e. the more you pay the less you repay.

After getting a slap across the face from a number of national and international monetary institutions, the Icelandic people demonstrated resistance and rejected the role of the abstract statistical units, which they were assigned, at least for the time being. Icelanders showed to Greeks, Cypriots, Spaniards and to all other unlucky EU nations that there is a way out of the vicious circle of constant and permanent indebtedness, which is much more efficient than life-threatening austerity measures relieved via suffocating international loans and cloth-stripping privatization. The people of Iceland succeeded in turning back the pace of history from the post-consumerist era to the time of producers and consumers (if not even going beyond post-consumerism).

They indirectly pointed to the innermost substance of post-consumerist society: financial speculation. This is the omnipotent power that arranges the statistical units in various guises and utilizes them. Strangely enough, Hegel's meaning of the term could shed some light on what is going on in financial speculation. Speaking about a speculative proposition, Hegel explains that its subject and predicate cannot be understood in separation but in the movement of thought from the one to the other; subject implies the predicate and vice versa.²⁰ He also defines speculative thinking as positively dialectical or positively rational thinking after sublation of understanding (common sense) and negatively dialectical (skepticism and relativism) is carried out and where the oppositions come to the fore, but are still kept separately in a mode peculiar to the understanding. In speculative thinking, oppositions achieve unity but they do not disappear in it, preserving an element of distinction besides the identity. Speculative is "unconditioned, self-contained, and thus self-determining." In speculation we pass beyond the subject-matter and leave it behind; furthermore, speculation is not only something subjective but needs to be turned into something objective.²¹

Like commodity fetishism, financial speculation is based on social relations. Its very core is the commodity value that reflects the universal abstract labor time spent on the production of a commodity. This is the most fundamental and eloquent converted form discovered by Marx within political economy. If it is considered as a conversion of first level, then interest-bearing capital would be conversion of second level or square conversion. Loans to consumers in the form of mortgage, leasing, credit cards, etc. can be ranked at the same level. This second type of square conversion aims not at capital increase via surplus value but at realization of abundant values already at stock. In these cases, money is lent in exchange for the future labor time of the borrower. It

²⁰ Donald Phillip Verene, *Hegel's Recollection: a Study of Images in the Phenomenology of Spirit*, 23.

²¹ Georg Hegel, *Encyclopaedia of the Philosophical Sciences Part One* (Blackmask Online, 2001), 66, <http://www.blackmask.com>.

imposes strict and demanding restrictions on all future activities of the credit receiver in order not only to guarantee the return of the principal and interest payments but also and mostly to secure flesh and blood for incessant GNP/GDP growth. And if the terms 'national' and 'domestic' in the above acronyms still allude to the fading national state, full-fledged speculative capital assumes indubitable international, i.e. globalized, status. The usual meaning ascribed to financial speculation is a transaction of extreme risk. If studied more attentively, it becomes obvious that this is a quite narrow view. Speculation *par excellence* is represented by financial instruments known as derivatives. They derive their value from the performance of underlying assets, the most significant of which are interest rates, mortgage and other credits. Continuing the line of converted forms, increase of the value of a derivative based on interest rate or credit is conversion at a third level, or cub conversion. It is possible that what underlies a derivative is another derivative; therefore, this would become a biquadratic conversion and so on. It is easy to notice that the conversions of a higher level are not only more distant from the genuine reality of the first conversion, universal abstract labor, but labor plays a minor, if not ignorable, role in the conversions from the third order on. One cannot help but recollect that Hegel's speculation is unconditioned, self-contained, self-determining, and finally self-sustainable; it contains in a sublated form the two oppositions of real value and the promise to pay a greater value with a mysterious hue of creating capital and getting gain out of nothing.

The fundament of the converted social relations, on which financial speculation rests, is the infinite potential for transformation and flexibility of the abstract statistical units. Like subjective fetishism, financial speculation worships the cult of various converted forms/quasi-objects endowed with subjective qualities of freedom of choice: *investors, protestors, mortgage re-payers, tax payers*, etc. In reality, the post-consumerist units are not expected anymore to sell themselves in order to gain access to the consumerist paradise. They are unsalable at the job market, and cannot take part in the commodity market or invest

on the financial markets. However, they are a very profitable underlying asset for derivatives traded over-the-counter or through various kinds of exchange intermediary after being mobilized for current statistical purposes. Depending on the needs of financially backed statistics, they could be multiplied or reduced on paper, in the virtual world or in palpable reality. They bear intrinsic affinity with the classical dead souls but feature incommensurably more proclivities to transmutation, which are fruitfully employed in the era of Internet technologies.

The roots of the dead souls resurrected as abstract statistical units go back to workers being utilized as a means for the increase of available values and not vice versa.²² This is a topsy-turvy world where humans serve the value of capital; value is the end and humans are a means. Actually, the end of being a human is to act as a means for the increase of capital. This is true not only for the labor class but for capitalists as well. Labor power is alienated and identified with capital and in this way opposed to itself, subordinated to and subjugated by its alienated converted form, that is, by capital. The capitalist is nothing more than a personification of converted labor power.²³ He is just another means matching labor for the sake of the supreme end, the holy of holies of the capitalist mode of production, the self-sufficient growth of capital.

The right to alienated labor is next to the right to life of a dead soul in the scale of importance of unalienable fundamental human rights. This scale is interwoven with another one not so fundamental, but no less spectacular, scale of civil rights. Alongside the right to free speech, freedom of religion and voting rights in the second scale are the right to free consumption. The last one overshadows all the other civil rights in consumerist society turning it into the most substantial and determining right. It brings to life and sustains the inviolable sanctuary of the society of consumers, the GNP/GDP.²⁴ Consumers live for the sake of becoming immersed in commercial exchange; this is a new form of

²² Karl Marx, *Capital: A Critique of Political Economy* vol. 1, 413-414.

²³ Karl Marx, *Theories of Surplus Value*, 318-319.

²⁴ Zygmunt Bauman, *Consuming Life*, 97-98.

alienation of human existence and human activities propelling the capital to a higher level, that of Gross Domestic Product. A further step has been made on the road to the final reincarnation of the dead souls. This thorny path passes through the zeal and need, or zealous need, to change identities. Multiple identities are the breathtaking “duty disguised as privilege” residing under “a constant pressure to be someone else”²⁵ and reaching the destination point of being no one in particular. Assuming the most flexible and rational form of abstract statistical units, Gogol’s bondsman, existing only on paper, completes the whole circle of transformation and materializes as quasi-objects: voters, tax payers, investors/debtors, and even consumers; with the specific nuance that to be a consumer in the post-consumerist society is not a leading function but a mere mask of humans reduced to statistical items and falling prey to “twin horrors of misery and indignity.”²⁶

²⁵ Ibid., 100.

²⁶ Ibid., 140.

IV. Announcement

Master's and Doctoral Studies in Philosophy Taught in English at Sofia University

Sofia University was founded in 1888 following the best patterns of European higher education. Sofia is the capital city of the Republic of Bulgaria. Bulgaria is a Member of the European Union (EU).

MASTER'S PROGRAM IN PHILOSOPHY TAUGHT IN ENGLISH

The MA Program in Philosophy taught in English provides instruction in all major areas of Western Philosophy. In addition, the master's thesis can be written on a topic from Eastern Philosophy—an expert in this field will be appointed as the supervisor. The program is structured, yet leaves enough room for student's own preferences. The degree is recognized worldwide including in the EU/EEA and Switzerland, the US, Canada, Russia, Turkey, China, Indian Sub-Continent, Latin America, and the Middle East.

Courses offered: Philosophical Anthropology, Ethics, Axiology, Philosophical Method, Truth and Meaning, Philosophy of Intercultural Relations, Social Philosophy, Continental Philosophy, Philosophy for Children, Philosophy of Culture, Logic in the Continental Tradition, Theories of Truth, Existential Dialectics, Philosophy of Subjective Action, Phenomenology, Renaissance Philosophy

Faculty Members: All faculty teaching at the program are approved by the Bulgarian State Highest Assessment Commission. They feature successful teaching experience in this country and abroad and are well published in Bulgarian and English.

Duration of Studies: two semesters of course attendance plus a third semester for writing the master's thesis; opportunities for distance learning.

Admission Requirements: Bachelor's degree in any field of humanities, social science, science, or professional disciplines. No tests or application fee are required (for citizens of EU/EEA and Switzerland applying for a state scholarship €16 fee is charged and an interview is held). No previous degree in philosophy is needed.

Tuition fee:

- 1) citizens of EU/EEA and Switzerland—€815 per school year
- 2) international students—€3 850 per school year

Financial aid:

A) *Citizens of the EU/EEA and Switzerland* are eligible for state scholarships carrying a 75% tuition waiver plus a monthly stipend beginning from the second semester.

B) Fulbright Graduate Grants are offered to *American citizens* as a form of very competitive financial aid; for more information see www.fulbright.bg. Furthermore, American applicants are eligible for Federal Loans; please check for more details at the Education Department web site, <http://www.ed.gov/offices/OSFAP/DirectLoan/index.html>; at Sallie Mae, <http://www.salliemae.com/>, and at the Student Loan Network, <http://www.privatestudentloans.com> and <http://www.discoverstudentloans.com>. It is possible for the American citizens to use some other sources of government financial assistance (please contact the Program Director for details).

C) Financial aid to *Canadian nationals* is provided in the form of Government Student Loans by the Province where they permanently reside.

D) *The Western Balkans citizens* are welcome to apply for Erasmus Mundus/BASELEUS Project scholarship carrying full tuition waiver

and monthly stipend,

<http://www.basileus.ugent.be/index.asp?p=111&a=111>.

E) ***Students from Turkey*** can receive financial aid within the Erasmus Student Exchange Program.

F) Financial aid for ***Chinese students*** is available within the bilateral Chinese-Bulgarian Cultural Agreement. Please contact the Chinese Ministry of Education for more information.

H) ***Students from Russia*** (Financial aid for ***Russian students*** is available within the bilateral Russian-Bulgarian Cultural Agreement. Please contact the Russian Ministry of Education for more information). ***Students from the Ukraine, Belarus, and the other CIS countries, the Indian Sub-Continent, Latin America, and the Middle East*** receive financial aid in the form of inexpensive dormitory accommodation (about €50 per month including most of the utilities) plus a discount on public transportation and at the University cafeterias. The same type of financial aid is available for ***the citizens of EU/EEA and Switzerland, American citizens, Canadian nationals, Western Balkans citizens, students from Turkey, and Chinese students.***

Application deadline: September 30, to start in October; January 31, to start in March.

Student Visa Matters: Sofia University in cooperation with the Bulgarian Ministry of Education and Science provides the necessary documents for student visa application to all **eligible** candidates outside the ***EU/EEA and Switzerland.***

Cultural Life and Recreation: Being the capital of Bulgaria, Sofia features a rich cultural life. In most of the cinemas, English language films can be seen. There are a number of concert halls, dozens of art galleries, and many national and international cultural centers. The streets of Sofia are populated by cozy cafés and high quality inexpensive restaurants offering Bulgarian, European, and international cuisine. Sofia is a favorable place for summer and winter sports including skiing in the nearby mountain of Vitosha. More about Sofia and can be found

at <http://www.sofia-life.com/culture/culture.php>. You can follow Sofia and Bulgarian news at <http://www.novinite.com/lastx.php>.

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Doctoral Program in Philosophy Taught in English

The Ph.D. Program in Philosophy taught in English, besides studies in residence, offers an opportunity for extramural studies (extramural studies is a Bulgarian version of distance learning). This Program provides instruction in all major areas of Western Philosophy. In addition the doctoral dissertation can be written on a topic from Eastern Philosophy—an expert in this field will be appointed as the supervisor. The program is structured, yet leaves enough room for student's own preferences. The degree is recognized worldwide including in the EU/EEA and Switzerland, the US, Canada, Russia, Turkey, China, Indian Sub-Continent, Latin America, and the Middle East.

Courses offered: Psychoanalysis and Philosophy, Philosophical Anthropology, Applied Ethics, Epistemology, Philosophy of Science, Social Philosophy, Philosophy of Intercultural Relations, Philosophical Method, Continental Philosophy, Philosophy for Children, Philosophy of Language, Philosophy of Culture, Time and History.

Eligibility Requirement: Master's degree in any field. No previous degree in philosophy is needed.

Checklist: CV, two letters of recommendation, standardized tests scores are NOT required. No application fee (for citizens of EU/EEA and Switzerland a €32 fee is charged and an entrance exam is held).

Tuition fee:

- 1) citizens of EU/EEA and Switzerland—€1450 per school year;
extramural: €2440 per school year
- 2) international students—in residence: €6 500 per school year;
extramural: €3 300 per school year

Dissertation defense fee: €950

Duration of studies: in residence—3 years; extramural—4 years; opportunities for distance learning.

Financial aid:

A) *Citizens of the EU/EEA and Switzerland* studying in residence are eligible for state scholarships carrying full tuition waiver and waiver of the dissertation defense fee plus a significant (for the Bulgarian standard) monthly stipend. For extramural studies only tuition waiver and the dissertation defense fee waiver are available.

B) Fulbright Graduate Grants are offered to *American citizens* as a form of very competitive financial aid; for more information see www.fulbright.bg. Furthermore, they are eligible for Federal Loans; please check for more details at the Education Department web site, <http://www.ed.gov/offices/OSFAP/DirectLoan/index.html>; at Sallie Mae, <http://www.salliemae.com/>, and at Student Loan Network, <http://www.privatestudentloans.com> and <https://www.discoverstudentloans.com>. It is possible for the American citizens to use some other sources of government financial assistance (please contact the Program Director for details).

C) Financial aid to *Canadian nationals* is provided in the form of Government Student Loans by the Province where they permanently reside. This type of aid is usually unavailable for extramural studies.

D) *The Western Balkans citizens* are welcome to apply for Erasmus Mundus/BASELEUS Project scholarship carrying full tuition waiver and monthly stipend, <http://www.basileus.ugent.be/index.asp?p=111&a=111>.

E) *Students from Turkey* can receive financial aid within the Erasmus Student Exchange Program.

F) Financial aid for *Chinese students* is available within the bilateral Chinese-Bulgarian Cultural Agreement. Please contact the Chinese Ministry of Education for more information.

H) *Students from Russia* (Financial aid for *Russian students* is available within the bilateral Russian-Bulgarian Cultural Agreement. Please contact the Russian Ministry of Education for more information).

Students from the Ukraine, Belarus, and the other CIS countries, the Indian Sub-Continent, Latin America, and the Middle East receive financial aid in the form of inexpensive dormitory accommodation (about 40 € per month including most of the utilities) plus a discount on public transportation and at the University cafeterias. The same type of financial aid is available for ***the citizens of EU/EEA and Switzerland, American citizens, Canadian nationals, Western Balkans citizens, students from Turkey, and Chinese students.***

Application deadline: September 30 (for state scholarship applications - September 15), to start in October; January 31, to start in March.

The citizens of EU/EEA and Switzerland please check with the Program Director about the state scholarship deadline.

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