BOOK REVIEW

A Human Right to Stupidity


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The Beast and the Sovereign Volume 1 is the first volume in a new series featuring unpublished material from Jacques Derrida. The work extends Derrida’s previously published material on animality, linking with a sophisticated analysis of sovereignty. I argue that Derrida’s contribution here is useful for deepening an analysis of sovereignty as a political and juridical formation, but also useful for thinking about sovereignty through the lens of human / animal studies.

The general anti humanist approach of thinkers in the continental tradition would suggest that the distinctions drawn between humans and animals would be open to contestation. However, by and large, this tradition has neglected concern, almost wilfully, for violence against non human animal life. Indeed, against a frame which might suggest a tendency to question the borders and limits of the human, we find instead a dogmatism within the pillars of continental philosophy for maintaining a fundamental distinction between humans and animals: for example, in Heidegger’s insistence on an ontology of animals constrained to ‘mere aliveness’ (see for example 1990, pp. 396, H345); Levinas’ refusal to admit the possibility of a full ethical responsibility to animals (2004); and Foucault’s failure to address non human animal domination, even where discussion of the plight of animals would be contextually relevant, such as in the understanding of ‘dressage’ as a concept (1991, p. 166). One consequence of this theoretical neglect is that the pressing ethical and political questions relating to human domination of animals, and the practices that are
attendant to and implicated by this sphere of violence—for example, industrialised slaughter and containment, experimentation, hunting, animal companionship etc.—have by and large only been addressed within the liberal humanist realm of analytic philosophy, rather than in the continental tradition.

There has been, however, an emerging field of animal and post human studies that seeks to challenge a humanist orientation and presumption in relation to the ethical challenge of our relationship with non human animals. This includes philosophical approaches, such as that of Mathew Calarco, which mine the Continental philosophical tradition (rather than the analytic liberal tradition) in order to develop a different sensibility to political and ethical questions in relation to animal life (2008; see also Atterton & Calarco 2004; Leem 2009 and Lawlor 2007). I would also include here the work of post humanist thinkers, such as Cary Wolfe (2009 and 2003) and Nicole Shukin (2009), who trouble the boundaries between the human and non human, in order to challenge the material and symbolic violence affecting the political and social standing of both human and non human subjects. Connected to these approaches we might also find a range of theorists working within post-colonial discourses, which have challenged the meaning of the human, and provided a platform to consider the claims of non human animals (for example Anderson 2006). It would also be important to consider in this light the contribution of ‘Actor Network Theorists’, notably Bruno Latour (1993 and 1999) and Donna Haraway (1991), who use a science and technology studies approach to question the agency owed to the liberal human subject within relational networks; Haraway of course has and continues to make a significant contribution to a post humanist view of relationships with non human animals in her recent works, including The Companion Species Manifesto (2003) and When Species Meet (2007).

We might also include within this emerging tradition the late work of Jacques Derrida, who against the orientation of the continental tradition, spoke clearly on violence and domination of non human animals. Two volumes so far have been published offering English readers some insight into this work: namely The Animal That Therefore I Am (2008), which contained fragments of a ten hour seminar Derrida gave in 1997; and recently, The Beast and the Sovereign Volume 1.

Before I provide a thematic overview of The Beast and The Sovereign Volume 1 (henceforth Beast 1), it would be prudent to offer some considerations for potential readers to ponder. Firstly, Beast 1 reproduces lectures delivered by Derrida in 2001-2 and is constructed posthumously on the basis of previously unpublished notes and audio recordings. Only one section of one seminar (on Lacan) has been elsewhere published. Each chapter records an individual seminar, with each seminar varying in length. We are not clear which, if any of the seminars were intended by Derrida for future publication, nor what
might have been subject to editing or polishing prior to publication\(^1\): this has some bearing on how the texts are to be interpreted. Secondly, I note that *The Beast and the Sovereign Volume 2* is due for publication in late 2010,\(^2\) and will cover Derrida’s lectures in the 2002-2003 year. I deal in this review solely with the English translation of *Beast 1*, and acknowledge that there is some risk in reviewing a work that is both incomplete, and for which we know there is more to come. However, as I discuss below, I believe that Derrida makes a significant advance in both our understanding of sovereignty and its relationship to animals in *Beast 1*, enough to both prompt discussion here, and whet our appetites for the second volume.

Derrida approaches his central thematic in *Beast 1* in a perhaps typical fashion: that is by teasing out aspects of the problem through a critical textual analysis of apparently disparate pieces of prose and poetry. Many of the texts Derrida analyses are representative of the modern Western philosophical canon, including those thinkers that are familiar interlocutors with Derrida’s work—Nietzsche, Heidegger, Schmitt and Lacan—as well as less frequent visitors, including Gilles Deleuze and Giorgio Agamben (the latter whom I discuss in further detail below). Derrida also explores work outside the strict confines of philosophy, including literature and literary theory (for example Paul Celan, Paul Valéry and DH Lawrence). Like much of Derrida’s written work, there is significant intersection and overlap with themes of his previous writing. Sometimes this is in connection with his more recent ethico-political interventions—for example on hospitality, giving, friendship and war—and sometimes with earlier work, such as on trace or *différance*. Some of these points of intersection are quite wonderful in so far as they extend the significance of old concepts: for example Derrida’s reference to the monstrous and its connection to both animality and sovereignty (see below). Indeed, it is worth emphasising that Derrida’s style in *Beast 1* is a delight to read, and like much of his later work, there is a lyricism and playfulness with language which is engaging. The title of the seminars ‘*la bête*...’ is closely connected to a series of word plays which centre around the French word *bête*, a word which contains a rich association of meanings, including not only a function as a noun for ‘beast’, ‘creature’, ‘dog’, ‘insect’, but also as an adjective for ‘stupid’ or ‘silly’. The return of the prose to this word ‘*bête*’ and relevant word connections (*bêta*, *bêtise*, *bêtement*, *abêtir* etc. see pp. 164, D223) provides an opportunity for the reader to both experience Derrida’s vivid reconceptualisations, and then return afresh to a reappraisal of the core of his subject matter (that is the ‘beast’ and the ‘sovereign’).

*Beast 1* begins with an exploration of the way in which sovereignty as a concept is connected to animality, in particular through the analogy of the wolf. The wolf, as Derrida notes in the first seminar, shares with sovereignty a common condition of existing outside the juridical sphere: ‘sovereign and beast seem to have in common their being-outside-the-law’ (pp. 17, D38). This point of connection is noted by others, including Agamben in *Homo Sacer* (1998, pp. 104-11), however Derrida teases out further the dimensions of this shared
relationship, noting, for example, the symbolically gendered dimension of the sovereign / beast relationship (pp. 1, D20; also 9, D28-9); the capacity of the wolf / sovereignty for stealth (pp. 10, D30) and capture (pp. 11-12, D31-2); and finally, the wolf and the sovereign as rogues (pp. 22, D45). It is with respect to the latter observation that we find, early on in *Beast 1*, a frank discussion by Derrida of the spectacles that have become commonplace in the exercise of sovereignty within the contemporary era, including a discussion of global war and terror through Noam Chomsky’s *Rogue States* (pp. 19-20, D41-2 and 88-9, D130) and the role of visual media in establishing the operation of ‘international terrorism’ (pp. 36-7, D64-5).

We also find in these pages analyses of what might be considered foundational thinkers of sovereignty in the West: Thomas Hobbes, Niccolò Machiavelli, Jean Bodin and Carl Schmitt. Of particular note here is Derrida’s commentary on Hobbes, which links with his previously published work on ‘response’ and animality (Derrida 2008, pp. 119-40). Derrida observes that sovereignty shares with the animal a symbolic trait of non response: the sovereign is ‘above the law [le droit] and has the right [le droit] to suspend the law, he does not have to respond before a representative chamber of judges, he grants pardon or not after law has passed ... He has a right to a certain irresponsibility’ (pp. 57, D91). Derrida’s analysis of Machiavelli on the prince as a ‘fox’ also attributes an irresponsibility to sovereignty, in the ability to use cunning to maintain power and domination, while affecting a visage of respectability: ‘The prince must be a fox not only in order to be cunning like the fox, but in order to pretend to be what he is not and not what he is’ (pp. 91, D132-3).

The fourth session is largely devoted to Lacan, beginning with a discussion of cruelty, its attributed connection to human nature, and its apparent disconnection from human treatment of animals: ‘I am never cruel toward the animal as such’ (pp. 108, D154). There is, in this seminar, commentary on the poverty of ethical consideration that only appraises what is like (‘our fellows’) rather than radically other. This clearly links with Derrida’s more recent challenges to ethics, however it is worth noting that *Beast 1* appears to make explicit a call for an ethics that is radical in scope, an uncompromising call to remove the distinction between human and inhuman:

A principle of ethics or more radically of justice, in the most difficult sense, which I have attempted to oppose to right, to distinguish from right, is perhaps the obligation that engages my responsibility with respect to the most dissimilar [le plus dissemblable, the least ‘fellow’ like], the entirely other, precisely the monstrously other, the unrecognizable other. The ‘unrecognizable’ [méconnaissable], I shall say in a somewhat elliptical way, is the beginning of ethics, of the Law, and not of the human. So long as there is recognisability and fellow, ethics is dormant. It is sleeping a dogmatic slumber. So long as it remains human, among men, ethics remains dogmatic, narcissistic, and not yet thinking. Not even thinking the human that it talks so much about. (pp. 108, D155)
Derrida soberly observes here that the inability to meet these conditions is the ethical failure to recognise cruelty ‘in industrial abattoirs, in the most horrific stockbreeding establishments, in bullfights, in dissections, experimentations, breaking and training, etc., in circuses, menageries, and zoos...’ (pp. 109, D156). As I note above, the remainder of this session is a repeat of the analysis of Lacan published in *The Animal That Therefore I Am*. It is worth noting here that the placement of this earlier excerpt within this seminar contextualises and extends Derrida’s analysis of trickery and cunning and its relationship to sovereignty, particularly noting from Lacan the apparently uniquely human sovereign ability to efface one’s trace, that is to ‘feign feigning’.

It is in Derrida’s analysis of a fragment from Gilles Deleuze’s *Difference and Repetition* that we find evidence for a significant reconceptualisation of sovereignty. Examining the word ‘bêtise’ (or ‘stupidity’), Derrida observes that ‘Bêtise is not simply error’, but represents an unexplainable failure of judgement: ‘I let myself go, I surprised myself by doing a bêtise’ (pp. 149, D205). Here begins a long rumination on the idea of bêtise, and the difficulty of its translation and definition, channelled brilliantly through a reading of Avital Ronnell, to show that sovereignty implies stupidity in its operation: reason and force follow each other since the prerogative to decide operates as a form of judgement in spite of knowledge, rather than on the basis of conceding a known truth. Derrida notes thus: ‘Bêtise always triumphs, it is always, in the war we are talking about, on the side of the victor’ (pp. 183, D248-9). Placing this within the Cartesian tradition, Derrida thus points to both the defining condition of sovereignty—as a right to stupidity—and also the defining aspect of human sovereignty over animals, as a stupidity that simultaneously declares its intellectual superiority over other beasts, and declares itself as not beastly (pp. 183, D248). I believe this is an immensely perceptive and useful observation that Derrida makes here: I will return to discuss this further below.

A significant concentration of *Beast 1* is in analysis of sovereignty and its connection to both animality and gender. Derrida flags his intentions early in the seminars (he begins the first seminar with a pronouncement of the gendered pronouns ‘La...le’), but it is not until the seventh, eighth and tenth seminars that we find a closer analysis, prompted initially by a reading of Paul Valéry’s *Monsieur Teste* and its quasi-Cartesian politics’ (pp. 194, D262). There are some lovely evocations here which describe the symbolism of masculinity linked to sovereignty and *logos*—‘the capitalized erection that is here called Thought’ (pp. 201, D271)—as well as an analysis of the phallus as prosthesis, and as encapsulating in some way the synthetic, machinic creation of sovereignty, as neither human nor animal: ‘the phallus is itself originally a marionette’ (pp. 222, D296). This leads to an analysis which characterises the phallus as both frightening and absurd:

The ithyphallic is the phallus in erection, as it was represented in Dionysiac or Bacchic feasts. An immense, tall, high, hard, stiff and
This analysis of a hyperbolic imaginary continues to the identification of sovereignty with potential and ‘poetic majesty’ (pp. 260, D350), which in turn leads to a reading of Paul Celan’s *Meridian* and the double movement of the exclamation ‘Long Live the King’ as both confirmation of sovereign power and an affirmation of a majesty beyond sovereignty. There is a signal to the divine here: the theological dimensions of sovereignty are touched on through the book, most explicitly in the Thirteenth Session, although as Derrida signals in this session, he does not finish the analysis of Genesis that he had hoped.

There is a clear tension in *Beast 1* in relation to how this work is situated within a field of political theory that analyses sovereignty following on from Michel Foucault’s notion of biopolitics; a tension that is amplified both by Foucault’s simultaneous absence and presence as a foil for Derrida’s thinking. Foucault’s complete absence from the eleventh session, for example, which features a discussion of the connection between the mental hospital and the zoo, only seems to reinforce that Derrida is in some way secretly answering Foucault’s thinking on sovereignty and its relation to power. Foucault’s notion of biopolitics receives a more focused analysis, not through a close reading of Foucault *per se*, but through a critique of Agamben’s use of the concept in *Homo Sacer: Sovereign Power and Bare Life*. It would not be an overstatement to suggest that Derrida is uncharitable in his views on Agamben’s work within the *Beast 1* seminars. Early in the seminar series, Derrida attacks Agamben’s style, in particular the latter thinker’s somewhat cavalier predilection to seek and name the origin or foundation of both politics and sovereignty. Derrida thus accuses Agamben of ‘acting sovereign’:

*He who posits himself as sovereign or intends to take power as sovereign always says or implies; even if I am not the first to do or say so, I am the first and only one to know and recognize who will have been the first. And I would add: the sovereign, if there is such a thing, is the one who manages to get people to believe, at least for a while, that he is the first who knows who came first, when there is every chance that it is almost always false, even if, in certain cases, no one ever suspects so. (pp. 92, D135)*

These playful, but undoubtedly crisp, remarks on Agamben are not revisited until the twelfth session, were Derrida devotes time to discussing the concept of biopolitics. Here, Derrida draws issue with ‘Foucault, or more precisely here ... Agamben’ (pp. 326, D433) and the distinction that is drawn in *Homo Sacer* between *zoe* and *bios*, a distinction that is not clear: ‘I don’t believe, for example, that the distinction between bios and zoe is a reliable and effective instrument, sufficiently sharp...’ (pp. 326, D434). To defend this claim, Derrida turns to Aristotle, arguing that because *zoe* and *bios* are by and large indistinguishable concepts within the classical thinker’s formulation of
the human as *zoon politikon*, there is nothing novel in Agamben (or Foucault’s) claim that politics is biopolitics. Indeed, given that both Foucault and Agamben cite Aristotle’s *zoon politikon* in their formulations of biopolitics, they are both aware—at least to an extent—of the non originality of the concept. Derrida extends this further to state:

In truth, Agamben, giving nothing up, like the unconscious, wants to be twice first, the first to see and announce, and the first to remind: he wants to be the first to announce an unprecedented new thing, what he calls this ‘decisive event of modernity,’ and also to be the first to recall that in fact its always been like that, from time immemorial. (pp. 330, D439)

While I think Derrida is correct to point to this contradiction in Agamben—between a biopolitics that is both foundational and also emergent within modernity—I couldn’t help but feel that Derrida is too quick to dismiss biopolitics and its relevance to considering sovereignty. While it is true that he frequently pleads with his audience as to his interest in biopolitics—‘my reservations here ... don’t mean that I have no interest in anything that could be called a specificity in the relations between the living being and politics’ (pp. 326, D434)—Derrida does not really demonstrate this interest in *Beast 1* through any significant analysis of how biological life and politics might coincide within sovereignty. This analysis seems important, not only in unpicking the relation between human and animal, but also in examining how it is that other elements of ‘biological’ difference—such as whiteness and racialisation—should come to infuse political engagement, and inform violent practices. Further to this, it is apparent that the difference between Derrida and Agamben (and by extension Foucault) comes essentially down to method. The genealogical approach of Foucault and Agamben leads to a temporal marking of the event as foundational (as ‘threshold’). This is an approach that is at odds with Derrida’s aim to ‘give up the alternative of the synchronic and diachronic ... give up the idea of a decisive and founding event’ (pp. 333, D442): and thus, in the final session, Derrida returns to the question of the translation of the event, arguing that ‘it is really the whole history of the Western world that is in play in these operations of translation’ (pp. 339, D450). There is, I suggest, much more that will be written about these differences of approach, and I acknowledge that this discussion is beyond the realms of this review. However, it is worth noting that other pieces of Agamben’s work, in particular *The Open* which equates biopolitics with ‘the decisive political conflict ... between the animality and humanity of man’ (2004, p. 80), might provide substantial ground for a comparison of the strategies of these two thinkers.

Of more interest to me here however, is the usefulness of Derrida’s analysis for understanding the relationship between human and animal, in particular challenging systems of domination of non human life. I believe that *Beast 1* does provide an interesting and potentially useful conceptualisation of sovereignty through the connections to
animal figures (the fox, wolf, lion etc.) and through the persuasive
linkages drawn between a grandiose, hyperbolic sovereignty and the
symbolism of the phallus. However, the connection of sovereignty to
bêtise in particular seemed to provide an opportunity for a clever and
useful reconceptualisation of sovereignty. Stupidity is an accurate way
to describe the obstinacy of sovereignty's prerogative: a right to act in
spite of a ‘truth’, which in turn constructs superiority as truth; that is, a
right to judge poorly inherent in the right to judge. We need only gaze
across the field of sovereign decision making to verify the accuracy of
this description: everything from the declaration of war as pre-emptive
strike, the arbitrary creation of zones of juridical exemption, and the
systematic denial and erasure of sovereignty claims by colonised
people, might aptly be described as examples of wilful stupidity. But
outside of, albeit implicated within, these fields of enquiry, it is useful
to note that stupidity might also powerfully describe the sovereign
prerogative that humans command over non human animals. How
else might we describe a claimed superiority by humans over animals
(whether based on intelligence, reason, communication, vocalisation,
or politics) that has no consistent or verifiable ‘scientific’ or
‘philosophical’ basis? Perhaps the only way to describe this claim of
superiority is to imagine it as a stupidity; a ‘pig-headed’ stupidity which
in its very exercise confirms a right to stupidity inherent within
sovereignty itself. For this reason I feel that Derrida's The Beast and
The Sovereign 1 has much to offer those interested both in
challenging the intense and daily violence exercised by humans over
non human animals, and further, it offers a starting point for those
wishing to understand how it is that this same force of domination
might enable a superiority that coincides with a sovereign prerogative.

Dinesh Joseph Wadiwel lectures at the University of Notre Dame
Australia and is currently completing a manuscript entitled
Animal Sovereignties.

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on a draft of this review.

Notes

1 The series editors note: 'It is not certain that Jacques Derrida would have
published these seminars, although he occasionally expressed his intention
of doing so, but if he had taken up these texts for publication, he would have
probably reworked them, as he always did, in the direction of a more written
text' (2009, p. xi).

2 I thank Peggy Kamuf for providing clarification on this.

3 It is perhaps worth drawing attention to Derrida’s almost cheeky use of
Chomsky here: not merely in connection with Chomsky’s clear humanist
approach, nor the famed debate between Foucault and Chomsky, but also because of Chomsky's public views on postructuralism (see http://www.chomsky.info/articles/1995----02.htm) which would suggest that both Chomsky and Derrida operate within very different universes.

References


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