

# INTRODUCTION

Sovereignty is NOTHING.

—Georges Bataille, *The Accursed Share:  
An Essay on General Economy*, 1993

We are seeing a rebirth of rebellion. In recent years, the debate has been dominated by two grand narratives: one ideological—the neoliberal consensus—the other, a warning about where we are heading: climate change apocalypse. Both of these narratives are marked by a deep ambiguity: they are simultaneously narratives of activity and passivity, of human destiny and frustration of the will. For neoliberalism, on the one hand, we have no choice but to allow the market to be the judge of all things, because it is only in the market that we are able to prove ourselves most resolutely. In the face of rampant climate change, on the other hand, we await unknowns that will threaten our very existence, while at the same time, we expect ourselves to follow the science and make overarching collective plans about how the planet should be managed sustainably. Thus, climate change is something that will happen to us, yet we see ourselves as both thinking and managing the global climate future in its totality. What characterizes our sense of where we are in these two narratives is both a sense of command—we must act—and of vulnerability—things happen to us, whether we like it or not.

The aim of this book is to try to reconfigure this double logic by renewing the discourse of sovereignty. It argues, firstly, that the two discourses previously mentioned are inadequate as ways of grasping the future intentionally. The neoliberal faux-consensus rests on the idea that human life is theoretically unconditioned, opening potentially infinitely

without either environmental constraint or determining historical legacy; the second assumes human life should go on while remaining almost totally agnostic about why that should be. These views are not wrong in any simple way, but they disguise another deeper question: Why is it that our life seeks to continue itself and our philosophies, both casual and systematic, consent? Is it just a further instance of the liberal orthodoxy that people should be allowed to live on freely according to any logic or meaning they choose if that's what they want to do? Such an assumption makes our philosophy unphilosophical. It answers the great ethical questions without recourse to any ethic. Or is it that there are not too few, but rather too many reasons to live, and there will never be consensus about what they mean, let alone which to prefer?

I do not intend to identify a version of what the will to life is or should be, but I do believe it is here that we need to start if we are to talk about the way forward. There is an assumption of human living-on that is either supposedly expressed in the grand narrative of neoliberal consensus or set aside as the incontestable question that the grand narrative of climate change apocalypse cannot or does not need to address. Whichever we choose, both of these grand narratives have lying behind them something larger and more insistent that they either take for granted or are incapable of addressing. I argue that this taken-for-granted thing is best considered using the language of sovereignty, for two reasons. Firstly, sovereignty provides a language for the human insistence on itself. Secondly, it is our ambivalence toward sovereignty, our complex double-drive to both fetishize and anathematize it, to celebrate and distrust it, to invest in it and fear it, to see it as both the guarantee of autonomy and freedom, and the greatest driver of straitening, homogenization, and oppression, that explains the doubleness I identified previously in our supposed grand narratives, their simultaneous recourse to drive and will, on the one hand, and vulnerability and passivity, on the other.

As we will see, there is an irreducible relationship between sovereignty and violence, and this is where sovereignty is at its most problematic. This is enough for some to see sovereignty as irredeemably contaminated, as irrecoverable for any positive political agenda. To others, violence is the tool that sovereignty is required to use in order to stabilize social order and defend its right. I will argue that neither of these positions is valid: on the one hand, sovereignty should not simply be excoriated because it is always open on violence. To abdicate sovereignty for this reason is, I will argue, to abandon the political altogether and, thus, to give up on life's

commitment to the social future. On the other hand, sovereign violence is not simply a calm rational instrumentalism. The violence of the sovereign is, in the literature, first and foremost, the violence of God, what Walter Benjamin calls “divine violence.”<sup>1</sup> As such, it is both unknowable and possibly infinite, refusing transparency, logic, order, and potentially all restraint. It threatens, firstly, those it would seek to rule, but also it then ends by putting everything at risk, including itself. Sovereignty, when allowed to fully express itself, is self-challenging. It is because of this deconstructive logic to sovereignty that my account inevitably ends with a detailed discussion of sovereignty in Jacques Derrida. Derrida’s discussions of sovereignty represent a deep reflection on the genealogy of sovereignty in the political and other philosophy of the West. It focuses on the most important modern treatments of sovereignty, most explicitly those of Walter Benjamin and Carl Schmitt (and by corollary, Giorgio Agamben), and less explicitly, but perhaps more importantly, that of Georges Bataille, who never forgot sovereignty’s generality and its wildness, and Martin Heidegger. Derrida famously said in the last interview before he died: “Deconstruction is always on the side of the *yes*, on the side of the affirmation of life.”<sup>2</sup> As we will see, this is not a sentimental or simply benign commitment. In his last lectures, his discussion of the Heideggerian theme of *Walten* characterizes “life” as always already invested with the danger, promise, and violence of the sovereign. The deconstructive account of sovereignty stands, therefore, as the culmination of the Western discourse of sovereignty, looking back at its uneasy history but also considering its continuing and irrepressible claims. In my account, politics is sovereignty in action. Politics is not simply a way to get things done, to administer systems and plot incremental improvements in the quality of life. The deconstructive logic of life as always already animating the sovereign reveals sovereignty in its immanence in all human things, in its rampant generality. It shows how sovereignty is the language, above all, of human insistence.

In sum, therefore, this book aims to use an account of the concept of sovereignty in the work of Derrida to develop a new understanding of sovereignty in contemporary political thinking. It starts with a survey of canonical discussions of sovereignty in Western political thinking from Jean Bodin and Thomas Hobbes to Schmitt and Agamben to show that Derrida’s rethinking of sovereignty develops from the key themes inherited from the tradition, while severely testing and challenging them. Importantly, it will conclude that there is a key role for a positive construction of sovereignty in critical political thinking. Recently, political philosophy has,

on the one hand, taken sovereignty as an inevitable given in the logic of states, something that cannot be transgressed in international negotiations, for example; or on the other hand, it has treated sovereignty as a form of unaccountable power, an obstacle to human rights and social justice. By providing a double, deconstructive account of sovereignty, this book will argue that sovereignty is both a promise and a threat. It can both inspire and frustrate political innovation. It therefore provides the terrain we must negotiate to pursue new political ambitions while remaining aware of the dangers of political authoritarianism and violence.

Derrida's discussions of politics deal with the key issues now confronting us in the era of climate change, for example, whether law can be a vehicle for social justice, whether democracy can continue to provide us with an inspiring political horizon, and whether regimes of hospitality can still honor an openness to the other. I argue that each of these key political issues in Derrida involves important questions about the nature and role of sovereignty, an issue that increasingly preoccupied Derrida, and which in late work such as *The Beast and the Sovereign* lectures, was developing into a general account of the deconstructive impetus. Many post-Derridean accounts of sovereignty use deconstruction to challenge the autonomy and self-identity of powerful institutions, presenting the sovereign as something to be treated with suspicion. I argue that it is a fundamental misunderstanding of Derridean thought to see any identity in such a uniform way. The deconstructability of sovereignty reveals its instability as a concept but without simply demolishing it. The challenge of deconstruction, therefore, is to negotiate the way between interrogating sovereignty and learning not only how to cope with it but also how to live it.



Canonical accounts of sovereignty start by attempting to explain the authority of kingship. In these accounts, the sovereign monarch is both a version and an agent of God's power, both the image of God and God's "lieutenant." Since the fundamental attributes of the sovereign God are his unconditionality, autonomy, and self-identity, the human sovereign is automatically in a contradictory situation. To be like God, the sovereign must also be unconditional and autonomous, yet to be God's lieutenant, its authority derives from another sovereignty higher than and other to itself. Ironically, therefore, worldly sovereignty always relies on something

larger and different to model and motivate its autonomy and self-sufficiency. The sovereign always remains threatened by its need to go beyond itself toward something always larger and absent.

In this way, sovereignty is grounded in something that cannot be contained or even clearly identified. It is perched above an abyss. Traditionally, this lack of definition has been papered over by giving it the name of God or by defining sovereign authority as something incomprehensible to human beings, an exception to human logic and accountability. From Bodin's theocracy to Schmittian exceptionality, sovereignty is understood as something divine and miraculous, beyond human rationality. It is Bataille who provides the most wide-ranging understanding of sovereignty as abyssal. I propose that to understand the full meaning of Derrida's accounts of sovereignty, it is necessary to appreciate Bataille's influence on deconstructive thinking. This is an important connection in an era where Bataille's importance is being acknowledged again by critical work in environmental philosophy.

Derrida's political thinking clusters around a set of doublenesses: law and justice, democracy and democracy to come, and absolute and conditional hospitality, for example. On one side of each of these doublenesses, we have a fixed and knowable institution or identity that relies on its pair for its meaning and value. Law, for example, is derived from the irrepressible and open-ended call to justice. Justice makes law possible, but because of its inexhaustible demands, justice is insatiable, unreachable, and thus impossible. Law can never satisfy the demands made on it by justice. Justice constantly violates law by requiring it to go beyond itself, to be more and more just *ad infinitum*. Justice, therefore, opens an abyss beneath law, allowing and explaining the meaning of law while endlessly undermining and ruining it. Justice, on the other hand, is nothing without law. Law is the only way by which justice can come into the world. These Derridean doublenesses are analogous to the relationship between the sovereignty of the king and God's sovereignty. God's sovereignty allows and licenses that of the monarch but exceeds and violates it at the same time. Sovereignty opens up an infinite abyss beneath any identity.

This abyss can be understood as a potentially infinite divine violence, the violence of God. Walter Benjamin connects this divine sovereign violence with revolution in an argument that Derrida, in his discussion of the violence of the law-justice complex, sees as dangerous. This threat of infinite violence looms behind sovereignty as its potential destination and ultimate risk. In a further argument, Derrida outlines the Heideg-

gerian account of the dynamic of ontological difference—the emergence of beings in relation to a Being that cannot in turn emerge as itself—as fundamental to the development of all identities. I argue that the Derridean doublenesses like the law-justice complex are themselves examples of this same logic of a violent emergence in which sovereignty is always already at issue.

We have, therefore, a picture of sovereignty as providing the logic by which all identities emerge in relation to a potentially infinite violence that always exceeds them but that orients them too. The challenge is to propose a model of sovereignty that recognizes it as a risk while acknowledging its necessity. Sovereignty will always contain within itself the risk of absolute violence, but it is also the means of human aspiration. I will argue that by always proposing the possibility of the human rising higher than itself, sovereignty is the means by which the human will to self-overcoming and to freedom and justice become available to us. The challenge of sovereignty is to pursue the trajectory of this possibility while managing the risk of sovereign violence. Sovereignty, therefore, is both the authoritarianism that needs to be checked and the possibility that needs to be pursued.



Chapter 1 analyzes canonical accounts of sovereignty from Bodin to Giorgio Agamben to identify what is fundamental to the Western discourse of sovereignty. The aim of this discussion is to exhibit the unstable nature of sovereignty, which modern and contemporary accounts work to exploit. One issue we have already mentioned: how human sovereignty is commonly represented as either a version of God's sovereignty or as its instrument. This creates a complication in that one of the key elements of the sovereign is its supposed completeness, self-reliance, and autonomy. If the human sovereign is dependent on God for its authority, then it cannot be complete in itself or self-reliant. It cannot therefore be sovereign. What brings the sovereign closer to God makes it less like God. On the other hand, if God's sovereignty is enacted by way of another lesser form of sovereignty, then it is not indivisible, as Bodin claimed.

Sovereignty's reliance on God is merely one instance of the way in which sovereignty is represented as relying on something unsignifiable or beyond human understanding. This unknowable abyssal quality of the sovereign may take the form of the divine, as in Bodin or Hobbes; it

may be the enigmatic genius of the lawgiver in Jean-Jacques Rousseau, or it may be the unaccountability of the sovereign who decides on the exception, as we find in Schmitt. God has been the most common name given to this undefined thing that grounds the sovereign, but this term doesn't capture—indeed may be an attempt to hide from—the irreducibly excessive and abyssal quality of the sovereign. By exposing itself to the unsignifiable and the excessive, the sovereign rests on a violence that is potentially infinite.

In chapter 2, we see how Bataille's extravagant account of sovereignty both subsumes and surpasses the earlier accounts analyzed in chapter 1. Bataille locates the sovereign as part of the limitless drive of energy that conditions human being. Here, the unaccountability of the sovereign and its openness on the divine become not a potential model of stable political order but part of the rampant force that drives all things. To Bataille, the means-and-ends logic of practical life is a mere segment of the larger drive of forces of energy toward excess and dissolution. Sovereignty is the name of the absolute freedom and license that represents the imaginary end of this drive. It is both irresistible and impossible, ineluctable and out of reach. Yet, it is the human drive toward sovereignty that defines our subjectivity as the orientation toward greater intensity, license, freedom, and strength. The traditional sovereign figure recognizes in us its inferior double, and we see in it the possibility of a higher life that will exempt us from being mere things. Through festivals of sexuality and death, our religions take us beyond this sovereign figure toward an infinite excess that we attempt to name as God but that is really the inexhaustible drive toward dissolution and thus an opening on the horror of absolute violence. As the combination of aspiration and danger, this infinite sovereign violence both lures and terrifies us, conditioning our subjectivity and social life in ways that are both magnetic and threatening. Bataille's account of the abyssal is one of the key antecedents of Derrida's thinking about sovereignty.

The focus of chapter 3 is on working out how sovereign emergence enacts divine violence and what this might mean for the heavily politically inflected terms of Derridean thinking. It deals with two instances of flirtation with divine violence: Benjamin's account of revolution as sovereign violence and the case of the medieval child killer Gilles de Rais. What these analyses show is that for Derrida, the absolute violence of sovereignty enlarges human possibility while remaining a source of danger.

For Benjamin, divine or sovereign, revolutionary violence supersedes conventional "mythical" law-making violence. Instead of encompassing

only the narrow, petty world of basic human survival, divine violence offers a higher and richer conception of life. This violence's goal is not to demonstrate its own authority but to offer a superior way of being. Derrida builds on a critique of Benjamin to explain the relationship between law and justice. Justice for Derrida offers a broad awareness of what is owed to the other, but it also remains potentially terrifying. On the one hand, an overinvestment in justice like an overinvestment in sovereignty leads to cruelty and destruction. On the other hand, an underexposure to the enlarging nature of an excessive justice risks either dogmatism and institutionalized injustice or passivity. In Derrida, therefore, there must be a law that remains exposed to justice in all its irregularity and extremity and a justice that remains aware of the need to somehow deal fairly with the regular world of calculation and action. There is no simple choosing between these options or pretending that there is some transparent liberal legalism that can be pure of violence. Politics will always be a *bastard* thing (to use Derrida's term) made up of hybrids of different denominations of violence.

The case of Gilles de Rais is then compared to the story of Abraham in Derrida's *The Gift of Death*. Where Gilles attempts to live the full, wild, and murderous extravagance of sovereignty, Abraham enters into an aporetic relationship with the divine where it both inspires and exceeds him. He has to be both engaged with it but separate from it. It is this aporetic Godly non-Godliness that allows him to live on as a loving father. The case of Gilles shows that the attempt to live sovereignty ends only in failure, cruelty, and destruction.

Chapter 4 looks at the source of Derrida's seeming assumption of the irreducibly violent nature of self-identity. Here, we have to look into the way in which things emerge. This investigation leads us to the term *Walten*, which Heidegger uses to explain the violence implicit in the emergence of beings in relation to Being. Derrida discusses *Walten* in his last lecture series, entitled *The Beast and the Sovereign*. In Heidegger, *Dasein* emerges aware of itself as projected into the world as a whole as a being in relation to other beings and thus to Being in general. Beings emerge therefore as a version of something that seems to anticipate them and make them possible, which also remains in excess of them. We have already seen a similar logic in the emergence of the sovereign, as a version of the God that seems to precede and exceed it. The logic of sovereignty, therefore, is sewn into the very manner in which beings emerge, and it does so in relation to a violent "irruption" and "eruption," to use Heide-



gger's language. Dasein does not simply enact sovereignty, but is "gripped" by it, an instance of something larger that both allows it to emerge and threatens it. Dasein brings sovereignty into the world but also limits it, because it cannot simply become one with the drive of sovereignty to limitless violence. In Derrida's deconstruction of Heidegger, Walten marks all emergence with the irreducibly abyssal logic of différance, which thus lies within the doublenesses that characterize Derrida's political thinking, the doubleness of law and justice, for example, or conditional and absolute hospitality. Sovereignty and violence are thus at the heart of Derrida's treatments of the political.

The consequence for Derrida's thinking is that political values—right, democracy, and hospitality—form in relation to larger impulses that both extend and threaten them. Our discussion of Walten has shown that sovereignty is always already in play prior to the exact formation of any identity. As we have seen, sovereignty itself is a doubleness where the formation of political authority always takes place in relation to the infinity and impossibility of the abyss. Reflecting this structure, the doublenesses that characterize Derrida's discussions of politics are thus all denominations of sovereignty. Sovereignty is always prior to any other political identity and alive within it.

Chapter 5 more fully explains the relationship between Derridean political value-formation and sovereignty, with hospitality as an example. As with the law-justice complex, the doubleness of hospitality is invested by the violent complex of sovereignty itself. We have proposed previously that the key political issues of our time are the ones Derrida has most focused on: the possibility of justice, whether democracy still has a future, and hospitality in response to the movement of world populations, especially now that climate change will put further pressure on resources like water and arable land. The aim here is to show that these issues are not moral, theoretical, or administrative ones, to be solved by correct thinking or good planning, but are fundamentally political issues in which sovereignty is always already at play. In these examples, we see the dynamic of Walten at work historically. It is this dynamic we must understand if we are to deal with the political problems of our age.

We investigate the issue of hospitality in relation to the two cases from the Old Testament discussed by Derrida: the story of Lot and that of the Levite of Ephraim. Hospitality is important and exemplary here, but the meaning of these stories is not restricted to the ethic of hospitality alone. Hospitality is important in the story of Lot because it facilitates

the enactment of God's will and power, firstly in punishing Sodom for its sinfulness but, over and above that, in enacting the covenant with Abraham's line. The story is about putting into place God's plan for the world, one in which his infinite and unquestionable power enters into human history by way of Abraham's family. Hospitality is subordinate to this larger meaning, which overwhelms it in significance. The story of Lot then is a story of God's sovereign rule, exhibited in acts that are simultaneously acts of love and acts of extreme violence. As we have seen in Benjamin, behind the complexity of law is the issue of sovereignty. Here, behind hospitality, sovereignty looms as the larger issue and more fundamental meaning.

Chapter 6 begins by developing a model for the complex dynamic of sovereign violence. We have already described the unstable relationship between sovereignty and violence as a bastard setup in which differing impulses of sovereignty and violence, sovereign violence and countersovereignty (both violent and not) inform, infect, and interpret one another. Here, we draw on Derrida's deconstruction of Levinasian otherness to present the dynamic of sovereignty and violence as an "economy of violence." Sovereignty cannot be seen as a simple or single thing. It is not simply the essence or root of political authority. It is less a theoretical concept than a persistent problem. It is not a metaphysically anchoring origin but an ineluctable part of the unstable means of all emergence. The emergence of the grand doubles Derrida uses to define politics cannot take place other than after and thus through and as versions of sovereignty, as subsovereignties or the enactment of a sovereign force that will never leave any emergence alone. When we address ourselves to these pressing political issues, sovereignty is always already at stake.

Yet, politics is nothing if it doesn't do things, if it lacks content. What would the content be of this sovereign politics? Chapter 6 concludes that because of the nature of sovereign emergence, there are three things inalienable from Dasein: sovereign insistence (the drive to prevailing that both pursues and questions sovereignty), freedom (the establishment of a domain within which beings can be), and justice (the fact that there can only be a multiplicity of beings, none of which has a right to priority). Sovereignty does not simply advance these three values. It may even inhibit them, but in the political context defined by the sovereign, they will always be at issue.

We make a mistake when we think of politics as about the right way to think, that all we have to do is get our thinking right and we

will know what to do. In fact, politics is already at work before us, via Walten. We emerge in a world already conditioned by Walten to be a play of power. We can be sovereign, but only on the terms sovereignty delivers to us. Our subjectivity opens after Walten and therefore in sovereignty. The sovereign self is a real thing, but it arises after sovereignty. Our choice is thus not to defend or resist sovereignty. Our choices all have to be made within a sovereignty defined by the three themes of sovereignty: insistence, freedom, and justice.

The future is being made by sovereignty, whether we like it or not, as it simultaneously stabilizes and destabilizes itself in pursuit of impulses sometimes personal, sometimes material, sometimes aesthetic, and sometimes ideological. The clash of these impulses—multiple, self-fulfilling, self-challenging, fractional, unformulated, and decentered—both makes promises to us and threatens us. We have no choice but to pursue ourselves and our goals in relation to sovereignty, through it, even *as* it. The aim of this book is to do honor to the complexity of sovereignty, to warn against its danger and to reveal its promise.