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CAN A PERSON BE
ILLEGAL?

Refugees, Migrants
and Citizenship in Europe

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Can a person be illegal? Refugees, Migrants and Citizenship in Europe

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Mats Rosengren

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— On the contributions —

The fact that the problem of autonomy immediately refers to, is even identified with, the problem of the relation of one subject to another – or to others; the fact that the other or others do not appear there as external obstacles or as a malediction to be suffered, [...] but instead as constitutive of the subject, of the problem of the subject and of its possible solution; these facts recall what, after all, was certain from the start [...] namely, that human existence is multiple [a plusieurs] and that whatever is said neglecting this presupposition is sheer nonsense.

Cornelius Castoriadis, “Marxism and Revolutionary Theory” (first published in French, 1964-1965) in *The Castoriadis Reader*, Blackwell 1997, p. 183.

Recalling the French-Greek activist, psychoanalyst and political philosopher Cornelius Castoriadis’ words about other people as possible solutions rather than problems, and, at the same time, evoking both the name and the work of the network No one is illegal, the theme for the 2016 workshop *Can a Person be Illegal? Refugees, Migrants and Citizenship in Europe* centred on the recent and persistent unsettling events within and on the borders of Europe. In the presentation of the workshop, as in the call for papers and contributions, we asked questions such as: “Are we facing a European union showing itself to be but an association for the already wealthy, the ones who already are safely installed within their citizenship and passports? Or are the political events of recent months – and especially the reactions they have triggered in many different political camps, governmental as well as auto-organised – rather a sign that something fundamental is changing, or at least about to change? A change, perhaps, towards a more profound political and

human engagement with the major ideological issues surrounding migration, autonomy and human rights?”

Our idea in the organising committee was to stage a magmatic event, allowing for an explicit friction to occur between different strata of academia, art and activism. In this spirit, we engaged researchers from two international networks: *Imaginaires Sociale et Création/Social Imaginaries and Creation*, dealing primarily with the legacy and implications of the philosophy of Cornelius Castoriadis, and *Lesekreis Cassirers/The Ernst Cassirer reading group*, focusing on the philosophy of Ernst Cassirer and its possible developments today; we invited colleagues and friends from Uppsala University, and we asked artists and activists from Belgium, Germany, and Sweden to contribute with their respective takes on our topic.

The entire program, as well as some of the art presented can be seen here: <http://www.engagingvulnerability.se/urs>. We would like to thank the Engaging Vulnerability research program (www.engagingvulnerability.se) for generously co-funding this publication.

In what follows, we present contributions that all interact in surprising and rewarding ways. They can be approached as strata within an encompassing whole as well as unique and original works in their own right. So, rather than imposing a thematic structure and organisation we have chosen to present the contributions in authorial alphabetical order (with the exception of the introduction) and through representative and central quotations.

We trust you will find the contributions as thought-provoking, enticing and rewarding as we do.

Alexander, Louise and Mats

Mats Rosengren — *Introduction: On academic responsibility, chaos and borders*

“What I would like to highlight is that, in the wake of forceful condemnations and outrage, there is a palpable risk that such portrayals may obstruct the very possibilities of understanding the meaning of violent destructive events and transformations in and of the social. As a consequence, they may obstruct the view of how to deal with them in a grounded manner. We have seen where such counter-productive reactions lead; the aforementioned proclamation of the war against terrorism is but one example.

One way to assume academic responsibility in this situation is to take a step back, to refuse to spin along in this dance of death, to use the conceptual and historical tools for critical thinking that are the hallmark of our trade within the humanities, and to try to think and write clearly about the multi-layered complexity of it all. A first imperative for academics should thus be to refuse all simplification – and to lay upon ourselves the demand of communicating lucidly and efficiently about complexity. For this, we need first to better understand both the role and the complexities of the notions of chaos and borders in the contemporary mind-set.”

Philippe Caumières — *Closure of meaning: border of the political. Political borders entail the closure of meaning*

“It is surprising to realize that the notion of border, understood as ‘a dividing line between two countries, or States’ is still very often apprehended through the binary opposition nature / artifice.”

“The question is not so much to denounce such an approach, –

which considers geography as based on natural data only, as if there was no cultural or ideological dimension to it, reducing politics to geopolitics – as it is to try to understand why it is still upheld. Obviously, resorting to nature as the justification for a border tends to rule out conflict. As modern societies want to be democratic, they cannot make arbitrary decisions. Consensus is all the stronger when grounded on the recognition of a necessity.

Thus, the very notion of border becomes an institution – and this is the meaning which Castoriadis gives to the word – but a denied institution; one which, more than an ideology, reveals that modern societies tend to conceal some facts from public debate, thus breaking the rule of democracy. Referring to the notion of natural border and using the word geopolitics both lead to a reflection which, far from being confined to the disciplinary fields they usually concern, questions the very notion of society.”

Stahis Gourgouris — *Crisis and the Ill Logic of Fortress Europe*

“For this reason, the so-called economic crisis – whether the crisis in financial capitalism signalled by the banking collapse of 2008, or the crisis in sovereign debt that followed virtually everywhere in Europe – cannot be equated with the crisis in political institutions, national sovereignty, political legitimacy etc., which we are seeing virtually everywhere in so-called Western ‘democratic’ societies. Nor is it the same with another domain of identified crisis, which is becoming ever more prominently displayed: the crisis in the cultural sphere, as it is manifested through clichés such as “the resurgence of religion” or “the clash of civilizations”.”

“In light of this present critical condition, the need to reconsider the democratic politics necessary to encounter this condition, and particularly as far as the situation in the European Union is concerned, a radical democratic politics that will unmask the ill logic (or para-logic) of its foundation, has become paramount.”

Olof Heilo & Ingela Nilsson — *Back to Byzantium: Rethinking the Borders of Europe*

“For the various nationalist parties that made such considerable gains in the 2015 elections to the European parliament, it is easy to say what Europe is not. They may not agree among themselves about the nature of Europe, but in their common resistance to Islam – against immigration from the Middle East, against a possible Turkish EU-membership and against the planning and building of mosques on European soil – it might seem as if they have stumbled upon a European unity that they have otherwise denied or even derided. The following will show why it is not that simple, and why these nationalists, rather than the new narrators of a resurgent Europe, are likely to end up as the unwarranted ventriloquists of a very different narrative.”

“The simple fact is that neither the rise of Islam nor the emergence of Europe took place in a historical vacuum: they both articulated themselves against a political, cultural, and ideological nexus that encompassed much of the ancient world and its traditions, an empire whose existence we have become so used to ignoring that we persist calling it “Byzantine” despite the fact that the purported Byzantines never considered themselves as anything but Christian and possibly Greek-speaking Romans”.

Stine Marie Jacobsen, Mirella Galbiatti & Nastaran Tajeri-Foumani — *German for Newcomers*

“The traditional roles of student and teacher are shifted in *German for Newcomers*, where expats, immigrants, and refugees are invited to improve their basic German language skills by collectively writing useful teaching material for themselves and others. The teaching material is inspired by their experiences with German culture, bureaucracy, and language.

The language project offers a (literally) different and multilingual grammar perspective for people, who want to learn German.”

“Participatory art is an approach to making art in which the participant is engaged directly in the creative process and allows them to become co-authors and editors instead of merely observers of the work. In the field of informal education, participatory art has proven to be an excellent source of bottom-up, innovative methods for the empowerment of individuals in society. Some of the positive aspects of participatory art is that it generates dialogue, respect, mutual understanding, and idea confrontation.”

“No experts, none of us are language teachers in a traditional sense, and everybody has their own perception of the language. This resonates with an important theoretical source, Jacques Rancière’s book *Ignorant Schoolmaster*, which highlights and advocates the “equality of intelligences” of all human beings. Rancière takes as his example the French teacher Jacotot, who came to teach at a grammar school in Belgium. This was a special situation, since he could not speak their language (Flemish), and the pupils could not speak his (French). They found themselves in a situation of equal “ignorance”, which actually allowed for a true mutual learning process.”

Jean Lassègue — *The Daoud Affair: Politics, Literature, and Migration of Ideas in a Time of Crisis.*

“The two genres that will be studied are the political genre in a broad sense (press articles belong to this category) where a writer takes the floor in his or her name, and the literary genre, conceived as a form of imaginary and social endeavor where the writer is not supposed to be identified with his or her fictional characters. It is well known that the distinction between the political and the literary can become fuzzy in a time of crisis”

“It is maybe possible to criticize Daoud’s position about the Cologne events and the debate about what happened and what to do next is certainly still very much open for what triggered it in the first place, the migrant crisis, is still very much on its way. But one should first start by remembering the past if one wants to put moralism aside and stop seeing as a moral condemnation what Daoud says about those he considers his own people and who misbehaved so severely in Cologne.”

Anthony John Lappin — *Borders of the Self, Borders of the State: refugees and the projection of human rights*

“Yet the nature of human rights law, although it enshrines the individual as its subject, primarily governs the behaviour of the State, rather than lesser organizations or individuals. Both the State and the Individual — rather like Universal Human Rights — have their own pre-history; and the rise of the individual is one with the steady domination of the modern State; and the rise of the modern State

is really the rise of the Western modern State. I shall progress in my argument through consideration of a limited number of explanations for these developments, wherein I shall combine sociological description with metaphysical discursivity. Let us descend to the atomic level of our human rights, the Individual, the undivided one in whom rights are vested (and invested); but rather than turn the discussion into a breathless charabanc-tour of the Past, I wish to consider rather more closely what “the Individual” leaves behind when it begins to rise, what primaeval soup of indistinct and stagnant amino acids gurgles away, beneath our vision. I will then move on to “where we are now”, using Bourdieu’s work on the modern state as my means of focus; I intend to take the definition that Bourdieu formulated into an area in which he refused to tread, into the realms of post-colonialism and attempted Western hegemony, or, rather, Western hegemonizing.”

Cecilia Parsberg — *On the production of The Chorus of Begging and The Chorus of Giving*

”In the spring of 2014 I begin to prepare for the film shoot. The Chorus of Begging consists

of people who usually beg on the streets. The Chorus of Giving consists of people who

usually give to those who beg on the streets.”

”The choruses will be standing across from each other – about five meters apart –while singing and the setup will be the same when the films are screened as an installation. The viewer will stand between the images and the sound from The Chorus of Giving and the images and the sound from The Chorus of Begging. The production had an express purpose though we planned the days of the

shoot in terms of logistics there were many unpredictable human factors. The singers in the chorus were inexperienced, as was the production team in this situation, which meant that working on the production involved many aesthetic and ethical choices.”

Emanuele Profumi — *Philosophy facing the European crisis of migrants: When does violence become a rule of law?*

“The now widespread practice in Europe of rejecting migrants regarded as “irregular” seems to indicate that consideration for rights has been overridden by political needs that are mostly selfish and less than respectful of human rights. This double European crisis (both humanitarian and political) raises a general problem, and poses a basic question: how is it possible that International Law did not succeed in forcing the EU to act effectively and make the reception of refugees, and generally of migrants, easier so as to avoid the massive amount of deaths that still occur in the Mediterranean?”

The question entails yet another, deeper question: why is the EU acting so cruelly towards the refugees and, above all, towards the migrants?

We can answer this question from many points of view, and also from a philosophical one, which will be adopted here. But if we assume such a point of view we have to put the matter on a more essential ground, as it were. The double European crisis proves that the political sphere is bending international law towards aims that seem to alter its very nature. Thus, the general question becomes to understand how the legal sphere can assimilate principles that are alien to it.”

Sharon Rider — “*Little Mr. Satisfaction*”
[*señorito satisfecho*]: Ortega’s Challenge to
European Man

“What Mazower succeeds in doing, I think, is to help us see this recent history as “now”, not merely in the superficial sense of the building up to current events, but in the sense of utterly present, cotemporaneous, in the larger scheme of things. After reading his book, one is confronted with a now that includes Fascism and other forms of totalitarianism not simply as distant threats, but as still and always with us as a potentiality, as part and parcel, of modern Europe.

An important element in understanding this “protracted now”, I want to argue, is that industrialized nations seem to be putting all their hopes for democracy and the welfare of its citizens into a very confused notion of “education”. This idea as it comes to be formulated in policy documents and political declarations covers as diverse aims as economic growth, employability, technical innovation, integration of immigrants, the inculcation of democratic values and practices, gender equality, ethnic tolerance, and environmental sustainability. That’s quite a tall order for any educational system, but especially for Europe’s increasingly deregulated (or even fragmented) educational landscape. I’ve studied the economic and technical aims elsewhere, so here I want to focus on the notion that all of our ills as citizens and as a society can be addressed and handled with enough “education”.

“In reaction to the growing barbarism of totalitarian movements and regimes, Ortega posed three questions that are still salient: i) what, if anything, does it mean to be European?; ii) how, if at all, is

it possible to retrieve an idea of European civilization that is at once viable and valuable?; iii) what is involved in bringing “newcomers”, i.e. the young, and, by extension and following Arendt, “the recently arrived”, into active membership in a polity or community? If we cannot answer these questions, it is difficult to see how we will be able to perform the task.”

Schellekens, Peleman & Focquier — *Inflatable
refugee and Moving stories*

“Art functions as a sensitive, visionary mirror of society, reflecting all levels of time and space in which a society exists. It dissects all things known, poses questions and presents alternative realities. It confronts us with beauty and ugliness. Art does not necessarily comforts us; it tears.”

“Coinciding with the current migration crisis from East to West, we created ‘The Inflatable Refugee’. A large inflatable adult male figure that represents a seated refugee. The ‘Inflatable Refugee’ gazes blankly into the distance. Has he arrived at a safe haven, or will he be refused and sent back to whence he came? His sheer size allows him to look over and beyond us and keep watch on the horizon, not limited by borders or documents. It makes him an inescapable, undeniable presence.”

“With the ‘Moving Stories’ project we invite newcomers (recent refugees/migrants) to write a letter to an anonymous fellow (native) citizen. We do not give directions concerning the content of these letters. The white pages serve as a neutral zone in which the person who is writing the letter can slowly form his/her thoughts and pass on the message he/she finds important to share.”

Mats Rosengren — On academic
responsibility, chaos and borders —
Introduction

On October 3, 2013 occurred what was then called ‘the Lampedusa disaster’: More than 360 migrants drowned on their way to Europe, just off the coast of the small Italian island. This event triggered a desperate and precise response; a chronicle by the Swedish radio correspondent Cecilia Uddén, aired on October 15 the same year:¹

“Today it is *Eid al Adha*”, she begins, “that is the Muslim feast dedicated to celebrating Abraham (or Ibrahim) and his readiness to sacrifice his son to God.”

Uddén likes this feast, with its monotone chanting and the ritual slaughter of lambs in the streets of Cairo – but she is less convinced when it comes to the qualities of Abraham. He did not rebel against the absurd demand from God that ‘You shall, for my sake, kill your son’. Uddén argues that he could and should have chosen to act and reply like Lucifer: *Non Serviam*, I do not serve. But the blind obedience of Abraham is celebrated in Islam, in Judaism and in Christianity alike.

Now Uddén changes tone. She recounts the story, reported by the BBC, of the boat, crammed with refugees, wrecked outside of Lampedusa on October 3. She tells us about two young parents who, in the cold waters not far from the coast, were faced with a horrible choice: which of our two children can we save? The parents were rescued, but came ashore with only one cold, shivering child.

Almost at the same time, Uddén continues, just outside of Alexandria, another boat sinks and 12 refugees drown.

12 refugees – that is but a number, easily forgotten in the incessant flow of news about larger catastrophes. At least until social media in Egypt made it known that three of the victims were small girls,

three sisters: Haja, Jolie and Sama, aged 3 to 6, dressed in matching clothes – white trousers, white t-shirts, white lace socks and green jackets. Their mother Soheyr tried to save them, but she had to take care of their fourth, paralysed sister – she could not manage to keep them all afloat long enough.

The mother and the paralysed daughter are now in custody in a police station just outside of Alexandria, Uddén bitterly states. They have broken the law in trying to escape.

And she ends her chronicle thus: “Faced with a world order that forces certain parents to submit their children to ordeals and peril of death, we should all answer *Non Serviam* – I refuse to obey.”

The 2013 Lampedusa-disaster then seemed unsurpassable in its horrifying details. Today we have seen, and are still seeing, even worse atrocities in the Mediterranean as well as on mainland Europe. Facing this inhumane and brutal system of ‘management’ of refugees and migrants, Uddén’s plea for non-obedience still haunts me. But I must admit that I am as much at a loss now as I was then as to what it would mean, concretely, for academics like myself to disobey in a scientifically sustainable, politically effective and responsible way. So, in order to explore this problem, I initiated – together with Alexander Stagnell and Louise Schou Therkildsen – a workshop that offered three days of interventions, essays and artwork by international scholars, artists and activists. All contributions related, directly or indirectly, to the alarming vulnerability of immigrants and refugees in Europe today, raising questions about how to re-conceptualize this crisis in order to produce conceptual tools for responsible actions. The text that follows draws to some extent on all these interventions and represents my personal attempt to get a grip on this conundrum.²

The constant adding of disasters to disasters, of terror attacks to terror attacks, seems to be creating a world where a twisted and weird normality, a feeling of ineluctability, has taken hold. Today, August 2017, nothing, absolutely nothing, it seems, has changed that would make the question regarding academic responsibility less urgent or the thematic of Uddén’s chronicle less pressing than it was in 2013. The story of Lampedusa obviously and, I would add, shamefully still actualises many important issues, relating to the global political situation today. Not least does it highlight the many ways in which borders and frontiers, as well as connected distinctions such as citizen/sans papier; citizen/refugee; citizen/migrant and immigrant has come to shape and structure many contemporary lives, both on an individual, subjective, and a political, collective, level. In its vivid details (I have only given you a very bleak account of Uddén’s original pathos and sense for details) it is a truly magmatic story – activating and interrelating many levels and strata, not only of individual suffering and political dreariness, but also of the role and the effective importance of social imaginary significations. So to be a bit more concrete and precise, I will in a moment discuss two specific social imaginary significations, evoked by Uddén’s chronicle, that have a central and ubiquitous place in the political debates of today: chaos and borders.

But first I need to be more explicit about the concepts that I will be working with here – that is the Greek-French political philosopher, psychoanalyst and activist Cornelius Castoriadis’s notions of *magma* and *social imaginary significations*.³ In his own words:

There is thus a *unity* of the total institution of society; and, upon further examination we find that this unity is in the last resort the unity and internal cohesion of the immensely complex web of

meanings that permeate, orient, and direct the whole life of the society considered, as well as the concrete individuals that bodily constitute the society. This web of meanings is what I call the “magma” of *social imaginary significations* that are carried by and embodied in the institution of the given society and that, so to speak, animate it. Such social imaginary significations are, for instance: spirits, gods, God; *polis*, citizen, nation, state, party; commodity, money, capital, interest rate; taboo, virtue, sin; and so forth. But such are also man/woman/child, as they are specified in a given society; beyond sheer anatomical or biological definitions, man, woman, and child are what they are by virtue of the social imaginary significations which make them that.⁴

Castoriadis conceives of the social in terms of instituted meanings – that is of different *social*, because they are shared by many; *imaginary*, because they are created by and through the human capacity of imagination; *significations*, because it is in and through these significations that we orient ourselves in and make sense of our world. Together these meanings form a *magma*, that is (as we can see from the examples Castoriadis gives in the quotation) a multi-layered unity in constant motion, each time specific for the society in question, but never constituting an eternal essence or unchanging identity. The magma of significations is what holds a specific group of humans together, for a short while or for centuries and millennia, in that it allows for a common and specific way of ascribing sense to human existence. This function can, as we shall see below, be performed by myths, as well as by shared ideologies, habits, doxa, traditions, etcetera.

It is, I claim, as social imaginary significations in a possibly globally present magma – instituted and borne by habits and technologies

of communication; languages as well as texts; traditional as well as online media outlets – that chaos and borders have a significant presence in our societies today. Chaos is there as an ever-looming sense of impending political and human disaster, of the world as we know it (no matter who this ‘we’ refers to) coming to an end, as a threat of destruction of all that we value, emerging in the wake of the recent acts of terrorism and the apparent abandonment of reason among important political actors. The impression that the social is threatened, that the meaning of the social is at risk – at least in the double sense of an individual’s lived experience and capacity of being social as well as the meaning the social space on a larger and, if you like, more objective scale – is intense and seems ineluctable. And the only response that appears as adequate and realistic to politicians in all parts of the world and of all political colours seems to be to reinforce measures of security, to call for more and more visible policing; to increase and render more effective all so-called ‘measures of control’; to close down borders and to form alliances with the sole purpose of shutting ‘them’ out – whoever ‘them’ may be in the specific case. So, the notions, ideas, myths and fantasies relating to chaos and borders are obviously intertwined and frightfully efficient, today and all over the world.⁵

Nevertheless, ever since September 2001, when president G.W. Bush famously launched *The war on terrorism*, we have seen that these attempts to increase security have dramatically failed – or, worse, that they have resulted in an escalation of conflicts all over the globe. This escalation has in turn provoked calls for even harsher methods of control, exclusion and policing of borders, creating a vicious circling that could be spiralling out of control any moment now.

To seriously assess this situation, we urgently need to acknowledge

that the social – in the sense of a magma of socially shared meaning – is in itself by no means threatened by horrifying acts or political meltdowns. It is no doubt transformed, transfigured and, I would say, disfigured, but not destroyed or eradicated. And the reason why is clear: Social meaning is not only constituted by constructive, well-intended efforts by co-working people trying to make society better and safe for everyone, but just as importantly through acts intent on violently transforming or destroying existing societies, institutions, and entrenched ways of thinking and acting in order to make them conform with some ideal, ideology or worldview. To portray the perpetrators of such actions as anti-social, or as heralds of chaos, is, of course, in a sense true, but only in a limited way (even if obviously very important and terribly severe for those who are murdered, for those who survive, for those whose houses are bombed and burnt, and for those who are forced to run for their lives, becoming refugees risking everything they have in the hope of establishing a new life elsewhere). What I would like to highlight is that, in the wake of forceful condemnations and outrage, there is a palpable risk that such portrayals may obstruct the very possibilities of understanding the meaning of violent destructive events and transformations in and of the social. As a consequence, they may obstruct the view of how to deal with them in a grounded manner. We have seen where such counter-productive reactions lead; the aforementioned proclamation of the war against terrorism is but one example.

One way to assume academic responsibility in this situation is to take a step back, to refuse to spin along in this dance of death, to use the conceptual and historical tools for critical thinking that are the hallmark of our trade within the humanities, and to try to think and write clearly about the multi-layered complexity of it all. A first

imperative for academics should thus be to refuse all simplification – and to lay upon ourselves the demand of communicating lucidly and efficiently about complexity. For this, we need first to better understand both the role and the complexities of the notions of chaos and borders in the contemporary mind-set. (For additional, complementary takes and ways to approach this mind-set presented in this volume, see, from a political philosophical point of view, *Crisis and the Ill Logic of Fortress Europe*; from an artistic perspective *On the production of The Chorus of Begging and The Chorus of Giving* as well as *Inflatable Refugee*; and from an activist/artistic outlook, *German for Newcomers*.)

On Chaos

Chaos is obviously a complex part of the social fabric, potentially productive as well as destructive, and in order not to be consumed by it we need to deal with it as such. So, let me try, with the help of Cornelius Castoriadis, to complicate a common understanding of chaos a bit. Perhaps our current vulnerability to chaos can be turned into something less fatal, or even be seen as the very condition for an emerging and responsible non-obedience when facing the current world order?⁶

Chaos has regularly been perceived as something to be avoided – a primitive state of things that must, and should, be overcome in order for evolution to get started, or for societies to be formed, or for humans to become sapiens.⁷

Chaos has played the role of the base, even evil, side of human existence. As the less worthy counterpart to the ordered cosmos, it is an ever-present threat against all human achievements; the initial state from whence we all came and to which we all will eventually

return. Chaos is disintegration, destruction, the undoing of everything. Chaos is the opposite of life, the ultimate entropy, death.

Still, paradoxical as it may seem, for about the past sixty years, chaos – or at least the notion of chaos stemming from mathematics and physics – has become a recurrent topic in scientific disciplines such as economics and management studies, in popular science as well as in the public doxa. We have seen the emergence of theories of chaos, stressing its explanatory potential as opposed to rigid and universalistic rationalism and to untenable notions of everlasting order. Chaos in this sense has made it possible to distinguish between predictability and causality; not everything that is causal is predictable, just think of Edward Lorenz' famous butterfly effect.

But even though this quite recent and somewhat positive evaluation of chaos and its consequences, no doubt is welcome (at least in some domains and to a certain extent), it still treats chaos as a simple antithesis to order, rationality and predictability. Chaos in this sense is still conceived of as being a part of an all-compassing ensidic logic, to use Castoriadis's terminology.⁸ Consequently, Castoriadis is also critical of the pretensions and hopes connected to this 'new' notion of chaos. Underlying his critique is the assumption that there is another, more fundamental sense in which chaos plays an important part in our lives – chaos as a continuous, radical creation of our world.

To explain this other meaning and importance of chaos, I think it is wise to take one of Castoriadis's more provocative statements – "The Greek myths are true" – as a point of departure:

What is important here is that the myth goes far beyond a simple figuration of the opposition nature/culture or even of permitted/forbidden. It poses a grip on the world and carries a magma of

significations. And moreover – second point – the Greek myths are true because they reveal a signification of the world that is irreducible to any kind of rationality, a signification that constantly presents meaning against a backdrop of the a-sensed [*d'a-sensé*], of non sense, or with the non-sense as everywhere penetrating the sense.⁹

So, according to Castoriadis, the Greek myths would be true (and I presume that this is, *mutatis mutandis*, valid also for myths and for magmas of significations in general) because they offered the ancient Greeks, as they still do us today (but of course in a quite different sense), a way of conceptualising and/or organising their world. They embody a rich magma of meaning offering a possibility for orientation in the world – with the important addendum that there is no reference or yardstick 'outside' the mythical sense-making against which this magma of significations could be measured and be declared to be illusory, false or true. What is outside sense has no sense, and hence is not possible even to conceptualise. The very act of saying that something has no sense is to ascribe a certain sense to it – and thereby to incorporate it in what makes sense to us.¹⁰ But luckily Castoriadis does not stop at this *aporia*. Instead he claims that the a-sensed 'everywhere penetrates' the meaning and the meaningful, thus introducing an ever ongoing process of making/unmaking sense, of constant and unavoidable alteration of the grip of the world that the myths offer us.¹¹

Thus, Castoriadis makes a claim that is quite different from just saying that myths are true in any ordinary sense.¹² His claim is that the myths posit significations that are not reducible to some kind of rationality, together with the corollary that mythical sense-making is constantly penetrated by an awareness, continuously repressed,

of this ‘without foundation’, this ‘without sense’ from where our grip on the world springs forth. And in this respect the mythical sense-making does not differ from other kinds of human production of meaning. What Castoriadis says about mythical sense making is in fact a characterisation of a specific aspect of the production of social imaginary significations in general. He writes:

In the depths of being there is an indetermination, the corollary of its power of creation, the successive determinations of which are embodied by the infinite leaves of the cosmos.

The institution of society also aims at covering over this chaos, at creating a world *for* society, and it does so, but there is no way to avoid the existence of tremendous holes in that creation, great conduits through which chaos is clearly evidenced. One of those ducts, for human beings, and no doubt the most difficult to block off, is death, which every known institution of society has attempted to make meaningful. One dies for one’s homeland, to become one of the ancestors who will return reincarnated in a newborn babe, or to enter the Heavenly Kingdom, and so the essential senselessness of death is masked.¹³

For Castoriadis, the starting-points when discussing this fundamental kind of sense-making are the Greek myths. Distinguishing between the two senses of chaos present in Greek mythology; the more common conception of chaos as an amorphous mixture on the one hand, versus the philosophically more important and interesting notion of chaos as void, gap, nothingness, as *chora* or *Tartaros* on the other, in the aforementioned seminar, held in January 26, 1983, he says:

When it comes to this original matrix, this substratum, we are confronted with two ideas, two significations. The first is that of verse 116 (in Hesiod): Chaos as Empty space, as Abyss. The world springs forth *ex nihilo*. Even being itself is first an emptiness. If I were to translate this into my own terms, I should say that what we have here is the idea of a radical creation, of a creation out of nothing, and of a creation of nothing itself out of a hyper-nothing. The second signification [...] is the idea of a *kykeon*, a shapeless mixture, terrifying, containing everything and nourishing everything. And it is – quite surprisingly, but I can only mention this thesis here – this second idea that has been called upon to play the most important role in the development of Greek philosophy.¹⁴

Below, I will briefly return to the notion of *kykeon*. But for now, let me just say that the terms *chora*, *Tartaros*, even *apeiron* (CQFLG, 174ff) and *hyle* (*Fig du Pens*, 281), are important here because they reveal a very early awareness of chaos as productive nothingness, as something always already beyond any form of conceptualisation.¹⁵ Castoriadis claims it is here, “with the idea of something completely indeterminate”,¹⁶ and not with some kind of deterministic chaos that we have to start.

But here the *aporia* mentioned above is again threatening Castoriadis. To say that chaos is something ‘completely indeterminate’ is, of course, to project a determination, an ordering on to this of which we cannot even conceptualise. Castoriadis is aware of this difficulty, and deals with it in his specific way. In *Figures du Pensable* he expands his notion of the a-sensed as always penetrating meaning, drawing some process-ontological conclusions. He talks about the need for making

... a new ontology in which chaos will be the fundamental ‘determination’ of being”. We may be more specific, speaking of inexhaustibility, for one thing, and for another, above all of the immanent ability to create, of a *vis formandi* of being; and we can maintain, and I will maintain, that this inexhaustibility of being comes from the immanence of its *vis formandi*.¹⁷

In this way, Castoriadis avoids the aporia of conceptualising that which cannot be conceptualised – he explicitly affirms the actuality of an ongoing immanent creation always already present in being as such.

Castoriadis devotes his attention to the upsurge of meaning for and through different beings, and most importantly for us humans. He insists on keeping the notion of meaning in all its complexity – that is, preserving meaning without reducing it to a question of intentionality (there are, for example, no intentions lurking behind the meaningful way in which our bodies present to each of us human beings a world of colours, forms and shapes). At the same time, foremost through his specific notion of autonomy, he safeguards the possibility of consciously created meanings and ways of being in the world, i.e. of a conscious creation of social imaginary significations. True chaos is always already significantly productive for Castoriadis. He writes:

Chaos, however, is not separate. There is an unfathomable underside [envers] to everything, and this underside is not passive, simply resistant, yielding or not yielding ground, to our efforts at understanding and mastery. It is perpetual source, ever imminent alternation, origin which is not relegated outside time or to a moment in the setting in motion of time, but rather is constantly

present in and through time. It is literally temporality – on the condition that we understand that the kind of time at issue here is not clock time but rather the time that is creation/destruction, time as alterity/alteration. Creation is already destruction – destruction of what was in its apparent ‘plenitude’ henceforth interrupted. The time of creation is at the antipodes of the time of repetition, which alone, by definition, allows itself to be ‘measured’ – namely, to be transformed into its contrary. Time is not only the excess of being [l’être] over every determination that we might conceive of or furnish for it. Time is the excess of being over itself, that by which being is always essential to-be.¹⁸

Thus, truth is always a becoming true; being is always a becoming, a process. This constant alteration, creation/destruction, is present in each and every stratum of being. From the molecular level to the stratified magmas of social imaginary significations, creation/destruction is everywhere present in a constant process of alteration. And, I think, this is how we should understand the claim that the Greek myths are true, also for us living in other places and in other times – they actually do show us a world, and moreover a world that could have been ours, allowing us to make sense of and in our own world, downstream the mythical Greek world.

Returning now to the notion of *kykeon*, we can see why it – the unordered (shapeless) mass – gives us a false notion of chaos. The unordered is simply the opposite of the ordered, and is therefore something that can be described within, and in terms of, the ensidic logic – just like the ‘chaos’ of the chaos-theories mentioned above. But the ensidic dimension of being is not all there is – to think so would, as Castoriadis repeatedly points out, amount to fall prey to the heteronomistic temptation that has been plaguing western

thought ever since its first moments. There is also creation. And for genuine creation to be possible, there must be, as it were, gaps in being – being cannot be saturated; neither in a Parmenidian sense of completeness, nor in the sense of an encompassing causality. Hence the notions of chaos as Empty space, as Abyss and emptiness are true also today, since they allow for creation in the radical sense. Most importantly – this Empty Space, this Abyss, should not be understood as a place, or a point in space-time, where everything that now is, once was created in some unique, creative act – no, this emptiness is ever present within being, always with us, always penetrating our sense-making, making its result subjected to time, that is to alteration, creation and destruction. Such is the human condition, presented to us in a truthful way already in the early Greek myths. In Castoriadis's own words:

The chaos/abyss/bottomlessness is what is behind or under every concrete existent, and at the same time it is the creative force – what we would call *vis formandi* in Latin – that causes the upsurge of forms, organized beings. The singular human being is a fragment of that chaos and at the same time a fragment or an agency of that *vis formandi* – that force, in other words, the creativity of being as such.¹⁹

So, against the backdrop of Castoriadis' analysis, the meaning of the ubiquitous presence of chaos in our world can, possibly, be seen in another and perhaps less dismal way. A possibility, if only on the abstract, conceptual level, of seeing other possibilities than sheer destruction in seemingly disastrous situations. And the belief in such a possibility is a prerequisite for seeking ways to counteract what may otherwise appear as an ineluctable fate.

On borders and academic responsibility

Apart from chaos, Uddén's chronicle also highlights the central problem of how limits and borders between cultures tend to be conceptualized and materialised – that is, how social imaginary significations tend to materialise in praxis, in action, in the building of walls and the closing of physical borders. (For different and complementary takes, both historically and theoretically, on the question of borders, please see in this publication the texts *Back to Byzantium: Rethinking the Borders of Europe*; *Closure of the meaning: border of the political*; *Political borders entail the closure of meaning* and *Borders of the Self, Borders of the State: refugees and the projection of human rights*.)

To summarize a very complex issue: as long as we keep talking about differences in culture, and differences between different 'kinds' of people, as something given and essential, we are doomed to keep repeating – and thus becoming part of and sustaining – a system that we should not want to sustain. The sense of the social imaginary significations of the border and of difference seems as dichotomous and unyielding as ever. One would have hoped that today, in the 21st century, the tendency to essentialise differences should be something of the past, but unfortunately this is not the case - not in academia and even less in contemporary politics. As the Swedish philosopher and writer Aleksander Motturi argued in his book, *Etnotism*:

Difference-thinking is, like a whole mythology, laid down in our language. The designations of other people that were shown to be integrated elements in the violence of the colonial politics of expansion – barbarians; lower races; criminal tribes; undeveloped

nationalities; pre-historic populations – arise again in the form of ambiguous terms connected to immigration, streams of refugees, suburban problems, and the ideologically infected need of integration and cultural diversity.²⁰

The point that Motturi makes is that the racist, colonial discourse, and the distinctions that supported it, has not disappeared but has reformed itself in the guise of multiculturalism. He continues:

It is in relation to this new discourse on difference that we can analyze the return of concepts like culture and ethnicity in the post-colonial, globalized, and ‘multicultural’ society. On a deeper level this return can be seen as a substituting the race-concept, as a replacement for a concept that became unusable in the 20th century after the Holocaust.²¹

Mutturi wrote his book in a specific context, the officially proclaimed year of multiculturalism 2006 in Sweden. The thrust of his argument is directed towards what, according to him, was a well-intended but very naïve way of, as it were, embracing difference. Ideas and ideologies that were, in the beginning of the 20th century, formulated and propagated in racist terms and discourse, had now transfigured themselves into cultural and ethnic terms and multicultural discourse. He continues:

‘Culture’ has thus become a marker that not only is acceptable, but also politically active in the production of differences between people. Where the instigator of race-anthropology, Johann Friedrich Blumenbach, /.../ spoke of Caucasians, Mongolians, Negroids, Malayans, and Americans, today – after slavery, colonial-

ism, the Holocaust, and apartheid – we would rather speak of cultural or ethnic differences recapitulating real, experienced and constructed differences with regard to religion, customs, style, physical characteristics, etc. Researchers who analyze contemporary forms of racism consequently emphasize that delimitations and practices that formerly were maintained and legitimized through reference to, for example, racial differences, today are legitimized through references to cultural differences. The French sociologist Pierre-André Taguieff has written about a new ‘racism without races’ since – in a time where the concept of race is considered to be obsolete – culture has come to be understood as something static and immutable that determines the individual. The conceptual couple *culture/ethnicity* has therefore, dragging with it assorted semantic leftovers from abandoned scientific and political discourses, become a *functional* equivalent to the concept of race.²²

Mutturi further claims that this ethnotism has become a post-racism where “good intentions become part of the problem rather than of the solution”²³ and that it tends to be “shrouding the reproductive force of difference-thinking; its ability to mutate, to transform or even camouflage itself in the conceptual structures of different periods.”²⁴

In a time of increased emphasis on identity and identity politics, Mutturi’s way of reasoning is still both relevant, sound and urgent. He sums up what is at stake in one sentence:

The question is /.../ not what it takes to bridge cultural differences, but rather how one *dissolves* them.²⁵

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As I see it, there is no way around the obvious fact that there *are* different cultures in the sense of *different collective ways* of being in and dealing with the world. At the same time, it is just as obvious that the essentialising difference-thinking that Mutturri diagnoses has no legitimacy – not in theory, nor in the ways in which our cultures and societies effectively *do* exist and interact. (*The Daoud Affair – Politics, Literature, and Migration of Ideas in a Time of Crisis* in this volume discusses a complicated and contested example of how important it is not to get trapped in essentialising forms of thinking).

If you would try to locate the exact demarcation line between, for example, two cultures, where would you situate it? In language? In art? In the way society is institutionalised? In traditions? Languages are constantly transforming, words spread across the globe; others disappear; books are translated; stories travel and find new forms in new contexts. Art constantly escapes its origins, some art travels or is kidnapped and is shown in institutions all over the world; other art is rooted in a place, and lives elsewhere in rumours and representations; institutions are copied or are imposed; traditions spread and transform through migrations and travelling... My point is simply this: Whenever and wherever you try to pinpoint the exact demarcation line between two cultures, the point where an essential difference would erupt, you will find yourself unable to do so in a clear-cut and unambiguous way. Just such clear-cut, stable and unbridgeable demarcation is what is needed for any talk of *essential* differences to hold fast. So, I think it is safe to say that the essentialising difference-thinking diagnosed by Motturi is without footing, despite its omnipresence. Yet, and obviously, effective *non-essential* cultural differences abound – as seen in different languages, rituals, traditions, architectures, cities, myths, mythologies etcetera – and these differences shape and form populations, all over the world.

They make up the multi-layered, magmatic, differentiated fabric that is human culture.

I believe the obvious goal for a responsible academic cultural analysis should be to furnish the conceptual tools necessary for preventing these differences from being understood as rigid cultural and essential units. At the same time, we need to conceptualise, respect and understand these often chaotic, unsystematic differences for what they are – that is, different and often conflicting ways of making sense of and in our human world.

One (academic) possibility of achieving such a goal lies in sustained conceptual work, departing from other entities than *culture* or *ethnicity*. To put it briefly – if you want to escape the essentialising deadlock, you need to conceive of cultural phenomena and identities not as things, but as processes, ceaselessly altering themselves, each other as well as the general cultural fabric of our world. I would claim that the concept of a *magma of social imaginary significations* allows for such a way of conceptualising and understanding borders as well as cultural differences.

It is easy to see how the notion of a *magma of social imaginary significations* differs from, for example, ideology: It has none of the latter's connotations of false consciousness. It may be true that a specific magma of social imaginary significations, and the institutions, rituals, habits and language through which it is embodied, may be permeated by social struggles and conflict and that it may close in upon itself in the same way as a dominant ideology might do. But contrary to one common (typically Marxist) understanding of ideology as false consciousness, there is no way in which the insurgents of a society simply can eradicate the dominant magma of social imaginary significations and replace it with a new one, supposedly more 'just' or more 'true'. The only way to change the

magma of a society is to change it from within, through intellectual and conceptual critique as well as collective action, in order to alter and transform the institutions of the society. The concept of magma allows for the inertia, as well as the transformability of the institutions of society. It gives any project of transformation a more realistic basis in that it does not promise radical or quick changes.

Thus, to talk of a magma of meanings is to talk about a specific evolving phenomenon with no clear-cut borders, but still with an ever-evolving and changing unity. No need to talk of multi-magmas (as in ‘multiculture’) – magma is in itself an elastic concept, ever evolving and harbouring ever new and other magmas within its own strata – hence magma is conceptually very different from culture. Most importantly, it does not support or demand the establishment of strict borders between different magma – nor clear-cut distinctions such as between ‘our’ and ‘their’ magma – in fact, rather the opposite. In the magma of the world, all the different strata are related to one another through what Castoriadis talks about as *An-lehnung*, a leaning on, a co-existence, a frictional involvement with one another. Hence each stratum, though each time specific, may transform into another stratum, or absorb another within itself – all in a constant ever-altering process.

On the conceptual level then, which obviously is the only one that I am working with here, using the notion of a *magma of social imaginary significations* does not allow for the kind of essentialising difference-thinking that Motturi analyses. If we understand our societies and cultures as ever evolving magmas in frictional co-existence, we facilitate an understanding of differences between magmas as contingent, non-essential and always fluctuating. Such an understanding would open for dissolving rather than bridging cultural differences, just as Motturi would have it.

However, I want to stress that there is nothing inherent in the magma of social imaginary significations that would prevent it from becoming racist or fascist; nothing that would guarantee that a magmatic understanding would always promote more equal, more democratic or more just ways of being in the world. No, what is important here is not to be found in the content, but in the form: as a form, magma does not support any idea of founded, unchanging identity, nor of insurmountable borders of differences – not on the physical level, nor on the individual or the political.

So much for the conceptual work and the possibilities it offers. When it comes to implementing its results, however, the outcome often seems very disappointing. Moreover, academics, like myself, are often comfortably installed in our citizenships, as well as within institutions that provide us with shelter from the worst ways of the world. No doubt, this is reason enough for raising relevant critiques regarding institutionally induced blindness and ivory tower mentality among us.

But the academic position is a peculiar one. It provides its occupants with specific and in many ways unique possibilities to engage in work that is not necessarily judged by its immediate results, nor by its immediate accessibility. In the best of cases academics have acquired both the habitus, and the vantage points needed, for making them inclined to and capable of observing, analysing and also creating conceptual tools for concretely engaging in and with the world. This may, and often does, involve meticulous, tedious work that demands stubbornness, perseverance and myopic focus on details. Keeping up this kind of work is, I think, how we, acting as professional academics, can start to assume our autonomy. And communicating its results, for example the conceptual tools that allow for re-conceptualizations, to other actors is part of assuming our responsibility.

Returning one last time to Uddén's chronicle, and its interpellation, I hope that these reflections on chaos, borders and the magmatic way of being of the social imaginary significations may serve as part of such work. This work does not resolve or finally answer the question of how to assume academic responsibility, far from it – it is but an attempt at a conceptual articulation of magmatic thinking. But it could perhaps be a step towards a position from which it would be possible to effectively and responsibly refuse to obey; a sketchy beginning, an indication of possible lines of thought and action – all in the wake of Uddén's call for non-obedience in the face of the oppressive, repetitive and seemingly inescapable systems that are currently unmaking the sense of our world.

Endnotes

1 The account and translation of Uddén's Swedish chronicle is my own. I have discussed the chronicle in another context, at the meeting of the Social Imaginaries network at IMEC in Caen, May 2014, the thematic of which was *Question de frontière(s)*. For a better understanding of Uddén's approach to *Eid al Adha* it is perhaps good to know she lived for a long while in Cairo.

2 Please see <http://www.engagingvulnerability.se/urs> and the 'On the contributions' above for a full description of this event, that took place at Uppsala University in May 19–21 2016.

3 For the notions of *magma* and *social imaginary significations* and its role in Cornelius Castoriadis's thinking, see also *Cornelius Castoriadis: Key Concepts*, ed S. Adams, Bloomsbury Publishing, 2014.

4 "The Imaginary: Creation in the Social-Historical Domain" in *World in Fragments*, Stanford University Press, 1997, p 7.

5 In Sweden, we have seen this in the recent, strange debate about, and usage of the interlocution 'systemkollaps' [collapse of the system].

6 As far as I know there are four major loci where Castoriadis treats

the question of chaos, and the difference between productive, creative chaos and the 'false', deterministic notion of chaos as disordered matter – though the notion and reality of chaos is present all through his work: The first place (in chronological order) is in the beginning of the last chapter in *The Imaginary Institution of Society*, IIS (1975), concerning the question of social imaginary significations, and more specifically the question of magmas; next, in the essay 'Institution de la société et religion' (written about 1980, according to a note in the English translation in *World in Fragments* 1997), published in *Domaines de l'Homme* (1986); third, in a seminar held January 26, 1983, published in *Ce qui fait la Grèce* (CQFLG) I, 2004 (translated into Swedish in 2003, in *Res Publica* #58), where Castoriadis, among other things, explains why "the Greek myths are true", and finally, the short intervention, published as 'Faux et vrai chaos' from 1993, in *Figures du Pensable* (1999),

7 An earlier version of my reflections on chaos is included in the hard to find edition of *Destins d'exilés; trois philosophes grecs à Paris: Kostas Axelos, Cornelius Castoriadis, Kostas Papaïoannou*, Servanne Jolivet, Christophe Premat, Mats Rosengren (eds.), Éditions Le Manuscrit, Paris, 2012.

8 Ensadic thinking or ensadic logic is Castoriadis's shorthand expression for the kind of thinking and logic that he calls *ensembliste-identitaire* – thinking based on the idea that all aspects of being are specific differentiations of a determined original element, an element that therefore should be considered to constitute the unity, identity or essence of these aspects of being. The ensadic logic, when posited as universally valid, rejects the possibility of creation in general, and consequently of human creation as well. Ensadic logic classically puts the origin of the laws of our world (natural laws as well as social ones) outside of *our* world and society. In this respect the ensadic thinking is heteronomous as it tends to mask ('cover over') the fact that man and society are inexorably autonomous – that is that man/society posit their own laws, natural as well as social. It is hardly surprising, then, that Castoriadis condemns the universalistic claims of ensadic thinking that, according to him, has been dominating Western thought at least since Plato.

9 CQFLG, p 167–168, my translation

- 10 For all this, see *IIS*, p 341–343
- 11 Suzi Adams, in her thesis *Castoriadis and the circle of physis and nomos – a critical interpretation of his philosophical trajectory*, La Trobe University, Australia, 2006, p. 52, talks about Castoriadis’s notion of being as ”temporal” – but immediately qualifies ”although he is not explicit in this regard.”
- 12 What could ’ordinary’ mean in this context, one may ask. I will not engage in an attempt at an overview of different notions of ’truth’ here – suffice it to say that Castoriadis’s notion truth – in this specific context – includes but is not reducible to both correspondence and coherence conceptualizations of truth.
- 13 ‘Imaginary and Imagination at the Crossroads’ in *Figures of the thinkable*, op cit, p 80.
- 14 *Ce Qui Fait La Grèce*, p 174, my own transl. See also p 172, on the idea of *kykeon*.
- 15 For Castoriadis’s reading of the *Timaios*, and of chora as ’formless form’, see Adams, op cit, p 56.
- 16 ‘False and true chaos’ in *Figures of the Thinkable*, op cit, p 240.
- 17 ‘False and true chaos’ in *Figures of the Thinkable*, op cit, p 240
- 18 “Institution of Society and Religion” in *World in Fragments*, Stanford University Press, Stanford, 1997, transl. David Ames Curtis, p 322.
- 19 ‘Psyche and Education’ in *Figures of the thinkable*, op cit, p 171.
- 20 *Etnotism*, Glänta production, 2007, s 19; the translation of all quotes from this book is my own, based on a previous unpublished translation made by the author himself.
- 21 *Etnotism*, Glänta production, 2007, p 19
- 22 *Etnotism*, Glänta production, 2007, p 19-20
- 23 *Etnotism*, Glänta production, 2007, p 25
- 24 *Etnotism*, Glänta production, 2007, p 26
- 25 *Etnotism*, Glänta production, 2007, p 74

Philippe Caumières — Closure of meaning: border of the political —

Political borders entail the closure of meaning

It is surprising to realize that the notion of border, understood as “a dividing line between two countries, or States” is still very often apprehended through the binary opposition nature / artifice. According to the Robert dictionary a border can be either artificial or conventional, when it corresponds with an arbitrary limiting line, or natural, when it corresponds with a natural barrier. So, we can understand why the same dictionary defines geopolitics as “the study of the interrelationship between the natural data of a country and its politics”. The inference is clear: geopolitics is said to be a discipline – some even consider it as a science – which enables stable entities to be formed so as to make long-term peace possible. Everything would be fine in a world where liberal democracies could assert themselves.

The question is not so much to denounce such an approach, – which considers geography as based on natural data only, as if there was no cultural or ideological dimension to it, reducing politics to geopolitics – as it is to try to understand why it is still upheld. Obviously, resorting to nature as the justification for a border tends to rule out conflict. As modern societies want to be democratic, they cannot make arbitrary decisions. Consensus is all the stronger when grounded on the recognition of a necessity.

Thus, the very notion of border becomes an institution – and this is the meaning which Castoriadis gives to the word – but a denied institution; one which, more than an ideology, reveals that modern societies tend to conceal some facts from public debate, thus breaking the rule of democracy. Referring to the notion of natural border and using the word geopolitics both lead to a reflection which, far from being confined to the disciplinary fields they usually concern, questions the very notion of society.

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I. The border: a denied institution?

1. *The binary opposition national / artificial borders is still upheld*

Strange as it may seem, the binary opposition between natural and artificial borders is still in use, both in informal and formal speech. Geographers Emmanuel Gouzon and Frederic Lassere note that *Le Monde*, the well-known French daily, from 1997 to May 2003, released 115 articles in which the phrase “artificial borders” was used.¹ Law dictionaries as well make a great use of this classification, as for example le *Lexique des termes juridiques* (*Lexicon of Law Terms*) published by Dalloz, whose sixteenth edition is dated 2007. Looking up the word “border”, one can read: “line limiting the territory of a State. Artificial border: ideal line between two determined points; natural border: formed by a geographical obstacle like a river, lake, sea or mountain”.²

The same opposition can be found in Agnes Gautier Audebert’s work entitled *Droit des relations internationales* (*International Relations Law*) published by Vuibert in Paris in 2007. She contends that borders, legal boundaries between countries, are either natural borders like a sea, a river or a mountain, or artificial borders made by man after bilateral or multilateral agreements between States, which have a common frontier. And Paul Quilès, the well-known French politician, cited her work in a report on energy and geopolitics issued by the Foreign Affairs Commission he was chairing.³

And yet it has been clearly shown that borders are an invention aimed at bolstering the development of the Nation State. The French geographer, diplomat and essayist Michel Foucher conducted the necessary investigation in his book *Fronts et frontières* (*Borders and Borderlines*).

He reminds us that the concept of natural border was invented by the Girondists and the Convention to legitimize the French new foreign policy. It was a policy that aimed at defining the outlines for France and showing that France “is a self-sufficient whole”, the very words of L’Abbé Grégoire in 1792. The latter didn’t hesitate to justify his view by claiming that Nature itself endowed France with natural barriers which “exempt it from outgrowing them”.⁴

However, that territory which was naturally destined to France still remained to be conquered at the time. So, in January 1793, Danton, deputy for Paris at the Convention, declared to the Assemblée, that “the boundaries of France are defined by Nature and will be reached on all four sides of the horizon, all the way down to the Atlantic Ocean, the Rhine river, the Alps and the Pyrenees”.⁵

But how can we possibly think that Nature may of itself separate some people and unite others? Think that it can separate the French from the English, the Spanish, the Italians or the Germans while bringing together the people from Brittany, Provence or Picardy?

Believing this implies denying the cultural differences, first of all the language differences, existing inside the national territory. No wonder then that L’Abbé Grégoire was so concerned about doing away with regional dialects and making the French language universal.⁶

It is no use expatiating on the criticisms, which can be levelled at such geopolitics. Suffice it to recall the formula that was in vogue in France in the nineteen fifties at the time of decolonisation: “the Mediterranean Sea is as much a part of France as the river Seine is a part of Paris”.

The notion of natural border must be taken for what it is: no less than a construction of the mind with no legitimacy whatever!

2. *Are artificial States on the wane?*

Nevertheless, history continues its course and ends up endorsing natural borders. Did not Algeria finally gain its independence? Who nowadays, whether in Toulouse or Amiens, would claim himself first and foremost from Occitanie or Picardy rather than from France? Regionalism is no winner anymore and while regional dialects still get taught in the schools of the Republic, they are no match for French.

The states, whose borders can in no way be said to be natural, as is the case for those stemming from post-colonial divisions, are those for which difficulties arise.⁷

The opposition nature / artifice in use for geographical borders could be justified if only it was defined again.

A famous study by three American academics – “Artificial States” by Alberto Alesina, William Easterly and Janina Matuszeski – released by the *National Bureau of Research* in 2006 and revised in 2008, highlights the vulnerability of what the authors call “artificial States” by suggesting that there is a link between the natural or artificial character of the borders of a State and its economic development.⁸

The study points out that artificial borders get defined following international agreements, usually when the former colonists leave the country. They neither take into account the topography of the land nor its social or ethnic context.⁹ These borders are usually straight lines that divide homogeneous human groups. Natural borders, on the contrary, because they are defined by the native populations, follow the natural lay of the land.

Calculations based on the theory of fractals enable us to differentiate the two types of borders: the more akin to a fractal the design

of a border is, the less artificial it will be thought.¹⁰ The study shows that a country’s artificial boundaries tend to stymie its economic growth.¹¹ A State with artificial borders does not thrive.¹²

We are not going to comment on the economic growth mentioned here,¹³ but as is stressed by geographer Juliet Fall on the teleological view of history developed in this study on *Artificial States*, illustrated by examples which testify to a relentless pull towards ethnic homogeneity and the re-emergence of naturalised nation states, as was the case when USSR imploded.¹⁴

The geographer goes so far as to denounce what she calls “naïve realism” because based on the delusion that geographical space is a fact that cannot be changed and which can be determined scientifically. She also mentions with much insight that this study resorts to another geographical myth when striving to justify how straight the border between Canada and the U.S is – and it could well be interpreted as a counter example of their thesis - by saying that it was drawn across a quasi-unpopulated area.¹⁵

Thus, one may legitimately be surprised by the general acclaim that the study met even if it is probably due to the renown of its authors. William Easterly, who wrote a book hailed by Armatya Sen, *The White Man’s Burden*, teaches in New York while the two other writers are professors at Harvard, Alberto Alesina chairing the department of economics. According to Juliet Fall, the success the book met is due to the fact that “the study seemed to be in accordance with the spirit of our times”: “when territorial and ethnic divisions are advocated to solve conflicts and bolster peace”,¹⁶ so such a work putting forward the advantages of natural borders was bound to seduce a large audience.

3. *The sacred dimension of the border*

Even if what it says is true, Juliet Fall's study does not go far enough, as it merely reiterates criticisms made a long time ago. The question is to understand why the notion of natural border is still in use, even though it was proved to be a myth a long time ago.

The answer to the question is to be found in one of the presuppositions of the study on *Artificial States* that Juliet Fall does not mention and which establishes that populations wish to live on a clearly defined territory. By saying that borders can be said to be natural when they were defined by a country's inhabitants, the authors of the study pinpoint the question of peoples' self-determination,¹⁷ which in its turn raises the problem of the identity of a social group, hence of its origin.

This is a major point, which enables us to understand the link between the border and the sacred. Remember that the word "sacred" comes from the latin verb "*sancire*" which means "surround, delimit, determine" but also "forbid". Similarly, the word "sanctuary" refers to a sacred space, like a temple, which derives from "*templum*", a term, whose first meaning was "a part of the sky delimited by augurs so as to observe and decipher the messages of the Gods". In Greek *temnion* means *carve, cut out*. On the one hand the sacred, on the other the *pro-fane*, what is in front of the *fanum*, the enclosure reserved to the cult.

If the border is sacred, it is probably because its function is to maintain the cohesion of a group, to stick together. There is no unity without division though. This is the reason why the purpose of a border is not only to regulate the stream of people going into a country but also, and maybe above all, the stream of people going out. Once you realize the link between sacredness and security, you understand why Régis Debray says that "most nations, those

who have kept their souls at any rate, have a quasi-sacred emotional relationship with their borders".¹⁸

It is starting to become clear now: understanding why the opposition natural / artificial is still in use when talking about geographical borders entails a reflection on the very nature of the social.

II. The social institution

1. *Society as an irreducible totality*

We have just seen that the notion of border partakes of the sacred, and that is probably the reason why it is believed to be natural, although it is a myth. This is due to the fact that the border always brings about issues of identity and origin of the society it delimits. And, as the French philosopher and psychoanalyst Castoriadis has made clear, societies respond to these essential questions concerning their identity and origin by referring to a transcendent cause. They present themselves as the result of divine will or as deriving from the natural order. Even if it is a very efficient way of preventing their order from being questioned – how can you possibly question what is natural or has been willed by a divine essence? – Castoriadis insists that there is no negative intention because it stems from society itself, the "anonymous collective" it represents.

Principles of separation or border within a social order are always instituted, even when they are based on elements from the natural order. So, it is wishful thinking to try to find raw facts at the basis of society, because the latter is an irreducible totality. It does not stem from anything else, it is self-created, according to Castoriadis. This needs to be explained.

When talking about self-creation, Castoriadis does not contend that society comes out of the blue. He knows that society institutes

itself, in an environment which it does not create, and which can be considered as a stratum which supports it or props it up.

But in so far as what supports society gets altered from the very propping up, the passage from natural to social finds its expression in the emergence of a new order. A society cannot be apprehended as a series of pre-existing elements being put together, whose combination would produce new or extra qualities from the whole, since such elements stem from society itself and are created by society.

So, geography as such cannot serve as a foundation for a border. Historian Daniel Nordman makes it clear in a work dedicated to the borders of France, *Frontières de France*: “The natural border of a country is never the cause, but the result, of a policy”.¹⁹ A border is always an institution.

2. *The self-institution of society*

Let us also stress that everything relating to the social sphere is an institution in the full sense of the word, that is to say a social creation. But an institution of what? The institution of meanings, which structure society and give it its identity.

“Every society creates its own world, when creating the meanings which are specific to it”, says Castoriadis,²⁰ for whom these meanings are to be understood as belonging to the collective imagination. “Why call them imaginary? Because they are neither rational – they cannot be formed logically – nor real – they cannot be derived from the world of things; they do not correspond to rational ideas, or to objects of nature”.²¹ They spring from “radical imagination”, which can create what never existed before.

It has nothing to do with individual imagination. History shows that “nobody nor anything ever wanted or guaranteed the unit that society stands for”.²² Men no doubt act consciously to reach ends

but “the effective results of men’s actions in history are hardly ever what they had in mind”.²³

The meanings we are talking about are human creations, but they cannot be assigned to specific human beings, they are the result of the anonymous group which society stands for. They are society’s collective imagination.

Any society, being a structured whole, invents imaginary meanings which give it coherence and enable to define it as a particular society. These meanings give men access to the world, to a certain extent, because they enable men to make sense of the world, by structuring the representations they have of the world, to begin with of their own territory.

These meanings say what is right, what is wrong, what is done or not, the limits which are not to be overstepped, the codes which are to be respected, and so on, and so on... “They establish the kinds of affects which are typical of a society”, says Castoriadis, stressing how difficult it is to account for this. However, we cannot deny that Christianity gave birth to faith, an affect that was hitherto totally unknown from the Ancient Greeks, or that the sense of honour belongs to aristocracy much more than to a Bourgeois society.

According to Castoriadis, in so far as “the instauration of these three dimensions – representations, ends, affects – goes hand in hand with their realization by all sorts of specific mediating institutions”,²⁴ one must admit that analysing a society entails accounting for the meanings it carries around.

3. *The closure of meaning*

Acknowledging that society, or the socio-historic dimension, derives from nothing and cannot be reduced to anything but itself, leads us to stipulate that it institutes itself: society finds in itself

the resources for its institution or creation. That's why Castoriadis refers to radical imagination, or primary imagination.

The veritable dimension of institution can be grasped at this stage: if it is the institution that creates meaning, it is because the World or rather the Being (with a capital B) is fundamentally devoid of meaning. Society's ultimate function is to conceal the Chaos or Abyss from which it proceeds, which is also called Being (with a capital B).

But what does it mean exactly, except that nothing justifies a given social order? When describing Being as Chaos, I am stressing the fact that it cannot be understood as a norm imposing order to society, that all social organisation is contingent, and nothing prevents it from being different from what it is.

We know that society institutes itself, we are beginning to understand what it implies: it implies that no principle, no way of being or acting, no organisation can be justified as being necessary.

It is always social meanings that define what is right, what is wrong, what is forbidden, what is valued in a society. "Meaning emerges to cover Chaos, giving birth to a mode of being which denies Chaos. However, Chaos manifests itself through the very emergence of meaning in so far as that meaning has no justification whatever".²⁵

Hence, we understand why all societies tend to conceal their origins and claim extra-social sources: forbears, God or Nature, so as to make their institutions intangible. Institution is denied: society conceals its instituting dimension and only admits having been instituted by some Other (with a capital O), which has nothing to do with meaning since the meaning comes with the society. Once men ponder the origins of their society, they find answers to all their questions. That's why Castoriadis alludes to a closure of meaning, in so far as the questions, which could not be solved in and by the social imagination, are a mental or psychic impossibility for the members of that society.²⁶

Let's consider the question of God. We understand it as a meaning belonging to the social imagination, but the believer does not share this view; he or she believes that God exists as such, independently from society. Such a belief is not neutral because it imposes a specific way of relating to the world, the social world, which it becomes impossible to question. How can we possibly question God? If everything was made by God, so were social differences; in that case, they should not be regarded as unfair but hailed, as is the case in the famous Anglican hymn *All Things Bright and Beautiful*, dated 1848.

The same goes with Nature when it is considered as the foundation of society, whether geographical nature, as in the case of natural borders, or biological nature, as in the case of racism or sexism. How can we possibly protest against gender discrimination and the way women are treated if it is nature that confines women in female roles? How can we protest against social discrimination if some social hierarchy is thought to be necessary because stemming from nature?

Once you find out that society comes from collective imagination, you must admit that it institutes its own mode of being, which is the instituted, a specific social order. But as a matter of fact, societies tend to ignore that they have the power to create themselves, to model themselves, and they tend to pose an entity as their origin instead of unfathomable collective imagination.

They claim some extra-social origin and this leads them to propose meaning to individuals while preventing them from seeing beyond the order that has been instituted, and beyond lies the primordial, bottomless Chaos.

Societies take refuge in heteronomy: they think social order and law (*nomos*) come from the Other (*heteros*). We must admit nevertheless that heteronomy is not universal, since we are discussing it. The specificity of our society is precisely to have started to realize that

it has no other foundation but itself, which is the very condition of a possible emancipation. For a society to steer towards political autonomy, it must want to disengage itself from alienation first. The question is: have men enough of a grip on their future to carry out such a task?

III. Towards autonomy

1. *Heteronomy vs autonomy*

We have just seen that any society tends to protect the order, which structures it by throwing a veil on its real origin. Responsible for itself, it presents itself as coming from a transcendent source such as God, Nature, the laws of the market, and so on. By doing so it inscribes itself in heteronomy since that transcendent source remains out of the reach of the power of men, so that the social meanings which structure it tend to look like what they are not: intangible truths. Hence, social heteronomy does not only mean that men deprive themselves of their own power to give it to a group or an individual, it means something much more profound: it means that society denies its instituting power.

As a consequence, emancipation implies the recognition that, to begin with, that nothing which concerns society cannot legitimately be questioned. Emancipation expresses itself in and by the will to be autonomous that is to say in and by the will to master one's life as much as possible. Autonomy is freedom well understood, not confined to its negative dimension, which is so dear to the hearts of liberals, but it demands that one feels and wants to be responsible for the collective future.

But how is this possible if one lives in a society, which has closed meaning? This points out how tricky the issue is because there are

necessary social conditions for autonomy to be possible. Only individuals living in an autonomous society or partially autonomous society can manifest a desire to be autonomous.

The latter belonging to the realm of *social* imagination, as such it escapes from any causal explanation since it may only come from society.

However even if we cannot account for its origin, we can try to understand what it entails from an analysis of the social context it has emerged from.

2. *Breaking the closure of meaning*

Autonomy started to appear clearly at the end of the Middle Ages, when modern society sprang up.

Let us recall briefly that at the time the Christian Western World lived through a deep crisis which resulted in the New World, the Renaissance period and the religious Reform. That was when a “finite world turned into an infinite universe” to echo Alexandre Koyré's beautiful phrase, a phrase which signals that the paradigm had changed, the representation of the world was different.

Whereas the old world was based on the idea of a *cosmos* – a closed hierarchic whole, regulated by a transcending principle which made man the centre of a system whose meaning could be understood by whoever knew how to read “the great book of the world”, the modern world lies within a limitless, homogenous, autonomous universe – a universe forsaken by God whose “eternal silence of limitless expanses” awes those who, like Pascal, see its reality.

Experiencing the tragic dimension of human condition can be understood as a *break* in the closure of meaning: it paves the way for an existential and political questioning which enabled men to assert their will to master their collective lot.

That modern break in the closure of meaning was not the first one historically-speaking though: it echoed a more fundamental break, which had taken place in Ancient Greece. By saying that it was when politics and philosophy appeared, Castoriadis allows us to understand that it marked the loss of the sacred dimension and the appearance of dialogical reason.

The loss of the sacred dimension can be fully grasped when one reads about the tragic plight of Orestes as it is related in Eschyle's play *The Eumenides*. Son of Agamemnon, chief of the naval army that fought against Troy, he had to revenge his father who had been killed by his wife. Thus, Orestes became his own mother's murderer. When he turned to Athena to know what punishment he deserved, the latter told him that she could not pronounce herself and offered to appoint a tribunal. Isn't this the proof that "Greeks did not trust their Gods", as Heidegger and Fink both put forward as an explanation. At least they felt responsible for themselves and knew they had to take responsibility for justice, and more broadly-speaking, for public matters. Which shows that the loss of the sacred goes hand in hand with the appearance of a public space for discussion.

So Castoriadis is right to establish a consubstantial link between politics and philosophy: if the former expresses itself through protesting institutions, the instituted order, the latter consists in questioning generally-accepted ideas and opening endless discussion.

Their common condition for existence can be found in the break of the closure of meaning which is made possible by discovering, in the full sense of the word, *discovery* – "*disobturation*", would say Castoriadis – of the Abyss, the Chaos which is the very element of Being.

This experience goes along with becoming aware of the fatal risk there is in letting Chaos rule public matters and it requires recognizing that a society can't live without institutions.

So, doing away with heteronomy entails both putting an end to the belief that the instituted social order – which is only a specific contingent creation - is intangible, *and* recognizing the necessity of instituting an order. This twofold condition for autonomy requires that society should constantly claim responsibility for society – which is the way political action, according to the understanding of Castoriadis, should work.

3. *A multiple transnational public sphere*

We have just seen that autonomy implies recognizing the tragic dimension of existence, which, at the level of individuals, means accepting death in full awareness.

This explains why the will for autonomy is so much at risk, because it is constantly endangered by the unconscious desire for power.

Therefore, it is no wonder that, even if autonomy is an imaginary meaning which started developing with modernity, it should be still far from being effective. One could even be entitled to think that it may be receding.

We can see this clearly judging from the amount of corruption reigning in the public sphere in Western social democracies. The public sphere is more and more blighted by mercenary ends. The phenomenon is so acute that it does not need to be developed.

Suffice it to say that capitalism comes from another imaginary meaning which structures the modern Western world: the will to master nature and men which finds its reward in the feeling of powerfulness it fosters. Thus, Western social-democracies find themselves undermined by economic norms which impose themselves in every field.

The result is always privileged over the means. Nobody cares about the ways these ends can be met. The end justifies the means.

The real value of what is conveyed does not matter provided it finds a favourable echo. Truth has become an irrelevant matter. No wonder then if such a notion as that of natural border is still in use, included in academic circles, no wonder either if it is still taken for granted the necessity for a hierarchic organisation, both for men and salaries, in the working world or the representation of man as *homo oeconomicus*.

The public sphere has not only stopped playing its role as an educator, but it now promotes the most suspicious theses. In so far as fighting against institutions can't be separated from questioning established representations, defending and promoting autonomy, or to put it differently, the fight for emancipation will not take place without a renewal of the public sphere.

We can agree with the German philosopher Jürgen Habermas to define the public sphere as the locus of production and circulation of a speech which is different both from the State and from the economic sphere; a space of rational discussion between citizens. However, we should as well be able to grasp the limits of Habermas' theory.

Following Nancy Fraser, we need to stress that equal access of all to the public sphere does not only imply a mere forgetting about socio-economic inequalities but abolishing them. How can we possibly do this if we don't start discussing the problem, which also means highlighting these inequalities?

More broadly-speaking, the liberal model needs to be questioned because it imposes borders to the political sphere by trying to give a free rein to the economic sphere, which is supposed to have its own laws coming from a necessity which is akin to that of the laws of nature; or by insisting on the strictly individual dimension of many behaviours, as if racist or sexist behaviours had nothing to do with the social order.²⁷

Thus, the struggle for autonomy leads us to question the borders, which delimit the sphere of the political debate: public places where it is possible for people to oppose and discuss should be opened, as suggested by Oskar Negt. In other words, to follow Nancy Fraser, it should be possible for subaltern counter publics to make themselves heard, which would multiply public spheres, but also build a cross-border trans-national public sphere.



The notion of natural border which aims at making limits seem intangible must be understood as a denied institution: it shows that any society tends to institute itself in the closure of meaning.

And yet, in Western societies, the closure of meaning happens to have been partially breached, allowing the advent of politics, understood as a questioning of the instituted order, and philosophy, understood as a never-ending questioning of meaning.

In such a context, when modern social democracies start taking refuge again in a discourse based on the intangible nature of society, then it shows that democracy is endangered, because the political sphere is shrinking. One of the prior tasks of critical thought seems to be then to redefine a public space, which would be both broader and more inclusive.

Endnotes

1 "Une critique de la notion de frontières artificielles à travers le cas de l'Asie centrale", *Cahiers de géographie du Québec*, vol. 47, n° 132, déc. 2003.

2 Serge Guinchard et Gabriel Montagnier (dir.), (Paris, Dalloz), 2007.

3 Cf. Bénédicte Beauchesne, “Droit et frontières aux confins de la pensée contemporaine”, <http://www.univ-metz.fr/ufr/dea/revue/articles/2011/theme/Benedicte-BEAUCHESNE.pdf>

4 M. Foucher, *Fronts et frontières* (Paris, Fayard, 1991), p. 88.

5 Propos cités par M. Foucher, *Fronts et frontières*, (op. cit.), p. 95.

6 Cf. M. Foucher, *Fronts et frontières*, (op. cit.), p. 89.

7 “Eighty percent of African borders follow latitudinal and longitudinal lines, and many scholars believe that such artificial (unnatural) borders, which create ethnically fragmented countries or, conversely, separate the same people into bordering countries, are at the root of Africa’s economic tragedy” (Alberto Alesina, William Easterly et Janina Matuszeski, *Artificial States*. Article consultable sur la toile: http://williameasterly.files.wordpress.com/2010/08/59_easterly_alesina_matuszeski_artificialstates_prp.pdf, p. 2).

8 Alberto Alesina, et alii, *Artificial States*. (op. cit.)

9 “In summary, we define artificial states as those that have straight borders and/or a large fraction of their population belonging to a group (or groups) split with a neighboring country” (Alisean et alii, *Artificial States*, (op. cit.), p. 4).

10 “The basic idea is to compare the borders of a country to a geometric figure. If a country looks like a perfect square with borders drawn with straight lines, the chances are these borders were drawn artificially. On the contrary, borders that are squiggly lines (perhaps meant to capture geographic features and/or ethnicities) are less likely to be artificial. Squiggly geographic lines (such as mountains) are likely to separate ethnic groups, for reasons of patterns of communication and migration.” (Ibid., p. 9).

11 “Our goal is to provide measures that proxy for the degree to which borders are natural or artificial and relate these measures to economic and political development.” (Ibid. p. 3)

12 “Our main hypothesis is that artificial states perform less well than non-artificial ones.” (Ibid., p. 9).

13 “We now turn to verifying whether these new measures of artificial states are correlated with economic success” (Ibid., p. 18).

14 J. Fall, “Des états artificiels? Le retour en force des frontières naturelles et autres mythes géographiques et géométriques”, in S. Rosière, K. Cox, C. Dahlman, C. Vacchiani-Marcuzzo (dir.), *Penser l’espace politique* (Paris, Ellipses, 2009). Le texte est consultable sur la toile: <http://www.unige.ch/ses/geo/collaborateurs/publicationsJF.html>

15 “What about the US and Canada? Their border is a straight line for most of its length; are they artificial states? According to our measures, yes; they do score relatively in terms of how artificial they are, which is certainly not consistent with a view of artificial as failed states. One may note that this a case in which borders were drawn before many people actually moved in. In many ways, the same applies to US states: in the West, borders that were drawn when the population density was still extremely low are often straight lines” (Alisena et alii, *Artificial States* (op. cit.), p. 18).

16 J. Fall, “Des états artificiels? Le retour en force des frontières naturelles et autres mythes géographiques et géométriques” (op. cit.), p. 3.

17 “All other borders can be considered ‘natural’, as they were drawn by people on the ground” (Ibid., p. 3).

18 R. Debray, *Éloge des frontières* (Paris, Gallimard), p. 31. Romans used to consider the walls and the doors of their city as sacred (*res sanctae*).

19 D. Nordman, *Frontières de France. De l’espace au territoire. XVIe – XIXe* (Paris, Gallimard, 1999); in: B. Beauchesne, *Droit et frontières aux confins de la pensée juridique*, (op. cit.), p. 3.

20 C. Castoriadis, *La Montée de l’insignifiance. Les Carrefours du labyrinthe 4* (Paris, Seuil, 1996), p. 12.

21 C. Castoriadis, *Une société à la dérive* (Paris, Seuil, 2005), p. 68.

22 C. Castoriadis, *L’Institution imaginaire de la société* (Paris, Seuil, Points-essais, 1999), p. 66.

23 C. Castoriadis, *L’Institution imaginaire de la société* (op. cit.), 66.

24 C. Castoriadis, *La Montée de l’insignifiance. Les Carrefours du labyrinthe 4* (op. cit.), p. 127.

25 C. Castoriadis, *Domaines de l’homme. Les Carrefours du labyrinthe 2* (Paris, Seuil, 1986), p. 375.

26 C. Castoriadis, *La Montée de l'insignifiance. Les Carrefours du labyrinthe 4* (op. cit.), p. 225.

27 As Nancy Fraser puts it, “for liberals, the problem of democracy consists in asking oneself how to isolate political processes from non-political or pre-political processes, for instance, the family, the economy, or informal daily life” (“Repenser l’espace public”, in: *Qu’est-ce que la justice sociale ?*, trad. E. Ferrarese, (Paris, La découverte, 2001), p. 123–124.

Stathis Gourgouris — Crisis and the Ill Logic of Fortress Europe —

Part I — Crisis

I am taking as a point of departure Marcel Gauchet's assertion that "the constant use, in various forms, of the word 'crisis' has eroded its strength."¹ Especially in the last few years crisis has become an umbrella term for a whole set of alibis that impede critical thinking, or from another standpoint, a sort of "screen term" that facilitates slipping under the rug a whole lot of situations that are difficult to interpret. Thus, the use of the term prevents us from pushing up against, not only what "crisis" – as a word with multiple meanings – might signify, but also what has been recently instituted in its name or even in reaction to its existence, whether as expressions and implementations in the first case, or counter-measures and palliatives in the second.

The word "crisis", I remind us, is linked to judgment and decision and is therefore quintessentially political. It pertains as well to the faculty of distinguishing or discerning, and therefore, in some fashion, to dividing, separating. It is also, in this specific sense, linked to law – to regulation, apportionment of value, and in that sense to fundamental aspects of social organization. But all these frameworks of meaning should be considered in light of the idea that "crisis" also pertains to something that is barely stable, precarious – something, as we say, in critical condition – which tempers the elements of finality inherent in judgment, decision, or regulation. Crisis is thus a border concept, or if you will, crisis is always a concept in crisis.

For this reason, there is a sense, even if not always articulated, that crisis is nothing new, but rather endemic to the long term situation of modernity – whether as an intrinsic element of the capitalist economy (whereby it even becomes a coveted object, a target, a

project as such), or as an intrinsic element in democratic politics (whereby again it may be appear to be a necessary condition, an existential reality, and even here too a target, a project as such).

However, these two rubrics of endemic crisis – if it is indeed endemic – are entirely different. At least from my perspective, against what is conventionally assumed, capitalist economics and democratic politics are not only intrinsically unrelated but in utter contradiction with each other at an existential/structural level. Capitalism and democracy are profound enemies of each other; pushed to the ontological limit in each case, their existence means each other's annihilation, war to the death.

According then to this assertion, I cannot say that the notion of crisis operates in similar fashion in each of the two rubrics. The crisis of capitalism is not the same as the crisis of democracy. Or, we can put it differently: capitalism has a different agenda for the use of crisis than does democracy. They each put the notion into use in very different, perhaps even antagonistic, ways.

For this reason, the so-called economic crisis – whether as the crisis in financial capitalism signaled by the banking collapse of 2008, or the crisis in sovereign debt that followed virtually everywhere in Europe – cannot be equated with the crisis in political institutions, national sovereignty, political legitimacy etc., which we are seeing virtually everywhere in so-called Western 'democratic' societies. Nor is it the same with another domain of identified crisis, which is becoming ever more prominently displayed: the crisis in the cultural sphere, as it is manifested through clichés such as “the resurgence of religion” or “the clash of civilizations”.

Of course, I am not suggesting these matters are unrelated. I am just resisting easy determinist causalities: say, that the whole lot is reducible to the advent of globalization and the domination of the

neoliberal order. We can certainly debate the connections and the points of influence and effect – and there are many – but the two situations are not interchangeable.

Having said this, the conditions of crisis – the critical conditions of signifying what presently exists – make for strange equivocations. What appears to be one thing is really another – this is the quandary of the neoliberal order. So, the so-called economic crisis in Europe is a political crisis. There is no way we can discount the fact that the agents of financial capital are now wielding real political power. The fact that in 2012 bankers were appointed (not elected) as heads of state in Greece and Italy is an overt and reductive indication of what is otherwise covertly paramount. The recent election of Donald Trump, who is not only epitomizes global capitalism but is moreover a veritable brand in his own person, to the planet's most powerful political office may be the culmination of this phenomenon. Nothing is more bizarre and yet, historically speaking, perfectly logical than the fact that the U.S. Presidency is in the hands of a brand, an impersonal presence of capital in its pure form. In order for neoliberal practices to succeed in across-the-board deregulation of the market, as they purport to do, they have produced the deregulation of the political. Deregulation, mind you, is a perfect pseudonym to hide explicit regulation – laws and rules (often trumping the prerogatives of the law) – that benefit certain competitive interests over others in the name of open competition.²

It's interesting to consider the trajectory from the notion of “self-regulation” (of both market and government), which is a classic liberal motif, to “deregulation” (of both market and government), which is a neoliberal motif. Both are pseudonyms, as I said – classic liberalism never allowed self-regulation to exist either, in the sense that it remained reliant on the state apparatus as safeguard for the

market. But a shift can be seen in these pseudonymous practices historically: while classic liberalism is nominally invested in a “minimal state” (regardless of what actually takes place historically), neoliberalism is definitely invested in a “maximal state” – in fact, to such an extent that in effect it mobilizes totalitarian practices.

This maximal state politics conducted literally by economic agents is the present politics of the so-called crisis. In this specific sense, crisis is a manufactured reality that is then taken to be ‘natural’ insofar as its purpose is achieved. In old terms, we could speak of a “crisis-effect” in the sense that crisis produces specific subjects and specific realities that are then taken to be natural. The critical condition thus becomes a crisis-infused norm, with a culture all of its own.

In light of this present critical condition, the need to reconsider the democratic politics necessary to encounter this condition, and particularly as far as the situation in the European Union is concerned, a radical democratic politics that will unmask the ill logic (or para-logic) of its foundation, has become paramount.

Part II. Conditions of Ill Logic

To speak of this foundational para-logic means to inhabit the present as a condensation of historical time. From this standpoint, the experience of what is current isn’t what flows through us and onward to the future but how this flow actually brushes our experience against the grain.

In this sense, the current so-called “refugee problem” in Europe is neither just current nor really exclusively dependent on the refugee phenomenon. It is rooted deep in the social-historical dimensions of what has come to understand and call itself “Europe” over time

– the name being more of a social-imaginary signification than mere denotation of a cultural-geographical reality.³ My impetus here is to push beyond the analysis of current events to the consideration of a profoundly ingrained structure of psycho-historical knowledge that fashions what is believed to be a logic of government, of governing self and other, but is instead a project of self-deconstitution that takes a whole lot of others down with it.

Let me register a simple historical and philological point: The word “refugee” first appears in French after the Revocation of the Edict of Nantes (1685) to designate those Protestants (Huguenots) forced to flee their rightful place of inhabitation in search of asylum – as is the ancient Greek word for refuge or sanctuary – in other dominions. In this specific way, *les réfugiés sont les refusés* in an uncanny way of matching the presumed right of acceptance and inclusion with the condition of rejection and exclusion. Refugees may nowadays be defined by the condition of seeking or securing a refuge, but in essence the opposite defines them. They exist because they have been refused.

My concern here is to point to an endemic logic in the social imaginary of the European Union that works precisely in this perverse way of reversal – of Orwellian double-speak. This is already inherent in the EU’s constitutive logic of borderless borders that exists way before the so-called refugee crisis. In fact, it is a logic that produces this so-called crisis, even if there are specific social-historical events that play their role. I insist on “so-called” because I am amazed at the ease with which the notion of crisis is bantered about with presumably different qualifiers. A few months ago we had an “economic crisis” now we have a “refugee crisis” – but are they different? Are they a matter of crisis? Or is the language of crisis merely the *modus operandi* of this formation?⁴ I will give a sort

of flash account of the elements that affect this situation by asserting what I see as five conditional terrains of “Fortress Europe” both contemporary and historical.

Condition #1

Before we even consider the problem of borders and the so-called refugee crisis, I would assert that, as it stands now, the EU is a failed socio-political formation simply because the economic element has taken over the sphere of the political at a primary level. I am not making an old and trivial Marxist point about the primacy of economics over politics. I am pointing to the fact that the EU has succeeded in an unprecedented way to hand over the domain of political decision to financiers – literally: whether in terms of bankers being appointed as prime ministers, or in terms of a reigning body of finance ministers (the Eurogroup) which, although it does not even have legal status by the EU constitution (thereby not subjected to any oversight), is in essence determining the political fate of European peoples.

This condition signifies the same overall mechanism that, in the name of globalization, has ensured the debilitation of national sovereignty despite the nominal persistence of the nation-state form. Contrary to the conventional assumption, the key institution of national sovereignty is not the state per se but the national economy. The moment that the workings of national economy are dismantled, national sovereignty de facto ends, no matter the name or the flag that sustains the apparent symbolic existence of a state.

In retrospect, as far as the EU is concerned, the logic of this condition seems to have been always in effect. The Eurozone is nothing but a symptom of the original and unadulterated logic of the EEC. The original EEC (European Economic Community) could be read

just as well as the ECC: the European Community of Commodities. In the category of “commodities” I would most certainly include the European peoples themselves.

As this logic unfolded from its initial liberal framework to the neoliberal one, it produced the monetary union as a playground for the most powerful financial interests worldwide, a kind of money laundering scheme through the taxation of the poorer strata. Banking debt was nationalized and made a burden to bear by a community of commodified consumers.⁵

Although to say “nationalized” invokes again the parameters of national sovereignty, note that this very nationalization of debt signifies the exact opposite: further erosion of national sovereignty. At the same time, a “community of consumers” means precisely a community beyond national borders, in the sense that they are consumers of the European idea presumably made available to them via a whole array of commodities, one of which is, of course, (national) debt itself.

We’re talking about quite a scheme.

Condition #2

The Eurozone presumably signifies the ultimate deterritorialization and dissolution of borders. But this dissolution of borders is only in place for the benefit of capital, which doesn’t recognize borders anyway. Again, we might see this as the incursion of the economic into the political: Borderless sovereignty is an original figure of capital, and its achievement in the form of the EU is but the actualization of a logic that has been in place and in effect for a long time.⁶

What this formation really put into effect, despite the presumption of the notion of community, was the dissolution of national sovereignty without, however, diluting the elements of racial

nationalism. In fact, the contrary happened. The more national sovereignty was effectively defanged, the more nationalism and racism were consolidated. The even greater failure of the EU project in this respect was that it brought about the very thing it was supposed to have overcome – in a kind of bizarre perverted manifestation of Hegelian *Aufhebung*, where the element of preservation in the act of overcoming becomes the most dominant. For, instead of quelling nationalist violence, the EU produced the intensification of nationalist (and always in that sense, racist) violence in ways that now present themselves as even more complicated, given the entwinement of multiple social-cultural modes across the very borders that were presumed to have been abolished.

We are talking about quite a scam.

Which in fact is becoming plainly evident in the veritable construction of actual borders – barriers, fences, walls – to block the racially excluded others exactly on the marks of previous national borders. The failure of the EU in this respect is gigantic and insulting to its very premise to overcome the catastrophic legacy of previous European history. The utterly perverse replay of history where the Dachau and Buchenwald concentration camps were put to use again to house the masses of racially others who managed to slip through and infiltrate the native terrain is a perfect such symptom.⁷ As is Denmark's parliamentary decision to confiscate the material wealth of incoming refugees as advance payment for their being allowed territorial entry.⁸

In this sense it's a no-brainer to name these new borders in the presumably borderless union spaces of exception, and we do not need to rely on Giorgio Agamben's thinking to do so – but, of course, he called it early on. Up until very recently – indeed, the summer of 2015 when the Syrian front collapsed and hundreds of

thousands of people ended up in Greek beaches, many of them dead on arrival – the EU rhetoric cynically manipulated rubrics of humanitarianism in order to steadily implement and enhance a militarization of its borderless borders.

In 2013, after the two major Lampedusa disasters, the so-called Mediterranean Task Force (in effect a consolidation of Frontex and Europol) began the process of military patrol of the seas under the presumption of averting nautical disasters but in effect creating conditions of interdiction with the aspiration of dissuading passage into EU land.⁹ Remarkably, such practices of interdiction in the high seas were soon deemed counter-productive because the alleged saving of peoples from drowning (even though it meant internment on land) was seen as a motivating indicator for greater influx. The highlight of these efforts – the extraordinary program instituted by the Italian government under the revitalized Roman name *Mare Nostrum* – seemed to be a moment of national sovereignty reasserting itself in the midst of nation-state depoliticization by the political arms of global capital. Yet, even in this case, a national government and a national budget (unsustainably high – 9 million Euros a month) were being put in the service of EU elite interests, thereby confirming the loss of sovereignty even while acting in its name.

Note incidentally the fantastic list of names given to the operation of protecting Fortress Europe: Xenios Zeus (this was a Greek operation), Hermes, Triton (previously Frontex Plus), Perseus, Mare Nostrum (Italian), Poseidon Land. The Greco-Roman alphabet of control is to me one of the most cynical expressions of EU bureaucratic elites, and it confirms their appropriation of Mediterranean antiquity as a means of dismissing and discounting the modern realities of southern (or eastern) populations, including of course the civilizational categories of what is presumed to be non-European.

But to return to this issue of militarized so-called humanitarianism and pseudonymous national sovereignty: The so-called refugee crisis and the problem of borders that it brings to the forefront shows clearly that there is no way that single nations in the south facing the sea can deal with Europe's migration problems in return for economic incentives. On the contrary, the perverse and nightmarishly Orwellian face of pseudonymous values (as I have been describing it) seems to have no conceivable end to its capacity. I recall Gideon Rachman in *The Financial Times*¹⁰ making what was in effect a perfectly Swiftian Modest Proposal, except it was not meant to be satirical: He offered as a solution the idea that Greece would be substantially forgiven its debt, in exchange for sealing its northern land borders completely and storing the influx of refugees in concentration camps on the islands where they land, until the Syria conflict were to be resolved at which point the refugees would be returned. Far be it that this is a singular expression by a recognizably cynical voice in best neoliberal fashion. The idea of Greece turning into Europe's concentration camp in the outer Schengen zone was certainly bantered about in the corridors of Brussels, and it continues to be palpably real; it only remains to establish exactly what its price will be.

Condition #3

Let's draw back and consider the broader geographical history:

While the presumed dissolution of borders in the EU was put into effect not only in order to facilitate commodity circulation but also movement of labor according to the original logic of the EEC (as labor too, we must not forget, is a commodity), it nonetheless produced strict borders of exclusion in the labor market, in terms different from the ethno-political lines of (the otherwise, in any case, dismantled) national sovereignty.

So, extraordinary *internal* borders were imposed to contain the massive migration of cheap labor sought after from spaces surrounding the EU: first, from collapsed ex-Soviet societies (Balkans, Caucasus, Poland etc.), then new waves of postcolonial migration (Asian/African/Caribbean) chiefly into the UK, France, Holland, and finally the post Iraq and Afghanistan (and now Syria) refugee debacle.

While the formal distinction between refugees and immigrants may need to be maintained, the element of cheap/undocumented labor remains a common factor in both and very much the determining element: if not quite as cause of migration, then certainly as its effect or end point.¹¹ In this regard, the German Chancellor spoke with unusual sincerity compared to her European counterparts when she hailed the new influx of Syrian refugees as a great infusion of labor force in the German economy. But also, by the same token, the 2016 agreement brokered between EU and Turkey, which would have never happened without German insistence, is a scandalous pretension in all kinds of ways but certainly in presuming to distinguish political refugees from labor migrants.

In this overall framework, there is much merit to Aamir Mufti's position that every country that becomes part of the EU is implicated inexorably in Europe's colonial and post-colonial condition regardless of national history.

So, for example, Greece – which was never a colonial power and in many ways has a history of being colonized (not in terms of land occupation but more in terms of occupation of its imaginary, as I argued long ago in *Dream Nation*: “the colonization of the ideal”) – comes to inherit all the problems of post-coloniality insofar as it participates in massive immigration because of its EU status. People who come to Greece (about which they know nothing) seeing it as

Europe bring to it all their assumptions about Europe (or the West), and when they might subsequently encounter a similar xenophobic reception of the culturally Other, in a country where what is Self and Other in the context of the West and the East is inordinately complicated to say the least, they cannot be expected to clarify the difference. This condition of cultural/political befuddlement pertains both to the immigrants and to the Greeks.

So, in this sense, the rise of neo-Nazi or neo-fascist elements in Greece (but I would argue this to be the case for other such countries – say, Hungary or Poland) is not merely a rehashing of old indigenous nationalism, but a kind of intra-European (and in that sense, colonial) racism, which would otherwise be absent in those countries.

Indeed, we are talking about a scam in which those scammed involve virtually everyone but the highest elites.

When the EU moved against Italy in spring 2014 and dissolved Mare Nostrum, “Europe kept the negative side, the militarization of immigration control, and rejected the positive, the saving of immigrants and refugees from drowning at sea and their transportation to European land. In this fashion, it remained consistent with two basic principles that pertain to EU immigration policy for almost a decade: the closing off of legal pathways to Europe, which is the main reason why immigration became criminalized, and the continuation of militarized border control. In this sense, Europe selected in essence to persist in a dead end that it itself had created” (Fotiadis, *Merchants of Borders*, 74).

The ultimate project in this quandary is the creation of a high-tech panopticon system of surveillance on the outer borders of the EU, which would achieve same time virtualization of all that takes place in the vicinity. This was officially inaugurated as Eurosur

(European System of Border Surveillance) in October 2013, and has yet to achieve full implementation but provides the perfect image of Fortress Europe in critical condition. “Frontex is everywhere present and nowhere exposed” (Fotiadis, 103).

Condition #4

In the last decade, before things just unraveled, the internal dimensions of ethnic, racial, and cultural exclusion grew immensely under the project of the presumed EU consolidation. While divisions of this kind existed since the outset of decolonization, they were severely augmented by the EU formation, partly because the influx of peoples from the periphery increased under the cultivated aspiration of greater flow and absorption into the Euro socio-economic sphere.

But most significant was another factor. In the era of national sovereignty, the problem of assimilation of postcolonial populations was conducted within the limits of each colonial state itself, with its own specific racist exclusions. But with the EU forming in response to and as consequence of globalization, the vision and promise of the European dream elevated the (post)colonial problem to an overarching *civilizational battlefield*. Suddenly, the antagonism ceased being simply between colonial metropolis and colonized periphery within one metropolitan language as reference framework for an array of peripheral vernaculars. Instead, enormously abstract and loosely defined social-imaginary constructions were conceived to be in an existential battle: the West against the East, Christianity against Islam, secularity against religion, modernity against tradition, Europe against the non-European.

But there is a grave irony here that remains largely unacknowledged. The presumption of those constituencies that advocate a

civilizational battlefield is that they are thus enacting a war again the persistently ensconced colonial structures that spell the failure of the decolonization project. Yet, it was colonialism that invented the terrain in which civilization became the goal in the battlefield. What is unique in colonial political practice is that all institutional parameters – economic organization and infrastructure, legislative and executive political practices, legal measures, decisions about religious or cultural practices at large, and in essence all governmental dimensions – were coded as imprints of “civilization”. Even brutal punitive violence was conceived to advance civilization in the colonies. So, from this standpoint, the newly emergent civilizational battlefield – whatever may be the expressions of anti-Western radicalism it animates – is nothing more than an extension of the colonialist administration paradigm.

The most recent political collapse of the Middle East and the Maghreb, as a result of the Iraq war and the Arab Spring and the consequent lawlessness that ensued all around the region, found very receptive ground in this civilizational battlefield, eviscerating political expressions by turning them into cultural ones. Consequently, what was made especially dramatic was the possibility that the Arab world, at least in its Mediterranean terrain, may in fact be seen as *internal to Europe*, recasting in a modern mirror aspects of the Medieval world and doing so in ways that presume the survival of a sort of non-nationalist (or prenatal) cultural imaginary that has remained persistent through colonization.

The postcolonial populations born and raised in Europe’s colonial states (in addition to new immigrant flows that came to rest upon the same structures and spaces as part of this internal condition) were consolidated in this respect across borders within Europe that were no longer reducible to colonial/postcolonial national-cultural

boundaries. Instead, borderless Europe came to establish recognizable internal borders on the markings of what was considered to be culturally non-European in its very midst. As a result, dismissed and disaffected, large masses of people (many of whom were actually citizens or legal residents) turned to practices and beliefs that were demonstrably anti-European and harkened back to formations of a “cultural nature” that are imagined to precede colonization and are foregrounded as antidotes to postcoloniality. This is how we should account for what has been called “the resurgence of religion” and the subsequent civilizational war in the name of apocalyptic faith presumed to override politics.

Condition #5

This civilizational war is conventionally assumed to be the result of the failure of secularism/laïcité in Europe. But this failure is due not to the intrinsic exclusion that secular mentalities allegedly impose by definition, because if they are to be true to their name, secular practices are tantamount to democratic practices. Rather, it is due to the institutionalized ethno-culturalist exclusions that buttress *secularist* institutions in European countries.

Secularism, as institutional ideology that veils and whitewashes racism and ethno-cultural division (which is always linked, of course to class division, but also cannot be reduced to it), provoked the greatest damage against the democratic demands of a bona fide secular sociality. It is important to understand that secularism is not necessarily a secular condition. Not because, as the hopelessly simplistic argument goes, secularism hides a prevailing Christian imaginary still intact, as if people who discovered that God is their own poetic creation only exist in the “West”. Rather, as I have been arguing for some time (in *Lessons in Secular Criticism* and elsewhere),

because, in betraying their democratic underpinnings, the institutional structures of secularism/*laïcité* have also lost their secular capacities, often masking a kind of *nationalist transcendentalism*. In this sense, secularist dogma effaces democratic doxa and thus becomes fertile ground for all sorts of other equally transcendentalist contrarian forces.

In this situation, if “religion” has become a convenient weapon against these institutional markers of exclusion, exploitation, and oppression, it does not signify a return to tradition or what have you, no matter how often this is underlined by adherents and opponents alike. All this is but ideological dressing – necessary to drive the point home, but no more, and in fact, in this respect, perfectly deceptive.

At the same time, the situation also signifies the failure of late-capitalist consumerism, one of the EU’s most revered aspirations in that it was presumed to produce the flattening of differences (cultural, ethnic, racial) on the way toward a community of commodified peoples. Instead, massive numbers of post-colonial youths abandon the techno-economic palliatives offered to them devalued of any other political currency and turn to presumed-to-be-spiritual modes of liberation. To what extent these modes too are undoubtedly exploitive and oppressive should concern us, but it cannot cover the legitimate causes that force these youths to move from one mode of collective illusion to another.

In this respect, the need to develop forms of left governmentality becomes even graver, since the situation is in part also a failure of the Left to handle it. And as long as the Left continues to be implicated in what are liberal fancies of multiculturalism and identity politics, it will remain disarmed versus the upsurge of “anti-European” (or “anti-Western”) sentiment, even though such sentiment is thoroughly justified historically.

Here, I would argue that there is much to learn from Michel Houellebecq’s recent novel *Submission* (2014). I say this fully aware of the author’s deplorable politics, his misanthropy and his racism, but also perfectly willing to acknowledge his bona fide literary significance, very much in the tradition of Ferdinand Céline and a whole range of such writers in the European canon. Literature is often the most accurate way to unlock the mysterious ways of history, not only of the past but also the visionary horizon of the future. It works in ways that philosophy and science cannot – because it bypasses the dead-ends of analysis and enables the (trans)formative path of *poietic* thinking.

Literary thinking characteristically invites us to think against the grain – even against the grain of literature itself. Houellebecq’s text too invites us to read it against itself. Whatever may be the author’s intentions, the text begs the question: Is Islam really a foreign element? Even Islam’s constitutive element of submission can be said to be deeply imbedded in the European Christian traditions and simply been repressed – Etienne de La Boétie spoke of voluntary servitude already in 1549. The sort of political Islam that Houellebecq is configuring piece by piece in this hardly far-fetched fantasy is not Europe’s Other but Europe’s Self.

This to me is the profound lesson of the book, whatever may be Houellebecq’s political intentions. The plot does not simply represent how Europe is punished for its left/liberal/humanist decadence and conquered by Islam. On the contrary, it shows how Islam comes to renew Europe and extend its imperial power, to rejuvenate its medieval Christian structures, and consolidate its dependence on capitalist institutions which are imploded by capitalism’s own effects of depoliticization, deculturation, and despiritualization.

In this regard, Houellebecq is suggesting that the European Com-

munity of Consumers/ Commodities might entail actually the slow demise – the suicide – of ‘Western culture’ though not necessarily the end of capitalism per se. Instead, the book’s fantasy unfolds an image of how Islam, as a *European force*, actually reinstates Europe’s cultural and political dominance and reinvigorates its otherwise stagnant capitalism.

It’s a truly perverted argument, but nonetheless hardly implausible – at least, not too far from the EU’s constitutive ill logic. The idea that Islamist radicals are essentially one and the same as Le Pen’s fascist “nativists” is all over the book. If we read carefully, it becomes apparent that Houellebecq – despite himself – is crying for the one thing whose gigantic failure figures as a glaring hole in its absence: the need for real left governmentality, which will have shed its attachment to all the liberal principles of multiculturalism and identity politics – that actually favor both the nativists and the Islamists – and would apply itself to a bona fide anti-capitalist democratic mobilization that would dare the alteration of EU institutions in order to salvage whatever still exists in the European tradition that is worthy of the history of free-living, free-thinking, self-governing peoples, regardless of the markings of social (cultural, ethnic, racial) difference.

Endnotes

1 Marcel Gauchet, “Democracy: From One Crisis to Another” *Social Imaginaries* 1.1 (2015) pp. 163–187.

2 I elaborate on this in “Responding to the Deregulation of the Political” in *Lessons in Secular Criticism* (New York: Fordham University Press, 2013), pp. 145–180.

3 In the official declaration of the European Commission “New Narrative for Europe” (2014), the unabashed leitmotif is literally “Europe is

a state of mind” See: http://ec.europa.eu/culture/policy/new-narrative/documents/declaration_en.pdf

4 Singular in making an argument precisely in these terms has been Etienne Balibar’s recent work, collected in *Europe: Crise et fin?* (Paris: Editions Le Bord de l’eau, 2016).

5 Much of this thinking unfolds in exemplary fashion in the post-Autonomia work of Franco Berardi and Maurizio Lazzarato.

6 For all its faults, Fredric Jameson’s *Postmodernism, or, The Cultural Logic of Late Capitalism* (Verso, 1991) was totally prescient in this regard.

7 Rick Noack, “Germany is housing refugees within Holocaust-era concentration camps” in *The Washington Post*, January 30, 2015.

8 David Crouch and Patrick Kingsley, “Danish parliament approves plan to seize assets from refugees” in *The Guardian*, January 26, 2016.

9 I draw here extensively from the excellent research of Apostolis Fotiadis in his *Merchants of Borders: The New European Architecture of Surveillance* (Athens: Potamos, 2015). Henceforth quoted in the text in my translation.

10 Gideon Rachman, “Greek Debt is the Key to the Refugee Crisis” *The Financial Times*, January 26, 2016.

11 For a brilliant text on what vexes the distinction between refugee and migrant, in addition to an incisive perspective on the overall problem discussed here, see Chloe Howe-Haralambous, “The ‘(anti-) virus’ in Europe: conjuring ‘refugees’ and ‘migrants’” in *Politics/Letters* 6 (November 25, 2016). <http://politicsslashletters.org/2016/11/the-antivirus-in-europe/>

Olof Heilo & Ingela Nilsson
— Back to Byzantium —
Rethinking the Borders of Europe

In early 2016, after reports had made the rounds in news media worldwide about sexual assaults committed by North African immigrants against women during New Year's celebrations in Cologne, a Polish news magazine ran a cover depicting "the Rape of Europe": it featured a white, blonde woman, clad only in the flag of the European Union, assaulted from all sides by grabbing and clutching hands, hairy and of darker complexion.¹

References to ancient Greek history and mythology are so common in discussions about the identity of Europe that few people are likely to give them any further thought.² But perhaps the fact that no one noted how the myth had been turned on its head shows how weak and even shallow that alleged continuity from antiquity really is. The mythical queen called Europa came from Tyrus, in modern-day Lebanon – from the historical region of Syria³ – and was abducted to Crete by Zeus, who had taken on the form of a white bull. Herodotus, who suggests that Greeks were the perpetrators of an actual abduction committed against people from the Near East,⁴ discusses Europa together with Io and Helen as representative of a type of myth derived from the widespread practice of abduction and rape in the ancient Mediterranean area.⁵

The text on the magazine cover, which refers to an "Islamic rape", makes it more tempting to suggest that what was supposed to resurface in the historical consciousness of its readers were not memories of an ancient Mediterranean world of which the latter have merely vague ideas, but of an Early Modern history of Muslim raiding and warfare in the Mediterranean and in Eastern Europe, where Poland takes special pride in having defeated the Ottomans in 1683.⁶ In other words: the "rape" does not define what Europe or Europa is, since a closer examination reveals the mythical queen to



offer little but a narrative trope without any deeper significance. It merely defines what Europe or Europa is not.

For the various nationalist parties that made such considerable gains in the 2015 elections to the European parliament, it is easy to say what Europe is not. They may not agree among themselves

about the nature of Europe, but in their common resistance to Islam – against immigration from the Middle East, against a possible Turkish EU-membership and against the planning and building of mosques on European soil – it might seem as if they have stumbled upon a European unity that they have otherwise denied or even derided. The following will show why it is not that simple, and why these nationalists, rather than the new narrators of a resurgent Europe, are likely to end up as the unwarranted ventriloquists of a very different narrative.

But we should briefly return to the ancient world. As a toponym, Europe first appears in a Mediterranean Sea void of fixed borders, laws, and order; of perpetual mobility of goods, people, and stories. Neither Hellenism, which spread from the Aegean, nor Christianity, which spread from the Levant, could be called European: they overlap in an Eastern Mediterranean world of fluid borders and constant interaction. Whereas Athens and Jerusalem are often depicted as opponents, cities like Alexandria and Antioch were main centres of Judaism, Christianity and Hellenism alike, a cultural interaction that extended both east and west to Carthage in North Africa and to the Persian Empire in Iraq. For the Roman Empire – mainly ruled from Constantinople from the fourth century AD – the Mediterranean was everything: its origin, its purpose, its political, economic, cultural, and ideological core.⁷ Even the collapse of its old borders against the Germans along the Rhine and the Danube did not alter the fact that its coastlines remained Roman, that the urban centres of the empire were directed towards the sea, and its various cultures and ethnicities were interconnected by the same oversea communications that St. Paul had once used to spread Christianity. From a Mediterranean perspective, Europe was simply the land mass to the north, just as Africa lay to the south and Asia to the east.

The birth of “Europe” as we know it is synonymous with the breakup of Mediterranean unity. When Henri Pirenne discussed this process in the 1930s he saw its reason in the rise of Islam, which had purportedly prevented the Arabs from following the examples of the German invaders and adopting the “superior civilization” it encountered in the Mediterranean.⁸ Muhammad had, so to say, put an end to Antiquity, and instead Europe had emerged as its rejuvenator, represented by the coronation of Charlemagne in 800. It is indeed noteworthy that the term “Europe” seems to be first used in a wider sense in the Mozarabic *Chronicle of 754* with reference to the major defeat that the Arabs suffered at Tours in 732, an event that played a crucial role in securing the legitimacy of the Carolingians and paving the way for a political alliance between the pope and the Franks.⁹ But there is another possibility: namely that the breakup of Mediterranean unity was the work of Charlemagne and the Franks themselves. When Pope Francis was elected in 2013, calendar enthusiasts were eager to note that this was the first non-European pope to be elected since the year 731, but few went to the roots of the fact and asked themselves what it was that had actually taken place in the mid-eighth century, when a line of Greek-speaking popes from Sicily, Syria, Anatolia, and North Africa was disrupted and the long line of subsequent popes from Latin Italy and Western Europe – areas that had until then been at the periphery of ancient civilization – assumed their place.¹⁰

The simple fact is that neither the rise of Islam nor the emergence of Europe took place in a historical vacuum: they both articulated themselves against a political, cultural, and ideological nexus that encompassed much of the ancient world and its traditions, an empire whose existence we have become so used to ignoring that we persist calling it “Byzantine” despite the fact that the purported

Byzantines never considered themselves as anything but Christian and possibly Greek-speaking Romans. It is not only that Charlemagne was self-consciously claiming a title to which the emperors in Constantinople had a hereditary right; contrary to what Pirenne assumed, the first century of Muslim or Arab rule in the Middle East was also marked by a strong cultural continuity with the Eastern Roman Empire in the Mediterranean that the caliphs tried to both emulate and defeat – even the first monuments of Islam are unmistakably Late Antique in style. In fact the first sign of a definitive Islamic shift away from the Mediterranean can be dated to the same time as the papal alliance with the Franks: when the Abbasids overthrew the Umayyads and moved the capital of the Caliphate from Damascus to Baghdad (which was founded in 762).¹¹

The perceived dualism between Islam and Europe disappears or at least transforms once we become aware of the blind spot in their midst. Against the shared backdrop of the Byzantine Empire as a Eurasian crossroad, many of the historical conflicts that current Islamists and European right-wing parties are trying to evoke lose their meaning. Indeed, instead of being constrained to their own self-constituting narratives, they might even find themselves sharing an epistemological horizon of which they had not previously been aware.¹² In the following we want to draw particular attention to Muslim and Christian narratives of conquest that both are subverted by the Byzantine *Other* and – at least to a certain degree – end up as narratives of defeat.

At first sight the holy wars of Medieval Christianity and Islam may seem to offer a strange mirror to our own time. Now as then we find young men and women leaving their homelands to join a self-proclaimed rule of God, only to end up killing their own co-religionists and laying waste to the historical heartlands of their

faith. Whereas the First Crusade (1095-99) followed a Byzantine call for mercenary troops to fight against the Seljuk Turks, its stated aims to help other Christians were quickly overshadowed by greed and a spirit of adventure, and within little more than a century the Crusaders had turned upon their hosts and destroyed the Byzantine Empire in the Fourth Crusade (1204), when Constantinople was sacked and looted. In the words of the Byzantine historiographer Niketas Choniates,

the Muslims did not behave like that; they even remained kind and friendly towards [Western] people when they entered Jerusalem: they did no harm to the Latin women; they did not throw themselves upon the monuments of the Christians; they did not send baptised people to death... these enemies of Christ treated the Latins, whom they consider infidel, not with sword, not with fire, not with famine, not with persecution, not with stealth, not with ruin or pressure, but with great generosity; but these self-appointed “friends of Christ” and “brethren in faith” treated us in these ways which I have enumerated ...¹³

The fact is that Byzantium had evoked not only admiration among Westerners, but also envy, fear and contempt.¹⁴ Averil Cameron has discussed this development in terms of “orientalism”, arguing that an increasingly orientalist view of Byzantium partly replaced the initial feelings of respect.¹⁵ We may follow such changes in perception in documentary sources, like the eyewitness accounts of the crusaders,¹⁶ but also in the various romances that gained popularity in the West around this time. *Cligès* by Chrétien de Troie, written around 1176, is the first of a long series of romances written in the vernacular and with part of the plot set in a Byzantine

or Byzantine-like story world.¹⁷ A few years later we find an anonymous French romance, or romance-like text, known as *Partonopeu de Blois*, which has a significant part of the plot set in Byzantium.¹⁸ The hero Partonopeu is kidnapped while hunting in the Ardennes, and brought by ship to a mysterious castle where a woman comes to sleep with him every night. She turns out to be Melior, Empress of Constantinople. He is forbidden to see her: they must only meet in darkness. Obviously he cannot resist the temptation to look at her and, as a result, falls out of her favour: an inversion of the Cupid and Psyche myth probably drawn from the Latin tale by Apuleius. The romance includes numerous such inversions of myths and motifs, often with a gendered twist – the hero is seduced by the heroine; she is educated and has a higher social standing; he has to compete in a beauty contest (naked!) to win her favour again. This has to be understood against the Byzantine setting: a country that was not only luxurious, titillating, and alluring, but also dangerous, confusing, and subversive.¹⁹

Islamic tradition, too, preserved an image of a Byzantine Empire with seductive rather than martial powers. Both the objective of the early Caliphate to conquer Constantinople and its failure to do so left traces in the Islamic apocalyptic tradition, where a future fall of the Roman Empire appears as the last bastion of worldly rule before the coming of the Antichrist and the return of Jesus.²⁰ In the Abbasid era, when large-scale bellicose confrontations were abating, single warriors and mystics kept assembling along the Byzantine frontier in northern Syria in order to embark on campaigns into the subversive realms of the infidel, sometimes mixing martial arts with asceticism and mortifications.²¹ In the twelfth-century *Conference of the Birds*, a central literary work in the Sufi tradition, we learn about a pious Muslim sheikh who goes to Byzantium, falls in love with

a high-born Christian woman and makes himself her slave, even herding her pigs just to be close to her.²² The Byzantines themselves seem to have been aware about such cases: in the Medieval Greek epic *Digenis Akrites*, an Arab warrior from Raqqa falls so in love with a Byzantine girl he has captured that he is even prepared to renounce Islam, become a Christian and settle in Byzantium.²³

While the Crusader rape and pillage of Constantinople in 1204 dealt the main blow to the Byzantine Empire, Muslims ultimately reaped the prize: in 1453 the city was conquered by the Ottomans, and a historical circle seemed to close from the early days of Islam. Once again, Europe was under siege: calls were raised for new Crusades and stories of heroic feats found new markets. At this time, we find a Catalan romance, *Tirant lo Blanc* – begun by Joanot Martorell before 1460 and posthumously finished by Martí Joan de Galba in 1490 – telling a counterfactual story in which the Byzantine Empire is saved from the Turks by a sort of alliance between Europe and Africa.²⁴ Here too, the hero – the knight Tirant from Brittany – falls in love with a Byzantine woman, although the love story is less central and not instrumental for the plot. *Tirant* has often been described as the first ‘realistic’ romance, or even the first novel,²⁵ a description that depends on the historical details that allow us to recognize events and characters (even Mehmet II himself). The high status of its lively sarcasm and human feelings goes back to Cervantes who praised it as “the best book of its kind in the world”.²⁶

If *Partonopeu* subverts the European narrative, *Tirant* might seem to reconfirm it: not only have the traditional gender roles been restored, but a knight from the West is allowed to stand as the saviour of Byzantium from Islam. The trope is familiar from innumerable romances and no one has deconstructed it better than Cervantes himself in the ironic depiction of the fool who, drunk

on the chivalrous deeds of the romances, claims to offer protection from monsters and infidels that are actually sheep and windmills. It is not that Cervantes was indifferent to the real suffering of people who had to endure violence and abuse at foreign hands: he himself had suffered a fate shared by innumerable Mediterranean travellers in early modern Europe when he was abducted by North African corsairs and spent time in captivity in Algiers.²⁷ What he derided was not the noble motives of the knights but the inadequacy of their simplified world-view in a complex and contradictory world. Perhaps it is noteworthy that Cervantes was also an admirer of the *Ethiopian Tale* by Heliodoros, a Late Antique Greek novel, which in the Renaissance and Baroque eras was considered equal to the Homeric and Vergilian epics.²⁸ Set in North Africa and full of pirates, robbers, and shipwrecks, it contained elements that were, in fact, a lived experience to Cervantes. But most of all, it was an adventurous reality that predated both Christianity and Islam and to which the religious overtones of the Crusader romances had merely added an element that had with time become, at best, ceremonious and, at worst, hypocritical.

Here we are back in the ancient, lawless and borderless Mediterranean world of Queen Europa, a world that had in reality never ceased to exist, and whose reality the contemporaries of Cervantes could not deny even in face of the Ottoman conquests.²⁹ But now the Europeans had discovered new shores and other seas: for the next centuries, their restless energy would be directed elsewhere – first towards the new world that lay across unexplored oceans, and gradually back to the more arcane interiors of the old world from which they had emerged – and cause both a peaceful exchange and violent displacement of goods and people across the world. Soon it would become evident to the Europeans that in a global perspec-

tive “Europe” did not even match the definition of a continent as it had appeared from a Mediterranean horizon. So why was the term maintained?

In order to answer this question and finally return to the cover of the Polish magazine, we need to shift our attention to Eastern Europe, for it is there – and not in the Mediterranean – that we find the foundations of the current Fortress Europe. The right-wing thinkers who inspired Anders Behring Breivik³⁰ may imagine the lands east of Vienna as a Christian bulwark against Ottoman expansion, but most of all this was a region that was left disadvantaged in the global race unleashed by the Western European powers in the Early Modern era. In the areas of the “second serfdom”, three empires – Austria, Russia, and Prussia – would vie to legitimise their quasi-colonial ambitions after the disappearance of the Polish-Lithuanian Commonwealth,³¹ and if Austria is responsible for promoting the largely erroneous idea that it had once repelled the Turks, Prussia played a no less significant part in the equally erroneous construction of a European history that goes back to ancient Greece – a thought that German romanticism had already heralded, but which would find its most influential vindication in the works of Hegel.³² For Russia, maintaining the notion of a European continent distinct from Asia while also conceiving their border in the Ural Mountains both ensured its own European status and justified its imperial ambitions over the Turkish and Muslim peoples of Central Asia and around the Black Sea.³³

Though the self-proclaimed religious-conservative “Holy Alliance” between Austria, Russia, and Prussia became an important foundation for the Europe that emerged out of the ruins of the Napoleonic wars and the 1814-15 Congress in Vienna, simply evoking a Medieval past could not save it from the challenges of a Modern

present.³⁴ Whereas the 1821 Greek uprising against the Ottomans became a main source of inspiration for liberals all over Europe, it also raised British concerns about Russian imperial ambitions in the Eastern Mediterranean and Central Asia, a tension that came to a head in the 1853-56 Crimean War;³⁵ and if the Ottoman Empire was sick or even dying, as Tsar Nicholas I insinuated, the ghost of its Byzantine predecessor was still vivid enough to send shudders down the spines of the Western European powers that opted to sacrifice tens of thousands of men in order to prevent Constantinople from being recovered for Orthodox Christianity.³⁶

Then as now, Russia had its defenders. Conservatives like the Prussian Herrman Goedsche – whose anti-Semitic writings would make up a core part of the later *Protocols of the Elders of Zion* that the secret police of the tsar collected – wrote pamphlets and popular novels in English in which he depicted Russia as a bulwark of traditional European values against the mutual threats of Capitalism, Socialism, Judaism, and Islam.³⁷ Bismarck encouraged the “civilizing mission” of Russia in Central Asia and added that the Ottoman lands were not worth the bones of a Pomeranian soldier.³⁸ Other voices were raised in the wake of the Crimean War: Mark Twain visited Russia and the Ottoman Empire and became an unabashed partisan of the former,³⁹ and when Ottoman atrocities in Bulgaria made headlines during the 1875-78 Eastern Crisis, it was the liberals of William Gladstone who became the driving force behind a British change of foreign policy.⁴⁰ In the end, the collapse of Ottoman authority and the subsequent exodus of hundreds of thousands of European Muslims from the Balkans left behind a power rivalry in Eastern Europe that made the 1914 catastrophe inevitable.

In his recent study into the Russian origins of the war, Sean McMeekin has likened the British liberals in 1914 to ventriloquists for

Russian imperial ambitions.⁴¹ The conservatives of our time may consider themselves a new kind of Crusaders, but they are likely to end up either like Don Quijote – fighting windmills when there are more urgent issues at hand – or even like Partonopeu: rather than rescuing the distressed damsel of their dreams, they could well become the prisoners of a very different Europe than the one they have imagined.⁴²

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Endnotes

- 1 For a reproduction of the image, cf. <https://www.theguardian.com/world/2016/feb/18/polish-magazines-islamic-of-europe-cover-sparks-outrage> (retrieved on Oct. 15, 2016).
- 2 H. Morales, *Classical Mythology* (Oxford: Oxford University Press 2007), pp. 5–18.
- 3 For the connection with the Middle Eastern goddess known as Astarte or Ishtar, see Lucian, *De Dea Syria* (ed. and transl. Harmon, Cambridge: Harvard University Press 1925) pp. 4.
- 4 Herodotos, *History* (ed. and transl. Godley, Cambridge: Harvard University Press 1920) I:1–5, IV:45.
- 5 A. Koschorke, *Hegel und wir* (Berlin: Suhrkamp 2015), pp. 150–56.
- 6 A. Ziemlewska, "Jan III. Sobieski: Legende und Kult des Siegerkönigs", in: Heiss, Feichtinger (eds.) *Der Erinnernte Feind: Kritische Studien zur "Türkenbelagerung"* (Wien: Mandelbaum kritik&utopie 2013), pp. 26–42. A new, Polish-financed monument to Jan Sobieski is currently about to be erected on the Mount Kahlenberg in Vienna, where the 1683 battle took place.
- 7 M. McCormick, *Origins of European Economy* (Cambridge: Cambridge University Press 2001), p. 83ff.
- 8 Pirenne, *Mahomet et Charlemagne* (Paris 1937) 130f. "La grande question qui se pose ici est de savoir pourquoi les Arabes, qui n'étaient certainement pas plus nombreux que les Germains, n'ont pas été absorbés comme eux par les populations de ces régions de civilisation supérieure dont ils se sont emparés?" A similar thought was already proposed by Theodor Mommsen in *Das römische Imperium der Cäsaren* (Berlin 1941, ch. XII) when he referred to Islam as "Henker des Hellenentums".
- 9 D. L. Lewis, *God's Crucible: Islam and the Making of Europe* (London and New York: W. W. Norton 2008) pp. 171–2.
- 10 J. Herrin, *The Formation of Christendom* 413–16 (Oxford: Oxford University Press 1987); A. J. Ekonomou, *Byzantine Rome and Greek Popes* (Lanham M D: Lexington Books 2007), pp. 244–72, 298–301;

L. Brubaker, J. Haldon, *Byzantium in the Iconoclast Era* (Cambridge: Cambridge University Press 2011), pp. 168–73.

11 O. Heilo, *Eastern Rome and the Rise of Islam* (Abingdon: Routledge 2016), pp. 102–6.

12 Most efforts to geographically locate a Western or European historical tradition end up stranded along the Mediterranean coastlines: Rome, Athens, and Jerusalem (cf. J. Habermas, *Zeit der Übergänge. Kleine Politische Schriften IX* (Berlin: Suhrkamp 2001), p. 183ff), whereas even the most well-meaning attempts to put Islam on the common map seem to make a strange stretch for Mecca instead (cf. Brague, “Athens, Jerusalem, Mecca: Leo Strauss’s ‘Muslim’ Understanding of Greek Philosophy”, *Poetics Today* 19(2), pp. 235–59) despite the fact that the political, cultural, and religious geography of the Sunni Islamic and Arabic world has been centred on cities like Damascus, Baghdad, Cairo, two of which are located in direct proximity to the Mediterranean, and all three of which have been ruled from the same capital at the Bosphorus as the late Roman Empire and the early Christian church.

13 Niketas Choniates, *History* 576 (ed. van Dieten, Berlin 1975). Transl. O. Heilo.

14 For an illustrative discussion of this process, see K. N. Ciggaar, ed., *Western Travellers to Constantinople. The West and Byzantium, 962–1204: Cultural and Political Relations* (Leiden, New York and Köln, 1996), esp. 45–77 and 322–254. See also A. Ducellier, ‘Une mythologie urbaine: Constantinople vue d’Occident au moyen âge’, *Mélanges de l’École française de Rome. Moyen-Âge, Temps modernes* 96/1 (1984), pp. 405–424.

15 A. Cameron, “Byzance dans le débat sur l’orientalisme”, in M.-F. Auzépy (ed.), *Byzance en Europe* (Saint-Denis, 2003), pp. 235–250; “Byzantium Between East and West”, in J.-M. Spieser (ed.), *Présence de Byzance* (Dijon 2007) pp. 113–33; *The Byzantines* (Oxford 2006), pp. 192–93.

16 In the words of Robert de Clari, who took part in the Fourth Crusade “... si l’on vous contait le centième de la richesse, de la beauté, de la magnificence qu’il y en avait dans les abbayes, les églises, les palais et la ville, on passerait pour menteur et vous ne le croiriez pas.” (*La conquête*

de Constantinople. Édition bilingue. Publication, traduction, présentation et notes par Jean Dufournet [Champion Classiques 14] (Paris, 2004), p. 183.)

17 Chrétien de Troyes, *Cligès*, édition et traduction par Charles Méla et Olivier Collet (Paris, 1994). For a recent discussion of this romance in relation to the Byzantine *Digenis Akrites*, see M. Moore, *Exchanges in exoticism: Cross-cultural marriage and the making of the Mediterranean in Old French romance* (Toronto, 2014), pp. 20–49.

18 *Le roman de Partonopeu de Blois*, édition, traduction et introduction par Olivier Collet et Pierre-Marie Joris (Paris, 2005). On the genre question, see P. Eley, *Partonopeus de Blois: Romance in the making* (Cambridge, 2011).

19 For a recent analysis on this romance’s relation to the Byzantine world, see E. Söderblom Saarela, “L’ἀνδρεία féminine dans la courtoisie française: une influence byzantine?”, forthcoming in *Byzance et l’Occident III. Le roman au Moyen Âge: de Byzance à la France*, ed. E. Egedi-Kovács (Budapest, 2016).

20 D. Cook, *Studies in Islamic Apocalyptic* (Princeton: Darwin Press 2002), pp. 49–66. It is noteworthy that the monthly magazine of the current “Islamic State” and its digital counterpart are called, respectively, *Dabiq* and *Amaq*: these are the names of two Syrian villages where Islamic apocalyptic traditions expect the “Romans” (Byzantines) to unleash a *Reconquista*. (Muslim, *Sahih*, V 747–8.)

21 M. Bonner, *Aristocratic Violence and Holy War: Studies in Jihad and the Arab-Byzantine Frontier* (New Haven: American Oriental Society 1996)

22 Farid ud-Din Attar, *Mantiq ut-Tayir* (ed. de Tassy, Stockholm 1929), pp. 1159–1564.

23 *Digenis Akrites: The Grottaferrata and Escorial Versions* (ed. Jeffreys, Cambridge: Cambridge University Press 1998) E:21–217.

24 J. Martorell and M. Joan de Galba, *Tirant lo Blanc*, translated and with a foreword by David H. Rosenthal (New York, 1984).

25 For a discussion of such genre concerns, see e.g. C. J. Merrill, “Reading Tirant lo Blanc as Medieval Romance”, in *Tirant lo Blanc: Text and Context*, ed. J. M. Solà-Solé (New York, 1993), pp. 165–79.

26 Miguel de Cervantes Saavedra, *Don Quixote de la Mancha*, part

1, ch. 6. The full passage is cited and discussed in the foreword to the translation of *Tirant lo Blanc* by Rosenthal 1984, vii.

27 M. A. Garcés, *Cervantes in Algiers: a Captive Tale* (New York, 2002).

28 On the Greek novel in Iberian literature, see M. A. Doody, *The True Story of the Novel* (New Brunswick 1996), 206–12, and M. Futre Pinheiro, “The Nachleben of the Ancient Novel in Iberian Literature in the Sixteenth Century”, in *The Novel in the Ancient World*, ed. G. Schmeling (Leiden 1996), pp. 775–99.

29 Jardine, *Worldly Goods: a New History of the Renaissance* (New York: W. W. Norton 1996), pp. 37–90.

30 Breivik explicitly named an internet forum called “the Gates of Vienna” as his source of inspiration, which promoted the idea that the Umayyad period represented a “first wave” of Islamic conquests, that the Ottoman expansion that was halted at the gates of Vienna in 1527 and 1683 was a “second wave”, and that the current immigration of people from the Middle East represent a third one.

31 Cf. esp. G. Thum, “Megalomania and Angst” in: O. Bartov, E. D. Weitz, *Shatterzones of Empires: Coexistence and Violence in the German, Habsburg, Russian and Ottoman Borderlands* (Indiana: Indiana University Press 2013), pp. 42–60.

32 Koschorke, *Hegel und wir*, pp. 47–81, 120–35. For Hölderlin, it was ancient Greece; for Novalis, it was Christianity.

33 J. Osterhammel, *Die Entzauberung Asiens* 42ff.

34 E. Straub, *Der Wiener Kongress: Das große Fest und die Neuordnung Europas* (Klett-Cotta 2014), pp. 134–62. The German Romanticist painter Heinrich Olivier painted the Holy Alliance as the three emperors Alexander I, Francis I, and Friedrich Wilhelm IV clad like Medieval knights in a Gothic cathedral.

35 P. Hopkirk, *The Great Game* (John Murray 1990), pp. 57–76.

36 O. Figes, *Crimea: The Last Crusade* (Allen Lane 2010), pp. 4–60.

37 Mazumdar, “The Jew, the Turk, and the Indian”, in Hodkinson, Walker (eds.), *Deploying Orientalism in Culture and History* (New York 2013), pp. 99–116.

38 Hopkirk, *The Great Game* 301; S. McMeekin, *The Russian Origins of the First World War* (Cambridge: Belknap 2011) 99, 101.

39 Mark Twain, *Innocents Abroad* (American Publishing Company 1869): “It is soothing to the heart to abuse England and France for interposing to save the Ottoman Empire from the destruction it has so richly deserved for a thousand years. (...) I never disliked a Chinaman as I do these degraded Turks and Arabs, and when Russia is ready to war with them again, I hope England and France will not find it good breeding or good judgment to interfere” (p. 173).

40 M. S. Hanioglu, *A Brief History of the Late Ottoman Empire* (Princeton: Princeton University Press 2008), pp. 116–35.

41 S. McMeekin, *The Russian Origins of the First World War*, pp. 234–43.

42 More on this by B. Schumatzky in *Der neue Untertan. Populismus, Postmoderne, Putin* (Salzburg: Residenz Verlag 2016).

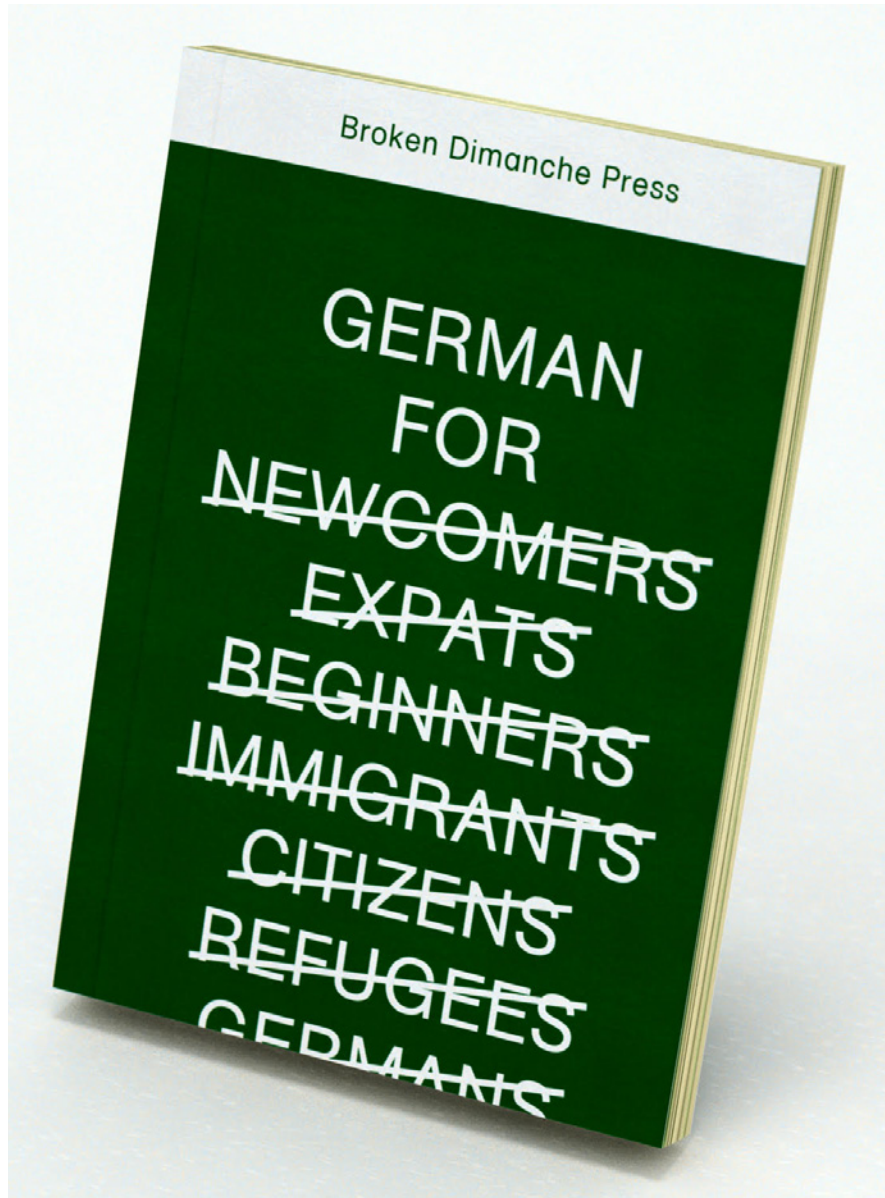
Stine Marie Jacobsen, Mirella Galbiatti &
Nastaran Tajeri-Foumani — German For
~~Newcomers~~ —

German for Newcomers is a German language project and a workshop by Danish artist Stine Marie Jacobsen, organised in collaboration with Iranian social worker Nastaran Tajeri-Foumani and Argentinian dramaturge Mirella Galbiatti from the German street-work organisation Gangway e.V.¹ and supported by Aktion Mensch.²

The traditional roles of student and teacher are shifted in *German for Newcomers*, where expats, immigrants, and refugees are invited to improve their basic German language skills by collectively writing useful teaching material for themselves and others. The teaching material is inspired by their experiences with German culture, bureaucracy, and language.

The language project offers a (literally) different and multilingual grammar perspective for people, who want to learn German. The teaching material from our first pilot workshop (January to August 2016) was turned into a book and a series of videos, which contain several insightful and humoristic statements from the workshop participants on German grammar. It weaves their understandings, experiences, identities, interactions as well as historical and cross-cultural meetings with the German language into the learning substance. The teaching material is made for beginners, and it focuses on explaining and commenting on the characteristics, hierarchies, and workings of the German language.

In the following, Stine Marie Jacobsen, Mirella Galbiatti, and Nastaran Tajeri-Foumani explain German for Newcomers from each of their different point of views and role in the project.



German for Newcomers, book cover. Design by Fuchs Borst, 2016.

Law Abiding or Law Creating by Stine Marie Jacobsen

The inspiration to do *German for Newcomers* came after I wrote *German for Artists*, which is a hybrid pocket grammar book containing reflections on philosophical aspects of the German language in relation to art. Hegel, for example, emphasized its hierarchical character when he said that the German language is like the relationship between a master and a slave; one must bow to the other. For example, a German sentence in the book exemplifies how we can imagine that a room has to ‘bow’ (conjugate) and change form when a famous artist walks through it. The artist turns the room into an object: “*Der Olafur Eliasson geht durch den Raum*”. “Den Raum” is visually bent by “der Olafur”, both of which are male nouns.

Hegel’s discussion of the dialectic of the Master and Slave is an attempt to show that asymmetric recognitive relations are metaphysically defective, that the norms they institute aren’t the right kind to help us think and act with—to make it possible for us to think and act. Asymmetric recognition in this way is authority without responsibility, on the side of the Master, and responsibility without authority, on the side of the Slave. And Hegel’s argument is that unless authority and responsibility are commensurate and reciprocal, no actual normative statuses are instituted. (Robert Brandom, 2008)

This reciprocity between responsibility and authority is key to both of these learning projects. When I came to Germany, I started teaching German to artists and curators and realized how much having to explain the grammar to others helped my German language skills.

Learning while Teaching

I started working with language first as ‘performative instructions’, when I had to instruct my participants to act in front of the camera. These instructions were heavily inspired by the 60’s art movement Fluxus’ abstract and open-ended performance instructions with a lot of space for randomness and indefiniteness, needing interpretation from performers and audiences. Fluxus’ instructions are musical scores, instructions for events or performances; some are described as set-ups for situations or installations and some are artwork in themselves. In my work, this translates into how language is interpreted individually or collectively and how it, in dissemination, changes its form, for instance as a verbal telephone game, planting a rumour or retelling a story based on memory.

Eselbrücken/Mnemonics

When something is explained poorly or not at all, we have to come up with our own explanations, and this is a useful method in education. This puts higher demands on the learner’s own knowledge and imagination. The learning pace is naturally heightened, when we have to come up with our own explanations and embody the learning material (as teachers/subjects/performers/actors/nominators/...). When we teach, we move from being objects of someone else’s grammar rules or laws to becoming ‘subjects’ of our own. For example, learners wrote storyboards for their own German video tutorial, and in short videos they sketch what they themselves found important to learn. But finding an actual mnemonic, a memory-helping tool (what one in German calls a “donkey bridge” – *eine Eselsbrücke*), was a hard challenge along with finding sounds in their mother tongue to explain *Umlaut* (ä, ö, and ü) or the challenge to mutate words. Like often heard mutations in the streets of Berlin:

“Wasever!” (whatever), “Wesrum” (why/why?) or “Genauzers” (exactly) or “de” (instead of der, die, das). Umlaut is mutating vowels and words, but imagine mutating a whole language.

Der Fehler - the Mistake

The confusion of a mistake is also a great learning tool. When a teacher makes a mistake, the students learn a lot by watching the teacher solve or explain the mistake in front of the class or by being themselves asked to explain why this is a mistake. This learning approach and the book’s vision is to break with normative German education which tends to focus on individual elements of German grammar. Instead, it introduces a more holistic and erratic approach by showing and explaining typical mistakes as something fun and thereby removing much of the anxiety most people associate (especially) with learning the German language.



Participant Mazen Aljarboua’s face distorts as he carefully pronounces the indefinite male article “einen” in German. Still from his German tutorial “Mit oder ohne Bart”, 2016.

*Thinking in Relationships, Grammar, and Nationality:
Law Creating or Law Abiding?*

Teaching material has national culture and gender politics coded within its system and structure. We learn to speak German through a “Peter” or a “Petra”. We are indirectly told how to behave and not to behave in teaching material. Just imagine that some languages do not use gender (Finnish, Estonian, Malay, and several others) and others do not use personal pronouns such as “I” or even indefinite or definite articles, which are tenderised themselves. Many learners find it very difficult to understand the subject (nominative), object (accusative), indirect object (dative), and genitive case in German, which in German syntax play crucial roles.

Cultural coding and norms are hidden in syntax, so students learn not only grammar but also to adopt an attitude. Hierarchy and power relations are immanent in any linguistic syntax because language mirrors society. Learning a language is also adapting to new behaviour. Language is constructed to fit needs or fantasies. And vice versa, language can affect us too. As for instance when “Rasmus” in Holberg’s *Erasmus Montanus* makes a verbal argument which magically transforms his mother into a stone and back again, language carries like film the power of illusion:

MONTANUS. *Little mother, I will turn you into a stone.*

MOTHER.* *Oh, nonsense! That is more than even learning can do.*

MONTANUS. *You shall hear whether it is or not. A stone cannot fly.*

MOTHER. *No, indeed it can’t, unless it is thrown.*

MONTANUS. *You cannot fly.*

MOTHER. *That is true, too.*

MONTANUS. *Ergo: little mother is a stone. (Mother cries.) Why are you crying, little mother?*

MOTHER. *Oh! I am so much afraid that I shall turn into a stone. My legs already begin to feel cold.*

MONTANUS. *Don’t worry, little mother. I will immediately turn you into a human being again. A stone neither thinks nor talks.*

MOTHER. *That is so. I don’t know whether it can think or not, but it surely cannot talk.*

MONTANUS. *Little mother can talk.*

MOTHER. *Yes, thank God, I talk as well as a poor peasant woman can!*

MONTANUS. *Good! Ergo: little mother is no stone*

(*In the original text, the mother is called Nille.)

Hallo

Hello
Bonjour
Hola
مرحبا
درود
안녕

(The six mother tongues of the people
who authored this book.)

Integrating language learning into everyday life or interests of the learners is important, because it makes the learning processes more interesting, familiar, and relevant to them. If learners can choose their own vocabulary and expressions, they absorb the textures and details of language in a way that traditional textbooks cannot convey. In *German for Newcomers*, the German grammar is juxtaposed with rights and a person's social and political citizenship status as "expat", "refugee", and "immigrant". Inspiration and references from Nietzsche, Mark Twain, and Hannah Arendt are also included in the book.

In einem Satz mit vielen Worten
kann ein Subjekt viele Male
wechseln:

ich mich mir meins mein meine
meinen meiner meines

Es ist wie ein armes, verfolgtes
ermüdetes Subjekt, das zu oft
im Laufe einer langen Reise
umsteigen muss bis es sein Ziel
erreicht hat!

In a sentence with many words
a subject can change many
times:

I me mine my*

It is like a poor, chased and
tired subject, that all too often
in the course of a long journey
has to keep changing trains
until it reaches its destination!

* There are many versions of "my" in German,
because it changes according to gender and
case.

German for Newcomers, book excerpt, 2016.

Plurality'n'Translations

The participants noted sounds and words they heard in public or in private everyday life, translated sayings from their language into German, and did Exquisite Corpse collaborative writings between images and text: What one person wrote was drawn by a second person and translated back from image to text by a third person and so on. The *German for Newcomers* book was written in correspondence between me and the participants. They literally translated their own statements into their mother tongues, so that a multilingual comparison and analysis between the languages happened naturally. We learn a language while thinking in another language, therefore by looking at the difference between and translation of the languages, an acculturation between the languages can happen and hence a more autonomous adaptation.

Mark Twain wrote in his essay "The Awful German Language" that the poor, tired, chased subject has to shift its form so often. Imagine suddenly having to say "ich" about your own self. To me it sounds like a hissing cat. Emotionally and phonetically you might not recognize or relate to your new language self in what is also a new society. By becoming a writer and a teacher in *German for Newcomers*, the participant also becomes the creator (the subject), and in this respect, the identification with one's new German "ich" is embraced. The self, "ich", is performing all cases (nominative, dative, accusative, genitive) as both creator and created, nominator and nominee. The (performative) act of coming up with their own grammar explanations creates attitudes of autonomy and can be compared with (daring to) write or change the rules and laws surrounding you.

My question: Why do you think there is Umlaut in German?

Participant answered:

When the Germans are very insecure or they don't know something, they answer only with ä, ö or ü. There is a »umlaut«, because the Germans are always serious. The »umlaut« makes the language more serious.

Excerpt from *German for Newcomers*, 2016

Borders in Language and Society

Can 'rule-giving' be assigned to not only German grammar or language authorities, but also to a more general discourse of rule-giving integration? In *German for Newcomers*, the process becomes more open, and the participants who join the project are empowered, when they explain the grammar rules from their own understandings.

We can never fully share our souls with each other, but at least keep words, our carriers of souls, borderless.

When I pronounce for example "table" in a new language and not in my mother tongue, it moves and feels not only differently on my tongue and in my throat; it also changes my brain and thinking structure. It feels like crossing a neuro-border when we learn a new language. If I am culturally "allowed" by my host country and host language to mutate and merge my own language into theirs, I feel more welcome.

We do not have any ~~Truth~~
by Mirella Galbiatti

We want

To	BE	Together
To	PLAY	Together

der die das

the the the

le la

el la

ال

نداریم¹

안써요²

¹ We don't have it.

² Don't need it. Not using it.

To	LEARN	Together
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Excerpt, *German for Newcomers*, 2016

Participatory art is an approach to making art in which the participant is engaged directly in the creative process and allows them to become co-authors and editors instead of merely observers of the work. In the field of informal education, participatory art has proven to be an excellent source of bottom-up, innovative methods for the empowerment of individuals in society. Some of the positive aspects of participatory art is that it generates dialogue, respect, mutual understanding, and idea confrontation.

Concept of Education

I am much inspired by the educational concept of Paulo Freire (1921, Brazil), because his concept always connects liberation/freedom to education. His way of thinking was always political as well as a reflection about the practical work.

For Freire, teachers should pretend to not understand the students and make them explain things themselves. Students should explore together with their teachers in order to change the societal structures and the world together: Knowledge must be practiced and invented 'with' people and not 'for' people.

The person teaching no longer has the monopoly to decide about topics in the learning process. The topics spring from the analyses of the topical universe of the learning process. In this way, we are all potential researchers. The teachers no longer exist as teachers; they now turn out to be organisers of the process. For Freire, research is not a privilege of a few scientists; it is a basic human quality, right, and condition to see ourselves and the world more clearly. Research means approaching the world with open eyes, thinking about the world and our own actions. To train human beings' relation to the world and their roles as creators in it is the main goal.

As an actress, I was trained in Stanislavsky and Grotowsky methodology and hereby learned a different way to be on stage.



Exquisite Corpse exercise, *German for Newcomers*, 2016

To develop a character. To **BE** on stage. As a clown, I trained to see and rediscover life as if it was the first time. Curiosity. Without prejudice. To reconnect with the joke, the game. To **PLAY**. As a pedagogue, I trained to share information with participants and students and to be open, in a process. To **LEARN** is to share.

I took inspiration from the activist theatre director Augusto Boal, who in the early 1970s developed a participatory theatre method, called *Theatre of the Oppressed* (TO), which is intended to foster democracy and collaboration among participants. Participants interpret and create their own roles through exercises the goal of which are to create a ‘physical reflection’ on oneself and to learn to feel what we see. The exercises develop the capacity for observation by encouraging participants to have ‘visual dialogues’ and slowly adding words. However, in the exercise *Image theatre* the use of words is usually considered to interfere with the language of images. In *German for Newcomers*, we wanted participants to act out the verbs while saying them and through play understanding how it feels to be the subject, object, indirect object, or possessor (see also Total Physical Response Method).

Using this method as inspiration in *German for Newcomers* gave us the possibility to combine these three aspects: to BE, to PLAY, and to LEARN.

In order to change our reality, it is necessary to (re)invent our society with our whole body and actions. It is not enough to just adapt (to) it. We must learn how to be an actor, a subject, in our own lives and not simply wait for someone else to teach us, as an object.

That is one of the key points in *German for Newcomers*: There is no grammar teacher teaching; there is a group of subjects learning and explaining the German language to each other through art, creative writing, and theatre.

The social worker’s point of view by Nastaran Tajeri-Foumani

For me it was really important to work in an environment without hierarchies: Stine, Mirella, and I do not consider ourselves native German speakers. I would say German is my “**step-mother**” tongue, because I am losing my mother tongue slowly. But maybe I need to rethink that statement in a couple of years.

I think this is a very beautiful start to a workshop: No experts, none of us are language teachers in a traditional sense, and everybody has their own perception of the language. This resonates with an important theoretical source, Jacques Rancière’s book *Ignorant Schoolmaster*, which highlights and advocates the “equality of intelligences” of all human beings. Rancière takes as his example the French teacher Jacotot, who came to teach at a grammar school in Belgium. This was a special situation, since he could not speak their language (Flemish), and the pupils could not speak his (French).



Filming “die Wegbeschreibung” (the direction) with Ali Reza Ansari, *German for Newcomers*, 2016.

They found themselves in a situation of equal “ignorance”, which actually allowed for a true mutual learning process.

We had a very productive cooperation with the workshop participants: Sometimes they corrected us, sometimes we did. The combination of laughing and learning was really important, because it showed us that the absence of the classical power relation such as *teacher–student* is a crucial empowerment opportunity.

Reading Foucault (reading Bentham, 1791), it became clear that “school” has long been a disciplinary institution (une institution disciplinaire), which is regulated and structured as a panopticon. The effect of panopticism is the knowledge that there is a constant possibility that the subject is being observed by her supervisor:

A real subjection is born mechanically from a fictitious relation [...] He who is subjected to a field of visibility, and who knows it, assumes responsibility for the constraints of power; he makes them play spontaneously upon himself; he inscribed in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection. (Foucault, 1977: 202-203).

Regardless of whether this control mechanism and power relation actually exists, the individual, who is potentially under observation, disciplines himself in the normative expectations so that his behaviour adapts to the picture of him as a subject. Over a long period of time, this mechanism leads to an internalization of the expected standards. Failure to live up to these expectations can lead to a lot of stress and embarrassment. For example, one workshop participant stated that he feels like a 3-year-old when speaking German and that being set back to a child’s language level makes him feel embarrassed. Others even expressed feelings of sociocultural-schizophrenia.

~~Wenn man eine satz so
schreiben soll, ich fuhle,
dass er eine psychische
krankheit hat.~~

Wenn man einen Satz
so schreiben muss,
kommt es mir vor, als
ob er eine psychische
Krankheit hat.

If you have to write a
sentence like that, it
seems to me as if it has
a mental illness.

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German for Newcomers, book excerpt, 2016.

In this way, participants in hierarchical systems are subjected to elements of panopticism. The leaders or teachers are the selected few who control the vast majority. We were very aware of this mechanism and wanted to deconstruct these positions and hierarchies by deconstructing the positions of teacher and student and creating a community, where new ways of learning and teaching were possible.

Language as dominance

I think it is important to talk about the consequences of these processes: What does it mean to make mistakes, to mispronounce or to miscommunicate? Although miscommunication is at first glance a contradiction in terms, it is a major feature of all communicative processes: We are constantly mis-communicating, and if someone understands what we say, we are lucky, or perhaps we simply imagine that someone could figure out what we just sent as information. Understanding is not a natural given.

Participants in *German for Newcomers* were invited to play with their different language skills, when they switch from one language to another. Some spoke fearlessly and full of sarcasm and humour, playing with mistakes and exaggerating the complexity of German grammar by complicating it even more. Using sign language and being very creative by phonetic innovations in combination. Some for example say “sleazy tor” instead of “Schlesisches Tor” because it is too difficult to pronounce, and hence they replace it with a similar, comical, and easier sounding word.

Other contributors were constantly questioning themselves, pressuring and even punishing themselves by asking if they were holding back the group, or if they were still allowed to attend, etc.

Both reactions are quite normal in my opinion. Thinking about what Foucault said, one should always remember how important non-hierarchical systems are. We started by not using the terms “school” or “classes”. We called our meetings workshops, which implemented a series of meetings that emphasized interaction and exchange of information among the contributors. This was not a classical school situation, which assumes that there is just one person in the room who knows and decides what is right or wrong. The next step was to avoid the terms “students”. We then decided to use

the term “contributor”. This was because they were not just sharing or taking part of the process; they were and are the actual workshop makers, contributing in a very important way!

~~Es gibt einen Umlaut,
weil die deutsche
immer serios leute sind.
Die Umlaut macht die
Sprache mehr serios.~~

Es gibt einen Umlaut,
weil die Deutschen
immer so seriös sind.
Der Umlaut macht die
Sprache mehr seriös.

There is an ‘umlaut’,
because the Germans
are always serious. The
‘umlaut’ makes the
language more serious.

German for Newcomers, book excerpt, 2016.

“We” the majority call the minority “them”

We Germans, we women, we men, we social workers, we refugees, or we immigrants.

There is no such thing. It was an aim of the workshop to overcome these positions and categories.

While keeping the workshop open for contributors to attend and to leave anytime, we had a group of 5-6 constant and about 5-6 occasional contributors. The relaxed dynamic of the group and very friendly relationships on a personal level were the fundament of trust and community building. The decision to make a diverse and open workshop came out of a discussion, or a question: While net-

working, we found out that there are some programs just for Syrian refugees, or just for those who can afford a course that costs 200€ per month, or courses that were paid by the social welfare system. Why do most offered programs for refugees exclude other people? We didn't want this to happen. So, networking was an important part of the research for the development of the workshop, because it leads to a more diverse group.

Refugee work without refugees

Being bored, tired, and even offended by these programs I was questioning my whole job and its “fire extinguisher” mentality. As a social worker, one has to always deal with emergency situations; more prevention than just de-escalation would be a blessing. Before the so-called refugee crisis in 2015, these programs were more diverse and now they are suddenly only dealing with Syrians. Now that the so-called refugee crisis arrived to Northern Europe, one has to suddenly switch all concepts and work just with this group.

In my opinion this is not the right way. I think refugee work can be done without refugees, because you can help refugees without working directly with them as participants (and for refugee you can place every other “Fremdbezeichnung” or xenonym). It is mandatory to work with everybody. Those who have no contact with diverse groups should have the opportunity to meet and mix. And this is what the *German for Newcomers* project does. It is my dream and in my opinion the only solution to prevent segregation and racism.

Titles: “refugee”/“illegal”/“the others”

When thinking about the term “illegal” I instantly think of drugs and human trafficking, and that leads me to the very absurd idea

of human beings being commodities. When remembering the past discussions in newspapers on the Dublin regulations or the German *Verteilungsschlüssel* (allocation formula) I must say that there are some similarities. This is very risky and tough to write, but according to the immigration politics, law, and system there are good immigrants and bad immigrants. The good ones already have education and can support others, who need support. The bad immigrants need support, which means they cost money, which means that no one wants them. This is why everyone tries to get rid of them. Similar to expired groceries. Of course, the divisions are not just about good and bad, also about the early comers (fully integrated), newcomers, and then refugees (and even more interesting the division between refugee, immigrants, and expats); the whole complex of ideological and other apparatuses works its way to strengthen these divisions and prevent solidarity, even exclude people; like for example when some groups are perceived and termed as more important than others. In such cases, “traditional” is considered to be something negative, because a “traditional” Muslim is a “bad migrant”, since he or she apparently is not able to be educated. The term “traditional” therefore rapidly and legitimately demarcates and excludes these people.

Trust vs. embarrassment

There is a feeling of insecurity and weakness while learning a new language. While preparing this paper I really needed to laugh so many times. Is it really me? While writing I so often felt embarrassed because I needed to consult my Oxford dictionary so many times, and there were so many words I did not know how to pronounce. But then I was thinking about our workshop and how empowering it was for all of us. So, I thought: whatever.

Bitte entfernen Sie das
Wort „Integration“, weil
ich es nicht aussprechen
kann.

Please remove the word
“Integration”, because I
cannot pronounce it.

German for Newcomers, book excerpt, 2016.

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Endnotes

1 www.gangway.de

2 www.aktion-mensch.de

Jean Lassègue — The Daoud Affair —

Politics, Literature, and Migration of Ideas in a Time of Crisis

Introduction

The aim of this text is to reflect on the relationship between two genres of discourse when they are alternatively used by the same writer in a time of intense political, social, and identity upheaval, as Europe is experiencing it through the migrant crisis. The two genres that will be studied are the political genre in a broad sense (press articles belong to this category) where a writer takes the floor in his or her name, and the literary genre, conceived as a form of imaginary and social endeavor where the writer is not supposed to be identified with his or her fictional characters. It is well known that the distinction between the political and the literary can become fuzzy in a time of crisis: the cases of Louis-Ferdinand Céline and Ezra Pound, whose fictional productions cannot be separated from their political commitments to fascism, spring immediately to mind. But the embarrassment such cases generate should not indulge us in a comfortable self-censorship and prevent us from recognizing a very specific political function of literature. It is this very function that will be investigated here in relation to a contemporary case: The Algerian writer Kamel Daoud who unwillingly became involved in what was eventually called the ‘Daoud Affair’ – an expression coined by Adam Shatz, an American literary critic and personal friend of Daoud, in an article published by *The London Review of Books* in March 2016.¹

1. *What happened?*

Let us first recall some basic facts about Kamel Daoud in order to clarify the situation in which the ‘Daoud Affair’ took place. Kamel Daoud was born in Algeria in 1970 and has been living most of his life in Oran (Western Algeria). In 1994 he became a columnist for the francophone newspaper *Le quotidien d’Oran* before also making

his debut as a novelist. Having learned French as a boy, it is also the language he chose to write in. He became well-known nationwide for his acrimonious criticisms of the Algerian state-power in articles published in various newspapers as well as for his first novel published in Algeria in 2013, *Meursault, contre-enquête* [translated as *The Meursault Investigation*],² the latter being a highly original sequel to the narration of Camus' *L'Étranger* – another novel taking place in Algeria written by Camus in 1942.³ Daoud's book was then republished in France the following year (2014) before being translated into more than twenty different languages. Until very recently, Kamel Daoud was still writing weekly pieces in French in *Le Quotidien d'Oran* in a column entitled 'Raïna Raïkoum' (in Algerian Arabic: 'Between us, between you').

So, what is the 'Daoud Affair' about? It started in January 2016 with the publication of an article by Kamel Daoud in two European newspapers in Italy⁴ and Switzerland.⁵ The article was then published again in the French newspaper *Le Monde* under the title 'Cologne, lieu de fantasmes' ['Cologne, a place of phantasms'].⁶

11. *The article on the Cologne events by Kamel Daoud*

In this article, Kamel Daoud expressed his personal opinion about the attacks that took place during New Year's eve in Cologne, i.e. mostly sexual assaults perpetrated by men of undetermined Arab origin on several hundreds of women who were out at night for this special occasion. Daoud opened by stating that it was still very difficult to know precisely what had happened in Cologne,⁷ but it was certainly easy to at least guess what it would generate in the West, namely two opposite attitudes the first of which would reinforce the image of migrant-refugees as potential rapists and thieves among the European far-right, while the second would underestimate the

force of the cultural upbringing the migrant-refugees were subjected to in the "world of Allah" (to quote Daoud's own phrasing), marred by sexual deprivation and patriarchal control over women's bodies. Secondly, according to Daoud, the core of the problem was cultural in nature: In the "world of Allah", women's bodies do not belong to themselves but to men and are perceived through the moralistic categories of virtue and vice whereas the modernity in the West will confront them with an entirely different set of values. In a third and last point, he suggested that granting legal papers to migrant-refugees was certainly an imperative that human rights would rightly call for, but that it would also imply another sort of duty, that of allowing enough time for migrant-refugees to acclimatize themselves to a completely novel framework of social values.

12. *The collective response to Daoud's article*

On February 12th 2016, a collective reaction to Daoud's article appeared in *Le Monde*, signed by nineteen social scientists – from PhD students to retired professors – mostly working in France. The general overtone was not only harsh⁸ but suggested a moral condemnation of Daoud⁹ as well. It would certainly be possible to dwell upon the rhetorical tricks that combined a deaf ear with slander in this response, but since this is not the direct purpose of this text, it is therefore more appropriate to focus on the three explicit charges against Daoud: 'radical essentialism', 'psychologism' and 'colonial paternalism'. By 'radical essentialism' the petitioners wanted to question the idea that the "World of Allah", as Daoud says twice in his article, would be endowed with a permanent, even eternal, nature the basis of which would be a religious one and that men would be entirely determined by their religious identity in such a world.¹⁰ 'Psychologism', on the other hand, would imply a serious

shortfall in this case for it would tend to identify Muslim men as a group of sexual deviants deprived of moral autonomy. Bluntly put, the petitioners found the suggestion made by Daoud – that migrant-refugees would have to accept a complete change of social values in order to be welcome in the West – to be completely revolting. This was a mere repetition of the century-old order given by “colonial paternalism”: supposedly deviant men should be reeducated. According to the petitioners, this paternalist and colonialist attitude had one morally unacceptable consequence in today’s migrant crisis: it would put a condition to the welcoming of the refugees who would therefore be kindly requested to modify what they are supposed to be if they wanted to freely dwell in Europe.

13. *A glimpse at the controversy*

The two articles published in *Le Monde* triggered an outburst of heated reactions in the media throughout the world and it soon became almost impossible to keep posted due to the avalanche of texts and oral interventions that flourished in newspapers, blogs, social networks, radio and television.¹¹ This is the ‘Daoud Affair’, the very expression is reminiscent of the famous ‘Rushdie affair’ (even though Adam Shatz does not draw the parallel in his article bearing this title) that took place in 1988 after the publication of the novel *The Satanic Verses* during which the British writer of Indian-Muslim background was condemned to death by a fatwa pronounced in 1989 by Iranian leader imam Khomeini himself, just as Daoud was also condemned to death by a fatwa pronounced by the radical Algerian imam Abdelfetah Hamadache Zeraoui on the 16th of December 2014.¹² But as Jeanne Favret-Saada has rightly pointed out in a revised version of her book (republished in 2015)¹³ on what is now called “the *Jyllands-Posten* Muhammad cartoons controversy”, the great differ-

ence between today’s situation and the one which was prevailing in 1989 is that Salman Rushdie benefited from a unanimous support by intellectual and political circles throughout the world whereas today, mainly in the aftermath of the jihadist attack against *Charlie Hebdo* that took place in Paris on the 7th of January 2015, a significant proportion of intellectuals and rulers in the East and the West alike have raised strong objections against any satirical attitude or political stance that could be interpreted as provocative or blasphemous by the so-called “Muslim world”. This rather new attitude, engaging some kind of self-limitation of the freedom of speech, has marked a strong turn in mentalities which partly explains (I shall expand on this below) why some social scientists sided so strongly against Daoud after his article on the Cologne events.

It should be noticed in particular that what was still possible to say at the beginning of the controversy became harder and harder to spell out after a few weeks. It is interesting in that respect to appraise the intellectual development of someone as close to Daoud as his friend Adam Shatz. Before the controversy started, Shatz had written in the *New York Times* dated the 1st of April 2015 one of the best pieces on Kamel Daoud I have come across. In the text Shatz goes deep into Daoud’s specific work on tradition and his way to address contemporary issues¹⁴. However, after the controversy had started Shatz wrote a letter to Kamel Daoud that was later made public and published in French by *Le Quotidien d’Oran* on the 15th of February 2016 in which one of his last sentences was the following:

[...] I want you to know that I am worried about you and I hope that you will give heed to your positions ... and that you will go back to the mode of expression you are, to my mind, at your best: literature.¹⁵

With a bit of distance, it is rather puzzling to observe how a literary critic like Shatz recommends an experienced and honored journalist, who has written journalistic pieces for more than twenty years, to return to a domain he only recently entered, that of literature. But let us put this aside for the moment.

Almost at the same time, on March 14th and 15th, Daoud published two articles. The first one, appearing in the *New York Times*, was called ‘The sexual misery of the Arab World’¹⁶ which developed the same kind of arguments as in the Cologne article. In a second one, ‘Lettre à un ami étranger’ [‘Letter to a foreign friend’],¹⁷ written as a personal response to Shatz and published in *Le Quotidien d’Oran*, Daoud would underline how unjust and even immoral the criticisms addressed to him were, stated as they were from the West where sexual control and threats over public expression were mostly unknown, and, as a consequence of this pressure that he had been exposed to, he would make public his decision to withdraw from writing in the media and dedicate himself to literature only. One could get the impression that Daoud was silenced by those who were supposed, as Shatz had said earlier, to be on his side¹⁸ but it turns out that Shatz himself is liable of friendly fire in this affair. A few weeks later, on April 5th,¹⁹ in an article published on a blog of *The London Review of Books* the title of which sounded like a conclusion (‘How did we end up here’), Shatz’ tone was more acrimonious even if it was not directed at Daoud himself and he would give credit to the same kind of sweeping remarks the collective letter published by *Le Monde* had already stated. Here are just two quotes:

The notion that the road to an Islamic France is being paved by tolerance and cultural relativism is an old argument, going back to the early days of Algérie Française.

This derogatory innuendo to ‘Algérie Française’ – reminding the colonialist slogan at the time of the Algerian war – was claimed without any bibliographical or historical reference which would help the reader make sense of it.

And:

Like the Arab in Baldwin’s time – or the Jew in an earlier era – the Muslim of today is ‘always hiding something’, either a terrorist plot or a plot to Islamicise France, or both. He preys on the bien pensant ‘dread of being treated as an Islamophobe or being called racist.

The analogy between Arabs in contemporary France and Jews before then seemed so natural that Schatz did not even find necessary to discuss it, although the two situations are highly dissymmetrical. Schatz’ article appears, as it were, as a coup de grace.

2. The political and literary fate of Meursault, contre-enquête

The value of the arguments used in this controversy would take too long to analyze and it is not what I am primarily concerned with. For now, I would rather focus on what appears at first as its most obvious consequence: the fact that Kamel Daoud decided to stop writing in the press as if he had to choose between the political and the literary discourse. And indeed, this was precisely Adam Shatz’ suggestion to Daoud, as I already said.²⁰ In other words, Daoud should accept the divide between the political and the literary discourses. To the best of my knowledge, this is precisely what Daoud did, even if some of his articles published in the press were later published as a book.²¹ But did he really? And was it really in his power to do so once his novel,

Meursault, contre-enquête, was published and vastly read? And is it really possible for the readers to take his novel as “literary only”? What sense would “literary” have in this case? My claim in the next pages will be that the controversy I just sketched above had made at least one thing clear, namely that Daoud’s novel, by mixing up politics and literature in a highly original way sets up its own political and literary agenda and escapes any sectarian enrolment – contrary to the role his critics would have liked Daoud to play in the controversy. But let me first describe some of the features of the novel proper that hinge on the point I want to underline, namely the specific interplay between the political and literary genres of discourse.

21. Anonymizing Camus

As it has been rightly noticed, Daoud’s leitmotiv in *Meursault, contre-enquête* is to give a name to the anonymous Arab who dies on a beach from five bullets shot almost inadvertently by Meursault, the fictional character in Camus’ first novel *L’Étranger*. But the process of naming is much more complex than this. It has been less noticed²² that the first person narrator is located in a similar constellation as in Camus’ *La chute* [‘The Fall’], that is, telling his story to a listening counterpart in a bar, the only access the reader has to this listener is through the first person narrator. It is therefore Camus’ whole *œuvre* which is present in *Meursault, contre-enquête*, even if its title and plot are directly borrowed from Camus’ most famous novel, *L’Étranger*. The implicit frame that serves as reality in Daoud’s novel is therefore a work of fiction, the one set up by Camus in *L’Étranger*. Hence the very specific and complex interplay between reality and fiction in Daoud’s novel. At the same time, Camus as a real author is never named as such by Daoud and it is only Camus’ fictional character, Meursault, who appears in *Meursault,*

contre-enquête and ends up becoming the author of a famous novel called ‘The Other’²³ in which an anonymous Arab is shot down on a beach.

It should nevertheless be underlined that there is at least one major difference between the first-published Algerian edition of *Meursault, contre-enquête* and the French and English ones (and maybe other foreign editions as well, too numerous to check). In the chapter XIV of the Algerian edition,²⁴ the character is called *Albert Meursault* three times and his book *L’Étranger* once, thus bearing the first name of Camus himself and assuming the title of his book. In this sense, the first edition of Daoud’s fiction explicitly refers to the historical author and his work, thus making the reader aware of the difference between the realm of fiction and its historical context. On the contrary, the first name of Camus is not mentioned in the French and English editions and Meursault’s book is entitled *The Other* and not *L’Étranger* any longer. In the case of the foreign editions, we could say that by avoiding to identify the fictional Meursault with the real Camus while being at the same time *really* faithful to the way Camus calls his own character by his name only, Daoud strictly stays within the realm of fiction and shows how radical literature can be in its power to build its own, inner sense of reality that makes it possible to later on modify its meaning.

In the foreign editions, what Daoud does is both making a canonical text his own, as a part of his fiction, and renaming and rearranging it – thus creating some kind of ghostly presence of Camus in the novel. This twist has at least two crucial consequences.

Firstly, Camus is anonymized in Daoud’s *Meursault, contre-enquête* just as the Arab was anonymized in Camus’ *L’Étranger*. And in Daoud’s novel, it means that just as Camus becomes part of the implicit frame of the novel, the use of French as the language in which

the novel is written becomes as ghostly as Camus and has not to be justified any further: it is a “bien vacant” [‘an unclaimed good’] as it is noticed right at the beginning of Daoud’s novel,²⁵ a tongue that is just part of the linguistic environment in today’s Algeria, along with Algerian Arabic and Kabyle language for the oral communication and Modern Arabic, derived from Koranic or Classical Arabic, for the written one. For Daoud, French language is therefore a ghostly piece among the linguistic usages in today’s Algerian linguistic environment and not exclusively the language of the colonialists the use of which is reproved as un-patriotic. Choosing French is therefore a political decision that recognizes as a fact the variety of languages in today’s Algeria where French is still spoken and written along with other languages – the mostly used one being Algerian Arabic, a non-written dialect of Arabic common to the whole Maghreb region.

What is the specific use of French in this linguistic environment? Of course, from a purely theoretical point of view, any language could be used in any situation but this would put aside the way actual linguistic interactions take place among communities of speakers and the various symbolic weights languages are bequeathed with historically. In the way Daoud uses French, the form borrowed from *La chute* hinges upon a linguistic use of the pronouns ‘I’ and ‘You’ as opposed to a collective “We” which is presumably the opposite community described in *L’Étranger*, the Arabs²⁶. And this is also why the narrator in Daoud’s novel, in order to make a differentiated usage of the ‘I’ and the ‘You’ has to learn a language his mother doesn’t know lest he would be swallowed by her²⁷: French is therefore a foreign language in which the ‘I’ and the ‘You’ can become the narrator’s own property.

Secondly, Meursault is the missing link between the two novels and is therefore both a fictional and a real character depending on

the point of view chosen: fictional when he is thought of as the imaginary ‘I’ in *L’Étranger*, real through the fame the readers granted him for having killed an anonymous Arab, as it is told in *Meursault, contre-enquête*. Only in the realm of literature can fiction and reality be built in such a way that they are being intertwined together and only in this sphere is the fictional Meursault liable to be accused for real of having killed an Arab, of having discarded his name, and of having gained glory out of its narration.²⁸

It is the literary act of anonymization of Camus and his replacement by his own fictional character Meursault that makes a sequel to Camus’ novel a literary productive work, for it is in its very performance that a new form – i.e. Daoud’s novel – can be acted out as a viable expansion of *L’Étranger*:²⁹

The murderer got famous, and his story’s too well written for me to get any ideas about imitating him. He wrote in his own language. Therefore I’m going to do what was done in this country after Independence: I’m going to take the stones from the old houses the colonists left behind, remove them one by one, and build my own house, my own language.”

Hence the constant interplay between the two novels in Daoud’s text both at the content level, where passages from *L’Étranger* can be found word for word, and at a critical level, where Camus’ style is being both praised and dismissed so that another style can emerge that is more fit to fully describe the historical and linguistic situation of today’s Algeria. It would therefore be a mistake to read *Meursault, contre-enquête* as an attack directed towards Camus as a person because Camus is not a literary character and it is in the literary domain that Daoud operates.

22. *Naming the characters*

Once this complex interplay between reality and fiction has been settled, it becomes possible to name the different characters in Daoud's novel. The process of name giving is also complex as it implies a genealogy³⁰ that concerns the four main protagonists: the anonymous Arab killed on the beach, his brother who takes the floor and addresses the reader, their mother and the French colonist who is killed by the brother the day after Independence.

The novel starts with the reversed image of the famous incipit of *L'Étranger*: "Aujourd'hui maman est morte" ['Today mummy is dead'] which becomes in *Meursault, contre-enquête*: "Aujourd'hui, m'ma est encore vivante" ['Mama's still alive today']. The first one to be named is therefore the mother, even though she is only called by her Algerian Arabic nickname 'M'ma'. The mother is therefore the only character who has some kind of a name right from the beginning – and keeps it all along.

The name of the brother who was killed by Meursault is not given at first. He is described as:³¹

a poor illiterate God created apparently for the sole purpose of taking a bullet and returning to dust – an anonymous person who didn't even have the time to be given a name.

Getting out of anonymity is the result of a process: he is first called "Zujj",³² the word used in Algerian Arabic for the number two which in the novel refers to two o'clock, the moment when he was killed on the beach, but he is also referred to by the pair, "him and me",³³ "me" referring to the narrator. It is only later that his name "Zujj", which is dependent on the external circumstances of his death, is changed into "Musa", etymologically related to the

biblical Moses, whose name in folk etymology is "the one saved from water", certainly ironical here for someone who was shot dead on a beach and then carried away by the sea. But the irony goes further: in the Islamic tradition, Musa is also described as "the one who spoke directly to God"³⁴ and received the law that would create a new people. It is therefore through Musa that speech is made possible – but the "Zujj" name, given first, reminds us that it is less with God than with "me", the narrator, that dialog has to be experienced first so that speech becomes possible. Maybe this was already blasphemous enough to have prompted Islamist wrath ...

The speaking voice, i.e. the brother of the anonymous Arab killed by Meursault, is called "Harun" who, in the biblical tradition, corresponds to Aaron – Moses' brother, who, in the Bible, is called "the prophet" of Moses by God himself for he had to speak on his behalf because Moses couldn't speak well³⁵. Harun is therefore a "prophet" for his brother Musa and he is the one who speaks about Musa's death and also about the concealing of his name in Meursault's novel as well as after Independence.³⁶

The family name of the two brothers was initially just a nickname: "Uld el-assass" [in Algerian Arabic: "the son of the guardian"], which after the Independence becomes their civil name for it is by means of this name that Meriem, a young woman making research on the case, manages to track down Harun and his mother in the summer 1963. Just like the other characters, Meriem has a biblical and koranic genealogy: she is the sister of Moses who puts him as a baby in a basket on the river where Pharaoh's daughter finds him and rescues him, contrary to Musa whose body was never found and for whom was, ironically enough, recited the Islamic prayer for the drowned in Daoud's novel³⁷. But by enquiring on Musa's death, she makes the remembrance of him alive and discloses the

whole case to Harun and his mother:³⁸ a book had been written by a writer called Meursault who then became famous and the story of the murder had therefore been told, without the two of them knowing about it.

A last character has his name transformed in *Meursault, contre-enquête*: just after the independence, a Frenchman called Joseph Larquais tries to hide lest he would be submitted to reprisal and, by accident, ends up in Harun and his mother's yard. As with the other characters, Joseph has a biblical and a koranic genealogy which is made explicit in his case:³⁹

Poor Joseph. The poor guy fell into a well and landed in our courtyard that night.

The mother convinces Harun to shoot him down, Harun obeys his mother⁴⁰ and Joseph is killed and buried under a tree. This murder is as useless as Musa's because Joseph is killed just after July 5 1962, the date of the Algerian Independence: what could have been considered as an act of resistance before the Independence is nothing but an act of murder after it, which is why Harun ends up in prison just like Meursault before him. The only reason that can be found for this murder is that the mother has decided that Joseph should die because he used to love swimming at two o'clock, at the same time as Musa was killed on the beach, at "Zujj". Therefore Joseph's murder is symmetrical to that of Musa but, contrary to him, he will only be remembered as the man who was murdered for having liked to swim freely at two o'clock.⁴¹ In a way, by the end of the novel, the accounts are cleared and some kind of balance has been restored which was the goal of the narrator in the beginning:⁴²

I think I'd like justice to be done. That may seem ridiculous at my age ... But I swear it's true. I don't mean the justice of the courts, I mean the justice that comes when *the scales are balanced*.

Now that some of the features of the novel have been described, it is time to go back to the controversy from where I started. My claim is twofold: first, it is precisely through the "justice of the courts" and not through the "balance of the scales" that many readers have read both *L'Étranger* and *Meursault, contre-enquête* and secondly, that forgetting this difference is the very reason why the whole controversy started in the first place. More specifically, what had been forgotten in the very harsh and moralistic critique against Daoud is the literary space itself in which mixing up Camus and Meursault, reality and fiction, was made possible and where different narrations can coexist and mutually nourish each other. But this memory lapse has an historical root that must be traced back to the period of Algerian independence in order to be explained. My claim is that some historical remarks can shed light on the controversy I am concerned with: Daoud's article on the Cologne events.

23. *A touch of memory: Nora and Derrida on Camus' L'Étranger*

In March 1961, a bit more than a year before the official declaration of independence of Algeria (5 July 1962), the French historian Pierre Nora, by then aged 29, published his first book entitled *Les Français d'Algérie*⁴³ ['The French of Algeria'] after two years spent as a history teacher in the "lycée" (baccalaureate school) of Oran, the very city of Camus and Daoud. The main topic of the book was the responsibility of the French "pieds-noirs" ('black feet', the nickname of the 800 000 French living in Algeria at that time) in what seemed to Nora as the now unavoidable independence of Algeria,

at that time not a mere colony run by France but actual French territory. More than the book itself, it is the recent republication of Nora's book along with a letter received by Nora dated the 27th of April 1961 and signed by Jacques Derrida,⁴⁴ his fellow-student, himself a "pied-noir", that will be the focus of my attention.

Nora's political aim with the book was to get rid once and for all of the already waning political clout of the "liberals", a left-wing current which had battled for a political solution maintaining Algeria within France by granting equal rights to the Arabs. Camus took part in the liberal movement where he had been an activist for more than twenty years before his accidental death on the 4th of January 1960. When Nora sent his book to Derrida in March 1961 the latter had been a liberal too when it was still a political option, even if, by dint of the political agenda that had evolved in a quite different direction during 1961, he was not anymore. What is interesting for our own purpose is the symbolic interpretation Nora makes of *L'Étranger* as well as Derrida's reaction to it. Nora describes *L'Étranger* this way:⁴⁵

L'Étranger: it is the very title of the only great work written in Algeria by the only great French Algerian writer. This masterpiece of Algerian literature can be seen as the true reflection of the feelings developed by the French as they are lived in Algeria. [...]. For the first time with *L'Étranger*, Algerian literature takes over the psychological relationship which haunts the Europeans in Algeria without recognizing it. Camus transfigures this relationship and brings it to the level of the unconscious symbolism, the only where the Arabs appear in the psychological landscape of the French, motionless as the stranger under the sun."

Nora's anti-colonialist interpretation of *L'Étranger* is therefore a critique of Camus himself who becomes a symbol of the universal attitude of the French Algerians towards the Arabs, an attitude based on exploitation, exclusion and economic misery. This way of interpreting Camus' political stance, although he had been an activist in the liberal movement, relies on the unification of Camus with Meursault which is exemplified in Nora's influential interpretation. This interpretation consists in making no difference between the various currents within the French Algerian community and it is only possible because of the imminent perspective of Independence: the liberals having definitely lost battle, they become just like the other reactionary "pieds-noirs", a burden nobody knows exactly what to do with. Seeing Camus as a symbol of French Algerians is therefore a consequence of the upcoming Independence of Algeria and Nora was the first one, but not the last, to spell it out in his book which was published a few months before Independence.

But this wasn't Derrida's point of view even if he politely wrote in his long letter to Nora that he agreed with him on his interpretation of *L'Étranger*: to at least see it as an Algerian novel.⁴⁶ What Derrida disagreed with Nora about was when the latter threw all the French Algerians into the same pot by making them all guilty of having definitely ruined any other solution than Independence. Derrida claims:⁴⁷

Not that long ago, I often judged Camus the way you do, for the same reasons [...]. I don't know if it is honest anymore and if some of his warnings won't appear tomorrow as elementary lucidity and basic requirements. [...] In sum, you condemn Camus' moralism as well as that of the liberals. [...] Fundamentally, the moralism of the liberals seems to you *immoral*. And by bringing them back to

the past so that they can realize their historical guilt, it is a lesson of morals that you want to give them. Maybe I am wrong but I've felt, all along the book, that you were more a moralist than them.

Derrida, a French Algerian himself, tries therefore to introduce differences within the French Algerians and in doing so, gives Camus credit of having tried a fair solution that, after his death, became more and more impossible to negotiate which in turn made him appear as the advocate of *Algérie Française* in terms he would have never agreed with.⁴⁸ In doing so, Derrida was trying to go beyond "the justice of courts" to find a "balance of the scales", to use Daoud's own phrasing.

It could well be that Nora's reading of *L'Étranger* had become almost unconsciously common knowledge in its post-independence reception for one can find traces of it in other books – Edward Saïd's *Culture and Imperialism* (1993) being one example among many.⁴⁹ It is therefore possible to suppose that the association between Camus and the "colonial party" was still very much part of the frames of reading when Daoud's novel was read in 2013. And this could partly explain the very aggressive reaction towards Daoud after the publication of his article on the Cologne events where he was accused of islamophobia and of colonialist paternalism: all of a sudden, Daoud's article would show in retrospect that *Meursault, contre-enquête* had not been written in the wake of Nora's interpretation of *L'Étranger*. Daoud would therefore appear as a completely different author from the anti-colonialist one that his book, interpreted against the same yardstick as Camus was interpreted by Nora, was supposed to have exemplified. On the contrary, as I have tried to show, *Meursault, contre-enquête* opens up a new way of considering the past that creates new bearings for the present. The Cologne article should first

be read accordingly: instead of trying to anonymize Daoud by way of moralistic arguments coming from a bygone past, he should be recognized as the one who was able to create a new setting in which other voices could be heard and a future unveiled.

Conclusion

It is maybe possible to criticize Daoud's position about the Cologne events and the debate about what happened and what to do next is certainly still very much open for what triggered it in the first place, the migrant crisis, is still very much on its way. But one should first start by remembering the past if one wants to put moralism aside and stop seeing as a moral condemnation what Daoud says about those he considers his own people and who misbehaved so severely in Cologne.

Shatz's advice to Daoud to quit journalism is therefore a difficult one to follow, even if Daoud seems indeed to have stopped writing in the press. But Kamel Daoud is no Zujj Larquais, someone who can be silenced and symbolically put to death. Quitting journalism does not mean that literature and politics should be segregated. For if literature has any meaning it is that it teaches us a very political lesson here: that creating new forms of social interaction as Daoud does through his novel becomes only possible once the past has been cleared on equal scales.

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- 1 Adam Shatz, ‘The Daoud Affair’, *The London Review of Books*, 4 March 2016 (<http://www.lrb.co.uk/2016/03/04/adam-shatz/the-daoud-affair>).
- 2 Kamel Daoud, *Meursault, contre-enquête*, Barzakh, Algiers, 2013, Actes Sud, Arles, 2014 (pagination to this edition); English translation by John Cullen, *The Meursault Investigation*, London: One World Publications, 2015.
- 3 The novel was published in Paris in 1942 a time Algeria was still part of French territory.
- 4 ‘Colonia. Il corpo delle donne e il desiderio di libertà di quegli uomini sradicati dalla loro terra’, *La Repubblica*, 10 January 2016, (http://www.repubblica.it/esteri/2016/01/10/news/colonia_molestie_capodanno_un_articolo_dello_scrittore_algerino_daoud-130973948/?ref=search)
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- 6 ‘Cologne, lieu de fantasmes’, *Le Monde*, February 5 2016, (http://www.lemonde.fr/idees/article/2016/01/31/cologne-lieu-de-fantasmes_4856694_3232.html)

www.lemonde.fr/idees/article/2016/01/31/cologne-lieu-de-fantasmes_4856694_3232.html)

7 At the time Kamel Daoud published his article in *Le Monde* (February 5 2016), little was known for sure and the list of 1049 victims, most of whom women sexually assaulted, which was later released by the German police was not established yet, nor was the identity of the attackers clearly determined, except that they were of ‘Arab origin’.

8 Daoud was accused of “islamophobia” and of “recycling the most hackneyed colonialist clichés” about the so-called “world of Allah”, a reference to the Muslim world the petitioners would admit when speaking of the “billion of its inhabitants” but would deny Daoud the right to use when he would denounce the sexual misery of this very world.

9 One example is the allusion that was made in the title of the last paragraph of the article: “De quoi Daoud est-il le nom ?” [“What does the name Daoud stand for?”], a direct reference to the title of the famous pamphlet written by the French philosopher Alain Badiou in 2007 *De quoi Sarkozy est-il le nom ?* [*The meaning of Sarkozy*] in which Badiou identifies Sarkozy, at that time president of the French Republic, to the Vichy regime of collaborationist France during the second world war.

10 I don’t think this is what Daoud meant by “World of Allah”. This evocative expression, specific to Daoud, refers more to a culture and a social atmosphere in which Islamic values play a central role more than to religious values proper. But let us keep this aside for the moment.

11 One of which was that of today’s French prime minister Emmanuel Valls who gave Daoud his full support in his personal Facebook page. Emmanuel Valls, ‘Soutenons Kamel Daoud !’, *Facebook*, March 2, 2016, (<https://www.facebook.com/notes/manuel-valls/soutenons-kamel-daoud-/1002589256488085>).

12 Abdelfetah Hamadache Zeraoui has been sentenced to three months imprisonment and 50 000 Algerian Dinars (3737 Swedish kronor) by the court of Oran on March 8 2016 for having called for Daoud’s murder on his Facebook page.

13 Jeanne Favret-Saada, *Comment produire une crise mondiale avec*

douze petits dessins, [‘How to produce a global crisis with twelve little drawings’], Paris: Les Prairies ordinaires, 2007; Paris: Fayard, 2015.

14 “Stranger still”, *The New York Times*, 1 April 2015 (<http://www.nytimes.com/2015/04/05/magazine/stranger-still.html>).

15 “[...] je veux que tu saches que je m’inquiète pour toi, et j’espère que tu réfléchiras bien à tes positions ... et que tu retourneras au mode d’expression qui, à mon avis, est ton meilleur genre: la littérature.” (The original, maybe written in English, was not published as far as I know).

16 ‘The sexual misery of the Arab world’, *The New York Times*, February 12 2016, (http://www.nytimes.com/2016/02/14/opinion/sunday/the-sexual-misery-of-the-arab-world.html?_r=0)

17 ‘Lettre à un ami étranger’, *Le Quotidien d’Oran*, February 15 2016, (<http://www.lequotidien-oran.com/index.php?news=5224963>)

18 ‘Cher Kamel’, *Le Quotidien d’Oran*, February 15 2016, (<http://www.lequotidien-oran.com/index.php?news=5225148>)

19 Adam Shatz, “How did we end up here”, *London Review of Books*, April 5 2016 (<http://www.lrb.co.uk/blog/2016/04/05/adam-shatz/how-did-we-end-up-here/>)

20 ‘Cher Kamel’, *Le Quotidien d’Oran*, February 15 2016, (<http://www.lequotidien-oran.com/index.php?news=5225148>)

21 Kamel Daoud, *Mes indépendances: Chroniques*, Arles: Actes Sud: 2017.

22 Alice Kaplan is an exception. Cf. Alice Kaplan, *Looking for the Outsider; Albert Camus and the Life of a Literary Classic*, Chicago: University of Chicago Press, 2016: 208.

23 Kamel Daoud, *Meursault, contre-enquête*, p. 137; English translation, *The Meursault Investigation*, p. 127.

24 Kamel Daoud, *Meursault, contre-enquête*, [barkakh], Algiers, 2013, p. 171. Alice Kaplan in *Looking for the Outsider; Albert Camus and the Life of a Literary Classic*, Chicago: University of Chicago Press, 2016: 207 was the first one, to my knowledge, to notice the difference between the Algerian and the subsequent French edition. But she says that in the Algerian edition, ‘Meursault’ is called ‘Albert Meursault’ (“In the first, Algerian, edition of the novel (2013), Harun calls the man who kills his brother “Albert Meursault”) – which is not exactly the case. In

the Algerian edition, Meursault is called Albert Meursault *only in this chapter*, when Meriem tells Harun and his mother

25 Kamel Daoud, *Meursault, contre-enquête*, p. 12; English translation, *The Meursault Investigation*, p. 2.

26 Kamel Daoud, *The Meursault Investigation*, p. 11: “[...] they watched us – us, the Arabs –”; French original, *Meursault, contre-enquête*, p. 21: “[...] Ils nous regardaient, nous les Arabes, [...]”

27 Kamel Daoud, *The Meursault Investigation*, p. 37: “[...] I had to learn a language other than that one. To survive. And it was the one I’m speaking at the moment.”; French original, *Meursault, contre-enquête*, p. 47: “Il me fallait apprendre une autre langue que celle-ci. Pour survivre. Et ce fut celle que je parle en ce moment.”

28 Kamel Daoud, *The Meursault Investigation*, p. 57: “I told you right from the start: This story takes place somewhere in someone’s head, in mine and in yours and in the head of people like you. In a sort of beyond.”; French original, *Meursault, contre-enquête*, p. 67: “Je te l’ai annoncé d’emblée, cette histoire se passe quelque part dans une tête, la mienne et la tienne et celle des gens qui te ressemblent. Dans une sorte d’au-delà.”

29 Kamel Daoud, *The Meursault Investigation*, p. 1–2; French original, *Meursault, contre-enquête*, p. 12: “Le meurtrier est devenu célèbre et son histoire est trop bien écrite pour que j’aie envie de l’imiter. C’était sa langue à lui. C’est pourquoi je vais faire ce qu’on a fait dans ce pays après son indépendance: prendre une à une les pierres des anciennes maisons des colons et en faire une maison à moi, une langue à moi.”

30 Kamel Daoud, *The Meursault Investigation*, p. 12: “Here in Oran you know, people are obsessed with origins”; French original, *Meursault, contre-enquête*, p. 22: “Tu sais ici à Oran, ils sont obsédés par les origines.”

31 Kamel Daoud, *The Meursault Investigation*, p. 1; French original, *Meursault, contre-enquête*, p. 11: “[...] était un pauvre illettré que Dieu a créé uniquement, semble-t-il, pour qu’il reçoive une balle et retourne à la poussière, un anonyme qui n’a même pas eu le temps d’avoir un prénom.”

32 Kamel Daoud, *The Meursault Investigation*, p. 3; French original, *Meursault, contre-enquête*, p. 13.

33 Kamel Daoud, *The Meursault Investigation*, p. 3; French original, *Meursault, contre-enquête*, p. 13.

34 Qur’an, *Surah 4*, “The Women”, verse 164: “And Allah spoke to Moses with [direct] speech.”

35 Bible, *Exodus 4:10–17*: “Moses said to the Lord, “Pardon your servant, Lord. I have never been eloquent, neither in the past nor since you have spoken to your servant. I am slow of speech and tongue.[...] Then the Lord’s anger burned against Moses and he said, “What about your brother, Aaron the Levite? I know he can speak well. He is already on his way to meet you, and he will be glad to see you. 15 You shall speak to him and put words in his mouth; I will help both of you speak and will teach you what to do. 16 He will speak to the people for you, and it will be as if he were your mouth and as if you were God to him.”

36 Kamel Daoud, *The Meursault Investigation*, p. 6: “And for seventy years now, everyone has joined in to disappear the victim’s body quickly and turn the place where the murder was committed into an intangible museum.”; French original, *Meursault, contre-enquête*, p. 15–16: “Et ensuite, pendant soixante-dix ans, tout le monde s’est mis de la partie pour faire disparaître à la hâte le corps de la victime et transformer les lieux du meurtre en un musée immatériel.”

37 Kamel Daoud, *The Meursault Investigation*, p. 35: “Musa had been declared dead – swept away by the sea – and therefore the absurd service was performed, in accordance with Islam’s provisions for the drowned. Then everyone left, except for my mother and me.”; French original, *Meursault, contre-enquête*, p. 45: « Moussa avait été déclaré mort et emporté par les eaux après le délai religieux de quarante jours. On accomplit donc cet office absurde, prévu par l’Islam pour les noyés, et tout le monde se dispersa, sauf ma mère et moi.”

38 Kamel Daoud, *The Meursault Investigation*, p. 125: “A celebrated author had told the story of an Arab’s death and made it an overwhelming book – “like a sun in a box” was the way she put it, I remember that. She’d been intrigued by the mystery of the Arab’s identity, had decided to

conduct her investigation, and by sheer pugnacity had followed the track back to us.” ; French original, *Meursault, contre-enquête*, p. 135: “Un auteur célèbre avait raconté la mort d’un Arabe et en avait fait un livre bouleversant – “comme un soleil dans une boîte”, je me souviens de sa formule. Intriguée par l’identité de l’Arabe, elle avait décidé de mener sa propre enquête et, à force de pugnacité, avait fini par remonter notre piste.”

39 Kamel Daoud, *The Meursault Investigation*, p. 113; French original *Meursault, contre-enquête*, p. 122: “Pauvre gars. Le pauvre Joseph est tombé dans un puits en atterrissant chez nous, cette nuit-là.”

40 The mother’s order could also be a ghostly reminiscence of the historical Camus in a very peculiar sense. When Camus received the Nobel prize in Literature in 1957, a meeting was organized with some Swedish students and a student of Arab origin asked the Algerian-born writer why he was staying silent about what was happening in Algeria at that time. Camus answered back: “Right now in Algiers, bombs are thrown into tramways. My mother can be in one of these tramways. If this is justice, I prefer my mother.” The last sentence was almost immediately distorted and became “Between Justice and my mother, I prefer my mother” – a sentence for which Camus was severely criticized up to the present time, even if he never uttered it. This is exactly what Harun acts out since he chooses his mother against justice, just like what Camus *is supposed to* have said. Harun’s obedience to his mother’s order is therefore another variation on the theme of fiction and reality in its relationship to Camus: in Daoud’s novel, it is not only the real Camus who is at stake but also the *historical* figure, its impact and the reception of what his image conveyed.

41 Kamel Daoud, *The Meursault Investigation*, p. 121–122: “By the way, do you know why Mama chose Joseph Larquais as a sacrificial victim – because you can say she chose him, yes you can, even though he came out of us that night? It’s hardly plausible, I promise you. She explained it to me the day after the crime, while I was half-asleep between two oblivious naps. Ah well, that *roumi* had to be punished, according to Mama, because he loved to go for a swim at two in the afternoon! He’d come back tanned, lighthearted, happy and free.” ; French original, *Meursault, contre-enquête*, p. 15–16: “Et ensuite, pendant soixante-dix ans, tout le

monde s’est mis de la partie pour faire disparaître à la hâte le corps de la victime et transformer les lieux du meurtre en un musée immatériel.”

42 Kamel Daoud, *The Meursault Investigation*, p. 6; French original, *Meursault, contre-enquête*, p. 16: “Je crois que je voudrais que justice soit faite. Cela peut paraître ridicule à mon âge ... Mais je te jure que c’est vrai. J’entends par là, non la justice des tribunaux mais celle des équilibres.”

43 Pierre Nora, *Les Français d’Algérie*, Paris: Julliard, 1961; reprint Paris: Bourgois, 2012, Kindle edition.

44 Jacques Derrida, “Letter to Pierre Nora” dated 27 April 1961 afterword to Pierre Nora, *Les Français d’Algérie* (Paris: Bourgois, 2012), Kindle edition.

45 Pierre Nora, *Les Français d’Algérie*, Paris: Julliard, 1961; reprint Paris: Bourgois, 2012, Kindle edition: doi 2326-2351: “*L’Étranger* : c’est le titre même du seul grand ouvrage écrit en Algérie par le seul grand écrivain français d’Algérie. ce chef-d’œuvre de la littérature algérienne peut paraître l’exact reflet du sentiment vécu de la présence française en Algérie. [...]. Pour la première fois, avec *L’Étranger*, la littérature algérienne prend en charge le rapport psychologique qui hante, sans qu’ils l’avouent, les Européens d’Algérie. Mais, Français d’Algérie malgré tout, Camus transfigure ce rapport sur le plan de la symbolique inconsciente, le seul où les Arabes figurent dans la constellation psychologique des Français immobiles comme l’étranger sous le soleil.”

46 Jacques Derrida, “Letter to Pierre Nora” dated 27 April 1961 afterword to Pierre Nora, *Les Français d’Algérie* (Paris: Bourgois, 2012), Kindle edition, doi: 3299.

47 Jacques Derrida, “Letter to Pierre Nora” dated 27 April 1961 afterword to Pierre Nora, *Les Français d’Algérie* (Paris: Bourgois, 2012), Kindle edition, doi 4025: “Il n’y a pas encore si longtemps, j’ai souvent jugé Camus comme tu le fais, pour les mêmes raisons [...]. Je ne sais plus c’est honnête et si certaines de ses mises en garde n’apparaîtront pas demain comme celles de la lucidité et de l’exigence élémentaires. [...]. En somme, tu condamnes le “moralisme” de Camus et des “libéraux”. [...]. Au fond le “moralisme” des libéraux (auxquels tu reproches en même

temps leur “économisme”) te paraît immoral. Et en les tournant vers le passé pour les amener à prendre conscience de leur culpabilité historique, c’est une leçon de morale que tu veux leur donner. Peut-être me suis-je trompé, mais je t’ai senti, tout au long de ce livre, beaucoup plus “moraliste” qu’eux.”

48. Edward Baring, “Liberalism and the Algerian War: The Case of Jacques Derrida”, *Critical Enquiry*, 36-2 (2010): 244: “As their most famous representative, Camus’ increasingly anachronistic claims came to stand in metonymically for the liberal position. One of France’s most public intellectuals, he was available for commemorative appropriation, even more so after he died, and could no longer lend nuance or seek to qualify his position.”

49. Edward Saïd, *Culture and Imperialism*. New York: Vintage Books (Random House), 1993.

Anthony John Lappin — Borders of the
Self, Borders of the State —
Refugees and the projection of
human rights

We must break free of the EU and take control of our borders. So ran the message at the bottom of the United Kingdom Independence Party's now infamous poster inciting a Leave vote in the Brexit referendum: *BREAKING POINT. The EU has failed us all.*¹ The picture chosen to illustrate this European-wide institutional collapse was perhaps inevitable: a snaking line of Syrian refugees, the image captured in Slovenia the previous year.² Given the xenophobia and violent intolerance which accompanied and followed the Brexit vote — from the loudmouthed followers of the lacklustre England team in the Euros, the violence against and murder of Poles, the enormous increase in homophobic crimes —,³ attempts to diminish the impact of this poster on the result by the nationalist party's sole MP at the time, the Honorable Douglas Carswell, look at best rather serpentine.⁴ Immigration was a key issue in voters minds: not just visceral opposition to Syrian refugees,⁵ but the hostility to the migration of any and all EU citizens.⁶ The refugee status of Syrians, fleeing war and barbarity, was purposely confused with others who came from economic necessity.⁷ The discussions and stereotypes were shaped then, in the same manner against which the United Nations High Commissioner for Refugees had warned five years earlier: "the human rights agenda out of which UNHCR was born, and on which we depend, is increasingly coming under strain. The global economic crisis brought with it a populist wave of anti-foreigner sentiment, albeit often couched in terms of national sovereignty and national security."⁸

Indeed, despite assurances that EU citizens would be able to remain after Britain seceded from the European Union during the campaign, the British government quickly determined that keeping their status uncertain would be useful in negotiations

over the United Kingdom's departure.⁹ Non-nationals are cast as disposable, dismissable, distrusted and despised, as politicians attempt to conscript the “will of the people”, as expressed through badly-formulated referenda, to renege upon treaty obligations.¹⁰ My own status, as a repeated immigrant through various European countries taking advantage of one of the four freedoms within the EU's single market,¹¹ leads to a rather perturbed awareness of the fragility of these structures, and how little can be done when a government is determined to repudiate their previously expressed responsibilities.¹²

The image chosen to express the failure of the European Union and the consequent need to “control” the borders of an island state, has its focus in the centre, shading off into blurred figures both fore and back, in seemingly self-ordered motion without any external influence or authority; it was rapidly equated with Nazi-era depictions

of Jewish refugees.¹³ There was not necessarily any direct influence (I think it unlikely that the purple-tied enthusiasts for closing Great Britain to foreigners make a habit of watching black-and-white antisemitic propaganda films, particularly when in German).¹⁴ The polygenesis can be explained by the similar impulse which lay behind the deployment of such twinned images, however: to present migrants as an undifferentiated mass.¹⁵ Indeed, Ukip themselves were only following in the path already taken by the Conservative Prime Minister of their country: the noxious Le Touquet agreement produced the bottleneck of asylum seekers, refugees, unaccompanied minors and economic migrants, held against their will in France by French authorities; it was these unfortunates that David Cameron described as “a swarm of people coming across the Mediterranean, seeking a better life, wanting to come to Britain”.¹⁶ The English Defence Secretary, Michael Fallon, had spoken a year earlier of “whole towns and communities being swamped by huge numbers of migrants”, leading them to “feel under siege, [with] large numbers of migrant workers and people claiming benefits”.¹⁷ Under siege, like Vienna with the Turks at its gates.

Although my focus has fallen on the UK because of the referendum in which exaggeration, misinformation and simple lies held centre-stage — and had been spun in the English press for over a generation —,¹⁸ similar language can be found within public discourse in other European countries.¹⁹ *Flood* and *destruction* became a common image: overwhelming borders, destroying civilization in their wake.²⁰ The eloquent graffiti on an electricity substation in Kyrkogårdsgatan (Luthagen), Uppsala — within not a kilometre from the site of our conference —, expressed well both the issues of national sovereignty and the necessary welcome that must be offered to refugees, whether they cross national borders legally or not: next



Fig. 1: The Muslims Waiting Patiently at the Gates (source: see n.1)

to the universalist anarchist slogan of “No Border · No Nation”, a pied rhyming couplet: “Den som flyr har inget val/Ingen människa är illegal!” (Those that flee have no choice: no-one is illegal).

A solution to the growing opposition to any acceptance of responsibility for refugees and asylum-seekers was found in halting crossing of borders in eastern Europe, and, in order to discourage refugees from availing themselves of the dangerous and expensive transit routes through the sea, through an agreement with Turkey to keep refugees there and to allow refugees to be returned there: in essence, nominating Turkey — with its poor political human rights record — as an honorary member of the Dublin Regulation.²¹ This accord between EU states specifies that asylum seekers are obliged to seek asylum within the EU at their first port of call, rather than attempting to cross the continent, and providing for their return thence; the same regulation which led to the Le Touquet under-

standing between France and Britain, in turn creating the Calais “Jungle” (and the daily abuses suffered by those there, particularly minors).²² Although the “Jungle” itself was demolished and a project for bringing minors to Britain begun in late October 2016,²³ this was quickly discontinued by the new government;²⁴ in any case, as was feared, hundreds of refugees have since returned to Calais despite the dispersion programme.²⁵

This decision to implement a strategy of “comprehensive, large-scale and fast-track returns to Turkey of all irregular migrants not in need of international protection” was taken on 7 March 2016 in a communiqué which mixed the formal language of inter-governmental statements with the more expressive and direct rhetoric of the populist soundbite (“The Heads of State or Government agreed that bold moves were needed to close down people smuggling routes, to break the business model of the smugglers, to protect our external borders and to end the migration crisis in Europe. *We need to break the link between getting in a boat and getting settlement in Europe.*” [my emphasis]).²⁶ It was immediately criticised as falling foul of international law, because the fast-tracking demanded amounted to mass expulsions, strictly prohibited by the European Convention on Human Rights;²⁷ and that the transfers were likely to infringe the prohibition on refoulement, and were also inextricably linked to Turkish refoulement of Syrian refugees at its own borders.²⁸ (Although there is no duty on the part of a state to grant asylum, there is a duty to avoid refoulement).²⁹ Part of the discussion centres upon the human rights of the refugees, and how they may or may not be infringed;³⁰ part on the necessary fulfilment of international treaties. Part of the dehumanization of refugees, however, calls into question how human rights may be attributed to them,³¹ and it is this element which I intend to explore during the rest of my



Fig. 2: © The Collective

contribution; I shall not, however, simply argue that human rights must be applied to refugees, but rather to explore the fault-lines in discourses on human rights which leads to their rejection, non-application or contradiction in these specific circumstances, and the consequences for the advocacy of human rights itself.

Human rights are often presented as both unarguable, unrescindible, and ideally available to all; they are universal, and sometimes even projected backwards in time before their formulation, on a model of scientific discovery uncovering laws of nature, so these moral laws are also unearthed, not simply invented, depending upon a atemporal moral truth about human beings.

Yet the nature of human rights law, although it enshrines the individual as its subject, primarily governs the behaviour of the State, rather than lesser organizations or individuals.³² Both the State and the Individual — rather like Universal Human Rights — have their own pre-history; and the rise of the individual is one with the steady domination of the modern State; and the rise of the modern State is really the rise of the Western modern State. I shall progress in my argument through consideration of a limited number of explanations for these developments, wherein I shall combine sociological description with metaphysical discursivity. Let us descend to the atomic level of our human rights, the In-dividual, the undivided one in whom rights are vested (and invested); but rather than turn the discussion into a breathless charabanc-tour of the Past, I wish to consider rather more closely what “the Individual” leaves behind when it begins to rise, what *primaeval* soup of indistinct and stagnant amino acids gurgles away, beneath our vision. I will then move on to “where we are now”, using Bordieu’s work on the modern state as my means of focus; I intend to take the definition that Bordieu formulated into an area in which he refused to tread, into the

realms of post-colonialism and attempted Western hegemony, or, rather, Western hegemonizing.

One of the most pervasive explanations for the existence of individuals is Foucault’s identification of the “technologies of the self” that developed (as he argued) as a means of social control during the middle ages. The social control was exercised through a pastoral apparatus focusing upon confession of sins — thereby, in a sense, creating a *self* which could sin, which had to be observed by the self, a sort of doubling down, a projecting and observing of shadows. That is then continued into the tribunals of the Inquisition prying into sinful thought and heretical opinion, and into the whole architecture of surveillance dreamt up in modern psychology, psychoanalysis, psychiatry and assorted psycho-babbles.³³ We might be impressed by this rather interesting thought-experiment, and enjoy the priestly lineage established between rabbi and confessor, and Sigmund and Karl. Nevertheless, it seems strange how *un*-public Foucault himself was; intensely private in his sado-masochism, the assiduous cultivator of an air of deep mystery. Yet, if we consider Foucault as a historical entity, not purveyor of timeless verities about power and truth, his attitudes and inflexions are much indebted to Sartre, and in himself, in his personal pursuits, as a fine expression of the self-fashioning *individual*, the existential revelling in nauseated and therefore self-directed freedom.³⁴ Such self-freeing from constraint thus entitled him to look back at these cultures of dependency with an air of self-sufficiency.

The question, then, is not so much where this “self” comes from, but, rather, whence comes this self-fashioning individual, that can despise the direction of others? That sees hierarchy as imposition, and the forgiveness of sins as oppression? We may fix our gaze at a rather more distant period to the heyday of Sartrean existentialism, and to

another Frenchman, more brilliant even than Foucault, who was the most fitting observer of an epochal change. Alexis de Tocqueville was born in 1805 to Hervé Louis François Jean Bonaventure Clérel, Comte de Tocqueville, and rose through (or perhaps glided at the top of) post-Revolutionary French political society. His aristocratic origins, rather than offering a drawback, gave him a vision into the past which was crucial for understanding what was going on in his own present. At the beginning of the fourth decade of the eighteenth century, he made a tour of the United States, ostensibly to inspect and report on the penitentiary system. What came of the voyage was his most famous work, *De La Démocratie en Amérique*, first published in 1835, tracing the forces that were forming the United States, and, by the time of the book's twelfth edition in 1848, were also shaping France; it is from the English translation of *De la Démocratie* that "individualism" in the political sense entered the language with such particular force.³⁵ For de Tocqueville, a society which had become republican in its mode of government had an unusual status: by removing the crown from the apex of government, and, more importantly, the nobility from the process of government, equality of conditions was enforced. Equality meant independence, it signified self-making, it imposed self-concern. The individual existed within an economic system no longer controlled by vested, *dynastic* interests. De Tocqueville considered that the current of medieval history flowing up to his own day had tended towards bringing about equality, and he further believed that equality would win definitively in the future. Yet that triumphant procession towards social individualism did not blind him to what he considered significant dangers, since equality of condition would not in itself produce any form of social solidarity: quite the opposite. It is rather as if de Tocqueville looked at the Revolutionary triad, *liberté — fraternité — égalité*, said they were all

marvellous, and invited the reader to pick any two. Liberty and equality are centrifugal, separating citizens from each other, and from a sense of responsibility to the social or the common good, from the possibility of *fraternité*. Only personal, extremely local-interests predominate.



Fig. 3: The Price of Freedom is Eternal Vigilance³⁶

The model he suggested to avoid the centrifugal force was through encouraging political service, by drawing people in to social bonds, in making them responsible for others, and with having them see consequences beyond their own success and failure. His solution to the absence of an aristocracy was, essentially, to encourage the more capable to become aristocrats. Because for de Tocqueville, as for any former descendent of the Ancien Régime, the aristocracy was not about the possession of a stately mansion in the country, resplendent within its own parkland; was not about ermine and garters; and was not about titles in and of themselves. In de Tocqueville's vision, in his practice and following the experience of pre-revolutionary France and formed through his devotion to England, the aristocracy was essentially the cadre of reforming, technocratic beurocracy, used to governing, raised from childhood for governing, but with the sense of *noblesse oblige* towards others. This society of regimented strata, as de Tocqueville looked back with a degree of invented (or perhaps inherited) nostalgia, was characterized by solidarity, not equality: those in each strata bound closely to their fellows, each strata dependent upon those above them, everyone required to help those below them. The bonds, because position was inherited, were stable, were more-or-less ben-

eficial; they were not limited to the present, but stretched back into the far distant past. Moreover, these bonds also cascaded forward onto succeeding generations.³⁷ “No man is an *Iland*”, wrote John Donne on his feverish sickbed, in a perfect anticipation of de Tocqueville’s thought: “No man is an *Iland*, intire of it selfe; every man is a peece of the *Continent*, a part of the *maine*” (that is, mainland).³⁸ So spoke Donne, sometime polemic mouthpiece for King James I of England and VI of Scotland, as European states crept towards monarchical absolutism, with society ordered beneath the increasingly sophisticated and powerful apparatus of the state. It was to this structure that the *philosophes* of the Enlightenment were pleased to pledge their allegiance.³⁹ It is already a society which is more-or-less susceptible to Bordieu’s description of the modern state.⁴⁰ Bordieu divided society into disparate “fields” (art, medicine, law) in which the activities were carried out as goals in themselves, so law practiced for the sake of the law; but, in doing so, individuals find in them sources of capital (physical, intellectual, social, inheritable, capital), and provide constructive, constitutory service to the State, which grants the symbolic worth of these fields, shifting at times the symbolic capital around. Thus the State becomes the meta-field: the fields themselves are nested beneath that which encompasses them all. One crucial part of this Bordieusian State, however, is the relationship of individual to State, not through fields, but through creation of individuals by recognition of them as bearers of rights, the inculcation of those “inalienable” or, better, “intrinsic” rights through education and practice.

Instead of arguing for or against human rights because they imply a moral universal, or because they only require pragmatic acceptance,⁴¹ I shall adopt a view in which human rights are part of the symbolic currency of the State, a means of engendering

hegemony through the channelling of discord through individual complaint within the controlled legal system, rather than social mobilization to revindicate the rights of a class or a social segment.⁴² We all see the benefits of human rights, and it has provided highly structured and stable societies (although, at the moment, still of relatively short duration). So although human rights are supposedly possessed by individuals, they are not vested in an individual in the way that, for example, life, thought, happiness, potential for labour, may be said to be; they are frames by which individuals are conceived on a social level and provide a brake on, or method of, activity by which modern States limit and constitute themselves. And when one says a ‘modern State’, I do mean a post-second world war state. Human rights were proclaimed as universal, yes, to protect the individual; but also as a means to prevent states ‘going rogue’, which was particularly important in relation to highly industrialised, populous states. And thus, on one level, it responds to how States see each other.

In this way, statal modernity becomes identified with human rights. Since the very concept of human rights depends upon the existence of “individuals”, with all the long, torturous process that threw them up in the first place, this can become a yardstick of progress and advancement. To be modern, a society must be amenable to being carved into just those indivisible atoms, and furthermore provide those atoms with unassailable prominence.⁴³ Habermas’s celebrated defence of human rights, with its universalist assumptions, ends by linking the development and adoption of rights with modernism and — crucially — the modern liberal economy: with the progress of the liberal economic system, the aspect of human rights must be adopted; resistance, in effect, is futile.⁴⁴

The linking of human rights with economic change and globaliza-

tion would do nothing to quell anxieties that the former is but a Trojan horse for the exploitative aspects of the latter, destroying communal and corporatist means of resisting “development”. Yet Habermas’s justification is but one of many, of varying types, of different hues, and variagated patterns. One of the difficulties with maintaining human rights (other than as part of the unexamined life) is the lack of any consensus on their foundations: rooted in the individual, universalist, with an explicit conception of human nature and the necessary goods of the same. Even as the Universal Declaration was formulated, the lack of agreed philosophical and cultural foundations was causing a certain degree of anxiety. Thus Jacques Maritain foresaw the danger of absolutism in the application of human rights in his commentary that was published a year after their promulgation.

It would be quite useless to seek for a common rational justification of those practical conclusions and rights. That way lies the danger either of seeking to impose an arbitrary dogmatism, or of finding the way barred at once by irreconcilable divisions.⁴⁵

Since the relations of human rights are essentially the means by which the individual relates to the State and vice-versa as mediated through law, it cuts out those institutions which, for de Tocqueville, were essential to civil society: churches, mosques (understood not as buildings or formal instutions but as associations), trades unions, families, clans, citizens’ groups; not only essential to civil society, but essential in providing an education into what can be done in civil society, and the responsibilities of groups to the whole.

We may now turn to the means of spreading “human rights” —

that is, in more sociological terms, the “frame” of understanding disputes as an infringement of rights;⁴⁶ and necessarily constructing an “individual” to be able to lay claim to those infringed rights, who must also seek their own advantage through appeal to supporters of the concept of human rights (usually foreign NGOs). Such a ground-up way of inculcating the concept of both individual and concomitant human rights is currently receiving much post-colonialist criticism for its destabilizing impact on ‘traditional communities’ — or, in the views of the NGOs concerned, on necessarily oppressive communities.⁴⁷

One aspect of how the delicate plant of human rights is rooted in stony soil is through the involvement of foreign NGOs; another aspect of the cultivation of human rights is the pressure exerted on states to adopt them. The pressure, of course, comes mainly from Western European democracies; and the pressure is exerted on states that do not share the historical and geopolitical experiences, or the philosophical and religious and civil traditions, of those democracies. If the existence of human rights is a truth to be universally acknowledged, then this is of no importance: compulsion is just what any law-abiding and human-rights informed State should do. However, if one accepts that human rights have grown out of a western tradition of jurisprudence and secularization, then it looks very much like another example of western assumptions of the universality of western belief-systems, and an orientaling discourse (in Saïd’s terms) about primitive others. Insistence on the observance of human rights, and publicising heinous failure to do so, may also be criticized, more acutely, as a means of distracting from those states’ own failings in their own more immediate dealings.



Fig. 3: Closetted Concerns.⁴⁸

We might just pause for a moment and consider early twentieth-century sociology, its fascination with the rise of the individual, and its commitment to this as an indicator not only of progress but evolution. Backward peasant societies and their communal outlooks giving way, through transplantation, emigration, modernization, to the modern, self-concerned, free, liberated, individual.⁴⁹ This is not just observation of processes occurring, say, in the 1920s in the USA, but an assumption about the progress of history and evolution.

States which have not undergone this process, or in which a large body of the population are still wedded to traditional social structures and mental thought-processes — or their social ‘frames’ —, are both necessarily pre-modern and waiting to be modernized by the application of human rights. The adoption, then, of the Universal Declaration of Human Rights into the constitutions of 157 countries

shows little more than the impressive hegemony of the west in the second half of the twentieth century. Actual implementation is rather more patchy, to say the least.

Yet the characterization of states, countries, régimes, peoples, and religions, as inimical to human rights has had profound consequences. One of these is the view that these people are not individuals (which I think is objectively true); but then the paths divide: either they are incapable of becoming so or they are naturally individuals (but bound in chains) and will become so without effort. The universalizing assumption behind human rights has led its conception and growth within what is essentially a local biosphere to be occluded. As they should be always and everywhere applicable; then if they cannot be applied, there is something wrong with those people or that society, not that the rights themselves do not match every particular instantiation of the human social condition.



Fig. 4: Carlos Latuff's Oriental Symphony

Such a characterization is not innocent. Conflicts between these pre-modern peoples and pre-modern State actors are not defined as the geopolitical struggles we ourselves engage in, but rather as “sectarian conflicts”, reducing the actors to demagogic puppets of long-dead medieval theologies.

The development of human rights has led to a series of inalienable possessions being foisted upon the individual, based upon a fundamental assertion of the individualist’s necessary maxim: equality for all. There is, however, another tradition of rights which are inimical to this outflow of liberal humanism: indigenous rights, the granting of special treatment as communal rights to a (usually ethnic) group,⁵⁰ the justification for which is usually historical exclusion from the workings of the state. We might say here that the enlightenment tradition of *equality* has been sacrificed to *fraternity*. Yet even within the tradition of individualist rights, though, a similar development has taken place: equality is now modulated by protected characteristics (inherent and inherited racial, sexual, religious; or through “self-identification”). Often such characteristics are granted protected status for good reasons: to cope with and ameliorate, again, situations dependent upon historical injustices or to placate previously intractable conflicts. Yet in this conception of rights, universal equality, the fundamental wellspring for conceptions of rights-based societies, takes a serious blow.⁵¹ This, in turn, generates a series of what we might term boundary-disputes by the application of human rights law, collective rights law (with the subsequent creation and sometimes proliferation of bodies deserving of collective rights), and political opportunism. We might take as a suitable example of the conflict between religious freedom and minority expression that of Ashers, a Belfast bakery, whose refusal to decorate a cake with a message in favour of gay marriage led

to a lengthy legal battle, since in Northern Ireland both homosexuality and religious affiliation are protected characteristics.⁵²

(The Northern Irish Appeal Court, in a judgment criticized across the political spectrum, upheld that indirect discrimination

trumped a matter of conscience).⁵³ A rather different aspect to minority concerns may be seen in the debate over transgender access to female bathrooms in the United States, which saw transgender rights pitted against, for example, female sexual abuse victims.⁵⁴ The political effects of the Obama-administration’s transgender advocacy may have been significant in the subsequent election.⁵⁵

The question of the “swarms” of undifferentiated refugees, however, may find a response in just such a non-individualist solution to rights. A means of coping with the influx of refugees, coming from resolutely un-modern states, and to counter their rejection by a significant minority (and possibly a majority) of the European population, to thereby reduce the fear generated by the rise in extreme right-wing parties in the political class, and avoid the simple low-level violence, on both sides.⁵⁷ A way forward for refugees may have been the decision to grant refugees protected characteristics, with a recognition of initial non-individualism and non-equality, with the production of representative institutions which (in Tocquevilian terms) would tend towards the social education necessary to enter fully into an individualist (or post-individualist) society. This



Fig. 5: Dangerous Plumbing in Houston⁵⁶

would have provided a form of tutored “accommodation” (in Mylonas’s three-fold division of responses to minority groups); but not a static reduction of status, but a gradual means of moving towards “assimilation”.⁵⁸ The furious rejection of Kamel Daoud’s own suggestions along these lines elucidates the fundamental clash within human-rights democracies: between the universalist assumption that human rights are rooted within humanity itself (and therefore will be recognized as just and *adoptanda* by every right-thinking individual); and the recognition that human rights are themselves culturally specific, and therefore create the need for incremental adjustment to new norms.⁵⁹ The question of refugees — and their rights — thus becomes a crucial theatre for dramatizing the conflicts the undergird the different understandings of human nature, modernity and universalism which have developed within the vacuum left by the lack of a firm justification for the existence and application of such rights. This absence is not simply a philosophical and metaphysical misfortune, but a significant hollow at the heart of western European views of itself.

Of course, a proposal which denies intrinsic human rights to all might come across as the thinking of a thwarted Fascist with a hankering for the recreation of Apartheid-era South Africa; but, here, no assertion is being made over inherited and unalterable characteristics; rather a gradual but directed assumption of the responsibilities of living within a modern, individualist state: a process of communal learning. As it is, moderate opinion has adopted the more drastic solution of deportation (Harris Mylonas’s third form of response to minorities: “expulsion”), motivated in part by the inability of those arriving to sign up whole-heartedly to the modern range of human rights (particularly female equality and all that this entails).

The self-characterization — and political engagement — of the West as champion of human rights world-wide has been to the fore in its conflicts and its conflict-resolution; however, the apparent indifference — and often irrational hostility — to the human claims on succour by refugees fleeing simple barbarity, has resulted in the reach and attractiveness of the continual western development of human rights being significantly curtailed. Just as with the case of the United States and the protections of its Constitution, Europe has come to a point where human rights really are limited very specifically to the citizens of its states; and if that home state does not provide them, they are not provided. The universality of those rights are simply not recognized even by the culture which encourages their adoption throughout the globe. In this way, human rights have become fundamentally eurocentric, designed only for Europeans; and others — “the lesser breeds without the law”, to make use of Kipling’s heavily ironic phrase — are unfitted for them.⁶⁰ One of the real attractions of human rights as a moral rallying call was their universality: a moral duty to always and everywhere respect them. That clarity accounted for much of the enthusiasm with which they were proposed, for the attempts to foment their acceptance by NGOs, for their philosophical justifications and for their continual development and expansion. They have been a very useful tool in all kinds of ways.

The negation of these rights as “universal” has disturbed that paradigm, and delegitimized the process of justification and missionary expansion. The contradiction has been seized upon by non-democratic states like Putin’s Russia, ever keen to stir any pot. Yet it is also being grasped by the West’s NATO ally amongst the Muslim world. So Erdogan, in a speech in northern Turkey in May 2016, said:

Shame on those who in the West divert their sensitivity to the so-called freedoms, rights and law shown in the debate over gay marriage away from Syrian women, children, and innocents in need of aid. Shame on those who divert their sensitivities to the living space of the whales in the seas, seals, turtles, away from the right to life of 23 million Syrians. Shame on those who put their security, welfare, comforts ahead of other people's struggle to survive. Shame on the slavery-and-colonial-era mindsets, that set their eyes firstly on incoming refugees' money in their wallets, and jewellery on their arms and necklaces.⁶¹

Shame, shame, shame, shame. One's first reaction may well be to wonder what on earth whales and seals have ever done to Tayyip, or to raise one's eyes to heaven at the never-ending homophobia of Islam. Or, indeed, to frame Erdogan's speech, as *The Independent* did when it reported his words, with a selection of "Erdogan's craziest quotes".⁶² This is understandable, from a Western point of view, but also profoundly unhelpful in understanding just what is going on. A minister from the Foreign ministry, Naci Koru, confirmed the government's claim to superiority based on their exemplary behaviour, carefully noting the difference between European and Turkish responses:

Despite all challenges, Turkey has kept its doors open to Syrians since the very beginning of the crisis. Turkey has always avoided discrimination based on ethnicity or religion. We expect the international community to show the necessary solidarity and act with greater sensitivity with respect to burden-sharing.⁶³

Of course, there is fundamental differences with how Turkey can cope with refugees to how the European Union can. Equality *within* Europe and *between* Europeans imposes all to grant just those rights to anyone within the borders of the oecumene. If there are too many refugees (and there are many views of just how many, from one to one million), and the provision of succour, protection and assistance to refugees, no matter the desperation of their plight, must take place elsewhere. In a sense, strong western European attachment to human rights as always applicable, and particularly applicable within the EU's borders, imposed the closure of those borders to the Syrian masses.

Similarly, Erdogan's observations about human- and animal-rights developments in the West being more important than the fate of the Syrians, the women, the children, the innocents, cannot be understood as a mistake, not some "crazy quote" from a madman or out-of-control despot. Indeed, Erdogan's speech was something *Russia Today* were quite happy to run with, despite their wonted hostility to Erdogan following the shooting down a Russian fighter jet when it crossed the Turkish border for a few seconds.⁶⁴ The refugee crisis is providing excellent material for varying standpoints opposed to democratic rights-based state-formation. Although usually overlooked, Erdogan's speech formed the basis of a new partnership with Putin, which has only strengthened after his "survival" of the coup on 15 July 2016.⁶⁵ Erdogan is now looking particularly to present himself as the leader of semi-democratic Islamic/Sunni polities (he is the inheritor of the Sublime Porte, of course), but at the same time offers a "traditionalist" united front with Putin's autocratic rule. What Bosnia was to Muslim opinion in awakening a profound distrust of Western political intervention, so Syria — or the Syrian refugees — is generating the corresponding distrust of Western in-

tellectual, cultural projections. The consequences of the closing of the doors and the profound hostility to those already arrived will be huge: not just within Europe, with a re-awakening of racism, but within a much wider setting across the globe. The distrust and rejection of refugees — built upon distrust and rejection of both Islam and middle-eastern societies —⁶⁶ has diminished greatly the impact of human rights discourse, in that it now fails to be even a rhetorical tool of superiority. The Great Civilizing Mission, our own version of Kipling's again-ironic "White Man's Burden", has come to an end.

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I. On the production of *The Chorus of Begging* and *The Chorus of Giving*

The Third is the one who questions me in the face-to-face, who suddenly makes me feel that there's a risk of injustice in the ethical if I do not take into account the other of the other. (Jacques Derrida)¹

1.

In the spring of 2014 I begin to prepare for the film shoot.² The Chorus of Begging consists of people who usually beg on the streets. The Chorus of Giving consists of people who usually give to those who beg on the streets.

I see and perceive a physical and mental distance between those kneeling on the streets and the passers-by, between begging and giving. For me this makes answering a begging person's question a highly physical experience. I sense the conflicts in my body when I bend down to give, when I start feeling around for money or don't. I notice how I begin to fumble, tremble, blush, and don't know what to say. I become overloaded and mute.

On the street the obstacles seem both emotional and verbal. Often both parties seem to want to communicate more but can't. And of course there are cultural codes at play between those who beg and those who give or don't give. To give and receive money is often a non-verbal transaction, which is why The Chorus of Begging and The Chorus of Giving are going to sing without words. Using their own individual voices as well as their collective chorus voice they are going to attempt to sing the feelings between these begging and giving people.



Skövde Konsthall, 2015

The choruses will be standing across from each other – about five meters apart – while singing and the setup will be the same when the films are screened as an installation. The viewer will stand between the images and the sound from *The Chorus of Begging* and the images and the sound from *The Chorus of Giving*.

The production had an express purpose, though we planned the days of the shoot in terms of logistics there were many unpredictable human factors. The singers in the chorus were inexperienced, as was the production team in this situation, which meant that working on the production involved many aesthetic and ethical choices.

The Chorus of Begging and The Chorus of Giving is a film installation in which the viewer stands between the two choruses and listens to voices, sees facial expressions and bodies.

At the top of this text I quote Derrida: In this installation the viewer could be said to be *The Third One*, the viewer invited to the installation and who is watching the work in their own life experience, but also the viewer that is always present in one's body, in one's conscious, who guides the choices and decisions one makes in relation to another human.³ When I portray I am also a viewer. I haven't wanted to control the production process, I've wanted to gently guide it step by step, together with the participants, to finally arrive at a finished work.

These are the conditions and this is the process that I want to describe here and in the film *On the Production of the Chorus of Begging and the Chorus of Giving* (which is shown in a room adjacent to the installation).

2.

Background: In the winter of 2012 Leif Eriksson called me – he is a teacher and researcher at The School of Global Studies at the

University of Gothenburg and, I later realize, a key figure when it comes to those who beg in Gothenburg. He had heard me on the radio and we ended up talking about an economy that is becoming increasingly clear in the encounter with the people who are begging on the streets, an economy built on inequality, which we agree is not acceptable. We talked about *exchange* rather than *to help*. How might this work?

Two months later we meet in Gothenburg, he drives me around and tells me how he's been spending his spare time the last six months.⁴ We get out of the car at Hjalmar Brantingsplatsen and he shows me a hole in the concrete under the bridge by Hjalmar Brantingsgatan. He says:

– I got angry. In November I taught an M.A. class on social exclusion in which we among other things looked at homelessness and the processes that are taking place in Gothenburg in relation to the global system. We had homeless people come to the class and tell their stories. One thing led to another and in late November when it got very cold I had enough. I've arranged a number of campers and parking permits for a group of EU mobile people who've come here. I work half time, so this is something I do in my spare time. They pay for the campers, I buy them and handle the paperwork here in Sweden.⁵

When we talk about my idea Leif is quiet for a long time, he just sits and listens. As I talk, his body language conveys skepticism. I say that art is another way of expressing the sensual and that the political is also based in the sensual, in people's emotions and reactions. I give him my view of the interaction between those who beg and those who give or choose not to give. I tell him that I think that this kind of artwork can illuminate a dimension of the ongoing drama. The givers' feelings are heard and noticed, only

very few people who beg have been given space in the media and they haven't expressed their feelings as strongly as the givers, nor have they done so in my interviews. The givers appear to be having a constant internal conflict, and in the cases where no deeper reflection happens, it's just isolated incidents that lose meaning and the problem is shunted onto those who beg and onto their home countries. Why is there not more interest in finding out why the givers have such strong feelings? I say that I think the system has made its way into our bodies somehow, that people's emotions constitute a playing field for the market of selling goods and services. That's not news to be sure, that's what a market researcher does for a living. But what happens if the givers' feelings end up in the hands of strategic party platforms? Or what happens if the situation becomes "normalized", becomes a part of a social body politic and accepted as the status quo. I notice my own basic understanding of equality losing touch with the reality on the street. A kind of violence is becoming commonplace.

– Leif, I understand that you're outraged. You to want to try to see what the possible paths to action are between you as a giver and the person who begs. One can learn a lot from drama. The palpable and physically sensual experience in the encounters between the begging and the giving penetrates deeply into people's logic, intuition, and political ideology.

In the end Leif Eriksson answers:

– Here's what I think. For those of us who grow up never having to face acute problems of vulnerability, even if one has good intentions – as the people who want to ban giving have – one has to remind oneself that one doesn't know what the fallout might be of this kind of art project. The key question is: What is their compensation for this kind of work?

– One hundred kronor an hour, which is what I'm paid after taxes.

– It wasn't obvious to me that you were going to pay them. Then that's an entirely different matter to me, you're giving something immediate in return. This will take time, which is in short supply for many of them since they need to beg in various ways in order to make money during the daytime. They have very little spare time and in the time they have they might need to for instance take a course in Swedish for immigrants.

Those who beg get reactions every day and at times people turn on them. Some have been yelled at, they don't understand the words, but they know what's meant through tone of voice and gestures. Others mean well, that too is clear from *how* they speak. These are the types of experiences that the choruses are going to try to voice, without words. Music would only serve as an accompaniment, which isn't needed. The tone of voice gives weight to what's said, a tone of voice can cancel the meaning of what's being said. By setting up two choruses to interact with each other, I assume that listening is an act, an observant silence.

I want to see if this idea is viable. At the same time I want to *get* the images rather than *take* them.⁶ If it's possible to create an atmosphere together where everyone has a desire and an interest in trying this thing that nobody's done before, if everybody feels that they've got a stake, are co-creators, something can happen beyond the given instructions.

Leif and I decided to meet the next evening on Götaplatsen and drive to the three campers on Hisingen. Those who beg work long days and don't get home until eight or nine. I told them that I'd been to Romania to meet others as well and that I'd done an interview film with other people who beg on the street and that the type

of forum I'd like to create is a space in which giving and begging people can have a task in common and create together.

3.

We did nine line-ups/shoots of the choruses and of these three takes were cut into two films: one with The Chorus of Begging and one with The Chorus of Giving (these two films were synchronized in the installation).⁷

The participants did not wear any kind of costumes. Clothing is often part of a scenic, aesthetic production, but not documentaries. I want to emphasize that they aren't actors. The participants weren't there to play someone else. They were going to work. I wanted to eliminate the aesthetics of representation as much as possible. My only instruction was that they wear the same clothes three days in



Jacobsson Theatre, Artisten, Gothenburg, June 13–15, 2014.

a row – otherwise it wouldn't be possible to cut between different takes made on different days.

All participants have signed contracts. The schedule is on the contract as is a release form stating that each participant consents to being filmed.

4.

The basic premise in the dramaturgic approach was that everybody must feel safe at all times. If we noticed that someone was falling by the wayside we worked in various ways to include them. It was mainly about building trust. A chorus is teamwork; for instance Anna had a headache the second day so we slowed down the pace for the entire chorus. I started the first day off by saying: *We're all working together in this room. There is no audience during these three days, just us. We are a team. We will be creative, powerful and observant of what needs to be done and work well together. We trust each other and we have total respect for all. We know that we will be filmed the entire time all days.* Improvising singing, in dialogue with another chorus, in a situation where everyone's an amateur and no one has met previously and everyone is being filmed, means that those in front of the camera need to feel safe with those behind the camera. Otherwise nothing will be created, nothing will happen, no one will sing so that it reaches and carries. A director is expected to know when the actor reaches the boundary where contact is made with the viewer. A documentary filmmaker is expected to know when the person being filmed penetrates the lens.

For these three days conditions were more or less equal for everyone in terms of logistics, and nobody had sung in a chorus opposite another chorus consisting of people that they'd never met before.

Different life circumstances can create fear and distance but also curiosity, that is part of the drama that plays out on the streets. Sometimes I call this curiosity attraction. I would describe it as a condition in which I want to know more, but it worries me. I am prepared to give up something of my own understanding of the state of things and am also interested in the unknown, in what isn't understood. I experience this as a state of tension, I might tremble before it, but it isn't just fear, just as much attentive listening. I find it to be a state of focus in which something new can be created, it isn't my own creation, it's something done together with another, it's a synergetic give-and-take. There was that kind of uncertain curiosity in the room – though the participants might describe it in different terms – a state that had to be managed to lead up to the takes of the chorus singing. Which is why we needed some training and exercises.

Jenny Roos and Pär Hagström were choir directors, they planned the exercises and led the training. We wanted to leave room for dissonance – the non-euphonic, cacophonous – and for the participants to be able to use their voice for expressions that don't usually count as song.⁸ One of the voice exercises used concrete situations as a prompt: stories of longing for one's children in Romania, of being spat on, of a loved one dying. Jenny and Pär then guided the participants in finding a sound, a tone, and a short melody, a call or another way of expressing their emotion and repeating this word *mechanically*. At 12:20 minutes into the film, "mechanical voice improvisation", Jenny explains: "I will give you a theme based on a feeling – that we'll talk a bit about first – then one finds a sound that one repeats and together that becomes a song. It's important that you keep it mechanical. It shouldn't be a song that you create

yourself, but a small sound, a part of a larger whole.” Jenny continues using an example in which they begin singing their sound to a certain rhythm.

When each person one-by-one – led by a rhythm – repeated their sounds mechanically it became a choir. A choir of individual sounds that originated in a personal association to the same feeling, they were expressing a mood.

The Chorus of Begging and The Chorus of Giving underwent the same training. They were even filmed during the exercises, which prevented the situation from becoming too therapeutic. They had a constant listener – “the viewer” was present. After each exercise there was a *choir lineup* in which the individual feelings would be expressed as a collective chorus on the podiums. The choir lineup contrasted markedly with the more physically active exercises.

In this way the staging of the choral arrangement is based on real events and the personal voice of each participant in relation to the act of *giving and begging*.⁹

In the more social contexts, when we ate, took breaks, drank coffee, and danced, there was a desire to make contact, a search for communication, a curiosity and a sort of attraction – a curious interest. Three interpreters were at the lunch so that everyone would be able to understand what we said to each other. A sense of community emerged between the participants in the chorus.

6.

When we edited the two films in the installation we did it keeping in mind that a viewer would be standing between them – at the same angle that the camera had been shooting – and not be able to see both at once.





*On the Production of The Chorus of Begging and The Chorus of Giving (53:20)*¹¹



From August 20 to September 14, 2015 six shipping containers were set up by Röda Sten in Gothenburg. The choir dialogue was shown in two of these (see above right image and image below). The containers are positioned at an angle corresponding to the positions of the choruses when they were filmed. At times the participants in the two choruses make eye contact with each other.

In a third container the production film was presented along with this text. There was also a newly written essay on giving and begging in a larger European context, “Giving in Free Movement Europe”.¹⁰ It had been reviewed by Judith Kiros “... in free movement Europe we are struggling to manage the system we’ve implemented. As Cecilia Parsberg points out in her investigation of giving and begging in Sweden and Europe – states do their utmost not to attract the ‘wrong’ intra-European migrants. The poor.”¹²

The notes for the installation as a whole were:

The political happens every day, between people in our surroundings who share our existence. That is the premise for my artistic practice. I perceive, with all of my senses, a physical and mental distance between those who kneel on the street and passers-by, between begging and giving people. Here I invite the spectator into that “gap”. A dialogue, or a lack of dialogue is going on between the two choruses, between voices, between facial expressions, and between bodies. The installation “The Chorus of Begging and The Chorus of Giving” is an embodiment of this experiential space. A reflection of a situation that many experience every day on our streets. It is my hope that art can make it possible to see such gaps – which seem to be difficult to talk about – as spaces for action; and thus contribute to the possibility of political acts in and about these spaces.

II. On Symmetry and Asymmetry in *The Chorus of Begging and the Chorus of Giving*

[...] right there, in the warmth of the human voice, in the living echo of the past, some primal happiness lies hidden and the incapable tragedy, the chaos and pathos of life is bared, the singular and the unattainable, there, in the primary sources, they have yet to be reworked. (Svetlana Aleksijevitj)¹³

1.

Begging is a call to social interaction. Regardless of whether the giver interacts socially with the (visitor) begging on the street, the giver is implicated in the asymmetrical value system of the EU. These transactions and interactions take place between, and in opposition to, one another, which is why I have arranged the Chorus

of Begging and the Chorus of Giving identically – in a symmetrical structure. The two choirs stood about five meters from each other when we shot the film and they are shown the same way – as projections opposite one another approximately five meters apart. This configuration does not become three-dimensional until the viewer steps into the space in between. The scale is calibrated so that a viewer and a member of the choir are about the same size when full body shots of the choir are shown on the screen.¹⁴

Does this mean that I by directing and presenting symmetry – through my symmetrical arrangement – present a false image, a benevolent representation that indicates a sort of equity? Could my arrangement be giving a sense of two troops, soldiers of society, framed into opposition alongside the viewer? Is it a utopia of collaboration, or a dystopia of separation?



Reflektera Konsthall, Väven, Umeå, 2015.

Within the matrix of the prevailing system humans are counted and measured according to symmetric meters, however those in the Chorus of Begging aren't quite part of the system and thus haven't been counted by the same meter as those in the Chorus of Giving – that is why I wanted them to be able to stand in the same way (that is also why they have been paid, while the those in the Chorus of Giving have not.)

2.

The first reason for the symmetrical choral arrangement is the intention that the chorus of song would be created through interaction. “Co-presence” is a key word. On the streets, in our cities, we move in co-presence, people's movements are an essential part of how cities function. But co-presence doesn't necessarily mean that



Reflektera Konsthall, Väven, Umeå, 2015.

we interact: “Co-presence is not social in itself. In contrast, it makes up the foundation of social interaction (if we by social interaction refer to interactions in physical space – not over the phone or the Internet). And it is with social interaction that the social ‘begins’”, writes cultural geographer Sara Westin.¹⁵

We began with such a “co-presence” and moved on to the interaction between the two choruses – choral singing is a creative endeavor between people which demands presence and togetherness from all participants, it could be said to demand exactly that from its participants which the prevailing political structure does not.

The second reason for the symmetrical arrangement is that I don't want to depict what's happening, I don't want to replicate the physical gestures that play out on the street. The participants, whose bodies and gestures were shaped by the situation on the street, were guarded at the beginning, not so much when it came to singing as when it came to relating to each other. They needed training to unlearn instrumental roles and representations: to unlearn the images they had of each other. This process of unlearning also necessitated de-representation of clothes as well as positions.¹⁶ (My reasoning here was the same as for my decision not to photograph those who beg, just the places where they beg – I don't want the depiction, but the *image* itself.¹⁷) I wanted to try to make a new image emerge. My question was and remains: Is there a way for me to wriggle past the rhetoric that so easily traps me in the framework of expectation, to a place in which we do a third thing together. Is this how new images can be generated?

For the viewer of the video installation there are no clues to indicate which chorus is which. The viewers have only been told that one chorus is made up of people who usually beg on the streets and the other of people who usually give to those who beg (the

participants are not asked for their ethnicity, citizenship and the like, they're only asked about this particular activity and this action). Both choruses are arranged in the same formation.

The third reason for the symmetry is what the anthropologist Camilla Ravnboel writes about a ten-month field study of those who beg on the streets of Copenhagen: "They see themselves as being EU-citizens [...] as part of the system".¹⁸ In the same vein Mujo Halilovic, a Ph.D. candidate at Malmö University writes that they themselves want to be seen as citizens like any other and no longer as "the others".¹⁹ The symmetry of the choral arrangement attempts to highlight the deficiency that is *experienced* on the street. The viewer is given the opportunity to confront this deficiency when they stand between the two choruses. Judith Butler claims that "a critical practice of thinking [...] refuses to take for granted that framework of identitarian struggle which assumes that subjects already exist, that they occupy a common public space, and that their differences might be reconciled if only we had the right tools for bringing them together."²⁰ The configuration intends to suggest such tools.

The fourth reason for the symmetrical formation of the choral arrangement is to depict a form of separation that appears unbridgeable in the urban space. It is a structural and ethical separation that is inherent to the *situation, position and action*. I wanted to examine what might happen if the separation remains but those begging and those giving perform *situation, position and action* in a different way. I changed the conditions as follows:

- *situation* – they have been subject to the same conditions for three days²¹
- *position* – they are standing up
- *action* – they are singing with each other

The viewer is invited into the space that separates them. The seemingly empty space is transformed – in front of the viewer – from glances exchanged in silence, to singing together with the other chorus. This action violates normative understandings of identity, ethnicity, nationality and subject. It's an immaterial space. Sensuality is mediated here. A potentially sensual space lies between giving and begging.

About, for and through: situation, position and action, at once ties together and separates the begging and the giving.

The fifth reason is that the symmetry stages a framing. Within social frameworks norms are created for the inter-human, among others those that have to do with who deserves recognition and representation.²² To some degree giving and begging designate their respective representation and the installation with the two videos opposite each other with the viewer in the middle exemplifies this performative act.

According to the social framework in which the choral arrangement was developed, the question arose if and how I – who in this case inhabit a knowledge-producing position of power – can learn something new from the people I engage. Butler writes further: "If certain lives are deemed worth living, protecting, and grieving and others not, then this way of differentiating lives cannot be understood as a problem of identity or even of the subject."²³ One way of putting it would be that both the members of the choruses as well as the viewer are invited to negotiate exchange and possible synergy with me as director. Another way of seeing it would be that a film director has simply hired them as chorus singers. Opening up that discussion is one reason why we include a screening of the pro-

duction video. Author and film curator Tobias Hering writes “*The viewer stands in-between*. For Cecilia Parsberg ‘as a practitioner’, the concern for the in-between is a double concern: The installation *The Chorus of Giving and The Chorus of Begging* explores the social space around the mutually related gestures of begging and giving, while it also explores the physical space of its own agency as an installation: the sensual (sound and vision) space created for the viewer, the witness, to step in and partake in the exchange. An installation as a social space, as a way of doing things that affects the way of doing things: an ethical space.”²⁴

3.

The symmetry in the choral arrangement leaves space for the asymmetrical. The philosopher Emmanuel Lévinas claims that the



Varbergs Konsthall, 2015.

relationship between myself and the other is inherently asymmetrical. Further, Lévinas claims that the structural has to do with what citizens can do in society, while the ethical is to be understood as anarchical, as it opposes control.²⁵

You and I are radically separate – I don’t understand your facial expression in the context of my own experience, because you and I aren’t contained in the same notion. But when I meet your face I can enter the state of receiver and giver.

The videos of the choruses cut between showing the entire chorus and close-ups of the faces of chorus participants. During the choral singing they sometimes look at each other, sometimes not. Lévinas stresses that “every individual shall be able to remain individual, an irreplaceable being, as ‘faces’, but without individuals isolating themselves and letting conditionality reign.”²⁶ “But how then can commonality even exist?” asks the Danish philosopher Peter Kemp in an attempt to grasp Lévinas’ thinking. He continues: “According to Lévinas commonality emerges only through one human giving the world to the other, that is by sacrificing it so that it is open to both, and through the freedom to sacrifice conditionality, through which it subordinates itself to the judgment of the other.”²⁷

The choral arrangement takes place in a temporary space, albeit a directed and aestheticized one. Certain directives have been given that pertain to using voice and gaze to interact with one another and with the conductors who are conducting the drama of the choral arrangement. Still the recording space could be described as a liminal space where a mutuality, a commonality, arises during the recording, one that can be hard to create outside of this temporary space. How can it be done according to Kemp’s description? “She

sacrifices her ownership of it so that it becomes open to them both, though the freedom to sacrifice conditionality, thereby subordinating itself the judgment of the other.” How can this be done without erasing the gap that exists between them?

*I descend into the subway, I'm barely down the stairs to the platform when I hear noise, look up and see four men ranting and gesticulating – the words ricochet between the walls, are distorted before they reach me. The scene is unintelligible – linguistically. Signs need to be pieced together, sounds need to become a melody, gestures need to be filled with meaning. But I am tired and the train arrives, I get on it and go home.*²⁸

Creation implies that something is coming into being (as opposed to something being done). In the choir training the participants recalled their feelings from incidents on the streets and were trained in voicing these, through a certain choral technique. They created sounds with their own voice in front of the others, and these likely came into being such as they were because the other was there and was also creating sound. That which first seemed like an impediment – that the song was wordless – also became liberating. Peter Kemp again: “That is exactly why the ethical subjectivity does not express itself in what is said, in that which is already known. It expresses itself in ‘an utterance that – in relation to that which is – constitutes an exception.’”²⁹

4.

The symmetry makes visible the gap between the choruses and the asymmetry links them: the symmetrical and the asymmetrical make space for agency.

There is a dialogue between the Chorus of Giving and the Chorus

of Begging, or a lack of dialogue between voices, facial expressions and bodies. Here the viewer stands in a liminal space between different EU-citizens, with different conditions but similar needs, with different experiences, and interests but similar feelings, with different clothes but in a similar position, with different educations but similar voice resources.

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Endnotes

1 Derrida continues: “As for Lévinas, he defined the relationship to the ethical as a face-to-face with the other and then he eventually had to admit that in the dual relation of the ethical face-to-face with the other, the Third is present too. And the Third is not a person, not a *terstis*, a witness who comes in addition to the two. The Third is always already

there in the dual relation, in the face-to-face. Lévinas says that this Third, the coming of this Third that has always already come to pass, is the origin or rather the birth of the question. It is with the Third that the call to justice appears as a question. The Third is the one who questions me in the face-to-face, who suddenly makes me feel that there's a risk of injustice in the ethical if I do not take into account the other of the other." Jacques Derrida, "A Certain Impossible Possibility of Saying the Event", transl. Gila Walker, *Critical Inquiry* Vol. 33, No. 2, (Winter 2007): p. 444.

2 This text belongs to the film *On the Production of the Chorus of Begging and the Chorus of Giving*. The purpose is to give an account of the shoot June 13–15, 2014 at Artisten in Gothenburg. The production film is shown in connection with the installation *The Chorus of Begging and the Chorus of Giving*. Available at: <http://beggingandgiving.se/en/chapter-7/-chap7-1>.

3 One example of this are Maja's and Frej's comments in the last part of this chapter under the header "Debrief". Available at: <http://beggingandgiving.se/en/chapter-7/-chap7-1>.

4 The conversation was recorded and transcribed. Leif Eriksson has read this text and it is published here with his permission.

5 "Givandets och tiggandets kör", Tendens kortdokumentärer, Sveriges Radio P1, August 19, 2014. Accessed April 13, 2016, www.sverigesradio.se/sida/avsnitt/417601?programid=3381.

6 This is what I've tried to emphasize in the past fifteen years. I changed my focus when I was working in South Africa 1999–2002 – no, South Africa directed my focus at *what we do with each other shapes what we do*. *How do I take a photo* changed to *How do I get a photo*. I sense a brutality, a violence, a sensationalism in the production of *What if What* isn't also counterbalanced/put in relation to *How*. I maintain that the market likes to look at *What* and that research within the humanities and social sciences as well as a political context can give us this essential *How*. This is why artistic research is important to me.

7 *The Chorus of Begging*: Laurentiu, Catalin, Gabi, Marian, Marin, Aurel, Nikolai, Florino, Augustina, Ana (the older), Ana (the younger),

Margareta, Ileana. *The Chorus of Giving*: Jon, Erik, Maja, Samuel, Frej, Gunilla, Kia, Leila, Catharina, Håkan, Jennifer. Choir directors and sound: Next Stop: Horizon – Jenny Roos and Pär Hagström. Camera B-Chorus: Erik Pauser. Camera G-chorus: Lars Siltberg. Interpreter: Carmen Condruz. Recorded in the Jacobsson Theatre, Artisten, University of Gothenburg. Editing: Kristina Meiton. Sound editing: Pär Hagström. Director and producer: Cecilia Parsberg. Available at: <http://beggingandgiving.se/en/chapter-7/#chap7-1>.

8 Martin Rössel, musician and producer, who has put the song of the choruses on Spotify describes it as: "They aren't singing straightforward tones, but atonal clusters. This breaks up the sense of a tonality to a unified sound." Danish choir director and pianist Torben Eskildsen writes "This reminds me and has me associating to Gerlesborg, where I in the early '80s participated in a number of vocal improvisations, where we did 'types of noises'/'noise collages' with composer Svend-David Sandström. We used cluster chords, harmonies of closely spaced tones, whose tonal value is determined by among other things the density and location. On keyboard instruments clusters were carried out by striking a specific section of keys with the palm of a hand, forearm or the like."

9 Merete Mazzarella writes: "Phenomenologist Sara Ahmed wants to view emotions as movement – in space, between individuals, groups, and objects – definitely not as something that is, that exists inside people, but rather as something that's done and becomes actions, in interaction with and dependent on other people." Merete Mazzarella, "Emotioner kan väcka heta känslor", *Svenska Dagbladet*, October 17, 2011. Accessed April 22, 2016, www.svd.se/kultur/understrecket/emotioner-kan-vacka-heta-kanslor_6559059.svd.

10 The essay had been published in *Glänta* No. 1 (2014) the previous week. It can now also be found at the online journal www.eurozine.com (in Swedish as well as in English). *Eurozine* described the text as follows in Eurozine Review: "The informal politics of distribution on the streets – begging, giving – makes visible the faults inherent to the European welfare system, writes Cecilia Parsberg. Free movement

is intended to open up national borders, but when poor EU citizens make use of this freedom to travel and do what they can to make money within the framework of the law, they are met by rules and statutes that aim to prevent them from enjoying this possibility.” Cecilia Parsberg, “Giving in Free Movement Europe”, *Eurozine*, August 6, 2014. Accessed August 3, 2016, <http://www.eurozine.com/articles/2014-08-06-parsberg-en.html>.

11 Available at: <http://beggingandgiving.se/en/chapter-7/#chap7-1>.

12 Judith Kiros, “Rasismen kommer uppifrån”, *Dagens Nyheter*, August 7, 2014. Accessed March 22, 2016, www.dn.se/kultur-noje/kulturbatt/rasismen-kommer-uppifran.

13 Translated from Swedish. Svetlana Aleksijevitj, *Kriget har inget kvinnligt ansikte*, transl. Kajsa Öberg Lindsten, audiobook, (Stockholm: Ersatz, 2013), 26:46.

14 If conditions allow, as they did at Skövde Konsthall, Reflektera Konsthall in Väven, Umeå, at Varbergs Konsthall, and at Norrbottens Museum. When it was shown in containers there were other criteria. At street-screenings it is shown as a split-screen and the sound is the element that first reaches passers-by, after that they stop and see the projection on the wall, if they want to know more I talk to them.

15 Sara Westin, *The Paradoxes of Planning, A Psycho-Analytical Perspective* (Ph.D. thesis at Uppsala University 2014), (Farnham: Ashgate Publishing, 2014), p. 187.

16 For more on this training see chapter 7.1 “On the Production of The Chorus of Begging and The Chorus of Giving”. <http://beggingandgiving.se/en/chapter-7/#chap7-1>

17 See “Places I” (chapter 3, <http://beggingandgiving.se/en/chapter-3/>) and “Places II” (chapter 8, <http://beggingandgiving.se/en/chapter-8/>).

18 “Den nya utsattheten – om EU-migranter och tiggeri”, *Socialmedicinsk tidskrift*, Vol. 92, No. 3, (2015), Camilla Ravnboel, 328 and 331. Accessed May 6, 2016, <http://socialmedicinsktidskrift.se/index.php/smt/issue/view/105>.

19 “Den nya utsattheten – om EU-migranter och tiggeri”, *Social-*

medicinsk tidskrift, Vol. 92, No. 3, (2015), Mujo Halilovic, 361. Accessed May 6, 2016, <http://socialmedicinsktidskrift.se/index.php/smt/issue/view/105>.

20 Judith Butler, “Non-Thinking in the Name of the Normative”, *Frames of War: When is Life Grievable*, (New York: Verso, 2009), p. 150.

21 Except for payment, see chapter 7.1 “On the Production of The Chorus of Begging and The Chorus of Giving”. <http://beggingandgiving.se/en/chapter-7/#chap7-1>

22 Since the designation *the Roma who beg* and *the begging Roma* are at play in the public discourse and I have personally experienced viewers using these to speak of The Chorus of Begging, I want to further emphasize that the division is not about ethnicity. For instance there are Roma participants in both The Chorus of Begging as well as The Chorus of Giving. (See further discussion in the Introduction, “Designations” <http://beggingandgiving.se/en/chapter-1> as well as Chapter 5.2 <http://beggingandgiving.se/en/chapter-5>.)

23 Butler, p. 150

24 Tobias Hering, November 2014, in response to Cecilia Parsberg’s reflections in a doctoral seminar.

25 “Ethics for Lévinas is an *an-archy*, i.e. absence of control, rejection of all generalization.” Translated from the Swedish.

Peter Kemp, *Lévinas, En introduktion*, transl. Rikard Hedenblad, (Gothenburg: Daidalos, 1992), p. 67.

26 Quoted in Kemp, p. 73.

27 Ibid., p. 73.

28 “The Other is the stranger that disturbs the peace of the home. However The Other is also another Freedom, i.e. a reality that I don’t have any power over and that I can’t control.” Kemp, 40.

29 Ibid., p. 49.

Emanuele Profumi — Philosophy Facing The European Crisis Of Migrants —

When Does Violence Become A Rule Of Law?

The recent European migrant crisis is first of all a humanitarian crisis. The International Organization for Migration (IOM) estimates that more than one million migrants and refugees arrived by sea to Europe in 2015, sparking a crisis as countries struggled to cope with the influx, and creating divisions in the EU on the best way to deal with resettling people. In 2015, EU countries offered asylum to 292,540 refugees. In the same year, more than a million migrants applied for asylum – although applying for asylum can be a lengthy procedure since so many of those given a refugee status may have applied in previous years. Over 5,400 people are estimated to have lost their lives on migration routes around the world in 2015, and the Mediterranean alone witnessed a record number of at least 3,770 deaths in 2015 (with numbers rising in 2016).¹ The IOM estimates that over the last two decades, more than 60,000 migrants died trying to reach their destinations.²

In addition to the tragedy of loss of life, the majority of those who die are never identified. Their bodies may never be recovered, and even among those whose bodies that are found, most are buried with at best a number – not a name. Each unidentified migrant represents a missing person for a family. Left without certainty as to the fate of their loved one, families may search for years or a lifetime, never being fully able to grieve their loss. This is why the Mediterranean Missing Migrants Project states that “Underpinning the Treaty obligations is the European Convention for Human Rights, which includes a positive duty to prevent the loss of life, and a positive obligation to investigate suspicious deaths”.³ So, why was the EU not willing to take on this fundamental responsibility?

The humanitarian crisis points to another deeper crisis: the political crisis of the EU which, as an institution common to the

various member countries, was nevertheless unable to respect and concretely defend the basic human right of the refugees to reach the coasts of the Southern European countries where they were hoping to find protection. Moreover, the disputes within European countries regarding the assignment of refugees deepened the political problem, adding to the apathy in the face of the hecatomb of migrants on their journey towards Europe, an apathy that created a distance from the principle of the obligation of reception on which the refugees's rights are based. The European system of quotas seems indeed a bad compromise between people who want to reject migrants, mainly refugees, and the ones who want to accept them. The now widespread practice in Europe of rejecting migrants regarded as "irregular" seems to indicate that consideration for rights has been overridden by political needs that are mostly selfish and less than respectful of human rights. This double European crisis (both humanitarian and political) raises a general problem, and poses a basic question: how is it possible that International Law did not succeed in forcing the EU to act effectively and make the reception of refugees, and generally of migrants, easier so as to avoid the massive amount of deaths that still occur in the Mediterranean?

The question entails yet another, deeper question: why is the EU acting so cruelly towards the refugees and, above all, towards the migrants?

We can answer this question from many points of view, and also from a philosophical one, which will be adopted here. But if we assume such a point of view we have to put the matter on a more essential ground, as it were. The double European crisis proves that the political sphere is bending international law towards aims that seem to alter its very nature. Thus, the general question becomes to understand how the legal sphere can assimilate principles that are

alien to it. As in other similar cases, in this circumstance the lack of respect for international law causes outright violence (death, forced repatriation in a state of utmost indigence, refusal of reception). Therefore, from a philosophical point of view, the question is set on an ontological ground: when does a legal rule become violent?⁴ A contemporary political philosopher, Etienne Balibar, answered the question indirectly: he maintains that the political sphere maintains within itself "a system of cruelty" to which it has to relate continuously. This affects the juridical sphere too.⁵

If we want to answer this crucial question, Balibar also suggests that we have to understand how the relationship between the political and the juridical sphere develops. Is violence intrinsic to "the political" (as some important contemporary political philosophers such as Ernesto Laclau maintain)?⁶ And, if so, do we consequently have to consider rule of law as a possible antidote to this kind of violence? Or have we to reconsider the relationship between the juridical sphere and "the political" before making it clear how a legal rule becomes violent?

To answer this dilemma, we need to refer to the considerable body of thought generated by contemporary philosophy of law on the matter and specifically to the work of one its most important representatives, Alain Supiot, for whom law in itself, and the juridical sphere in general, are antidotes to political and social violence.

This article will argue the following points:

- 1) Supiot's idea is probably a specific product of a certain conceptual genealogy that goes back to Kant;
- 2) Kant maintains that moral and legal rules can solve the problem of war (and, consequently, of social violence): he does not distinguish correctly between the political and the juridical sphere, this one absorbs characteristics of politics and this is the reason why

he affirms the respect of law itself can solve the war problem.

3) Among Contemporary neo-Kantian philosophers of law, only Norberto Bobbio tries to reintroduce the distinction and the proper relationship between the juridical sphere and the political one, but without proposing a convincing explanation. Norberto Bobbio's explanation does not hold if we consider the political side of the juridical sphere.

4) Only if we relinquish Kant's point of view, are we actually able to make clear that the dilemma we have just expressed is apparent, finding a new point of view that is capable of answering the deep philosophical question deriving from the recent European refugee crisis.

The function of Law in Alain Supiot's work.

In his re-elaboration of some of the ideas of the Greek-French political philosopher and psychoanalyst Cornelius Castoriadis,⁷ Alain Supiot formulates two critical theses that are of great importance for the critics of contemporary society (often known as the era of "neoliberal globalization"): 1) The anthropological function of the Law represents the basis for the domain of "the Political"; 2) The law is our way of *sublimating* social violence and avoiding civil war or the dissolution of society.

In his most recent works,⁸ Supiot decries the establishment of a new kind of global regime, called "Total Market", which has organized most societies of the world around the imperative of the maximization of utility, replacing the principle of "pacta sunt servanda" which had been the basis for the old juridical system.

According to Supiot the new regime is the expression of our era since it is common to capitalist and to communist societies: the

"Chicago School" as well as "Scientific Socialism" share the idea that Law is only a tool to achieve the "real economic order of society".

Through data processing and the digital revolution, and also the cybernetic imaginary that contributes to their realization, one can find everywhere "The Market Paradigm", the decline of "The Kingdom of Law" and the establishment of a new concept of work, which is entirely oriented by the logic of the calculating interests (either individual or collective) and dependent on the implicit rules of planning (implying the total submission of the worker to hierarchical orders and to quantitative reasoning).

Supiot also argues that the Market Paradigm is imposing itself as a new global "Grundnorme" and that the calculation of utility is now considered as the foundation of the legitimacy of the law as such. The new Totalitarianism and its "Ideology of the absence of limits" are suppressing the anthropological aspect of Law, that is human obligation as such, which is the basis for the law.⁹

In other words, we are living in a society that is conscious of the double elimination of the law as such:

1) on the level of the juridical form, since society is subjected to both an external logic and an external goal with respect to the juridical form itself;

2) on the level of the foundation of Law, through the achievement of "the Governance by numbers".

Contrasting a right depends on the calculation of utility, which is external to the legal order and is imposing onto it. The guarantees of Law will vanish whenever they are contradicted by this calculation (...). The governance by numbers goes further when dismissing the kingdom of law. In the same way as planning approaches, it replaces the law with calculus, as the foundation of the legitimacy of the law.

The latter manages from inside, like a biological norm or a computer software through a simple game of calculating the individual utility.¹⁰

This is the reason why Supiot thinks that the double function of the Law, necessary for every society in order to be preserved, must be recovered in view of two specific considerations:

1) the logic of prohibition within juridical normativity, that is, the only form of human normativity which imposes the obligation as such by virtue of the dogmatic nature of the Law; according to Supiot, this characteristic of the norm and of the Law would allow us “to fix our constitutive beliefs”;

2) the place of “Justice” as constituting the ultimate reference of the Law and its privileged space is the result of the juridical function that allows us to share the same “ought-to-be” in order to arrive at a common representation, that is at a common sense, necessary for individual and collective action.¹¹

Because of that, juridical normativity lends reason and legitimacy to collective power: the reason generated by Law allows our beliefs to establish the legitimacy of the power which governs us. Without this legitimacy of the power generated by law each kind of power would turn into violence and war: the law does not only provide reasons for the distinct forms of political power, but it also generates a powerful antidote to civil war, by permitting the sharing of the same “ought to be” within a specific community.

The Law provides the opportunity to internalize the social prohibition by retracing political power to an origin which legitimises and limits itself at the same time. This is why the Law comes to internalize violence.¹²

The Italian legal scholar Stefano Rodotà recently stated the same thing, but from a historical point of view: though the juridical do-

main was born as a result of “the Political”, nowadays fundamental rights are the new source able to recreate the Political domain.¹³ Rodotà maintains the thesis of a new subordination of the political to the juridical, whereas Supiot does not make reference to the domain of “the Political”, which instead disappears from his perspective. Consequently, could one argue, without any other justification, that the function of the Law constitutes the domain of “the Political”?

Kant: “Politics” within the juridical domain.

When referring to the history of Philosophy of Law Supiot’s position is close to that of Immanuel Kant and several contemporary neo-Kantian philosophers of law which are dominating the philosophical landscape.¹⁴ Indeed, what had been considered by Kant as constitutive of the “transcendental dimension” of the Law, represents, in Supiot’s thought, its anthropological consistence. Before Supiot, Kant had asserted the autonomy of the juridical domain in relation to the political domain; therefore, one could say that his negation of the domain of “the Political” has its main root in Kant’s approach to the autonomy of the juridical sphere.

Kant’s position directly influences that of Hans Kelsen, who in turn, determines Norberto Bobbio’s vision of the Law. Consequently, we should consider Bobbio as the first legal scholar who tries to review, from a neo-Kantian perspective, the influence of politics on a legal sphere.

As I am going to explain later, Bobbio’s position is not sufficient to provide a credible answer to the main question of this article.

For this reason, it will be necessary to look for the answer outside the neo-Kantian tradition.

Towards the end of his life, after producing the “*Critique of Practical*

Reason", Kant wrote "*Metaphysics of Morals*" in order to explain the basic principles of the concept of "Law", to reflect on a "science of duties" and to help "anthropology" understand the phenomena of the Law (of the rights and of the moral). After developing his "Critiques" he feels obliged to clarify the role of Reason in the forming of the human being's duties and rules, that is, a first step to clarify the chances for a *perpetual peace* and the supremacy of the Law over politics.¹⁵ According to Kant, "Practical Reason" inevitably imposes on us the rules and the duties we have towards others, through a moral obligation which takes the forms of imperatives and maxims – natural rules of mankind. The Law, i.e. the power to oblige others, is "the formal condition of external freedom", that is, the realization of duty on the level of an interpersonal relationship, and its idea derives from the moral imperative.¹⁶ Within that framework – but also under the influence of Rousseau's thought – he argues that "Political Constitution" is the result of an absolute imperative of Practical Reason. Consequently, the popular will, expressed by the collective will of all, when there is harmony between all people and each person's decisions, must be submitted to the sovereign will, that is, to a Superior Legal Power. This "a priori principle" is the result of Practical Reason itself, which generally relates it to the State Constitution. And yet, Reason leads Kant to affirm that the only permanent Constitution is the Constitution in which the Law is sovereign, that is, it is not subordinate to a particular person. That also leads Kant to claim that, when there is a revolution, even if an illegal act is produced, the act itself must impose on citizens the obligation of respecting the new legal order it institutes.¹⁷

Therefore, well before Supiot, Kant wrote that, at the roots of political power, we can find the source of superior legitimation, which is the obligation of duty as such (the same which is at the basis of

law). For the same reason, he is convinced that if the people use force against the Constitution, whose role is to regulate the relationship between the sovereign and his people, force will take the place of the superior Legislation and, as a consequence, the people's superior will itself be destroyed. The destruction of Legal Constitution, that is people's Resistance, does not only demand a new "Social Contract", but imposes violence, above all, as a superior principle of every law.¹⁸ For that reason, Kant also believes – as Supiot does later – that even the possibility of a State based on the rule of law maintaining the concept of law as such opposes the principle of force, which eliminates the value of the concept of law: this situation occurs when the Law gives itself up to force by legitimate means. In other words, Kant argues that violence and the tendency to self-destruction oppose duty as such. In fact, according to him, a true State of peace – the union of different States thanks to cosmopolitan law – is founded upon duty and stands on the rational idea of an everlasting and peaceful community to be considered as a real juridical principle (and the ultimate goal of every juridical doctrine).

The morally practically reason utters within us its irrevocable veto: there shall be no war. So there ought to be no war, neither between me and you in the condition of Nature, nor between us as members of States which, although internally in a condition of law, are still externally in their relation to each other in a condition of lawlessness; for this is not the way by which any one should prosecute his Right.¹⁹

Nevertheless, differently from Supiot, in Kant the two ideas are clearly grounded on some aspects that one can easily find in what is called "political creation".²⁰ They come from various forms of historical collective creations and not from the transcendental

dimension of the moral duty and law: the modern concept of universality, affirmed by the French Revolution and the ancient concept of autonomy related to Greek creation are historical products of new revolutionary political practice in human history. For instance, according to Kant, Public Right, the Constitution, as well as maxims and moral imperatives are, or ought to be, the expression of a universal legislation.²¹ The people's will, together with moral sense and cosmopolitan Right, integrate the universal aspect of duty.

In order to understand what the two political aspects which are within the law consist of in Kant's theory, we need to take into account the internal characteristics of the law according to him.

In Kant's opinion, Will is the basis of Law and, at the same time, it is by virtue of the source of the law that we consider duty and obligation as moral imperatives. For that reason, freedom takes the form of an internal obligation that we cannot avoid, and the law, as such, takes the form of an obligation exercised with regard to freedom. Thus, the latter is a sovereign decision of Reason, which makes the freedom visible in our actions through what Kant calls categorical imperative, that is obligation as such.²² Our conscience, as a primary, intellectual and moral disposition of Reason, judges all our free actions and impose on us this kind of judgement in a universal way. However, Kant specifies that, in order to realize what the law imposes on us through an absolute form, it is necessary to make ourselves free from the natural impulses that could prevent the realization of duty. Hence, the Right is the result of an a priori condition of the Law and represents the mutual and general obligation which is connected to every person's freedom according to the principle of universal freedom. That means that liberty, in general terms, is not a simple 'product' of duty, but that it can coexist only if it is in relation to everybody's freedom by virtue of a universal law.²³

As a matter of fact, and above all, in Kant's philosophy Reason is the faculty for determining the will thanks to the pure idea of adapting maxims to the universality of a "practical law"; for that reason, the categorical imperative imposes respect of the maxim that could take the form of a universal law. That means, in particular, that the supreme principle of moral doctrine and the supreme principle of the doctrine of virtue oblige us to follow a maxim which has the value of a universal law. According to Kant, the maxim which plays the role of universal legislation is the formal principle of human actions submitted to the formal principle of duty. In other words, the concept of duty is tied to the expression of a universal law which steers Right and Justice.²⁴

On the other hand, the ideas of "person" and "natural laws" could not be well understood without taking into account human autonomy as the expression of general, collective and individual will: the person and the common will cannot be submitted to any laws which are not made in an autonomous manner.²⁵ Kant actually goes even further in affirming that the common creation of society is tied, through equality, to what can be regarded as social autonomy: a society cannot be considered as such if there is a relation of subordination between governor and governed, that is when there is no egalitarian coordination between all components, and no respect for common laws.²⁶ Moreover, not only the dimension of human autonomy, but also and at the same time, the reference to universality, can be found in the Kantian concept of person, since personality is the expression of the humanity we all carry within ourselves, independently of every physical determination.²⁷ Furthermore, crimes against nature are crimes against the humanity we all have within us and in relation to which we have a clear moral and juridical responsibility.²⁸ Finally, according to Kant, humanity

corresponds to human dignity and our duty is to recognize it within every individual by virtue of the famous moral imperative which obliges us to consider the other individuals as ends in themselves and not as a means by which to realize other ends.²⁹ Regarding juridical relations too, Kant claims that the person has to be considered exclusively from the point of view of humanity.

Thus, it should be clear by now why Kant considers universality and autonomy as part of Law and Duty and not as a product of the heritage of the creation of politics in our history. These characteristics are crucial to understand how the respect of law and duty can protect us from social violence and war.

The political roots of the Law

The Kantian perspective on the Right and its nature opposing war and violence found its first coherent reformulation by the philosopher of law Hans Kelsen in his “Pure doctrine of the Law”. His idea of *Grundnorme* is a concept that not only is useful for criticizing the rightwing legal theorist Carl Schmitt’s position but, above all, for re-elaborating the idea that the Law is the basis of political power; at the same time, the idea that the legal system’s goal is to organize force, refers directly to the Kantian conviction that the law maintains “another” nature in relation to violence.³⁰

On the basis of this position, Norberto Bobbio derives, later, the two central ideas mentioned above (universality and autonomy), but, unlike Kelsen and Kant, he worries about justifying the relationship between the juridical and the political sphere.

He is still convinced of the supremacy of the law over politics and of the “non-violent” nature of the Law. However, he agrees to consider that the *Grundnorme* has no autonomous basis with regard

to the constituting power, which founds a new juridical system. He claims that, on the contrary, this fundamental norm is to obey the primary power, that is, the whole body of political forces that express this power. This norm allows the founding power to provide laws, that is, to admit that the new constitution can create good norms and oblige everybody to accept them and, finally, to recognize the “constituting power” itself.³¹

The fundamental norm that imposes on the holders of primary power to obey is that which legalizes primary power to the use of force, (...) the fundamental norm conceived as such is really at the core of juridical system.³²

It could be said that Bobbio establishes a sort of conceptual circle between “sovereign power” and the “fundamental norm” which is the basis of juridical system, where the first cannot exist without the second, which is, in turn, at the service of the first.³³ Moreover, Bobbio not only admits that political power needs some force, but also that the same thing can be said about juridical power. Even if force is essential to exercise power, it neither constitutes its basics nor can it justify this power.

According to the Italian philosopher, the relation between Right and force is complex. Law uses force to be respected and it is fundamental to political order when this one wants to legitimize the use of force to justify its actions. Force is necessary to allow the new political order to be effective for the future too.

This is the typical case of a Revolution, when an illegal act destroys the existing juridical system and affirms itself as the legitimacy of a new juridical organization.³⁴ Therefore, according to Bobbio, the main problem is neither to incorporate political principles into the

specific nature of the Law, as Kant does, nor to maintain the ontological separation between the “juridical” and the “political”, as Kelsen suggests, but it is to understand the correct relation between politics and law is.

In this framework, he thinks that violence is a kind of force produced when there is an inversion of the constitutive relation of juridical law, that is, the dynamics between right and duty: violence is not the result of the elimination of the juridical relation, but it is the perversion of the manner in which law and duty protect everybody’s freedom. The duty to be respectful of the other’s freedom is abandoned for the right to not respect it, and the duty to accept that the other impedes us to choose takes the place of the right to choose our own freedom. Thus, once more, violence is unconnected with the true nature of juridical law.³⁵

Can we accept this conclusion? Evidently we can’t. Bobbio’s problem is that his interpretation is in relation to the idea that the Right keeps its supremacy over political sphere and that juridical dimension maintains its ontological autonomy, as also Kant claims.

If we take into account the political nature of the law, and how Law depends on the sphere of political power, we have to reconsider the relation between “the juridical” and “the political” from a perspective which would be different from the Kantian tradition dominating contemporary philosophy of Law (as we have seen in Supiot’s position).

Notably, it is not only normative acts that are the main sources of juridical system. There are also many situations where it is the judge who ought to create legal rules through a decision which should produce a new Right, that is, where the Law acquires a clear political function.³⁶ Obviously, the major activity of the political function is interpretation, which is the basis for the application of a legal

norm. The most evident case of this producing activity is when in a judgement the judge recognizes the norm in question by the same standards as a “principle” and puts it into a hierarchical position determining the final result. Implicit principles can be drawn from single norms, or from a group of norms, or from the whole of the juridical system, but in all these cases the jurisprudential creation of the Law cannot be disguised, as it cannot be disguised in the case when Constitutional Courts decide about constitutional dispositions (where new norms are introduced) and when it is necessary to fill juridical gaps or to resolve some antinomy of the law. A juridical norm is usually a result of interpretative activity, since the signification of a norm is an independent variable with respect to the judge’s interpretation, and its language is intrinsically undetermined (vague and ambiguous).³⁷

If the political sphere is the main source of the Law, as well as the fundamental paradigm of its functioning, then we have to claim, without any doubt and before outlining its autonomy, that the sphere of “the juridical” depends upon that of “the political”. Therefore, on the basis of this dependence, we need to put the question again about the separation between violence/war and the juridical dimension.

Politics and violence

Understanding exactly what the subordination of the law and the legal sphere to the political consists in allows us to verify whether the non-violent aspect attributed by Kant, Kelsen, Bobbio and Supiot is linked to the autonomy of the law, or whether it is the result of the correlation with the political sphere. We can elaborate a first different response from the Kantian tradition and ask decisive

questions to advance the understanding of the problem, by making reference to Supiot's main anthropological source, that is, to Castoriadis's philosophical reflections.

For Castoriadis, the *Grundnorme*, as such, does not exist because, if we are to think of an act that is at the basis of a new organization of society, we should think of an instituting movement and the creation of a political body, namely, a form of self-definition and self-legitimization of the collective power. The law finds its legitimacy thanks to the creation of politics, and not the reverse. One could therefore say, following Castoriadis, that the subordination of the law to the instituting act constitutes, in itself, its legitimization.

If we also share Castoriadis' distinction between an instituting act which creates "politics" as a form of democratization of the sphere of "the political", and an instituting act that does not,³⁸ it could be added that there is a specific kind of political legitimization of the law and the juridical sphere based on characteristics and presuppositions of "politics" (autonomy and active solidarity). Thanks to Castoriadis we can affirm that the law can have a double political source: "politics" and "the political".

Considering this distinction, it is important to return to the philosophical problem I addressed at the beginning: in which sense can we argue about the autonomy of the "juridical sphere"? Castoriadis does not provide an answer. However, he refers to an essential dimension of the law itself: the "all of the norm"³⁹ – as if there were a supposed internal character of the law as such, attested by the universal reference to everyone (to society).

The norm says "all," implying something that transcends the "individual". (...). That anonymous, indefinite "all" is neither a specific individual nor a concrete collection of specific individuals, but rather, the "abstract" possibility of continuing social life as such.⁴⁰

Moreover, does he really refer to a particular legal norm – or to any kind of norm at all?

According to what can be inferred from juridical norms it is necessary to distinguish between norms that have universal pretensions, commonly considered as moral, and norms that express the characteristics of "generality" and "abstraction" without necessarily being universal.⁴¹ Only the first kind of norms respect the characteristic of the norm indicated by Castoriadis. It may therefore be surmised that this aspect of the legal norm is related to how the "sphere of politics" relates to it. That is to say, one could argue the hypothesis of a "political morality" as expressed by this concept ("all of the norm") and, more generally, assume that the political sphere relates to the juridical one owing to a moral pretension (the obligation to universality). One might also add that the concept of "all of the norm" is really accomplished only when it is the product of the relation of the sphere of "politics", as the only dimension of "the political" which is supported by the participation in the "power of all",⁴² with the creation of the explicit social norm (the political law). This is simply because, in the case of "the political", there is no real obligation to extend to everyone the power to create the norm, nor to respect its collective source, as in the case of "politics".

On the basis of the latter consideration, we must return to our main question: when does a legal norm become violent?

In general, if the law is not violent or non-violent, in itself, then it is necessary to ask whether its violence is the product of an imposition of the morality diffused by "the political" or whether this violence happens *a posteriori*, when the impact or consequences of the law in relation to specific circumstances can be established.

If one rejects, as I have just done, the idea that the law through its autonomy is the expression of an "essence" other than that of

violence, then we must seek an answer in the relation between the moral pretension that is imposed on the sphere of the political and the legal dimension that absorbs it. We should ask ourselves: does the same dynamic occur in the case of the correlation between “politics” and the “juridical and legal spheres”?

First of all, one could answer that in the case of the relationship between “politics” and the law, which is the most interesting for us, there is a first form of internal violence of the law that must be detected, that is the violation of the legitimacy of the “power of all”. For this reason, one should ask, finally, whether the violence expressed in general by the law is the result of this violation and, at the same time if its “non-violent dimension” is not, in reality, the expression of respect for the principle of “all of the norm”.

The next question becomes inescapable: does the law become non-violent when it assumes the principle of “all of the norm”?

If the answer is yes, then we can better understand why Kant, when attributing to the law characteristics of “politics”, also considers that it opposes the violence of war. At the same time, we can understand why the European refugee crisis is the consequence of a loss of the principle of the “all of the norm” in the political sphere, and we can explain it without referring to the Kantian tradition which wrongly considers law in itself as an antidote to violence.

Finally, this different philosophical tradition helps us to better understand this crisis because we can find a possible solution to it only if we consider the deep political roots on which it is based. It is not sufficient to claim human rights or the respect of law in itself: on the contrary, we have to consider in which way the EU as an institution loses the political principle that can protect these rights. So, if we want to have some possibilities to solve this crisis it would be necessary to answer the following question: how have

EU institutions eliminated the principle of “all of the norm” in the political sphere?

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3 Mediterranean Missing Report. 2016. *Missing Migrants in the Mediterranean: Addressing the Humanitarian Crisis*. Geneva: IOM's Global Migration Data Analysis Centre. p. 3. <http://www.mediterraneanmissing.eu/wp-content/uploads/2015/10/Mediterranean-Missing-Summary-report-290816.pdf>.

4 As one can see in reading this article, I do not agree with the Hobbesian motto "Bellum omnium contra omnes", which is very common to international studies and realist theories within this field of research. For the understanding of this kind of contemporary Realism, read for example: Waltz K.N. (2000), *Structural Realism after the Cold War*, in "International Security", Vol. 25, No. 1, pp. 5–41; Portinaro P.P. (1999), *Il realismo politico*, Roma, Laterza.

5 Balibar 2010, pp. 17–38. Balibar maintains that the political sphere is based on a peculiarity that destroys it, namely that it rises through the comparison with its "impossibility", that is violence. When he refers to Spinoza, Balibar thinks that on an anthropological level we have to consider "a remainder of violence impossible to eradicate". He calls it "utmost violence" and in the political sphere it would become a "system of cruelty". Lenin's revolutionary counter-violence, Gandhi's non-violence as well as Hegel's thesis adopted by Marx about the conversion of violence into civilization and historical rationality, would not enable us to understand and overcome the problem of a "residual violence external to politics" but nevertheless still intrinsic to the political sphere. Therefore, the only effective way of a political emancipation from violence is what Balibar calls "civilization" or "anti-violence", that is, the everlasting struggle of politics against the exceeding violence that is part of it. According to Balibar this is the only attempt that can prevent the residual violence from influencing the making of law in social institutions.

6 According to Ernesto Laclau the principle of "exclusion of the

Endnotes

1 See also <http://www.mediterraneanmissing.eu/wp-content/uploads/2015/10/Mediterranean-Missing-Legal-Memo-290816.pdf>; and also, Council of Europe. 1950. *European Convention for the Protection of Human Rights and Fundamental Freedoms*, 4 November 1950. Strasbourg: CdE.

other”, as an assertion of my identity, is inside the setting of opponent borders during the hegemonic social practice that establishes another society and another political sphere (Laclau and Mouffe 2000, Laclau 2001 and 2008).

7 Supiot elaborates several of Castoriadis’s ideas: the ideology of non-limitation and the power of “technoscience” in contemporary society, permeated by the deep self-alienation resulting from the working system; the centrality of the conceptual opposition “autonomy-heteronomy” in order to understand social change and to think about a form of human emancipation ; the importance of the internalization of institutions and of the organization of social rules, thanks to the “social imaginary” conceived as a system of beliefs. The anthropological basis of his thought and the idea of “metaphysical being”, treated in *Homo juridicus*, are connected to the fundamental exploitation of the concepts of “Imaginary” and “Institution”, which are at the core of Castoriadis’s perspective: they are fundamental to Supiot, who uses them in order to claim that reason and justice- as anthropological functions- are two institutions that allow our existence to make sense and to clarify everybody’s place in society.

8 Supiot 2005; Supiot 2015

9 Supiot has already dealt with some of these topics in *Homo juridicus* (firstly in the *Prologue* and at pages 167–171; 221–227; 300) but he has developed them mostly in chapters 6-7-8 of the first part of the *Gouvernance par les nombres* and in chapter 10 and 13 of the text).

10 Supiot 2015, cap 6, pp. 9; 20. The numbering refers to the e-book text. The translation is mine.

11 Supiot 2005, pp. 8–10; 17; 21; 24–5 and Supiot 2015, chap 11, p. 8.

12 Supiot 2005, pp. 23–5; 31; 223–4; 300.

13 Rodotà 2012, pp. 7; 11; 60; 66; 104; 207; 352; 356; 375; 389; 413; 416; 424–5.

14 The reference alludes particularly to Hans Kelsen, Norberto Bobbio, Carlos Nino, Ronald Dworkin.

15 Kant 1998, pp. 50–1; 57–60; 68.

16 Kant 1970, pp. 14–5; 19/22–5; 34; 227; 234; 239.

17 Kant 1970, pp. 153; 176–7, 217

18 Kant 1970, pp. 134–5; 143; 149–53; 174–5; 184; 187; 191; 216–7; 227–8; 241; 252; 304. In “Perpetual Peace” Kant refines and articulates this idea, being convinced that a Revolution, able to institute a legal permanent Constitution, is possible.

19 Translated by William Hastie. Kant, Immanuel. 1797. *The Metaphysics of Morals* – Part II- Public Right- Conclusion- 229: <http://oll.libertyfund.org/titles/kant-the-philosophy-of-law>. Also Kant 1970, pp. 193–4.

20 See Profumi 2013.

21 Kant 1970, pp. 36–7; 44; 139–143.

22 Kant 1970, pp. 10–11; 17–20; 22–5; 28–30.

23 Kant, 1970, p. 44

24 For example, Kant maintains that “*the formal Principle of the possibility of actually participating in such Right (juridical state r.n.), viewed in accordance with the Idea of a universally legislative Will, is Public Justice.*” (Kant 1970, 132). Translated by William Hastie. Kant, Immanuel. 1797. *The Metaphysics of Morals* -Part I- Chapter III-Private Right- 155–57: <http://oll.libertyfund.org/titles/kant-the-philosophy-of-law>

25 See Kant 1970, pp. 26; 143–4; 150; 157; 160. Kant affirms explicitly that: “*whatever sort of positive laws the citizens might vote for, these laws must still not be contrary to the natural laws of freedom and of the equality of everyone in the people corresponding to this freedom, namely that anyone can work their way up from this passive condition to an active one.*” (Kant 1970, 144).

26 Kant 1970, p. 133

27 For this reason, Kant can say that the law which is within human beings imposes on them self-respect, and he can also affirm that the feeling of respect constitutes the basis for some duties.

28 Kant 1970, pp. 86; 311; 333–4.

29 In fact, he says that in his juridical relations with the others he considers all persons from the point of view of the humanity they have within themselves and that every person is an end for themselves and for the others. According to him, it is necessary for mankind to consider every human being in general as an end: that is their duty (Kant 1970, 118/247). That is why Kant thinks that philanthropy – love for humanity

– is a duty bearing on the practical maxim of benevolence: we must love all others because we must respect the principle of universal legislation according to which we live (Kant 1970, 316–7/318–20/369–70).

30 Kelsen 2000, p. 95–116.

31 See Bobbio 1993, p. 184; 189–199.

32 Bobbio 1993, p. 196–7. The translation to English is mine.

33 Bobbio 2012, p. 71–4.

34 See Bobbio 1993, pp. 195–9; 286–7 and Bobbio 2012, pp. 101–118.

35 Bobbio 1993, p. 250–1.

36 This is a huge and interesting contemporary debate in the field of Philosophy of Law. Many authors share the idea that juridical sphere has a political nature. See for example Augustin Grijalva, Nuevo constitucionalismo, democracia e independencia judicial, “Calamo. Revista de estudios juridicos”, n.3, Julio 2015, pp. 27–37.

37 Guastini 1993, pp. 1–89; 101; 122; 236; 293–8; 302–3; 308; 311; 317–8; 323–58; 368; 377; 400; 420–4; 429–40; 452–5.

38 See Castoriadis 1990, pp. 134/139 and Castoriadis 1996, p. 16 and Castoriadis 1997, p. 72)

39 See Castoriadis 1975 pp. 367; 381; 395; 536–7 and Castoriadis 1999 pp. 119; 165 and Castoriadis 2009 p. 203 and Castoriadis 2011, pp. 95–6; 100.

40 Castoriadis 1999, p. 165. English translation by the Board of Trustees of the Leland Stanford Junior University; Castoriadis, Cornelius. 2007. *Figures of thinkable*. California: Stanford University press, p. 163.

41 Kant provides this distinction in his meditation on the Perpetual Peace. Kant, Immanuel. 1998. *Sobre la paz perpetua*. Madrid: Ed. Tecnos, pp. 12–3.

42 Capitini 1989.

Sharon Rider — “Little Mr. Satisfaction”
[señorito satisfecho] —
Ortega’s Challenge to European Man

Introduction

This paper issues from a number of concerns that I believe that I share with many. I recall feeling unsettled while reading Mark Mazower’s minor masterpiece, *Dark Continent. Europe’s Twentieth Century*, a few years ago.¹ Even if the book concludes in an optimistic spirit, the lingering sensation upon having read it is that of irretrievable loss. Whatever remaining consoling thoughts Europeans may have of themselves as the natural providers and defenders of a safe haven for democracy since WW II are dissipated like so much fog. Mazower describes the causes and effects of migrations of entire populations hither and thither throughout the continent in the first decades of the twentieth century as a result of the negotiation of political ideals and practical exigencies, the failure of liberal nations to deliver anything more than procedural rights devoid of any practical content for a substantial part of the citizenry, and a growing popular dissatisfaction with the chaos, insecurity, frustration and human suffering resulting from foundering initiatives to get a grip on things. The appeal of Fascism and Stalinism, when presented this way, from the groundfloor, as it were, rings all too familiar. What Mazower succeeds in doing, I think, is to help us see this recent history as “now”, not merely in the superficial sense of the building up to current events, but in the sense of utterly present, contemporaneous, in the larger scheme of things. After reading his book, one is confronted with a now that includes Fascism and other forms of totalitarianism not simply as distant threats, but as still and always with us as a potentiality, as part and parcel, of modern Europe.

An important element in understanding this “protracted now”, I want to argue, is that industrialized nations seem to be putting

all their hopes for democracy and the welfare of its citizens into a very confused notion of “education”. This idea as it comes to be formulated in policy documents and political declarations covers as diverse aims as economic growth, employability, technical innovation, integration of immigrants, the inculcation of democratic values and practices, gender equality, ethnic tolerance, and environmental sustainability. That’s quite a tall order for any educational system, but especially Europe’s increasingly deregulated (or even fragmented) educational landscape. I’ve studied the economic and technical aims elsewhere,² so here I want to focus on the notion that all of our ills as citizens and as a society can be addressed and handled with enough “education”.³

It is standard practice to distinguish between three dimensions of citizenship: political, social and legal. These correspond, roughly, to three different institutions: the legislature (political rights), welfare systems (education and health care) and the judiciary, or courts of law (civil liberties). This model derives in large from T.H. Marshall’s highly influential “Citizenship and Social Class”, published in 1950, in the context of the construction of the British postwar welfare state.⁴ Marshall defines citizenship as a “status bestowed on all those who are full members of a community”, sharing rights, duties, and the protections of a common law. The bonds of modern citizenship develop first through the “struggle to win those rights,” and then, once gained, by their “enjoyment.” Thus modern citizenship implies also “loyalty to a civilization which is a common possession.” A similar idea can be found earlier, perhaps surprisingly, in Ortega y Gasset’s *The Revolt of the Masses* (1930).

In reaction to the growing barbarism of totalitarian movements and regimes, Ortega posed three questions that are still salient: i)

what, if anything, does it mean to be European?; ii) how, if at all, is it possible to retrieve an idea of European civilization that is at once viable and valuable?; iii) what is involved in bringing “newcomers”, i.e. the young, and, by extension and following Arendt, “the recently arrived”, into active membership in a polity or community? If we cannot answer these questions, it is difficult to see how we will be able to perform the task.

I should perhaps say something first about the choice of Ortega, a thinker who, if he is discussed at all, is considered something of an ethnocentric sexist. The main reason for this characterization, I think, is that it’s not altogether unfitting. At the same time, if the study of the history of philosophy were to be purged from all thinkers who have expressed ideas that are not in keeping with present-day norms and values on such matters, we’d be left with John Stuart Mill and not much else (although not even Mill is entirely *comme il faut*, having supported public hanging as a form of punishment). To my mind, this would be an unsatisfactory state of affairs. At any rate, I read Ortega here in light of Arendt’s use of Kant’s distinction between actor and spectator with regard to judgement. Ortega’s thoughts here have to do with his reflections as a philosopher, “outside the fray”, as it were. They are not intended as calls for direct action, but are rather meditations on the judgements made by certain actors, specifically, the modern educated “European Man”, the specialist who believes himself to know everything he needs to know, and who exceeds the bounds of what he knows in considering other matters and in not considering other thoughts and other people. This barbarous, primitive non-entity, “Little Mr. Satisfaction”, is us.

The Social World and its Elements

Words like “autonomy”, “liberalism”, “justice”, “freedom”, “equality”, but even “knowledge”, “education”, “progress” etc. can be rather promiscuous, offering themselves up to all comers to mean whatever one’s predilections would have them mean. Alternatively, one can consider them to be “essentially contested concepts”.⁵ And this inherently contestable and contested nature of certain terms and clusters of terms, combined with historical context-dependency, or simply laxity of terminology, can make it difficult to see clearly what assumptions are in play, and to what extent they are shared or conscious. I shall therefore admit my own starting point, namely, that I share with Ortega the view that the political and the economic are best understood as qualifications or aspects of what he calls “the social”.

The Latin noun *societas* indicates most broadly a union for a common purpose. A “society” then can be any form of fellowship, partnership, economic or political association, community, political formation, or alliance. Ortega emphasizes this most general feature of coming together for a common purpose, because he thinks it helps us get a grip on what we think we’re doing when we talk about the relationship between economics and society, culture and society, or education and society. It can also provide a common ground for discussion, in which sticky points regarding the relationship of liberalism to social liberalism, or social liberalism to Marxism, or classical liberalism to neo-liberalism, can be disregarded, at least for the moment.

In both *The Revolt of the Masses* and *Man and People*, Ortega looks at the components of this “union for a common purpose”, piece by piece.⁶ To begin with, a union is something that is accomplished

or made, it is the ongoing result of a coming together, whether or not there be some explicit decision or contract. That is to say, it is something we do rather than something that is just there for us, like a tree or a stone. And something that is achieved or done can also be undone or cease to be achieved. The first case, the undoing of this union, would likely be the result of a dramatic course of events, such as war or natural disaster. But the second is rather a question of negligence or at least pretermission. So our first observation is then that the word “society” refers not to some thing with such and such qualities, but rather works as a placeholder for the variety of things that are constantly being done and redone, modified and developed so that we can continue to “unite for a common purpose”. While one can see the State or its senate be seen as being, in some abstract sense, a *res publica* (a public thing), the use of the term “society” simply designates the fact that human beings already at a very primitive level come together in order to accomplish things, i.e. to act. It is in this very basic sense we can understand Aristotle’s claim, in the *Politics*, that by virtue of our natural capacity to give reasoned accounts (i.e. our *logos*), or, as we might say today, our ability to signify and not merely signal, human beings are born to associate with each other for the purposes of justice as well as expediency. Aristotle contrasts a colony of bees with an association of men by pointing out that the bees merely signal instinctively pleasure or distress, without any common aim or purpose apart from the signalling, whereas man signifies, at least at times, in order to do something. In short, the bees’ behaviour lacks the intentionality characteristic of human action. I use the term “intentionality” with some reservation, because the whole discourse of intentionality in philosophy is, of course, a hornet’s nest. All I wish to say by reference to the notion of intentionality here is that human beings can

ask themselves, “What should I/we do?”, which often, although certainly not always, is resolved by a further reflection of the order, “What kind of person/society am I/are we if I/we do X rather than Y?” Another way to put the point, in more Weberian terms, is to say that goal-rationality in any question assumes certain values and not others as to what is worth aiming for to begin with, and which goals have priority over others in a case in which certain unintended consequences are probable given a certain course of action. What this says about social action, that is, unified or collective action for a common purpose, is that it requires at times, in particular when issues of the highest import are at stake, that we take a step back from action and reflect, together, on what it is that we are aiming at in order to be a certain kind of society. Another way of putting the point is to say that we must on occasion see ourselves, our society, as a problem, something to be considered and perhaps changed. A more Nietzschean formulation might be something like, “How are we to proceed in order to become what we are?” For what we do, individually and collectively, constitutes our common nature, that is, the nature of our society.

The foregoing might give the impression that Ortega is calling for a more theoretical stance, according to the notion that “first we think, then we act”. Ortega was, however, highly critical of this intellectualist position. Yet, although he might reasonably be described as some kind of vitalist (if we insist on such labels), he reviled voluntarism. Like Hannah Arendt,⁷ while he emphasizes the act of union in defining society as an activity rather than as a thing, at the same time he considers the Cartesian definition of the human beings as primarily a *res cogitans* to be misleading. Ortega takes Aristotle’s claims that “man is by nature a political animal” and that “all men by nature desire to know” to be different articulations

of the same view, namely, that the inclination and capacity to give and take into consideration reasoned accounts about ourselves and the world we inhabit is essential to a fully developed human form of life. But this capacity to account for ourselves and to hold each other accountable is, of course, an essentially incomplete project. It is often the case, both for the individual and for the society, association or alliance to which she belongs, that we simply don’t know if we have acted for the best, or, alternatively, that we actually take ourselves to know, say, about probable consequences of that action or even of what ultimately motivated us to take it. (For this reason, Ortega suggests that we define the human being as *homo insciens* rather than *homo sapiens*.) The moral import of seeing our thinking-things-through-together as essential to our being human in the fullest sense is this: if society is something that is attained only in and through our combined and considered efforts, and if thought is never complete once and for all, but always and inevitably part of our daily doings in the world in order to be what we are as a society, then the capacity for thinking itself is necessarily something that requires perpetual sustenance and vigilant maintenance. It is not a given, but something that each culture at any point in time does, in one way or another, more or less prudently. As Socrates saw so clearly, we don’t know for sure what we think we know for sure.

The Subject of the State

Civilization, for Ortega, is nothing more or less than the conscious perpetuation of the choice to live together. It means, therefore, always implicitly taking others into consideration when acting; thus its opposite, barbarism, is quite simply the will to disassociation. On this view, civilization is always “liberal” in the broadest sense of

the term: it assumes a certain level of generosity and hospitality. It means “taking the other into account”, even if the other is an enemy, or simply weaker. This taking others into account something is something that academics and intellectuals of our day consistently fail to do. For Ortega, what characterizes the “knowledgeable ignoramus” that is the European bourgeois, the scientist and specialist of our epoch, is that he is in a constant state of “not listening”: out thinking combines the arrogance of elites with the intellectual indifference of the masses.

Now a State, for Ortega, is quite literally a “state”, i.e. a state of equilibrium, that is, a state in a dynamic process. To be a subject of a State can mean two different things. It can mean obeisance to an acknowledged or at least recognized authority, which is another way of saying legitimate authority, or it can take the form of mere submission, i.e. acquiescence to force, which means the degradation of the subject. The idea of the Greek *polis*, or the Roman *urb* for that matter, was to build together borders against Nature, and to form a place (the *agora*) for physical, commercial and juridical assembly (*synoikismos*). This town square was the physical wordly and concrete manifestation of the will to live together, to be citizens—together—regardless of blood lines or birth. The polity is thus, for Ortega, a unification of diverse groups that, in the end, is strictly speaking *unnatural*—it is, as he says, “a work of imagination”. He thus credits Julius Caeasar with being the first to broaden the European political imagination. Regarding the State as a common task rather than a thing (requiring a *primus inter pares*, to be sure), for Caesar, there was no such thing as physical limits: there were no “natural frontiers” for the idea of Rome. Indeed, Ortega considers all belief in real, naturally occurring national borders along linguistic, cultural, religious or physical lines, “geographical mysti-

cism”. To the contrary, frontiers and borders merely consolidate some form of unification that has already been attained (say, along linguistic or cultural lines). So a State is then the state of equilibrium achieved after a fusion of “us” with “others”. That is to say, a State is always an effect, and never a cause. It is something we have done and continue to do together. That is why the legal grounds and institutions are said to be “constituted”. (For Arendt, this is the fundamental sense of the term *Constitution* in the US.) Without this ongoing effort at political self-constitution, we are nothing but atomized individuals, groups unified by more or less fleeting and contingent interests, without any intrinsic relation to one another. And that “state” is one of disequilibrium, dissolution, decadence.

“Europe” is nothing but a name for the idea of a common project of unity of purpose among those of us calling ourselves “Europeans”. The only reasonable pre-condition is that one wants to be part of it. This idea need not remain in Europe, and it need not take its current consitutional form (parliamentarianism). But without such a common project (in which my autonomy is dependent on yours), it is difficult to conceive of its futurity.

Education: Paying Attention and Taking Each Other into Account

Ortega appears to share with Hannah Arendt the view that the two fundamental requirements for engaging in such a project are imagination and judgment, rather than “knowledge” in the sense of subsuming some particular fact under a universal. Arendt interprets Kant’s idea of “disinterested judgment” as having to do with the necessity of withdrawing into the position of the “spectator” of events when considering a critical situation. The view of the participants

in these events is always, necessarily, “What shall we do?”, since the essence of a “crisis”, a word derived from the Greek signaling judgment, is the need to make a decision. The perspective of the spectator, as opposed to that of the agents, is one that encompasses all the actors on stage, from all their different positions, from a distance, since the spectator is not herself an actor. The result is not objectivity in the aforementioned sense of generality or scientific validity, but that of “impartiality”. As a spectator, one has no vested interest in the events on display. But, and here is the crucial point, as soon as we consider ourselves at a critical distance, we are ourselves spectators. To think meta-politically is to regard our own actions at a distance, not so as to objectify them, but rather as to be able to perceive the situation from the various perspectives of all the actors on stage. This capacity, that is, to take our own actions and opinions as well as those of others into consideration as on an equal footing on the scene, requires vigilance and effort to be maintained. It is not a matter of learning a set of established norms, rules and customs, but of taking responsibility for keeping the show going, as it were. The problem with all forms of intellectualism is that they presume that human beings live to think. Ortega is in this respect fairly called a vitalist insofar as he thinks, to the contrary, that human beings think in order to live. And this is the case for the collective as much as for the individual. “Thinking” is not a characteristic quality possessed by the human species in the way that having a “sting” is a quality attached to being a wasp. It is not something we “have” at all. Rather, thinking, clarity of ideas and action, must always and everywhere be achieved, fought for, guarded. It is fleeting and unstable. Intellectualism assumes from the outset that man is always already “thinking”. This assumption, on Ortega’s view, is plain dangerous. It implies that intellectual resources are just there at our disposal when

we need them. The danger of this attitude is that it easily leads to the complacency, obliviousness and negligence of little Mr. Satisfaction.

As distinct from other animals, whose lives consist of unceasing responsiveness to their current environment, and who are, in that respect, steered by it, man can from time to time withdraw “into himself”, as it were, and ignore everything around him except that which is the object of his concern. He can “pay attention”. What is that he is paying attention to? Himself: his ideas, thoughts, hopes, plans and aims. But all of these things are not just there in the individual; rather, they come to him from the world, in the speeches he has heard, the words he has read, the patterns of social life unto which he was born, the very language he speaks. Thus, paradoxically, in order to retreat into myself, I have to be exposed to others. Without others, there is no “inner world” into which to retreat. There are no thoughts to be thought. So we are each and every one of us everywhere and always already exposed to each other; and each of us must keep up the business of achieving our language, our civilization, our knowledge, through common action. We have to do everything ourselves – with each other. When we then return from our inner exile, we are no longer spectators but participants. Through our speeches and actions, we constitute our world. Every time one of us returns to the field of action, the world, we leave our imprint on it by leaving traces in the speeches and actions of others.

I spoke of intellectualism, the idea that we think first and act thereafter, as misleading. Making thought and its manifestations (science, art, philosophy, commerce) the aim and purpose of human life is a mistake. But so is its opposite, that is voluntarism, the idolatry of the will. Action in isolation from thought, for Ortega as well as for Arendt, is by definition unreflective—quite literally thoughtless (or, as Ortega says, “stupid”). When a human being is constantly

responding to threats, risks, and real or imagined dangers, when she is incessantly occupied with details and pre-occupations that prevent her from withdrawing to collect herself, she will follow the impulses provoked by an unquestioned mythology that gives structure to her lifeworld (this mythology can be religious, ideological or even aesthetic). If she cannot stand back for a moment and say, “Wait, let me think”, neither can she be “herself”. She becomes “one, “das Man”, everyone and no one.

When will and direct action (“strong leadership”, as we say today) dominate an epoch, Ortega says, the first thing to do is lock all your doors. Deprived of a time and place for reflection, human beings fall into thoughtless action, or, to use Ortega’s technical term, “stupidity”. In a bee society, all the bees do what they must. They have no reasons, and they don’t need them. But as the animal with logos, human beings are fated to reason, with themselves and with others. That is their constitution. But in order to decide if I have “good reasons”, have thought rightly, I have to confer and compare with the reasons and thoughts of others. Yet to do that means that we have already some kind of *sensus communis*, a common ground to stand on. If we deny at the outset the possibility of such a common ground, we reject with it the very possibility of sociality as such, i.e. of forming a coherent collective, of living together in union. Every opinion or judgment about a state of affairs is a kind of movement back and forth between myself and the other: in order to examine my reasons for making the judgement “X is good”, I have to be able to explain or at least relate those thoughts to someone else. This is because thinking requires communicability for its performance and enlargement. If I can’t give reasons, it’s really not a judgement at all, but rather just an expression of something—a preference, a visceral reaction, a feeling. The very notion of judgement then implies a movement

into myself (my reasons) and outward (the giving of grounds for my decision or choice), suggesting that there must be some common standard or point of reference, i.e. a shared human world. But that world, as we said, is just our common efforts at paying attention and taking each other into consideration in thought and deed.

Another word for this common effort and responsibility of “taking each other into account” in the creation of a life together, or a common world, an effort which is neither a merely intellectual stance nor a pure act of the will, is education. Education, broadly construed, is, together with the rule of law and its institutions, the strategy or plan we who have decided to live together have for ensuring the continuation of our common world, of creating and maintaining “a good society”. It is typical for our time that we think that we can leave the work of taking responsibility for the continuation of our common world, our civilization, to “specialists” or “experts”. Here we are confronted with a question that concerns all of us in our humanity, in Arendt’s words: “whether we love the world enough to assume responsibility for it and by the same token save it from that ruin which, except for renewal, except for the coming of the new and young, would be inevitable”. We cannot see that this is not a technical or scientific question, but an ethical one.

And here we return to the issue of *the human being as a problem for himself*. The very idea of what a proper education is presumes that we can answer the question, “Proper to what?” It has to do with the ideas, hopes, plans, expectations and highest goals that constitute our “common purpose”. The world we find ourselves in is always *already imbued* with our thoughts, hopes and ideals, not merely in the form of philosophy journals, the stock market, operas, movies, buildings and mathematical formulae, but also in orange groves, dams, highways and dairy farms. In thinking, evaluating and plan-

ning, we constantly make the world in our image. What we de facto value and are prepared to do, both individually and collectively, has consequences. A society bristling with advertising agencies and investment banks but without the resources to produce its most basic alimentary needs, that is, without dairy farms or orange groves, has most certainly made its imprint on the world. And it is this very concrete world which the young and the recently arrived are enjoined to find their place in and make their own.

The present day use of the term “knowledge” as in “knowledge society” or “the knowledge economy” assumes the idea of knowledge as something that human beings get by virtue of an already extant faculty, thinking, which gets filled with the stuff that the knowledge is about (this “stuffing” being called “education”). Were this the case, then it would be reasonable to construe our systems of education in such a manner as to expedite the transmission, not only of facts, skills, and methods, but also of values, so that the thinking apparatus can assimilate the material in a smooth and efficient manner. The most important “resource” here, “thinking”, is seen as already there to be integrated into the system. But Ortega (together with pretty much every philosopher that I’ve read on this subject, including inter alia Plato, Aristotle, Locke, Rousseau, Kant, Fichte, Hegel, Dewey, Mill and Arendt) argues that the capacity for genuinely human thought and action is something that must be *cultivated and nurtured*. And cultivation requires forethought and planning on the basis of what qualities one wishes to issue. What do we who are “Europeans” by accident of birth or life choices want to issue from our efforts to train the “newcomers” (the young, the recently arrived)? The answer to that question would seem to lead us back to the fundamental question of *who we think we are as a society*.

The serious challenge posed by Ortega is the pressing question of

the “we” who constitute society. If it is “we, the mass of European man as incarnated in the educated bourgeoisie”, one is inclined to recall Weber’s famous lament in *The Protestant Ethic and the Spirit of Capitalism*: “No one knows who will live in this cage in the future, or whether at the end of this tremendous development entirely new prophets will arise, or there will be a great rebirth of old ideas and ideals, or, if neither, mechanized petrification, embellished with a sort of convulsive self-importance. For of the “last man” of this cultural development, it might well be truly said: “Specialist without spirit, sensualist without heart; this nullity imagines that it has attained a level of humanity never before achieved”.⁸

Endnotes

1 Mark Mazower, *Dark Continent: Europe’s Twentieth Century* (New York: Vintage, 1998).

2 See, for instance, Sharon Rider et al, *Transformations in Research, Higher Education and the Academic Market: The Breakdown of Scientific Thought* (Dordrecht: Springer 2013); “The Very Idea of Higher Education: Vocation of Man or Vocational Training?” in *The Humboldtian Tradition*, eds. Thomas Karlsohn, Peter Josephson & Johan Östling, (Leiden: Brill, 2014), 191–212; and “The Future of the European University: Liberal Democracy or Authoritarian Capitalism?” in *Culture Unbound: Journal of Current Cultural Research* Vol. 1, 2009, pp. 83–104.

3 Sections of this paper appear in slightly different form in Sharon Rider, “Liberalism and the University as an Institution of Truth”, *The Thinking University: A Philosophical Examination of Thought and Higher Education*, eds. Ron Barnet and Søren Bengtson (Dordrecht: Springer 2017).

4 T.H. Marshall, “Citizenship and Social Class”, reprinted in *Inequality and Society*, eds. Jeff Manza and Michael Sauder (New York: Norton, 2009): pp. 148–154.

5 W.B. Gallie, “Essentially Contested Concepts”, *Proceedings of the Aristotelian Society*, Vol.56, (1956), 167–198; W.E. Connolly, *The Terms of Political Discourse* (Lexington: Heath, 1974), pp. 10–44

6 José Ortega y Gasset, *The Revolt of the Masses* (New York: Norton, 1932); José Ortega y Gasset, *Man and People*, trans. Willard R. Trask (New York: Norton, 1957). *Revolt of the Masses* contains a series of articles from 1922, 1926, 1928, anthologized and published first 1930; *Man and People* contains a series of articles from 1940–1950, published together 1952.

7 See Hannah Arendt, *The Life of the Mind* (New York: Harcourt, 1978) and *Between Past and Present* (New York: Viking Press, 1961).

8 Max Weber (1905), *The Protestant Ethic and the Spirit of Capitalism* (London: Routledge, 1993), translated by Talcott Parsons, p. 132.

Schellekens & Peleman — Inflatable Refugee —

Today's society is guided by fear.

This process started decades ago, in the 70's, when the post-war euphoria was brutally interrupted by the oil crisis. In the 80's and the 90's the big ideologies started to crumble, which opened the path for fear to enter into all kinds of domains in our lives.

We are afraid of the financial crisis, of the other, of losing our jobs, of not raising our kids properly, afraid of terror and climate change.

When we let our lives be guided by fear, we no longer live life to the fullest. As we daily operate under high levels of stress, caused by the continuous defence/attack mode, our mental world is reduced to sustaining the self.

This status does not allow us to live with a kaleidoscopic view, but rather keeps our attention focused on the danger.

This narrows down our observations, our thoughts and eventually our lives.

In his book 'Culture Of Fear', British-Hungarian sociologist Frank Furedi states that in the Western world people have lost the ability to cope with uncertainties. In the past uncertainty was linked to a positive potential. Nowadays we want to exclude risk from our society and have come to talk of insecurity in only negative terms.

What could be the antidote for our fears? How can we deal with uncertainty? How could we deconstruct our self-created borders without falling into chaos?

Art functions as a sensitive, visionary mirror of society, reflecting all levels of time and space in which a society exists. It dissects all things known, poses questions and presents alternative realities. It confronts us with beauty and ugliness. Art does not necessarily comfort us; it tears.

Art needs time. It demands us to pause and to look and dig deeper than we are used to. It is in this time frame that art unravels itself and shows its reality.

We believe art has the capacity to take up the role of a powerful, visionary voice in society. We believe art can and should be part of daily life, because it thrives at the very centre of it.

In order for it to be so, art should be at the centre of the debate. Art making is the process of distillation, observation and reflection, returned and presented as an alternative reality.

We believe that sharing this alternative is best done in a space accessible for all. We believe that instead of solely inviting the audience into the world of the artist, the artist should also step into the daily lives of the audience. Into the common spaces where life goes on, much as we do in schools, hospitals, etc.

This is what we call the 'art-for-all' principle, which we apply in our art practice.

As an artist collective, we are trying to achieve a 'blending into society' with an artistic imaginary that touches sensible and topical themes in society.

The blend of surrealism, humour, poetry and compassion takes away the audience's fear from the works presented. But when you peel away those layers, you will soon find the works scouring against you. This is the moment when the works have caught the real attention of the audience. As we mostly operate in public space, this means we catch the attention of a lot of people simultaneously and make them reflect on what they see on the spot, mostly in our presence.

'Inflatable Refugee' [2015], Schellekens & Peleman

Coinciding with the current migration crisis from East to West, we created 'The Inflatable Refugee'. A large inflatable adult male figure that represents a seated refugee.

The 'Inflatable Refugee' gazes blankly into the distance. Has he arrived at a safe haven, or will he be refused and sent back to whence he came? His sheer size allows him to look over and beyond us and keep watch on the horizon, not limited by borders or documents. It makes him an inescapable, undeniable presence.

We proportionally enlarged the 'Inflatable Refugee' to match the reactions his arrival in the Western world evoked. His size represents how we perceive him. Do we see him as a human or as a problem? Is his presence an opportunity or a threat, devoid of human characteristics? Questions of uncertainty galore.

We have chosen to create this inflatable figure from the same material as the boats, used by human traffickers to cross the Mediterranean Sea. It's too fragile to withstand the waves of the sea, making the passengers on these boats extremely vulnerable.

We created 'Inflatable Refugee' so that he would be able to travel on water. Seated on a pontoon he floats and passes the skylines of big world cities and the lives of the people that inhabit them. 'Inflatable Refugee' brings a message. His presence is undeniable. By introducing the surreal figure of Inflatable Refugee in a city, citizens become aware that something is different, something is brought into

their urban life that they did not see before. Inflatable Refugee will be the citizens' fellow citizen for a certain amount of time.

‘Inflatable Refugee’ is, in a way, an iconic representation of how we as a society perceive the other. Its appearance, a very large, inflated, seated male figure seems at first sight harmless. Yet again, what is presented through this looming presence is the very reason we have become afraid of ‘the other’.

The large figure has the unique capability of collectively pausing daily urban life. This pausing is an important first step to start reflection.

‘Moving Stories’ [2015], Schellekens & Peleman

We set up the ‘Moving Stories’ project because we detected a (growing) gap between newcomers and natives in many places in the world.

The goal is to establish mutual respect, understanding and empathy between newcomers and natives.

To reach this goal we have set up a correspondence project to create a neutral zone for a nuanced debate.

With the ‘Moving Stories’ project we invite newcomers (recent refugees/migrants) to write a letter to an anonymous fellow (native) citizen. We do not give directions concerning the content of these letters.

The white pages serve as a neutral zone in which the person who is writing the letter can slowly form his/her thoughts and pass on the message he/she finds important to share.

Together with the writers, we post the letters in mailboxes of random addresses.

With the letter comes a stamped post card, which the receiver of the letter can use to return an answer to the author of the letter.

‘Moving Stories’ was first launched in Antwerp, Belgium in

February 2016 and later the same year in Uppsala, Sweden and Copenhagen, Denmark. In all three cities we worked together with a group of recent refugees and completed the correspondence project. All participating individuals perceived the project as positive. They felt the correspondence project gave a positive voice to their situation and enabled them to directly step into the world of their fellow citizens, a world they often described as being difficult to penetrate.

The respondents of the letters reacted positively and empathically to the letters and the stories they received in their mailboxes. Some of them reached out to the authors, invited them to their houses or offered the letter writers (professional) networks.

‘Moving Stories’ is a small, but effective interference in urban societies. The idea is to weave an invisible web between people unknown to one another, to have them communicate directly and to function as a support in filling the gaps of urban anonymity.

It is an artistic intervention in which artists have the opportunity to modify a current reality and leave their footprint on human relations.

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