

# Bataille and the Paradox of Sovereignty

Giorgio Agamben

Translated by Michael Krimper<sup>1</sup>

## Foreword

Giorgio Agamben's essay "Bataille and the Paradox of Sovereignty," published in an Italian language volume from 1987 devoted to the political and sacred in Georges Bataille's thought, has remained up to this point untranslated into English and rarely cited,<sup>2</sup> despite its early elucidation of an itinerary that he would pursue at length in writing to come. At various junctures, Agamben had previously touched on aspects of Bataille's nonsystematic work, critically examining his notion of unproductive expenditure in *Stanzas* (1993 [1977]: 54) or his discussion with Alexandre Kojève concerning unemployed negativity in the series of lectures gathered together under the title *Language and Death* (2006 [1982]: 49–53). But these few pages on the ontological and political stakes of sovereignty constitute Agamben's most sustained and sympathetic reading of Bataille, even while the latter would continue to make occasional appearances throughout the *Homo Sacer* series, but evoked for the most part to be discredited or at other times simply omitted.

Consider for example how the title of this essay, "Bataille and the Paradox of Sovereignty," resembles the title given to the first chapter of *Homo Sacer: Sovereign Power and Bare Life* (1995) on "The Paradox of Sovereignty," except that the proper name of Bataille has been excised. His name returns elsewhere too, where it is explicitly put under erasure, such as in the excursus treating the end of history and the State closing the chapter on the 'Form of Law'. There Agamben revisits Bataille's arguably failed attempt, once again alongside Kojève, to confront the problem of sovereignty from the standpoint of the end of history. Including the names of Maurice Blanchot, Raymond Queneau, and Jean-Luc Nancy within this constellation, Agamben maintains that they all share a concern for the theme of *désœuvrement*, or inoperativity, as designating the idle self-actualisation and inaction of humanity upon the completion of history. But he proceeds to discount each approach (see Agamben, 1998: 61–2), whether Bataille's "sovereign and useless form of negativity," Blanchot's "absence of work," or Nancy's *The Inoperative Community* (*La Communauté désœuvrée*, 1986), which places at the heart of its analysis Blanchot's untranslatable usage of the word *désœuvrement* — a play on words in the French signifying at once "idleness" and "the undoing of the work" (*œuvre*). Leaving

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<sup>1</sup> Original text: Giorgio Agamben, 'Bataille e il paradosso della sovranità' in Jacqueline Risset (ed.), *Georges Bataille: Il politico e il sacro* (Napoli: Liguori Editore, 1987) 115-19.

<sup>2</sup> One of the few exceptions in English language criticism is Nadine Hartmann's introductory entry on Bataille in *Agamben's Philosophical Lineage* (Hartmann, 2017).

aside the use of *désœurement* in Blanchot's literary-philosophical criticism and fiction, Agamben claims to locate the origin of its genealogy in Kojève's illustration of the figure of the "lazy rascal" (*voyou désœuré*) in a review of Raymond Queneau's three novels concluding with *The Sunday of Life* (1951). 'Everything depends on what is meant by inoperativeness [*inoperosità*]', Agamben insists, as he begins to submit the French word to translation and modification within the trajectory of his own research as *inoperosità* in the Italian. 'The only coherent way to understand inoperativeness [*inoperosità*] is to think of it as a generic mode of potentiality that is not exhausted', he specifies, alluding to Aristotle's reflections on *dynamis*, 'in a *transitus de potentia ad actum*' (Agamben, 1998: 62). And Agamben will go on to reiterate inoperativity as a neutralization of the passage from potential to the act in the course of his writing, leading up to its more developed formulations in *The Use of Bodies* (2014).

The argument that Agamben puts forward in "Bataille and the Paradox of Sovereignty" helps to situate his proximity to a filiation of French writers from which he simultaneously distances himself, ever more so in later writing. Without elaborating on 'inoperativity' as such in this essay, Agamben nevertheless sketches the theoretico-practical terrain in which his own reconfiguration of the term around the notions of use, potential, destituent potential, and the messianic, as well as methodological strategies of deactivation or rendering inoperative, will unfold. He thus investigates the impasses of Bataille's study of ecstasy, sovereignty, and the sacred, as glossed by Nancy and Blanchot in their respective books on community, which foreground his own contribution to this sequence with *The Coming Community* (1990).<sup>3</sup> At this stage of his inquiry into community, though, Agamben already aims to call into question the metaphysical structure of sovereignty which underlies an extensive range of fascisms and totalitarianisms, in addition to the individualism corresponding to capitalist democracy, all the while trying to broach another prospect for community today. He contends, however, that writers like Bataille and Blanchot, linked back to Friedrich Nietzsche, merely push the paradox of sovereignty away from the dominant pole of action towards the extreme opposite of passion and passivity, without dismantling the bond that holds together the entire machine of Western philosophy and subjectivity. What might let us break out of the circle, Agamben suggests, elusively, is the task of thinking potential anew.

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<sup>3</sup> Agamben does not cite Nancy's expanded book from 1986 but its initial version as an essay, "La Communauté désœuvrée", published in the journal *Aléa*, no.4, in 1983; as well as Blanchot's response *La Communauté inavouable* (*The Unavowable Community*) which also appeared in 1983.

The following reflections take their cue from an anecdote that was told to me several years ago by Pierre Klossowski. I went to visit him in his little studio on Rue Vergniaud to hear him speak about his encounters with Walter Benjamin. After forty years, Pierre remembered him perfectly, “a boy’s face with a moustache stuck on it”. Among the images that still remained etched in his memory, there was one of Benjamin, hands raised in a gesture of reproach (Klossowski, while recounting it, had stood up to imitate him), saying over and over again, about the activities of Acéphale and in particular the ideas presented by Bataille in his essay on “The Notion of Expenditure” (which had appeared three years earlier in the journal, *Critique Sociale*): “*Vous travaillez pour le fascisme!*” [You are working for fascism!]

I have often wondered what Benjamin could have meant by this sentence. He was neither an orthodox Marxist nor a rationalist afflicted by *coniunctivitis professoria*, who, as was the case in Italian culture for some years after the war, would have been scandalised by the themes traversing Bataille’s thought. The “anthropological materialism,” the outline of which he had attempted to trace in the 1929 essay on surrealism, does not actually seem very far — at least, at first glance — from the Bataillean project of extending the theoretico-practical horizon of Marxism (consider how the theme of “drunkenness” plays a central role in this text). Benjamin, moreover, was well acquainted with Bataille’s tenacious aversion to fascism, which was precisely explained during those years in a series of extremely penetrating articles and analyses. If he targeted undoubtedly neither the themes nor the content of Bataille’s thought, what could Benjamin have intended by his reproach?

I do not believe myself to be in a position to provide an immediate response to this question. But since I am convinced of the persistent relevance of the problems that occupied the great minds of that epoch, I would like to try and expand the historical framework in which the Benjaminian reproach is inscribed and ask this: in what way could we say today that we too, without knowing it, are working for fascism? Or rather, turning the question around: how could we claim with certainty that we are not currently working for the benefit of what Benjamin designated by that term?

To be able to pose this question better, I would like first of all to situate it in relation to the most rigorous attempts to measure the theoretical heritage of Bataille’s thought and to treat it in the direction of a theory of community. I am referring to the important essay by Jean-Luc Nancy on “*La Communauté désœuvrée*” (published in *Aléa*, 4, 1983) and to the text by Blanchot, *La Communauté inavouable* (Paris, 1983), which constitutes in a certain way its reprise and prolongation.

Nancy and Blanchot each begin by bearing witness to a radical crisis and dissolution of community in our epoch and interrogate accordingly the possibility—or impossibility—of a communal thought and experience. It is from this perspective that they both turn to Bataille’s thought. They agree in recognising within Bataille the refusal of any positive community founded on the realisation of, or participation in, a common presupposition.

The communal experience implies, for Bataille, the impossibility of communism as an absolute immanence between men, the unrealisable character of fusional communion in a collective hypostasis. Against this conception of community, Bataille opposes the idea of a negative community whose possibility stems from the experience of death. The community revealed by death does not establish any positive bond between subjects, but draws on their disappearance, on death in the sense of that which can in no way be transformed into a substance or common work [*opera comune*].

The community in question here therefore has an absolutely singular structure; it assumes the impossibility of its own immanence, even the impossibility of communal being as the subject of community. Community rests somehow on the *impossibility of community*, and the experience of this impossibility founds the sole possible community. It becomes evident that, in this view, community can only be the “community of those who do not have community”. And this will indeed be the model of the Bataillean community: be it the community of lovers which he often evoked, the community of artists, or, more insistently, the community of friends which he sought to realise with the group *Acéphale*, of which the *Collège de Sociologie* was the exoteric manifestation; in each case, this negative structure is inscribed at the centre of community.

But how can this community be attested? In what type of experience can it manifest? The privation of the head, the acephality that sanctions participation in the Bataillean group, provides an initial response: the exclusion of the head does not signify only the elision of rationality and the exclusion of a leader, but above all the self-exclusion of the members of the community, who will become part of it solely through their own decapitation, that is, their own “passion” in the strict sense of the term.

And this is the experience that Bataille defines with the term “*extase*”, ecstasy. As Blanchot sharply observed, even if it was already implicit in the mystical tradition from which Bataille while taking distance borrowed the term, the decisive paradox of *ekstasis*, of this absolute being-outside-of-itself of the subject, is that anyone who has the experience of ecstasy disappears at the instant

of undergoing it; the subject must be missing at the very instant in which it would need to be present in order to have such an experience.

The paradox of Bataillean ecstasy is therefore that *the subject must be there where it cannot be*, or the other way around, that it *must be missing there where it must be present*. Such is the antinomic structure of this inner experience that Bataille sought to grasp throughout his life and whose accomplishment constituted what he called an “*opération souveraine*,” or “*la souveraineté de l’être*,” the sovereignty of being.

It is certainly not by chance that Bataille came to prefer the expression “*opération souveraine*” to every other definition. With his acute sense of the philosophical significance of terminological questions, Kojève, in a letter to Bataille conserved at the Bibliothèque nationale de France in Paris, explicitly points out that the most appropriate term for the problem that occupies his friend cannot be anything other than “sovereignty”. And Bataille, at the end of the chapter entitled “*Position décisive*” in *L’Expérience intérieure*, defines the sovereign operation in this way: “*L’opération souveraine, qui ne tient que d’elle-même son autorité, expie en même temps cette autorité*” [The sovereign operation, which draws its authority solely from itself, expiates at the same time that authority].

What, then, is the paradox of sovereignty? If the sovereign is, according to Carl Schmitt’s definition, the one who has the legitimate power to proclaim the state of emergency and to suspend in this way the validity of the juridical order, the paradox of sovereignty can be articulated thus: “the sovereign is at the same time within and without the [juridical] order”. The nuance, “at the same time,” is not superfluous: “indeed, the sovereign, having the *legitimate* power to suspend the validity of the law, *legitimately places itself outside the law*”. For this reason, the paradox of sovereignty can also be formulated in this way: “the law is outside of itself, it is outside of the law;” or: “I, the sovereign, who am outside the law, declare that there is no outside of the law”.

This paradox is very ancient, and if one looks closely it is implicit in the oxymoron that explains it: the sovereign subject. The *subject* (etymologically, what is below) is *sovereign* (what is above). Perhaps the term ‘subject’ (conforming to the ambiguity of the Indo-European root from which the two contrary Latin prefixes, *super-* and *sub-*, derive) signifies nothing besides this paradox, this dwelling there where it is not.

If this is the paradox of sovereignty, then could we say that Bataille, in his passionate attempt to think community, managed to break out of the circle? Seeking to think beyond the subject, seeking to think the *ecstasy* of the subject, in truth he thought only its internal limit, its constitutive antinomy: the *sovereignty of the subject*, the being *above* of that which is *below*. Bataille himself is certain to have

noticed this difficulty. One could even say that the entirety of *L'Expérience intérieure*, perhaps his most ambitious book, attempts to think this difficulty, which he formulates at one point as an attempt to stand “on the tip of a needle”. But — and the impossibility of bringing the prospective work on sovereignty to completion proves as much — he was unable to do so. And it is only by becoming aware of this essential limit that we can hope to register the most proper exigency of his thought.

A difficulty of the same kind was faced many years earlier by another thinker of ecstasy, the Schelling of the *Philosophy of Revelation* who had assigned to ecstasy and to the stupor of reason the function of thinking this Immemorial that always already anticipates the thought which positions it. The problem that is posed here is in fact even more ancient than its formulation as the paradox of sovereignty. It can be traced back to a duality that is implied in the way that Western philosophy sought to think being (in this sense, Bataille was perfectly right to speak of the “sovereignty of being”: being as subject, ὑποκείμενον, matter, and being as form, εἶδος, being that it always already pre-supposed and being that is given fully in presence. This antinomy is thought by Aristotle as a duality of potential [*potenza*], δύναμις, and act, ἐνέργεια. We are used to thinking potential in terms of force or power [*potere*]. But potential is above all *potentia passiva*, “passion” in the sense of suffering or passivity, and only in a second moment *potentia activa* and force.

Of these two poles, through which Western philosophy has thought being, modern thought, from Nietzsche onward, has constantly focused on the pole of potential. This is the reason why, in Bataille, as in thinkers like Blanchot who are closest to him — what is decisive is the experience of passion, this *déchainement des passions* [unleashing of passions] in which he glimpsed the ultimate meaning of the sacred. And this passion has to be understood in the sense of *potentia passiva*, as pointed out once more by Kojève, indicating a key passage in *L'Expérience intérieure* where it is said that “*l'expérience intérieure est le contraire de l'action*” [inner experience is the contrary of action].

But just as the thought of sovereignty cannot escape the limits and contradictions of subjectivity, the thought of passion still remains the thought of being. Contemporary thought, in the attempt to surpass being and the subject, sets aside the experience of the act, which for centuries constituted the summit of metaphysics, but only in order to exacerbate and push to the extreme limit the opposite pole of potential. In this way, though, contemporary thought does not go beyond the subject, but rather thinks the most extreme and exhausted form of

it, the pure being-below, the *pathos*, the *potentia passiva*, without managing to break the bond that ties it to its polar opposite.

The bond that holds potential and act together is not, in fact, something simple, but has its indissoluble knot in the “giving of the self to itself (ἐπίδοσις εἰς αὐτὸ) that an enigmatic passage of Aristotle (*De Anima*, 417 b) puts in these terms: “To suffer (πάσχειν) is not something simple but is on the one hand a certain destruction (φθορά) by the contrary, and on the other hand a conservation of what is in potential by that which is in act (...) and this is not a becoming other than oneself, since here there is giving of the self to itself and to the act”.

If we now return to the Benjaminian anecdote that served as our point of departure, can we say that, insofar as we are dwelling on this thought of passion and potential, if we are not certain of working outside of fascism, then at least can we be certain of working outside the totalitarian destiny of the West that Benjamin might have had in mind with his reproach? Can we say that we have dissolved the paradox of sovereignty? In what way can the thought of passion break away from both act and potential? Would passion without subject really be located beyond pure subjectivity as the potential of itself? And what community that is not simply a negative community does this passion allow us to think?

Until we can respond to these questions — and we are still far from being able to do so — the problem of a human community freed from presuppositions and devoid of sovereign subjects cannot even be posed.



## References (Foreword)

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