ON THE BIOPOLITICAL CONSTITUTION OF THE SUBJECT

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ABSTRACT

In response to Michael Hardt’s and Antonio Negri’s Commonwealth, this project reimagines the terrain of biopolitics as one of emergence and productivity. It therefore charts, through previous biopolitical critique, a model for the constitution of subjectivity. Establishing that a concept of biopolitical production is necessarily a discourse of intertwined epistemology and ontology, this project considers: 1) the way in which knowledge structures state power; 2) the way in which the subject can recuperate agency through an exploitation of such knowledge-structures; 3) the way in which state violence might be characterized as the "bare life" of the state. Drawing these three points together, this project seeks to reconsider torture as a paradigm for re-subjectivization.
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Preface

On the Question of How We Know What We Are, or, (How We Know) + (What We Are) = Biopolitics

In their 2009 work entitled Commonwealth, Michael Hardt and Antonio Negri argue that Michel Foucault’s notion of biopolitics has been interpreted in a limited scope such that its most productive meaning has not been allowed to become manifest. While a given hegemonic power both disciplines and produces subjectivity – something contemporary streams of biopolitics do engage – Hardt and Negri claim that Foucault, despite his somewhat indirect gesturing, also points towards another line of power. Using Foucault’s terms (though loosely, for they note that Foucault himself does not make this distinction explicitly) they distinguish biopower – the “power over life” – from biopolitics – the “power of life to resist and determine an alternative version of subjectivity” (57).

When commenting on the major streams of biopolitical discourse, they argue that such discourses do not go far enough in engaging this double-sided nature. One stream, currently led by Roberto Esposito, “analyzes the terrain of biopolitics primarily from the standpoint of the normative management of populations,” which leads Hardt and Negri to claim that it “poses against this threatening, all-encompassing power over
life no alternative power or effective resistance but only a vague sense of critique and moral obligation” (57). They further argue that another stream, currently led by Giorgio Agamben, “accepts that biopolitics is an ambiguous and conflictive terrain but sees resistance acting only at its most extreme limit, on the margins of a totalitarian form of power, on the brink of impossibility” (58). This, in Hardt’s and Negri’s view, “does to a certain extent distinguish biopolitics from biopower but leaves biopolitics powerless and without subjectivity” (58). Thus, the current debate concerning biopower and biopolitics has not remained wholly loyal to Foucault’s beginnings. Working beyond these characterizations, they claim that Foucault’s “analyses of biopower are aimed not merely at an empirical description of how power works for and through subjects, but also at the potential for the production of alternative subjectivities” (59). The discourse of biopolitics, then, should not only focus on defining biopower and its structures of domination and discipline, but should also illuminate the ways in which biopolitics acts as a productive, and therefore resistant, force.

Hardt and Negri continue by describing their own interpretation of biopolitical activity. They draw on what they note as Foucault’s concept of the event, which they mark as distinct from Alain Badiou’s concept, writing, “the biopolitical event comes from the outside insofar as it ruptures the continuity of history and the existing order, but it should be understood not only negatively, as rupture, but also as innovative, which emerges, so to speak, from the inside” (59). Biopolitics, therefore, is not only disruptive towards the dominant hegemonic system, but it is also productive within it. They further argue that Foucault’s event – characterized by such “production and
productivity” – looks forward (as opposed to Badiou’s, which recognizes the event only after its completion) and therefore employs their model of the “multitude” as the strategic force of resistance and freedom.

The call of Hardt and Negri, then, seems to be a necessary one, for certainly in the spirit of Marx, where they align themselves, critique is only half of the intellectual work to be done; indeed, outlining “possibility” may be the more important and critical portion. Taking up this worthy task, then, we should look more closely at the scope of what Hardt and Negri propose. The “beyond” of critique can be described as the charting of a cartography of production, for certainly they argue that the spatial orientation of the multitude’s labor is a necessary component. By production, we can think not only of the production by the human – as the production of capital by the proletariat, or the production of the common by the multitude (which Hardt and Negri suggest is the new model) – but also the production of the human. And these two modes are inherently intertwined. As a long genealogy suggests, from Hegel and Marx to Nietzsche and Heidegger, what it means to be human is to produce, to be active in the world, to engage with and change one’s surroundings. This activity is what produces the subject as such. Perhaps, then, such production – both the primary act of labor and the resulting coming-forth of humanity – can be considered the constitution of the subject.

i.  *Khôra as Site, Khôra as Invitation*
What, then, does it mean to constitute or to be constituted? Jacques Derrida seems to offer an explanation. In *Rogues*, he argues that the event is a calling, a coming, an arrival. As such, we can interpret that both to constitute and to be constituted is a necessarily simultaneous and double act: to fill a space. Derrida writes:

But what would allow these to take place, without, however, providing any ground or foundation, would be precisely *khōra*. *Khōra* would make or give *place*; it would give rise – without ever giving anything – to what is called the coming of the event. *Khōra* receives rather than gives. Plato in fact presents it as a “receptacle.” Even if it comes “before everything,” it does not exist for itself. Without belonging to that to which it gives way or for which it make place [*fait place*], without being a part [*faire partie*] of it, without being of it, and without being something else or someone other, giving nothing other, it would give rise or allow to take place. *Khōra*: before the “world,” before creation, before the gift and being – *khōra* that *there is* perhaps “before” any “there is” as *es gibt*… (xiv-xv)

*Khōra* is what makes constitution as an act possible – it presents a void, a place to be filled by that which comes, and a situation for the event to occur. Yet Derrida notes that *khōra* does not itself exist. It instead acts as the signifier of the coming, of the event, and of the material that fills the void. The event, then, produces *ex nihilo*, out of
nothing, creating content where there previously was none. *Khōra* is merely the label for this event, space and calling.

Through *khōra*, then, constitution is a production from a beginning. Derrida compares this to the accident of running a ship aground:

Running aground [*l’ échouement*]: that is the moment when a ship, touching bottom, gets accidentally immobilized. This accident is an event: it happens, it happens because, without foreseeing it and without calculation, one will have been sent down to the bottom [*fond*]. I don’t need to remind you of the proximity between many of the figures of reason in those of the bottom or the ground, the foundation, the groundwork, the principle of sufficient reason…

(122)

The event, in itself signaling *khōra* as its precedent, brings the situation to its base, to its earliest stages, and to its initial premise. It begins from the beginning, working from the bottom up, *reworking* what already *was* so as to establish, wholly, the content *anew.*

The event, for Derrida, seems to be a crisis and a shattering experience – one that requires a complete recalculation or reassessment (now that the crisis has presented itself) so as to *rehabilitate, restate, reinstate* the content. The nature of constituting, then, is the experiencing of the event, the follow through of the event, the fulfillment and the filling of the call of *khōra*, and the creation or recreation from a starting point.
If we are to define or to describe the event as event, such a starting point, such a beginning, must be knowable. Yet, if *khōra* is only recognized when faced with the event, the content is *becoming*, and as the space is being filled, the knowledge of such potential and such possibility is impossible. Thus, we must begin with a posit. Derrida writes, “Hypothesis in Greek will have signified before all else the base or basis, the infrastructure *posed* beneath or at the bottom of a foundation… It will have also done this as the subject, substance, or supposition of a discourse, as a proposition, design, or resolution, but most often as a *condition*” (136). The hypothesis, as the suggesting of a possibility and a potentiality, is the positing of “yes,” the very affirmation of existence. The affirmation as such is therefore both the beginning of knowledge and the beginning of Being. The posit itself, then, is the foundation, the first stage in the event. It is the first act of agency. It both allows for and acts as the *conditions*, the *khōra*, the call for constitution. Let us return to the last portion of our first Derridian quotation: “*Khōra*: before the ‘world,’ before creation, before the gift and being – *khōra* that *there is* perhaps “before” any “there is” as *es gibt*…” Before creation there is the desire, the call, the promise, the voice. Here, Derrida directly references the Jewish philosophical tradition, specifically that of Franz Rosenzweig.

**ii. The Promise, the Creation**

In his ambitious and challenging work, *The Star of Redemption*, Rosenzweig makes the argument that we can understand existence as simultaneously creation, revelation and
redemption. Structuring his argument around these three aspects of existence, he further argues that these aspects are intertwined with each other in a parallel fashion to the interrelatedness of God, World and Man from each direction. The creation of the World calls forth the creation of Man, both of which presuppose God, just as creation itself is both action and essence, and a signifier of revelation, which is the promise of redemption. What concerns us here, however, is the way in which Rosenzweig describes the “process” (and with this word we might indeed be reaching the limits of signification) of creation and, as such, of knowledge.

For Rosenzweig, the true beginning as beginning is started with an affirmation (or in his terms, a Yea). We begin, therefore, already with existence, for a negation (or Nay) of nothingness (or the Nought) presupposes a point from which to negate, which would lead us back to an affirmation. This affirmation, however, is not an affirmation of nothingness, nor is it an affirmation of existence (the Aught), but rather it is an affirmation leading toward existence. He thus writes of this initial affirmation, “it would be located before every beginning if it were located. But it is not ‘located.’ It is only the virtual locus for the beginning of our knowledge. It is only the marker for the positing of the problem” (26). The affirmation is not so much the “first cause” (though we cannot wholly negate this either) as it is our launching site for knowledge. We thus find ourselves in the space/situation earlier characterized by Derrida as khôra. From this point, we can now proceed from our own khôra and, using Rosenzweig, build upon the space of and call for creation that Derrida provided.
The initial affirmation seems to be the base upon which we build our search for knowledge, yet in this search, if we are to start with some sort of loose idea of a “first cause,” we begin with khōra – that space, situation, call and promise that itself does not exist, but is rather an emptiness that beckons. For Rosenzweig, this is nothingness. Our knowledge of nothing, however, does not indicate a lack of existence but rather our ignorance of something. Thus we are able to take two routes in order to move away from nothingness: an affirmation and a negation. The affirmation is the positing of yes to non-nothingness. Through demonstration, we are able to recognize what is an instance of existence (whatever it might be) and thus imagine infinite possibility. As the infinite possibility of existence, we are faced with what simply is, and thus with pure essence. The negation of nothingness, however, is the stating of not-nothingness. Negation is therefore the liberation from nothingness, and so we are faced with existence as a definite, finite event, and thus with action. Having charted the “processes” of these two paths, Rosenzweig writes, “Thus essence issues forth from Nought without ceasing, while action breaks loose from it in sharp delimitation. One inquires after origins in the case of essence; after beginnings in the case of action” (24). The constitution of existence, then, incorporates both essence and action as necessary compliments. Issuing forth from khōra not only a liberating from non-existence, but an allowing for infinite possibility. Moreover, the insistence of the affirmation, a “yes,” indicates a necessary role for language.

Indeed, for our purposes, language is the way by which we come to “know,” and this, for Rosenzweig, is intimately connected with creation. He writes, “Here, in the
relationship between the logic of language and its grammar, we apparently already possess the object of our search, the link between creation and revelation” (110).

Creation itself is rooted, as we have seen, in the affirmative or negative statement – for both, it is a statement and not silence. Already, as we noted with Derrida, we are coming to recognize a type of agency at work. According to Rosenzweig, in this positing of the affirmation or negation, in this expression of the statement, we are both searching for knowledge and establishing what knowledge is to be sought. This is both a simultaneous action and a simultaneous essence. The statement creates and affirms and the statement creates and affirms. Creation and affirmation are a single and simultaneous Being and event (and here, despite Hardt’s and Negri’s critique, how can we ignore Badiou?). Rosenzweig continues:

And theology itself conceives of its contents as event, not as content; that is to say, as what is lived, not as life. As a result its preconditions are not conceptual elements, but rather immanent reality. For this reason, the concept of creation supersedes the philosophical concept of truth. Thus philosophy contains the entire contents of revelation, not, however, as revelation, but as a precondition of revelation, as created contents, that is, and not as revealed contents. (108)

Creation and revelation – constitution and its knowability – are presuppositions of each other. Wrapped inside the constituting of Being, in creation, is the knowability of the event, and wrapped inside knowledge, the revelation itself, is the constituting of the knowable.
Let us then remind ourselves, however, that we are not merely engaging ontology alone, and certainly not only a metaphysics of existence. In positing the nature of constitution, we are entering the logic of the “material,” and Rosenzweig himself gestures toward this in the opening lines of the Star: “All cognition of the All originates in death, in the fear of death… All that is mortal lives in this fear of death; every new birth augments the fear by one new reason, for it augments what is mortal.” (3). Here, Rosenzweig situates man and cognition in the physis, the corporeal, the material, and not the metaphysical. For the remainder of his project, then, he is ultimately concerned with creation as it focuses on the human as a physical being. In this same manner, when we are considering the constitution of the subject as human, we are considering a combined ontology and epistemology of biopolitics. To further bring out this connection between the purely philosophical and the biopolitical, then, we should turn to Hegel, who, constituting the political subject from a void, appears to himself predate in his observation Foucault’s citing of the biopolitical.

iii. From Khōra to Biopower

In the *Phenomenology of Spirit*, Hegel refers to the re-subjectivization of the individual as happening between the second and third stages of what he calls Spirit – the concept of a world-historical force. As Spirit reaches toward self-consciousness, or, as the movement of history nears the full potential for absolute world freedom, it passes dialectically between attempts and failures, or affirmations and contradictions. Here,
we find the filling of a space as the French Revolution signals the replacement of the mode of history characterized best by Roman law, for indeed, the French Revolution not only replaces the Roman system, but according to Hegel, it provides content where the Roman system maintained none. However, to understand the context of the Roman system, we need to understand first the system it replaced – for Hegel, that of the Greeks.

In Hegel’s thought, Spirit was characterized in the context of the Greeks by a division of duty between women and men. While men considered it their duty to participate in the civic arena and to engage in military duty, women considered it their duty to manage the private spaces of the home and religion. These roles were not merely societal roles for Hegel, but rather they encapsulated an individual sense of ethical being; men and women considered themselves as defined by their respective duties. This was their subjectivity. Spirit was met with contradiction, however, when these duties began to overlap. Hegel cites the example of the mother who does not want her son to fulfill his duty by fighting in war. Through her concern, she is responding to her familial duty, yet this contradicts with her son’s military duty. Such a contradiction is irreconcilable, claims Hegel, and so a new system emerged as the second stage of Spirit.

The Roman system was not characterized by duty, but by law. As such, the individual was no longer guided by an internal ethics, but instead by an external structure. The individual was therefore without a sense of subjectivity, for this guiding
system necessarily had to consider each individual as not a unit with agency, but as an equal unit without content. Hegel writes:

The universal unity into which the living immediate unity of individuality and substance withdraws is the soulless community which has ceased to be the substance – itself unconscious – of individuals, and in which they now have the value of selves and substances, possessing a separate being-for-self. The universal being thus split up into a mere multiplicity of individuals, this lifeless Spirit is an equality, in which all count the same, i.e. as persons.” (290)

Law had to remain blind to individual difference if it were to be applied equally, and so it considered all individuals to be officially the same. As such, the emptying of individual substance rendered each person an empty form.

Roman law, however, was structured around property rights, and as such, property acquisition and allocation became unsustainable. Law, according to Hegel, only applied to property under possession, not to the way in which property was gained. As a result, the patrician class was able to exploit the plebian class. In conjunction with this, the lacking sense of self-content caused many people to adopt and incorporate mystical religious practices and values – the height of which was under the dominance of Christianity in pre-enlightenment Europe. While attempting to incorporate these values in order to gain some new sense of self, people began to grow in concern for the abuses that resulted from a legal structure solely based on property rights. The action to
bring these concerns to practice, therefore, brought about the third stage of Spirit in the French Revolution.

For Hegel, the French Revolution was governed by the process by which individuals reclaimed a sense of subjectivity through the community, which Hegel calls *being-for-another*. He writes:

> this simple determination no longer possesses anything of its own, it is rather pure metaphysic, pure Notion, or a pure knowing by self-consciousness. That is to say…consciousness recognizes that its *being-in-itself* is essentially a *being-for-another*…Spirit thus comes to us as *absolute freedom*. It is self-consciousness which grasps the fact that its certainty of itself is the essence of all the spiritual ‘masses’ … the world is for it simply its own will, and this is a general will. (356-357)

People began to think to themselves, “If these are my needs, they are probably everyone’s needs, and if that is the case, everyone should have these basic life-sustaining conditions,” and in this way Hegel explains Rousseau’s concept of the general will. The universalization of the individual into the community brought forth a sense of existing for the others within the community. When put into action, this resulted in a government of the community, not of equal individuals. Thus, the third stage of Spirit is defined by a collective subjectivity.
Here, in the guise of Spirit, we find Hegel’s model for the filling of a space specifically within the context of a re-emergence of subjectivity – though, to be sure, one that is not that which was striped after the Greeks, but which is itself new. Furthermore, this constitution of the subject is, through Spirit, characterized as being a necessary next step in history, and thus the empty space in the individual under the Roman stage can aptly be characterized as khōra. Yet Hegel’s model promotes a sense of material constitution beyond the mere constitution of a physical self, as argued for by Rosenzweig, and certainly beyond the conceptual framework for sovereignty outlined by Derrida. Here, Hegel marks the constitution of the subject in the French Revolution as the engagement with material concerns for the Other, and therefore for the self. We thus find a more fully articulated concept of constitution within the realm of physis.

However, Hegel takes his model of material constitution even further. The stage of Spirit found in the French Revolution has its own contradictions, for as individuals find their sense of subjectivity in a general will, no one acts to execute it. Only under crisis does an individual set aside the concerns of hypocrisy and rule according to the general will for the sake of the collective masses. Yet this hypocrisy remains, for certainly having one ruler is a direct contradiction to a general, collective will. Furthermore, the will becomes that of the ruler and not of the community. Therefore, according to Hegel, in order to sustain order and promote any sense of will in the face of hypocrisy, the rule must be exacted by terror. He writes:
The sole work and deed of universal freedom is therefore *death*, a death too which has no inner significance or filling, for what is negated is the empty point of the absolutely free self. It is thus the coldest and meanest of all deaths, with no more significance than cutting off the head of cabbage or swallowing a mouthful of water… (360)

Hegel describes the “work and deed of universal freedom,” a freedom achieved by a collective subjectivity, as rendered impotent by its confrontation with arbitrary execution.¹ Through such terror, the logic of the community is broken and the individual is alone in facing the threat of bodily harm. Immediately we recognize a foreshadowing of biopower and the characterization of what Giorgio Agamben calls “bare life” – the life that is stripped to mere existence, as void, meaningless and without content. The individual, for Hegel, then, thus finds itself once again without subjectivity.

So now once more in the presence of *khōra*, we glimpse the emerging shape of our project at hand.

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¹ Wilfried Ver Eecke, in his work on Hegel and the French Revolution, encapsulates this quite well, stating, “It is that the dream of a state without alienation requires a concept of man that neglects the principle of individuation. Hegel gives this principle the quite Aristotelian term: matter. With this individuation principle Hegel connects the concept of the bodiliness of man and the whole sphere of human needs. It is indeed the bodiliness of man which makes death a possibility. It is also his bodiliness which forces him to become practical and to go back to his primary concerns which are satisfied in civic society” (563-564).
a space, but rather khōra: a situation, an insistence and an already-becoming itself. Rosenzweig helps us to understand further that this khōra is a coming out of nothingness, a beginning and a simultaneous becoming and Being, action and essence, constitution and affirmation of the constituted. We find in Hegel, too, a model demonstrating that the constitution of the subject proceeds from khōra, yet Hegel shows us more clearly how through such a constitution, the psychical is tied to the material, and with subjectivity comes the fear of material consequence. Derrida, Rosenzweig and Hegel all allow us, then, to recognize that the domain of biopolitics is one of epistemology and ontology. The process of knowing is the process of Being and becoming, as an essence tied to action and understanding, if not in actuality, at least in our understanding. We shall thus proceed epistemologically and ontologically, delving into discourse and Being, knowledge and essence, or, properly, into the realm of biopolitical production.
Introduction

Keeping in mind the epistemological-ontological double-nature of the biopolitical sphere, we shall in the following discussion approach the issue of emergence and analyze the constitution of the subject. This constitution, as we have noted, and as we shall further develop, issues forth from the ground up and out into the world. Therefore, our trajectory will lead us to the camp – that space Giorgio Agamben found to be the exemplar of biopolitical production – for it is indeed a space of production, but not merely of biopower; it is also specifically a productive space of subjectivity, one which rises out of the human body that exists in its most basic form, without rights, without selfhood, and without content. However, our use of the “camp” as a paradigm will take a broader meaning, for we will not rely specifically on the Nazi concentration camp, but upon the theoretical space the camp embodies: the space in which the sovereign, having already decided upon the exception, and thus having placed the Other into bare life and outside of the law, no longer remains sovereign, but is now the embodiment of power itself. This theoretical camp is thus the site of the literal Hegelian dialectic, wherein the confrontation between two humans is reenacted in its purest, most basic form: in a physical struggle of bodies.

Hardt’s and Negri’s call for a biopolitics of production confronts the work of mere biopolitical critique. They wish to establish the intersection of the political and biological at the site of human agency and potential rather than at the site of its
domination. Based on their descriptions of the two dominant streams of biopolitical discourse, however, we can suggest that such streams fit respectively within the Aristotelian concepts of bios and zoē. Espositio, according to Hardt and Negri, focuses mainly on bios (as the title of one of his publications would suggest), for through a discussion of immunity, he unfolds a project characterizing the use and stretch of sovereign authority and regulation over biological populations. Such regulation, coming from within the state, is exacted upon politicized bodies, and thus Esposito’s discourse acts as a descriptor of the modern nation-state. Agamben’s critique, according to Hardt’s and Negri’s characterization, focuses on zoē, for his discussion is concerned with the depoliticized body – that body that has been deemed no longer political and thus deemed without rights. Such a body is, according to Agamben, in the state of bare life. As Hardt and Negri note, Agamben’s critique is, as a result, largely centered on the exception of the sovereign and in describing the structure of “pure” sovereign power.

While these may be the foci for Esposito and Agamben, we shall take a cue from Hardt’s and Negri’s critique and suggest that while Esposito and Agamben may not deal directly with the productive forces of biopolitics, we can build specifically from the two reference points of bios and zoē by engaging with Jacques Lacan’s structures of discourse and knowledge. Through such a methodology, we shall find that the production of subjectivity is indeed possible in the face of the sovereign, and that the archetype for this is indeed in an abstracted concept of the camp, and more specifically in the event of torture.
In order to trace this logic, our discussion will consist of two major parts: launching from *bios*, we will discuss knowledge, and from *zoë*, we will discuss force. Thus, in Part One, we will initially examine the structure of state knowledge and the ways in which such structures determine both the capability of state regulation and discipline and the possibilities for subversion. In this discussion, we will engage Lacan’s master’s discourse, look at how it differs from the hysteric’s discourse, and consider it as a paradigm of potential power. We will also consider the 2010 immigration law from Arizona, and we will look at a fictional narrative by Cristina Garcia, both of which shall help outline our theoretical concepts.

Building, then, from Homi Bhabha’s concepts of the image, as he himself builds from Lacan, we will trace the idea of the image through his Lacanian method in order to articulate the production of the image as not only a narcissistic regression from/impediment to consciousness, but also as a tool used for disruption and resistance. Thus, building from Bhabha, and like him, from Fanon, we will discuss both the Mahasweta Devi short story “Draupadi” and a scene from the film *The Battle of Algiers* (1966), considering for both the ways in which they articulate the production of such an image.

In Part Two, we will turn to state violence and to Agamben’s use of the concept of bare life. This discussion, through an engagement with Schmitt and Arendt, will include a brief look at state and sovereign authority, the distinctions between the state and the sovereign, and the movement from authority to force. The discussion will then
turn to the ways in which power exacted upon the human can expose the bas(e)(ic)
nature of the state: raw violence. Through a look at Idelber Avelar and his
characterization of violence as excess, we will come to find that the exceptional
exacting of violence by the state upon homo sacer allows us to characterize the state,
when exacting such violence, as residing, too, in bare life.

Finally, while considering the previous three chapters, we will examine
specifically torture within the camp as the pure embodiment of state power and
violence, and thus the locus of subject production. This concluding section will shift in
tone from one of exposition to one of speculation. As such, we will first look at the
work of Gilles Deleuze in Difference and Repetition, and consider the ways in which it
helps to characterize the repetition of the master’s narcissism in the Hegelian dialectic.
We will then turn directly toward the dialectic and consider its role for the slave in
subject production, which will allow our previous discussions of the image and of the
master’s knowledge to solidify our concepts. In the final portion of our concluding
remarks, we will move beyond the structure of the event, positing jouissance as
characteristic of the event, thereby recasting it as an excess that is not only love, but
also a violence equally as creative and (re)productive.
Part One: Knowledge
I. The Symbolic

On Knowledge and Discourse

Migration, Law, Subversion

Latino Studies today, as in the past, continues to be heavily politicized both in its content and in its reception. Antonio Viego notes this rather well, for in his work *Dead Subjects: Toward a Politics of Loss in Latino Studies*, he argues that Latino Studies holds a unique space in the academy. He describes its position as both the border subject – that which is on the fringes of canon – and as the barred subject – that which the canon nevertheless lacks. This liminal position, it seems, runs parallel to the position of much of Latin American literature’s content, which itself echoes the contemporary issues in Latin American politics. In this way, just as Latino Studies finds itself as the border/barred subject in the academy, ethnographer Beth Baker-Cristales writes that the focus on the regulation of borders has grown radically in recent U.S. history, and this has had a marked effect on migrant identity formation.

In her work on migrant Salvadorans living in Los Angeles, entitled *Salvadoran Migration to Southern California: Redefining El Hermano Lejano*, Baker-Cristales notes an interesting paradox found in the modern conditions of transnational migration. She writes:
The importance of monitoring borders and enforcing immigration regulations has increased in the United States, exactly at a time when globalization is supposed to be erasing borders. This seeming contradiction is at the heart of the enduring role of the national state in regulating the movement of bodies, and the formation of collective identities. (26)

Baker-Cristales notes that the contradiction between rising globalization and tightening border security has resulted in the increased regulation of movement, which furthermore has reinforced or even facilitated identity formation. As she further observes, there has been an increase in the emergence of “institutions [that]… play extremely important roles in the regulation of transnational capital flows” (23). Such “capital flows” specify a large amount of data, for capital must be understood as both monetary and human capital. Indeed, both financial records and migrant labor pools are increasingly subject to surveillance, for both funding and bodies constitute two necessary sides of a security-risk (or, as we might say from the perspective of the agent creating risk, these are the necessary prerequisites for resistance).

It seems, then, that power formations determined by knowledge and discourse can be modeled by the debate we have begun to articulate: that at the intersection of Viego’s characterization of Latino Studies and Baker-Cristales’ description of migratory practice, we find revealed to us the structure and limits of state and sovereign power. The following chapter, then, shall proceed as an exposition of this meeting point.
i. The Master’s Discourse as the Paradigm of Power

In his seminar, “The Other Side of Psychoanalysis,” Lacan takes the opportunity to outline what he describes as the discursive structure of knowledge. Knowledge, for Lacan being only what can be articulated and therefore wholly within the realm of the Symbolic order, rests as the basis from which power derives its structure. In outlining this, Lacan presents discourses, each of which houses the same four variables. These variables, while holding the same relation to each other, shift between discourses, thus allowing each discourse to hold one variable in focus. The two that concern us here are the master’s discourse and the hysteric’s discourse:

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\begin{align*}
\text{M:} & \quad S_1 \to S_2 \\
\text{H:} & \quad S \to S_1 \to S_2
\end{align*}
\]

In the master’s discourse, the master signifier, S1, enters the chain of signification and the domain of other signifiers, S2. This can be described as the master casting his gaze toward the Other. “a”, or object little a, is the desire of the master signifier for signification, or the desire to contain knowledge/meaning through entering the chain of signification. This can be characterized as the master’s desire to obtain knowledge of
the Other and its expectation of how that knowledge should appear. The split subject, or S, signifies the master’s belief in itself to have such knowledge of the Other, all the while in truth lacking it. Thus the master has a split selfhood. This is the gap between what the master desires/expects and what the Other really is - it is the lack in the master, and thus it represents the gap between desire and truth. Since in the master’s discourse the point of focus is on the master, it is about the master’s intent to become knowledgeable (obtain and disseminate knowledge). In the hysteric’s discourse, alternately, the point of focus is upon the split subject, and thus the lack in the master is exposed, making public its inability to have the desired knowledge.

Viego, in fact, employs the hysteric’s discourse, for, as we noted, he makes the claim that Latino Studies is characterized by the split subject. He writes:

We’ll note… that the hysteric’s attempts to undermine the master as Lacan explains it can also be understood as an attempt at reversing the places of knower and known by, if not exactly usurping the place of the knower, making the knower’s claim to knowledge so precarious that the knower herself can’t even buy into her own claims as master of knowledge. (129-130)

Within the hysteric’s discourse, Latino Studies, as both the border subject – that which is on the fringes of traditional literary, historical, etc., studies – and the barred subject – that which is non-traditional in the university – represents a lack of total knowledge in the master signifier – the traditional university curriculum/institution. The master’s lack is made public, disrupting its control (though not necessarily overthrowing it). Viego
wishes to suggest, then, that Latino Studies marks the direction of the United States. He writes, “the Latinization of the United States is the future anterior of what the United States will have been, given what it is in the process of becoming” (122). As such, Lacan’s discourse-structures allow Viego to outline the movement towards the fulfillment of the master’s lack (though for Lacan this lack cannot be filled, the gap cannot be completely closed).

Viego suggests that there are two Latino subjects: 1) the real Latino constituency, alive in the world, and 2) the imagined Latino subject that acts as the subject of academic discourse (122). It seems that to these we can add a third Latino subject: that which is hailed, or desired, by the master. Viego himself notes, “It’s not clear what or whom is being hailed when the call issues, ‘Hey, you, Latino’” (120). Such a call, however, indicates the desire of the master to have knowledge. As the master calls forth the Latino subject, the subject is not the actual human being hailed, but rather the image, or fantasy we might even say, of Latino-ness that the master has of this Other.

Such a calling forth or desire, however, is not structured by the hysteric’s discourse, but rather by the master’s discourse. The focus is on the master (S1), who is making the gesture towards wish-fulfillment (to come to know the Latino subject, or Other), while the actual Other is the Latino subject himself (S2). Yet the image or fantasy the master has of the Other – that which he expects to find as he acquires knowledge of the Other – is the master’s desire in the Other (a), whereas there remains
a gap between the master’s desire and his actual knowledge of the Latino subject: the master’s lack ($S$). It is by the master’s lack, or through this gap in knowledge, that we shall find the potential for subversive action. However, let us first turn to an example of Lacan’s structures found in immigration law.

ii. Establishing (As Anew and As Already) the Desire/Expectation of the Other: Arizona’s SB 1070

In 2010, the state of Arizona passed SB 1070, a law intended to respond to ever-growing concerns of illegal immigration. The text of the law indicates that law enforcement officials have the right to gather information about any individual suspected of having come to the United States illegally. Such information can then, under law, be freely exchanged between government agencies so as to better execute such legal actions. In this law, however, we find that the state or its representatives ($S_1$ – law enforcement officers, agencies, etc.) act as the master who is hailing the transnational migrant ($S_2$). A portion of the bill reads:

For any lawful contact made by a law enforcement official or agency… of this state where reasonable suspicion exists that the person is an alien who is unlawfully present in the United States, a reasonable attempt shall be made, when practicable, to determine the immigration status of the person. (1)
The desire of the state seems to be explicit: it is determined to “know” the immigration status of the person. However, immigration status is actually a second order of questioning – it is information queried only after identification of the Other is made. Thus, it is this identification itself that is the actual desire of the state. The bill dictates that inquiry about immigration status may be made when “reasonable suspicion exists” that a person is in the country unlawfully. As the representative of the state hails the potential “alien” in order to check immigration status, such hailing is based on “reasonable suspicion,” which in turn is grounded in the representative’s image of the Other. Such an image is, as previously noted, the desire for knowledge of the Other: the representative of the state desires the knowledge of what he suspects in his image of the “illegal alien” (a). Thus, there is a gap between this image and a total knowledge of the actual Being of the Other (S). As such, the state lacks such knowledge. Arizona’s Governor Brewer echoed this lack when answering a reporter’s question after signing the bill. When asked what an illegal immigrant looked like, she responded, “I do not know – I do not know what an illegal immigrant looks like” (CNN 4/23/2010). If the state had such knowledge, suspicion would not be necessary, for the “alien” would be easily identifiable.

Yet the state, despite this gap in knowledge, relies on its regulatory forces of information flow in order to control the movement of bodies. The legislation further reads:
Except as provided in federal law, officials or agencies of this state… may not be prohibited or in any way be restricted from sending, receiving or maintaining information relating to the immigration status of any individual or exchanging that information with any other federal, state or local government entity for the following purposes… (SB 1070 1)

The documentation and tracking of migrants allows the state to maintain a sense of control. However, such attempts at regulation are not always successful, for, as we find in Cristina Garcia’s novel *A Handbook to Luck*, the master’s lack persists.

iii. **Possibilities of Subversion through S**

Garcia’s fictional narrative imagines intertwined stories involving three major characters, all of whom are from different parts of the world. One of these characters, Marta Claros, grew up in El Salvador and, after saving enough money, immigrated to the United States. Marta’s greatest desire was to have a child, yet it seemed that she would not be able to do so. However, while living in California, she discovered that a relative was having a child that she did not want to keep, and so Marta seized the opportunity. She traveled to El Salvador to retrieve the child, intending to then return with him to California.
However, as Marta prepares to bring the child – Jose Antonio – to the United States, she is faced with a problem: how is she to physically pass him through the border? Though at this point Marta can legally pass the border herself, she would have a child with no documentation who is not even her own. How could she explain that she has taken the child of a relative to live with her? The truth might bring about consequences worse than simply being turned back. So, as Garcia narrates, Marta develops a plan:

A friend from church had given birth to a baby boy in December, too. Marta convinced the woman, Lety Sanchez, to meet her in Tijuana with the birth certificate. The border guards wouldn’t be able to tell their boys apart, Marta urged her, especially morenitos like them. The plan worked perfectly: Lety ended up taking Jose Antonio across the border as her own child. (220)

By falsely acting as if Jose Antonio were her child, Lety was able to carry him across the border using her own son’s birth certificate. Marta, then, followed on her own, as if without a child, as she was when she left the country weeks earlier.

Thus, rather than attempt to elude detection, as she had done during her original migration, across natural and artificial barriers, Marta was able to bring her new son home through official and legal channels. The state desired the identity of the child, but what it actually expected was the appropriate documentation – and the documents used for Jose Antonio were in order, for indeed they were genuine. Thus, the state’s expectations were fulfilled. Marta was able to keep the true identity of the new child
secret while never raising the suspicion of the state. Jose Antonio, therefore, slipped through $S$, the lack in the state’s knowledge. Marta’s subversive activity – effectively smuggling a child into the country through deceptive means – was therefore exacted within the master’s discourse; indeed, it was exacted within, rather than against, the logic of the master.  

In the Symbolic, we find ourselves in the domain of language and knowledge, and it is through this domain that power is most broadly articulated. Therefore, the battle of Latino Studies, like the battle of the migrant, is the battle of the biopolitical subject. In the discursive structure of power, the space of the Other is the space of the erring body, eluding know-ability, stealthily bypassing disciplining, working for its own objectives. Resisting is the key – resisting the domination of power as the Real resists signification. Yet, at this intersection, where the border/barred subject of Latino Studies and the discourse of immigration meet, we find what is of significance to us: that despite the state’s desire for knowledge, there exists a gap between such desire and its fulfillment, characterized by Lacan’s $S$, and

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2 Why would Marta’s narrative not be characterized by the hysteric’s discourse – the discourse commonly held to be resistant to the master signifier? In the hysteric’s discourse, the perspective or focus is shifted to the lack in the master’s knowledge itself, and thus the gap in knowledge between what the master desires in the Other and the truth of the Other is exposed. We might then say that in the hysteric’s discourse, the master is “called out” on what it does not know, and this lack is made public. While we can certainly agree that this is resistant, it is resistant in a way that would be best characterized more so as disruptive than as successfully subversive. In the hysteric’s discourse, the master signifier is still setting the terms of the discourse or structure – it is just that here its illusion of sovereign totality is shattered. Such an exposure, then, disrupts the otherwise unchecked power of the master, but it does not circumvent it or negate it – it merely shows its incompleteness. As resistance, this of course is useful, as we find in much of the dialogue on resistance. Theorists from Adorno to Zizek have claimed that the structure of global capital is all-encompassing, where there is no “outside.” Any act of true resistance is reappropriated by capital and the state and thus rendered ineffective. The only course of resistance, then, is to follow the hysteric’s discourse and disrupt the dominant power structure. However, as Marta’s narrative demonstrates, successful subversion is indeed possible. Still within the master’s discourse, she is able to use the state’s structure against itself. As far as the state was concerned, its desire was fulfilled. The state’s assumption is that regulatory rules yield truth, yet this is where the gap resides.

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due to this lack there remains the possibility for subversion by reappropriating the dominant discourse for one’s own purposes.
II. The Imaginary

On Knowledge and Ontology
Formulating the “I” and the Production of the Veil

Arguably, the twentieth century witnessed more state violence than any century before, much of which could be attributed to both the struggle for decolonization and the lasting remnants of a colonial legacy. The structure of such violence, when articulated discursively, reveals an intricate network of recognition and knowledge. Understanding this network will allow us to read the concept of the “image” as a productive and resistant tool.

i. Producing the Image

In his introduction to Frantz Fanon’s work *Black Skin, White Masks*, entitled “Remembering Fanon: Self, Psyche, and the Colonial Condition,” Homi Bhabha writes, “the state of emergency is also always a state of emergence” (114). In the state of emergency, or the state of crisis under which a colonized people find themselves, Bhabha writes that such a state is, too, one which houses the basis of an “emerging” identification for such a colonized people. In fact, it is the very structure of colonialism
that provides for such an emerging identity. Bhabha goes on to state that the identity of the colonized subject is a result of this subject’s desire of/for the colonizer. He writes, “The colonial subject is always ‘overdetermined from without’, Fanon writes. It is through image and fantasy…that Fanon most profoundly evokes the colonial condition” (115). In that the colonized subject is certainly not the colonist, his presumed identity is, rather, an image based in desire. This image is found in the relationship, characterized as a gap, between the colonized subject’s actual selfhood and his desired self. Thus, Bhabha states, “the very nature of humanity becomes estranged in the colonial condition and from that ‘naked declivity’ it emerges,” – yet he continues, “not as an assertion of will or as an evocation of freedom, but as an enigmatic questioning” (114). Claiming that the image as identity is not created through an act of agency, Bhabha suggests that it is instead created by questioning the content of desire.

While such questioning is certainly a part of identity formation, it seems that we cannot wholly discount the potential agency involved in image production. Indeed, while Bhabha draws upon Fanon to articulate a very important aspect of the colonial relationship, his model seems to suggest the possibility of an alternative notion of image formation – one that does not so much fill a lack in what we might call an abstracted archetype of the colonized subject, but instead fills a lack in the desire of the corresponding archetype of the colonizing subject. Thus, we shall find that through an active, creative, productive process, the colonized subject forms, in the image, a new, externally presented/presentable imaginary subject – that subject with which the
colonizer interacts. As we will find, Bhabha’s own framework – based on a Lacanian model – inherently implies such an act of willful creation.

By situating Bhabha’s model in a strictly Lacanian discourse, we can characterize his argument (i.e., model the notion of the image as he presents it – we will approach our alternative notion later) as demonstrating the following: Though the colonized subject desires to identify with, or actually be, the colonist (have his house, discourse, life, etc.), such desire is not fulfilled, since the colonized subject is of course not the colonizer. Thus, identity is split – it is characterized as Lacan’s $S$, wherein the lack of a fulfilled desire is exposed. Within this split subject, identity takes the form of the “image,” which fills the gap or lack that inhabits the space within the split. As Bhabha points out, this image is thus both the illusion of presence – an illusory totality – and a metonym for absence, in that the sheer presence of the image reveals/exposes the lack. The content of this image acts as the fantasy from which the subject ostensibly takes on an assumed identity (and here is where fantasy and desire break apart in psychoanalytic terms, for the fantasy takes over where the fulfillment of desire falls short).

If we situate this model in semiotic terms, as they might loosely relate to Lacanian terms, however, the model begins to reveal a potential agency in such image-production. In the realm of the signifier/signified/referent, we can place the signifier in relation to the Symbolic – it is the sound or mark that intends to signify something in

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3 We must recognize, however, that this is indeed a loose connection and by no means a suggestion that these two “systems” correspond in a one-to-one relationship.
the world. The referent would thus correspond to the Real, or the actual existence of the thing-in-itself. The signified, however, would correspond to the Imaginary as the concept that comes to mind upon the act of signification by the signifier – and it is the drawing together of the concepts of the Imaginary and the signified that we will find useful.

Through this model, we can then see that while the signifier is, of course, incomplete, for it does not actually account for the referent in its totality, the signified is, in fact, false for it does not relate to the referent by any direct means all. In the desire to signify, we assume that a signifier produces a signified concept, and this signified concept corresponds to its referent. We might consider a common example: the word “tree” produces the concept of a tree, and this concept corresponds to the actual tree that is referenced. This “progression,” however, does not seem to be accurate. Instead, it seems more so that the word tree conjures within the subject a concept of a tree. First, then, we must note that this concept is not inherent in the signifier, but is instead produced by that subject toward which the signifier is aimed. The signified concept, then, is based in the subject, and is therefore subjective, and not based in the signifier. Second, we must note that the signified concept, being produced by the subject, does not therefore correspond to the referent to which it presumably refers. Its only relation to the referent is back through the signifier, or mediated through the signifier, in that the referent incites the act of signification. This implies that it is not the case that the signified concept, as coming from the signifier, is an “incomplete presentation” of the referent as Real; rather, the signified concept is a “false image” of
the referent as Real, in that the image is subjectively created and does not therefore correspond to the Real in any unmediated fashion. We might show this as:

Desire to Signify

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\text{Signifier} \rightarrow \text{Signified} \rightarrow \text{Referent}
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Attempted Signification

\[
\begin{array}{c}
\text{Signifier} \\
\text{Referent}
\end{array}
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We find, then, that the Imaginary realm – and the image itself – is produced/created/constructed by the subject. It is contingent not only of the signifier’s presence – for the content of the image is not theoretically/temporally “previous” to the subject, merely to be “taken up” or “fit into” by an approaching subject who has “entered the realm of signifiers,” so to speak – but it is also contingent of the subject’s act of desiring and expecting successful signification.

Thus, while Bhabha, as Lacan before him, writes of this image as though it were an unconscious production that becomes apparent or manifest in consciousness, at this point we have posited an alternative (though not one replacing, but rather “in addition to”) notion of image production based on Bhabha’s model. Through this alternative notion, we have suggested that this image can be intentionally, consciously produced, and as such the produced image itself – that which is false, yet is able to
“fool” the colonizer – signifies a true productive colonized subject: a subject with agency. We will examine the following two texts in order to demonstrate this.

ii. Producing the Image for Disruption: Mahasweta Devi’s “Draupadi”

In her short story “Draupadi,” Mahasweta Devi builds upon a traditional myth through the narrative of a woman who is affiliated with a revolutionary tribal group, a group whose objective focuses on resisting the oppression caused by the dominance of the elite Indian authorities put into place during British colonial rule. Having been pursued by military servicemen, the woman is captured and, refusing to divulge any secrets, she is raped, beaten and tortured. Through this trauma, and like the desiring subject Bhabha describes, Devi’s character Draupadi creates an image. Yet this image is unlike what Bhabha describes, wherein the colonized subject desires to be [like] the colonist, for the image Draupadi presents is created for the purpose of recuperating agency. We can characterize Bhabha’s subject as desiring a “being for,” or “being with;” Draupadi desires a “being against.” Nevertheless, while Draupadi desires to disrupt the colonial remnants of power, the structure of desire, and therefore the formation of the image, is the same in both Bhabha and Devi. Though the content is inverted, the discursive relationship remains consistent: the desire of the colonized subject is structured around

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4 By “true,” we mean to indicate a newly emerging subject – one who emerges precisely due to his act of exhibiting agency through intentional image production.
a direct relationship with the colonial system and its legacy. “Draupadi,” therefore, should be able to further illuminate Bhabha’s framework.

After having been raped and tortured, Draupadi is summoned to the main guard’s tent, and there she immediately wills a new image. Upon seeing the tent, she “fixes her red eyes on the tent. Says, Come, I’ll go” (268). Initially, she appears to acquiesce to the guard’s command, suggesting that she will continue to refrain passively from resisting. However, as soon as she rises, “She pours the water down to the ground. Tears her piece of cloth with her teeth” (268). By spilling the water and stripping herself, she now determines her own thirst and bares her body by her own will – a direct reappropriation of her body’s violation through rape. The main guard appears before her, seeing her “naked, walking toward him in the bright sunlight with her head high” (268). We find that Draupadi, exerting her own agency, challenges the authority of the main guard, and, by proxy, challenges the prison-camp itself.

However, Draupadi’s performance is not merely a challenge or even a revolt, but something greater – it is a constructed disruption of power. When the main guard almost demands of her, “What is this,” she “comes closer. Stands with her hand on her hip, laughs… shakes with indomitable laughter that Senanayak [the main guard] can’t understand” (269). As the story closes, only a few lines later, we read, “Draupadi pushes Senanayak with her two mangled breasts, and for the first time Senanayak is afraid to stand before an unarmed target, terribly afraid” (269). Beaten and naked, Draupadi sets the camp into confusion through the image she presents, and thus she
effectively, if only momentarily, stops procedure and disrupts – or even inverts, we might argue – order. She does not run, she does not fight back, and she does even physically resist contact with the guards. She, instead, inverts the discursive power structure through *presentation*, for at her point of crisis, her new subjectivity – one produced and one useful and effective – emerges.

While this activity is not necessarily subversive, as with those we found in our previous chapter, and while as disruption it is more accurately characterized by the hysteric’s discourse than by the master’s discourse, we find that image production can be both conscious and effective toward the ends to which it is put, and it thus allows one to command some degree of influence *over* (not merely within) discursive structures.

iii. Producing the Image for Resistance: Fanon and *The Battle of Algiers*

We find this, too, in Fanon’s description of Algerian women’s activity during the Algerian revolution. In “Algeria Unveiled,” Fanon describes the use of the veil as not only a restatement of nationalism, but also as a subversive activity. The veiled woman is the colonized woman of suspicion. She holds on to her homeland pride and she clearly hides not only her identity, but also potentially weapons, beneath her clothing. The *un*veiled woman, however, is potentially even more subversive, for she exhibits the image of compliance.
In the film adaptation of this description, *The Battle of Algiers* (1966), three Algerian women remove their veils and dress in cosmopolitan clothing, as western women, and as such they are not held in suspicion when they enter the business district of shops and restaurants. In order to enter this area, they must pass through a security checkpoint. Though many of the Algerians – dressed in local, rather than European, dress – are held back by the guards, the women are allowed to pass without having to submit to any scrutiny at all. They are thus able to slip bombs successfully into three separate crowded city areas.

Thus, we see that the expectation French guards carry of a subversive Other is one of a veiled woman, while the cosmopolitan woman is not “viewed” as or expected to be a threat. This non-threat is thus the image she is able to produce that fulfills the expectation of the master, allowing her to pass unchecked. The master’s expectation having been fulfilled, the Algerian woman is able to attack it successfully. Thus, the intentional production of the image can be used as resistance.

*Lacan characterizes the Imaginary as that realm that is individual and found within the psyche of the subject. The image, whether produced unconsciously or with intention, influences the understanding of the world that such a subject holds. Therefore, the image, more so than the word, gives one a sense of self meaning. While the word is a mode of exchange, wherein we transfer knowledge, the image is a mode of affect, wherein we recognize ourselves through a sense of understanding. For Lacan, as for Hegel, the highest form of self-consciousness is therefore found where the word and the image happen to correspond.*
Thus, in presenting the image, the subject is able to manipulate that individual who accepts the image as constituting its reality.
Part Two:  Force
III. The Real

On Violence and Ontology
From Sovereign Authority to Unmediated Violence, or, Marking the Bare Life of the State

We now shift our focus from the epistemological concerns of knowledge, discourse and desire to the ontological concerns of violence and exacted power. When sovereign force becomes state force, with all of the mechanization and resources that the state has at its disposal, violence takes on extreme forms – yet such extreme forms hold, at the micro level, that level of personal experience with violence, the most paradigmatic form of violence: torture. Therefore, in the camp, building from Agamben’s concept, and under torture, not only do we find the human in the state of bare life, but we find that the state is, too, in a sort of bare life, for its most basic form – the very seat of its power and authority – is laid bare. However, to approach this, we need to begin with a discussion of sovereign authority and trace the spectrum from authority under law to violence under exception.

i. From Sovereign Authority to State Force
While a strict definition of the sovereign will most likely elude us, we can come to some idea of its scope and role through detailing its characteristics. The sovereign acts in some ways without tether. It operates without need for consent or agreement, and, while it is itself restrained by its own environment in terms of its potential outcomes, the sovereign can nonetheless incite action by its own volitions and inclination. It is neither subsumed nor equal to another.

Following this line, Carl Schmitt notes that the sovereign is that which decides the exception (5). In political terms, then, the sovereign is that which decides the scope of law. Despite Agamben’s claim, that “the sovereign, having legal power to suspend the validity of the law, legally places himself outside the law” (*Homo Sacer* 15), we can suggest that the sovereign is *not* necessarily above or outside of law, for its decision can be, potentially, to place itself within the scope of law. Rather, it can designate the circumstances in which law applies and those in which law is either suspended or to which it simply does not reach. This, we can suggest, amounts to setting the terms of discourse. The sovereign, then, is that entity which outlines the structure of power.

But from whom or from what does the sovereign gain this ability? Political theorists have wrestled with this question for many years, suggesting that such power is granted by many figures, ranging from that of “the people” to God. Perhaps the more pertinent question, however, is: how does the sovereign maintain this ability? In any system of political organization, the sovereign, be it “the people” or “the king,” must be vigilant in order to continue to hold its place within the power/discourse structure it
dictated (or even to allow that power structure itself to persist). As an entity that rules over the person, though artificial and fabricated, it seems to hold two means by which it maintains power: either by a respect in its authority or though the force of its will.

a. Sovereign Authority

Hannah Arendt notes in her essay “What is Authority?” that authority is best understood by it context. She characterizes it as that situation in which the will of the sovereign is followed by those under the sovereign’s authority not by persuasion or coercion, but out of some sort of respect for or belief in that authority. This action based on respect seems to be an act of implicit support. It follows, then, that authority must be the result, or the manifestation, of some sort of consent by the governed or managed population.

Fear seems to raise an interesting question, for it seems that it exists specifically in the absence of authority as Arendt defines it, on that occasion of persuasion or coercion. Moreover, persuasion and coercion seem to be akin, for they both imply that if one acts according to either, one is acting against one’s own judgment, or at least initial judgment. It seems, though, that if one acts out of fear of the sovereign’s authority, one is not acting against one’s own judgment, for acting out of fear is acting so as to avoid an undesired consequence. This is thus an act executed for one’s own benefit, or at least it seems so if we are at least considering the long-term. “Respect” for authority, then, is manifest not only as a love for the sovereign but also sometimes
as a fear of the sovereign. Whether out of love or out of fear, however, one gives consent to the sovereign’s will, both recognizing and maintaining its authority, with a self-interested end in mind.

b. Sovereign Force

When the sovereign loses respect, however, it must rely on a mode other than authority to maintain its position within the power structure. As a result, it forces its will upon those it governs in order to achieve its desired ends. While when working within authority the governed makes the decision to trust or to fear, and thus to act, under force the sovereign bypasses the governed citizens’ ability to decide. As such, it comes to embody sovereignty in the purest sense, for under the manifestation of force, it becomes the sole deciding body.

Such force, against one’s own will, is coercion – yet it is a coercion that can take a few different forms. A person can be threatened and thus act a certain way out of direct threat – which we should distinguish from being analogous with fear. However, a person can also be physically forced to act. Such force – force upon the body – is violence.\(^6\)

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5 Of course, this is already a problematic term.
6 It should be noted that this is one concept of violence among others, most notably, that of Hannah Arendt. In Arendt’s view, violence, one term alongside those including “power,” “force,” “strength,” and “authority,” is the use of strength involving instruments that allow the show of strength by a few people
When force acts preemptively, as a threat, it seems arbitrary. If the sovereign wishes to coerce a person toward acting according to its will, it may provide an example of, or demonstrate, its potential. If this example is exacted upon another person, though the object of the sovereign remains the person being threatened, the violence is on a body nonetheless – a body violated, it seems, for other means, for a future goal. In the practice of torture, however, force threatens the body reactively. If the sovereign desires knowledge, and the person initially refuses to divulge information to the sovereign’s liking, the sovereign may violate the body of the person as a promise of future violation if the desire of the sovereign is not met. Such a violence, then, is enacted upon the body of the person not as a consequence of past behavior, but as an encouragement for future behavior.

When force is manifest as violence on the body, it becomes a direct forcing of the body into movement. In this attempt to move a body through space, the sovereign is affecting the person’s Dasein – the person’s being-there in-the-world. Such a corporeal act thus brings the force of the sovereign the closest to the person as such (as an individual being). It seems, in fact, that violence is then the purest, most basic deployment of sovereign power. Even with torture, where the goal is to adjust a person’s mind or to gain access to it, the sovereign must resort to a displaced engagement – to an engagement with the physical, for, since it has less direct access to the mind, the body is the only thing it can directly and, in many cases, most effectively to measure that of many people. For more, see Arendt, Hannah. “On Violence.” In Crises of the Republic. New York: Harcourt Brace and Co., 1972.
and easily dominate and control. The sovereign’s relationship with the body of the person, then, seems to be the most basic, root form of the sovereign-person relationship. And such control is upon, therefore, the most basic characterization of the person’s Being – on the most essential aspect of the human – a violence on that which exists alone and singularly, without artifice or extension or ornamentation through relation or culture: the pure, unmediated bare existence of Being itself.

ii. **Law, Excess/Exception and the Bare Life of the State**

In *The State of Exception*, Agamben writes, “According to Schmitt, there cannot be a pure violence – that is, a violence absolutely outside of law – because in the state of exception it is included in the law through its very exclusion” (54). Through Agamben, Schmitt claims that a concept of pure, unmediated violence cannot exist, for under the state of exception state violence is made exceptional by law.

However, we can suggest that Schmitt is confusing his terms: while the introduction of a state of exception is made by legal means, once the state of exception becomes active, any acts under its umbrella are themselves outside of law. The call for exception produces a wall across which the discursive structure of the state – law – cannot pass, but which is itself erected by law. Exceptional violence, then, runs freely outside the wall, resisting discursive oversight totally. Agamben seems to gesture toward this, though not explicitly, as he continues by noting Benjamin’s adjustment to
Schmitt’s theory: “in deciding on the state of exception, the sovereign must not in some way include it in the juridical order; he must, on the contrary, exclude it, leave it outside of the juridical order” (*State of Exception* 55). The state of exception, then, no longer a “call-for” but now a *state*, is necessarily itself beyond, or in excess of, the law. We can, then, despite Schmitt’s claim, suggest that exceptional violence is indeed unmediated and pure.

Such a state, Agamben claims, is, in the modern era, increasingly no longer actual exception but instead becoming the regular mode of politics. Idelber Avelar notes this, too, in his work *The Letter of Violence*. He points out:

In Michel Foucault’s 1975-6 lecture course on sovereignty and war, *Society Must Be Defended*, he argued for the reversal of Clausewitz’s most famous dictum: We should now understand *politics itself* as a *continuum of war by other means*. While Clausewitz mapped war as a conflict that *overflows*, that it cannot be contained by “regular” politics and therefore *leads politics into an elsewhere*, Foucault …rethinks politics itself in Clausewitzian fashion, as an act of war. (4)

The regular politics of peacetime no longer persist, according to this formulation, for now politics is characterized as a form of war. Thus, politics always leads to a “politics of elsewhere,” a politics that moves outside its normal realm, to one of exception. War, as exception, according to Clausewitz, overflows, beyond the container of regular politics. As formulated here, then, the excess of politics, when it becomes exceptional, overflows into violence.
Agamben, however, furthermore notes that it is also becoming increasingly difficult to distinguish between exceptional and legal entities. He characterizes such a situation by its extreme limit, where we most clearly recognize this indeterminacy, as the camp. Agamben writes:

*The camp is the space that is opened when the state of exception begins to become the rule*…Insofar as its inhabitants were stripped of every political status and wholly reduced to bare life, the camp was also the most absolute biopolitical space ever to have been realized, in which power confronts nothing but pure life, without mediation. This is why the camp is the very paradigm of political space at the point at which politics becomes biopolitics and *homo sacer* is virtually confused with the citizen. (*Homo Sacer* 168-171)

As exceptional measures become the rule, not only is it increasingly difficult to distinguish legal and exceptional state power, but it is also increasingly difficult to identify the status of those upon which such power is exacted. In the structure of the camp, *homo sacer* – that figure Agamben borrows from Roman law, whose killing is considered neither murder nor sacrifice – becomes the usual form of life.

Yet this life without value, in the state of “bare life,” as subject to the whims of exceptional power, signifies the arbitrariness of such power. The way in which *homo sacer* stands subject to such exceptional violence, which itself would be exacted without reason or purpose – for a violence with purpose would place value on *homo sacer* – indicates the way in which such power is inherently beyond logic, beyond reason, and
therefore not only exceptional, but also excessive – that is, it is in excess of requiring either logic or reason. Agamben himself makes this implication: “In every case, the state of exception marks a threshold at which logic and praxis blur with each other and a pure violence without logos claims to realize an enunciation without any real reference” (State of Exception 40). The “enunciation” of the violent act, under exception, stands on its own, without reference to law or precedent. Each act is itself singular, and as such the act of violence is, in its unique, individual totality, a direct and total contact with its object. We can now recognize exceptional violence, or the use of sovereign force within a state of exception, in its purest form. This individualized, unmediated violence upon homo sacer, in its singularity as a unique and non-abstracted event that cannot look back toward any sort of universal concept (such as law), reveals a human face. The camp thus not only demonstrates the bare life of homo sacer, but also the bare life of the state: body to body violence.

For Lacan, there is no representing the Real, and thus in this chapter we find no readings but only speculative theory. Though we are here in the face of the Real, Lacan notes that we only recognize its presence by the symptom of a lack in the Symbolic. This symptom is that content which exceeds signification, that which is beyond the reach of discourse. Thus, state violence approaches the Real as it becomes exceptional in relation to law. In this way, as it steps out of its own structuring discourse, such violence, as excess, spills forth over homo sacer. The violence of the state is, here, laid bare, as without reference to purpose or logic, and thus as a unique, singular event. Such violence, then, cannot be understood as executed by a faceless sovereign, but rather by a unique individual, in direct confrontation. We thus find here the stirrings of the Hegelian dialectic.
Conclusion

A New Discourse, A New Subject
Narcissism Servitude Torture, Image Labor *Jouissance*

We find ourselves, in these concluding remarks, having developed three key components to biopolitical subject formation:

1. The possibility for subversion within the master’s discourse
2. The production of the image for resistance
3. The rendering of both *homo sacer* and the state as bare life – for both, the result of violence in the state of exception

We must now shift our tone to speculation, for here we shall not theorize about the conditions of subject formation, but instead about its mode. Thus, we shall consider three points of focus (not necessarily respective to those points just stated) regarding the relation between the state and *homo sacer*, or the master and the slave. Together, these speculations shall help us to better understand the nuances of constituting the subject.

i. **Reaffirming the Master’s Narcissism through Difference and Repetition**
In *Difference and Repetition*, Gilles Delueze argues that the Hegelian dialectic, and the emphasis on negation that it conveys, presupposes a sense of identity, for identity must pre-exist the act of negation in order for the act of the negation from differences to occur. He writes:

this movement, the essence, and the interiority of movement, is not opposition, not mediation, but repetition. Hegel is denounced as the one who proposes an abstract movement of concepts instead of a movement of the *Physis* and the *Psyche*. Hegel substitutes the abstract relation of the particular to the concept in general for the true relation of the singular and the universal in the Idea. He thus remains in the reflected element of ‘representation,’ within simple generality.

(10)

Because of Hegel’s focus on concepts, his movement from singularities to universals, and his creating the idea of the thing as based on experience – while focusing on this created idea, and not on the unique experience – Hegel, Deleuze argues, relies on representation. Responding to this critique, he posits an alternate theory of pure production: repetition as affirmation through difference. As repetition occurs, the newly emergent being differs slightly from its predecessor, and thus the very existence of difference itself affirms the existence of both. “Repetition,” he suggests, “as a conduct and as a point of view concerns non-exchangeable and non-sustainable singularities” (1). As such, the model of repetition avoids the fluctuation between the
particular and universal, it avoids the need to conceptualize and make abstract, and it remains faithful to the singularity of an event without a need for representation.

The Hegelian system and the Deleuzian system, however, despite Deleuze’s claim, do not seem to be necessarily antithetical. Instead, it seems that the point of reference is merely different: for Hegel, the act of negation is necessary for the “self” consciousness, wherein only the self can recognize such a production, while for Deleuze, repetition and the resulting difference characterize the observation of a third person looking from afar. As we shall find, certain readings of these models actually work together in helping us understand a notion of subject production that relates to what we have found in previous chapters.

As we find homo sacer and the state both in bare life at the event of violence, what we find is the repetition of the dialectic (indeed, it is repetition, for it must be understood that both the state and homo sacer necessarily had a previous political status – neither is “new” to the scene of discursivity, and thus neither is participating in the dialectical coming-to-self-consciousness experience for the first time). As we shall find, this opportunity allows for the reaffirmation of the master’s narcissism, and the image produced by homo sacer provides just that.

For Hegel, the master’s narcissism is a product of the relationship between the master and the slave. After the event of confrontation in the dialectic, the master assumes a position of power over the slave and compels the slave to enter his service. Thus, the slave is required to produce for the master’s consumption. Since it is not
necessary for the master to provide for himself, the slave fills this role and the master therefore considers the slave a part of him. The slave, then, is insignificant and not recognized as the Other (and, to refer back to the first chapter, this is partly why the master assumes he can successfully signify – he does not recognize his lack).

For Hegel, however, self-consciousness only occurs when one’s consciousness is built out of an engagement with the external world. Yet the master does not participate in such engagement. Not only does the slave engage with it for him, in providing for his subsistence, but moreover the master only recognizes himself and not the slave, and thus his understanding of the world is built by a reflection of himself. In this narcissistic state, the master is not able to progress toward self-consciousness, while the slave is.

Lacan’s model for the formation of the narcissistic subject is quite similar, and indeed it was heavily influenced by Hegel. For Lacan, as a child enters the mirror stage and forms its first sense of recognition, it achieves a new level of consciousness. However, in that the image that spurs an affirmation as Other is indeed the image of the child itself, its understanding, rooted in his new sense of consciousness, is based on the image of itself. By this, Lacan means to indicate that the way in which the child, in this stage, approaches the external world is not as something separate, but as mediated by (and thus radiating outward from) itself. For Lacan, this is an early stage of consciousness, one beyond which a child moves as it develops and gains more sophisticated understandings of the world. Lacan, however, models the concept of the
narcissistic individual on the child who does not proceed to a more developed stage of consciousness. From an Hegelian standpoint, the major point to understand is that the narcissistic individual holds a false perception of reality, for it is a reality grounded by an internal image rather than an experience with the external world.

As we have previously noted, in torture the state demands the knowledge held by *homo sacer*. This seems to suggest that the event of torture is within the master’s discourse, repeating our earlier examples with immigration. However, we must remember that through the use of violence upon *homo sacer*, the state is acting in exception, and through such excess the state is acting outside of discourse. Building from the models of Lacan and Hegel, however, we can now see that the state does not recognize itself as in excess. Thus, *homo sacer* is in a position to produce the image: the information it believes the state to expect. When the state’s expectation is fulfilled by the image, the image effectively ends the event of torture, stopping the act of violence and placing the state back into its discursive space. Only now, the state has an illusory concept of totality – one “completed” by the falsified image of *homo sacer*. The state, then, *reentering* this illusion of totality, *repeats* its mode of narcissism. Only now, this sense of narcissism is slightly different – as Hegel, and likely Deleuze, would describe the situation, this is not a reiteration of a previous state of consciousness, but a slightly new state formed through the repetition of the process of consciousness formation. We therefore find that *homo sacer* has helped create this narcissistic illusion of the world, and thus *changed* the master’s discourse. We now have a new discourse that merely resembles the old one – and though it is repeating the domination of the
master, it was nonetheless contributed to by *homo sacer*. What we find in this model, then, is not necessarily that *homo sacer* has freed itself, but that it has at least influenced the dominant discourse.

ii. **Emergence in the Dialectic**

We might retell this story through Hegel’s characterization of the slave’s point of view, for through a close look at the specific production of the slave’s consciousness, we shall find another, and perhaps more effective (though abstracted), model for the production of a newly emerging discourse. We remember that the master cannot come to self-consciousness, for after the initial confrontation he has with the slave, which establishes him as master, the master’s experience with the world seems to fold back into itself and such experience becomes nothing more than the master’s own projection of himself onto the world. The master, then, through a narcissistic experience of the world, seems to become an entity no longer able to continually confront the slave, for, rather, the instant of confrontation now seems to be merely that – an instant, or singular event that *had happened* in time, and is not continually *happening*. If the master, being one side of the dialectic, no can longer address the slave directly, for he is now only concerned with himself, it seems that the dialectical movement set in motion by the initial confrontation ceases.
We must suggest, then, that there is something more that continues to confront the slave and challenge him to continue the dialectical process. We can suggest that this other medium – this secondary catalyst for the slave – is found in the slave’s engagement with the world around him. We must remember that such engagement is genuine, for, unlike the master, the slave’s experience is still based on external stimuli, not the image of such. This engagement, Hegel reveals, is found in work. He writes, “Through this rediscovery of himself by himself, the bondsman realizes that it is precisely in his work wherein he seemed to have only alienated existence that he acquires a mind of his own” (118-119). Thus, it seems, the slave must engage his own body with the cultivation of its material surroundings in order to achieve self-consciousness. In order to trace this logic, however, we must begin by looking closely at the early stages of Hegel’s description of sense-certainty and perception, and only then can we develop the bodily requisites of the slave’s coming-to-self-consciousness.

Before the event of confrontation, one’s being-in-the-world first seems evident at the site of sensation. Such sensation is a type of knowledge about the world found in the immediacy of sense-data, and as such it initially suggests a knowledge of the external world. Hegel writes, “this is the essential point for sense-knowledge, and this pure being, or this simple immediacy, constitutes its truth” (59). However, a more nuanced understanding of the external world quickly develops – and at this point, the notion of a relationship begins to unfold. Hegel continues, “When we reflect on this difference, we find that neither one nor the other is only immediately present in sense-certainty, but each is at the same time mediated: I have this sense-certainty through
something else, viz. the thing; and it, similarly, is in sense-certainty through something else, viz. through the ‘I’” (59). Thus, we now find that 1) there is not merely a “that,” and instead a “this” and an “I,” and 2) if the “I” is observing the “this,” such sense-data must be mediated through both.

However, in noting this relationship, it becomes clear that when we are faced with a “this,” we are focusing on what is “this” at hand, and therefore not on “that” which is on the periphery. Here, Hegel introduces the necessity of negation in determining relationships, for when we focus our attention on one thing, we are explicitly focusing our attention on “not that” thing. Such an explicit negation demonstrates the existence of “that” despite our lack of focus upon it. Thus, Hegel notes here that negation is a necessary part of knowing that which “is.”

Furthermore, Hegel continues, the nature of negation indicates the universality of sensation. If we “know” about “this” and “not this,” both of these terms make up an epistemological unity. However our knowledge of them (as “this” or “not this”) is based in language, for in indicating these presences, we are merely pointing to and not describing inherent properties. Thus, the “this” is a “this” specifically for us, not for those hypothetical people over there looking elsewhere. This also applies simultaneously for “not this.” Hegel writes, “A simple thing of this kind which is through negation, which is neither This nor That, a not-This, and is with equal indifference This as well as That – such a thing we call a universal. So it is in fact the universal that is the true [content] of sense-certainty” (60). Sense-certainty, then, is
founded in language, for language, as we noted, is that by which we come to the universal. Ultimately, for sense-certainty, then, we find that through language and the universalization of sensation, our knowledge reverts back to the “I,” for the “I” alone is what structures our knowledge up to now. As Hegel notes, this is what leads us to the next step in our coming-to-consciousness: perception. He concludes, “I take it up then as it is in truth, and instead of knowing something immediate I take the truth of it, or perceive it” (66). Perception, then, as opposed to sense-certainty, begins with the “I.”

For Hegel, perception then requires an understanding that the “I” is that which is receiving information from the external world, and that while the external presents us with such information, it is still the “I” that processes such information so that we might perceive it. We thus note a certain relationship with the object being perceived. Indeed, as it has now become apparent, we are “being for the object” in the same way that the object is “being for us.” This reiterates the negation previously mentioned. Hegel writes, “the object is in one and the same respect the opposite of itself: it is for itself, so far as it is for another, and it is for another, so far as it is for itself” (76). This next step in coming to consciousness is thus necessary in moving from, first, a recognition of the existence of an external world to, next, a concept of the “I” to, finally, an understanding of a relationship between an intertwined “I” and “object.” Here, we see the beginnings of Hegel’s move towards engagement with the external world, for indeed we must now see ourselves as mutually dependent with the objects around us.
We now thus come to understand through both language and though a recognition of this mutual dependence that all we know is difference, and that it is through merely the existence of difference alone that we can recognize ourselves as separate from (though dependent upon) the object. Hegel writes, “what there is in this absolute flux is only difference as a universal difference, or as a difference into which the many antitheses have been resolved. This difference, as universal difference, is consequently the simple element in the play of Force itself and what is true in it. It is the law of Force” (90). Such “Force” is both the compelling interaction between objects (of which we are one) and the way in which our understanding of such interaction is that which allows us to come to such understanding. Anticipating his description of the confrontation between two consciousnesses, Hegel indicates this understanding when he writes, “It is true that consciousness of an ‘other,’ of an object in general, is itself necessarily self-consciousness, a reflectedness-into-self, consciousness of itself in its otherness… in fact, the Understanding experiences only itself” (102-103). Understanding, then, seems to be the final interplay between us and the object that allows for our production of self-consciousness. As we come to understand that our knowledge of ourselves and of objects is structured around a relationship between the “I” and the object, such reflection indicates our own self-consciousness. However, while this is convincing enough, Hegel continues to nuance this argument by further reinforcing the bodily aspects of experience-knowledge.

Self-consciousness, then, is the reflection that the knowledge of the “I” is found in an intertwined mediation with the object. However, the self-conscious subject that is
only concerned with its own self-consciousness only seems necessarily to understand this partially. Hegel, however, argues that even this self-consciousness will come to understand the object on the object’s own terms. He writes, “Self consciousness which is simply for itself and directly characterizes its object as a negative element, or is primarily desire, will therefore, on the contrary, learn through experience that the object is independent” (106). If a self-consciousness desires the object so as to complete the relationship and come to understand itself as a self-consciousness, such a desire, Hegel notes, will lead the self-consciousness to recognize the object as independent, for indeed it had already implicitly done so in recognizing its own desire. Such an object, as that which would facilitate the desire, would now become explicit and the self-consciousness would recognize both itself and the object. Thus, as Hegel writes, “Self-consciousness achieves its satisfaction only in another self-consciousness” (110). It is because of this that the desire for self-consciousness leads one to the confrontation of the master/slave dialectic.

Hegel writes that when a “Self-consciousness is faced with another self-consciousness…it does not see the other as an essential being, but in the other sees its own self” (111). Initially working through its own desire, it only sees the Other as a necessary component to its own self-consciousness. Thus, when the two self-consciousnesses meet, their initial desire is to overcome the Other so as to establish the Other as subservient to the desire of the victor, thus establishing the place of the subservient self-consciousness as an object for the sake of the master. However, as noted above, in such an engagement, each self-consciousness comes to understand the
other as independent. Hegel writes, “Thus the relation of the two self-conscious individuals is such that they prove themselves and each other through a life-and-death struggle” (114). Such a life and death struggle, however, merely allows the satisfaction of the initial desire for domination: one self-consciousness becomes master, for it continues to value its establishment of Being over its life, while the other becomes slave, for it comes to value its life over the establishment of its Being. Thus, as Hegel continues, we are left with a situation in which “One is the independent consciousness whose essential nature is to be for itself, the other is the dependant consciousness whose essential nature is simply to live or to be for another. The former is lord, the other is bondsman” (115).

However, while after the confrontation the master has retreated into a consciousness wherein his knowledge of Being is based on his need for the Other as being-for-the-master, the slave has come to a true understanding of his own consciousness in his recognition of the master as independent. Initially, however, this point is over exaggerated in the slave’s mind, for he first believes himself to be an object of the master. However, in his service toward the master, he comes to better understand his own independence. Hegel writes, “His consciousness is not the dissolution of everything stable merely in principle; in his service he actually brings this about. Through his services he rids himself of his attachment to natural existence in every single detail; and he gets rid of it by working on it” (117). As the slave engages his body in devotion to the master through labor, the slave comes to realize that the master needs him for his (the master’s) own sense of Being. Thus, the slave’s own self-
consciousness comes about due to his position under the master. Indeed, as Hegel writes, “work, on the other hand, is desire held in check, fleetingness staved off; in other words, work forms and shapes the thing” (118). The salve, through work, acts toward the antithesis of desire, for his self-consciousness develops in his understanding of a relation to another, not in the desire to require another to exist as a being-for-himself.

Yet what we must continue to note here is the necessity of the slave’s work. While the slave realizes that he is necessary for the existence of the master, this is only a secondary order of reasoning. The primary order is found in the fact that he produces for the master’s consumption. The slave’s primary engagement, therefore, seems not to be with the master, but more so with the objects around him that he cultivates for the master. In his lectures on the Phenomenology, Kojève, though perhaps not intentionally, seems to suggest this: “The slave transforms the given conditions of existence so as to make them conform to the master’s demands” (42). He continues by further noting that the slave “humanizes” himself through an overcoming of nature.

The slave, in acting toward another’s desire, and not toward his own, is acting toward a non-biological end, i.e an idea, wherein:

It is this transformation of Nature in relation to a nonmaterial idea that is Work in the proper sense of the word: Work that creates a nonnatural, technical, humanized World adapted to the human Desire of a being that has demonstrated
and realized its superiority to Nature by risking its life for the nonbiological end of Recognition. (Kojeve 42)

This seems to imply a “humanization” not through the overcoming of the master, for the overcoming of the master is more so a symptom of the slave’s overcoming of nature, not the end. Instead, this is a “humanization” through the cultivation of the natural world that is, nevertheless, still a dialectical engagement with the slave’s external surroundings merely set into motion by his relationship to the master. Hyppolite echos this necessity of engagement with “the material.” In his explanation of the dialectic, he writes, “Fear and service cannot by themselves raise the slave’s self-consciousness to genuine independence; it is labor that transforms servitude into mastery…not only does the slave shape himself by shaping things; he also imprints the form of self-consciousness on being” (my emphasis, 175-176). Physical, material labor upon the external world, then, acts as the means by which the slave gains subjectivity. It seems that while much of the result of gaining self-consciousness is mental or psychical, and while Hegel’s philosophy is rooted in experience, we have found that the body is nevertheless a necessary component in dialectical movement. Indeed, the slave’s relationship to his body and its relationship to the material world around it, perhaps even more so than with the master, is what is most central to his subjective development.

As we previously noted, if the state is itself, too, in bare life, it is not acting as a state (as some entity endowed authority by a sovereign), but as a being exhibiting pure
power in confrontation with another being – *homo sacer*. Thus, the relationship between the state and *homo sacer* is the relationship of the Hegelian dialectic: two entities in a struggle for life. The state, with its resources, will win and reaffirm its domination over *homo sacer*, thereby also reaffirming its narcissistic concept of totality. *Homo sacer*, as Hegelian slave, however, now has the opportunity to achieve a true sense of Being and agency while charting its own discourse. Indeed, it is the engagement, *the action*, that allows the slave to become a subject. This seems to lead us back to image production as an *activity*.

iii. **Jouissance as (Re)Productive Violence**

In positing the mode of the rise of the subject from *homo sacer*, face with bare violence, we can first bring our earlier discussions together into two points:

1. It is through an engagement with the outside world, not through the overpowering of another, then, that the slave retrieves agency and self-awareness as an independent being. In the event of torture, this drama is replayed. *Homo sacer* is initially a being-for-the-state – he is the state’s body of information, which the state requires in order to continue its functionality. However, *homo sacer* is actually needed by the state, not an extension of the state. This is made clear by the state’s need to use coercion. *Homo sacer*, then,
can be posited as someone upon whom the state depends, and therefore as independent of the state.

2. In the combination of these two states of bare life – for both the state and *homo sacer* – we find the situation that is most capable of production. The role of violence, however, is pivotal. Indeed, it is the very nature of bodily interaction, or bodily force, that characterizes the action of the state (in the event of torture). There is required not merely the threat of violence, but exacted violence, the marking of bodies, the sensation of pain due to bodily engagement. In torture, while the desire is for knowledge – something associated with the mind – the route is via the body, and thus the body of *homo sacer* becomes alienated from its mind. The bodily aspect for the act of torture is an excess too, then, in addition to the excess we found resulting from the discursive construction of state violence.

Keeping in mind the inherent lack from our first point and the excessive nature of violence upon the body from our second point, we should now examine *jouissance* in the event of torture, for in this concept knowledge and violence become most blatantly intertwined. The excess of desire for knowledge, as imposed on the individual, is literally a war on individual secrecy – a war by the master aimed at breaking the silence of the Other in order to gain his knowledge, thus fulfilling desire and closing the knowledge gap. The perceived antidote to this lack of knowledge is torture. And what could be more telling about the master’s attempted fulfillment of its desire for
knowledge through the channeling of its excess or supplement than Elaine Scarry’s words, as Avelar suggests, “for Scarry, the voice-body paradigm is also the one that reappears in the modern technology of torture. ‘The structure of torture is… the transformation of the body into voice’” (30). By reaching out to grasp knowledge more aggressively, the state reiterates the master’s discourse, hailing the Other in an attempt to fulfill its desire. However, the lack persists once again, for the Other both never fulfills and always exceeds the image held by the master.

We should begin, then, by examining Lacan’s “Graph of Desire,” found in his lecture on “The Subversion of the Subject and the Dialectic of Desire in the Freudian Unconscious” (684, edited for ease of understanding):

As we find in the initial two versions of Lacan’s graph, the chain of signifiers – the path from S to S primed – is intersected twice by the attempt to signify – the path from
This chain of signifiers is the relation of signifiers as they signify each other indefinitely – something Derrida spends a great deal of time on.

As Lacan shows in the graph, when the subject attempts to signify by speaking, the attempt first hits the chain of signifiers on the right of the graph, as moving from the delta. Here, articulation has a wide variety of possibilities from which a specific signifier can be chosen. We can characterize the subject’s implied choice, then, as “which word and word-order shall I use?” However, from this point the attempt moves “backwards,” intersecting the chain of signifiers once again, hitting, of course, more signifiers and not the signified. It is this point on the graph – the left most intersection – that the conscious subject attempting to signify, or by speaking, considers to be the signified. Thus, this is a false or imaginary signified, wherein the conscious subject feels convinced that signification is occurring. Thus, from the point of this Imagined signified, the split subject is revealed. This is S at the final point of the subject’s path. Here, we find the exposure of the fact that the subject believes it has successfully signified, despite the fact that it has not actually produced and sent forth knowledge. Instead, it has only sent forth an Imagined knowledge – one fabricated through the process of articulation. This is why when Lacan describes this process in terms of the psyche defining the “I,” or the self-conscious subject, the unconscious – the chain of signifiers that have no grounding in consciousness – perpetuates a lack in consciousness by its sheer existence. As the subject attempts to manage self-identity through signification, it hits that left most intersection with its unconscious – i.e., that material that cannot become manifest. Thus, while the conscious subject believes itself to know
itself, it actually knows only an image of itself, for there still exists unknown knowledge embedded in its unconscious. The attempt to signify in real time, across the plane of the unconscious, therefore, reveals the lack in conscious knowledge – $S$, or the split subject: split between that which it is and the image it understands itself to be.

This is the reason the attempt to signify moves backward: when the subject intersects with the chain of signifiers on the right most side, we find that the subject is *always already* constituted by a lack – the lack is inherent in the subject, or, to return to our first example, inherent in the general attempt to articulate knowledge. However, here in Lacan’s graph we not only find the revelation of the lack – something Lacan himself deals more with – but also, and just as important, we find the actual production of the image by the subject. In Lacan’s example the subject is unaware of image production and, instead, believes this image is the totality of self or the successfully articulated signified. However, if we use this model at a higher level – one outside of the individual and, rather, between individuals, it seems that this image can be consciously produced. In our investigation of such production, then, let us consider the interrogation of the prisoner/detainee by the state.

Just as for Lacan’s example, where the subject desires knowledge of the self, and thus enters signification, we can say that the state desires knowledge in order to regulate and discipline those within its jurisdiction (and arguably elsewhere). Thus, it interrogates the prisoner to gain such knowledge. Lacan’s example, as we shall use it, does not so much, however, characterize the state’s questions as it instead characterizes
the prisoner’s formulation of an answer. Upon question “x?,,” the prisoner’s attempt to answer meets the chain of signifiers – the range of possible answers to the state’s questions. The right most intersection on Lacan’s graph acts as the speech of the prisoner – the articulation of signifiers. The left most intersection is, then, the desire of the state – that which the state wishes to know, that which the prisoner must signify – the answer to question x. However, as we have found in Lacan’s graph, the trajectory of the attempted signification ends at S – the split subject – the subject’s signification process that is a resulting split between the actual and the imagined. The prisoner’s answer, therefore, merely needs to fulfill the desire of the state, wherein the “conscious” state, interrogating the prisoner – who stands here as Lacan’s unconscious being interrogated – needs to think it is gaining a totalizing body of knowledge – just as the subject believes it has understood its own selfhood. The state, therefore, receives the image of truth, not truth itself, from the prisoner. In this model, then, the prisoner is not so much concerned with truth itself so much as with the image of truth – in finding out the state’s desire – that perceived signified that is really only another deferring signifier.

Indeed, we find the possibility of using Lacan’s model in such a way in his own language. Describing the graph, he states, “the subject’s submission to the signifier, which occurs in the circuit that goes from s(A) to A and back from A to s(A)… is in itself meaningless” (682-683). This circuit is that loop in which the state becomes trapped. As it accepts the prisoner’s image of truth, the image as the signifier of the prisoner’s lie refers to that lie – yet that lie is, in itself, as we already found, a signifier too, and thus refers back to the image. The state, by the act of the prisoner, therefore
enters the realm of \textit{différence} – truth is constantly deferred through slightly but potently differing signifiers.

The two points of intersection are, likewise, part of this deception. Regarding his terms for these intersections in the second graph, Lacan states, “both are related to the offer to the signifier that is constituted by the hole in the Real [or truth], the one as a hollow for concealment, the other as drilling toward a way out” (682). The leftmost intersection is, therefore, indeed the place of concealment, wherein the prisoner “hides” the truth within an image of truth. The right most intersection is, as Lacan states, an opportunity within a chain of possible signifiers to find a “way out,” we might say. Here, Lacan seems to characterize the right most intersection as pure possibility, and this is, of course, then the ideal site of production and creation - the place wherein the prisoner creates the image of truth.

Lacan further builds upon the right most intersection, for, in that this intersection characterizes the subject’s intentional pointing-towards the Other – be it self-image, state, etc. – the subject holds this Other in mind. Lacan thus finds this intersection to be the place of the Other. He states:

the locus of the Other, the Other as witness... [is where] the speech borne by the signifier is able to lie, that is, posit itself as Truth.
Thus Truth draws its guarantee from somewhere other than the Reality it concerns: it draws it from Speech. Just as it is from Speech that Truth receives the mark that instates its fictional structure. (684)

The speech of the prisoner fabricates and carries across this Truth – a truth which, as Lacan shows, is a fictional structure found in the left most intersection of his graph. While Lacan’s title itself – the Subversion of the Subject – intends to portray the subversion of the subject by the analyst – wherein the analyst, despite the subject’s willful attempt to come to some knowledge of selfhood, is able to circumvent such an attempt and tap into the unconscious – this title seems, on its own, to offer the alternate reading of the subversion that is of, by, due to the subject. This is the newly constituted subject with agency. Furthermore, this violent productive act is a repeated act, and thus it might be characterized as reproductive. The excess of violence, then, reproduces the subject – a subject that already was, had been stripped away, and is now reborn anew.

... and yet, what if, as the Narcissistic master and the Laborious slave show us, we truly can influence discourse? Indeed, what if a new discourse – an alternative discourse – can be charted? What if through the spillage of jouissance, this newly reborn subject can reassemble this spillage into the slave’s discourse, the freeperson’s discourse, the discourse with no master signifier making ineffective attempts to signify, to dominate the chain of signifiers and range of meaning, totally and completely? What if the jouissance, this excess that cannot be symbolized, merely resists symbolization only in the master’s discourse and is itself always already charting a new discourse beyond that of the master?
Bibliography


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