

SOVEREIGNTY
AND ITS
OTHER

Toward the Dejustification
of Violence

DIMITRIS VARDOULAKIS



SOVEREIGNTY AND ITS OTHER

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Timothy C. Campbell, series editor

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Toward the Dejustification of Violence

Dimit r is V a r d o u l a k i s

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For Amanda Third

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CONTENTS

Preface	ix
Preamble, or Power and Its Relations	1
1 Judgment and Justification	13
Justification or Judgment?, 13 ■ Sovereign Discomfort: The Immediacy of Justification, 18 ■ Dejustification, or the Historicization of the Trinity of Justification, 23 ■ Democratic Judgment, or the Exigency of Participation, 29 ■ An Other Narrative: On Method, 36	
2 The Vicissitude of Participation: On Ancient Sovereignty	41
War and the State: On the Foundation and Perpetuation of the Polis in Thucydides, 41 ■ Self-sufficiency: Pericles’s “Funeral Oration,” 46 ■ “Invincible Eros” in Sophocles’s <i>Antigone</i> : For the Love of Democracy, 52 ■ Universal <i>Agape</i> in Christian Sovereignty: Augustine’s City of God, 69	
3 The Propinquity of Nature: Absolute Sovereignty	77
The Subject of Psychology and the Law: Machiavelli and Bodin, 78 ■ Fear Thy Neighbor as Thyself: Hobbes’s Artificialities, 84 ■ There Must Be Madmen. . . . The Absoluteness of the Sovereign in the <i>Leviathan</i> , 93 ■ Melancholia as Dejustification: <i>Hamlet</i> ’s Anti-absolutism, 99	

4	Revolution and the Power of Living: Popular Sovereignty	110
	“The Sovereign Is Always What It Should Be”: Rousseau’s Perpetual Revolution, 111 ■ The Other of Obedience: Spinoza’s Dejustification of Sovereignty, 122 ■ The Regime of Broken Promises: The Possibility of Democracy, 130 ■ The Paroxysm of the Aleatory: Kleist’s <i>Michael Kohlhaas</i> , 140	
5	Democracy and Its Other: Biopolitical Sovereignty	153
	Normalizing the Exception, 153 ■ The Unsavables: Marx’s Wager, 161 ■ Acts of Democracy: The Primacy of the Effect in Foucault’s Theory of Power, 175 ■ The Unexceptional: Coetzee’s Michael K. and Resistance, 188	
	Epilogue: A Relational Ontology of the Political	200
	Notes	205
	Bibliography	247
	Index	265

PREFACE

This book was a product of a series of accidents. In 2009 I found myself teaching philosophy at the University of Western Sydney in a major called “History, Politics and Philosophy.” To acknowledge the historical aspect of this major I wanted to design a new course that would look at the development of an idea. But it was not going to be simply a history of ideas. For it so happened that when I arrived at my new department, I had also finished a first, rudimentary draft of a book in which I was trying to investigate the possibility of a “logic” of sovereignty through a series of reflections on the word “stasis.” The manuscript required an introduction to contextualize the concept of sovereignty. Thinking that combining them would be the most expeditious and efficient strategy to dispense of my didactic and authorial duties, I decided to present the introduction as a course. This proved neither expeditious nor efficient for the completion of the manuscript on “stasis,” but by the end of the semester I realized that I had another manuscript in my hands. These serendipitous circumstances determined the topic and the disciplinary balance of *Sovereignty and Its Other*.

As for the tenor of the book, that was determined by another set of accidents. As a new university that was formed by the amalgamation of a number of higher education institutions, the University of Western Sydney had been seeking rapid expansion of its student population. But this was difficult due to the challenge posed by the fact that the campuses of the amalgamated institutions were located in a large geographical area and were often far apart. To provide lectures to students located in different campuses, a recording system was put in place for students to listen to the lectures if they were unable to travel to be physically present. There were also, of

course, tutorials where face-to-face teaching took place, but still I had to present my lectures to a large student audience that was only going to have access to the recordings—and indeed would never have met me in person, since the large numbers of students meant that teaching relied on assistants. Daunted by this present/absent audience, I decided to write my lectures. Or, rather, because I did not have the time to write them fully, I had to structure each lecture around a series of quotations that I annotated and then synthesized during the lectures. In 2010, as I was repeating the course, these lecture notes became a complete first draft of *Sovereignty and Its Other*. The notes provided the textual analysis of the book. Meanwhile, having to present lectures that would have been accessible to students listening to them on their iPods, I had to construct a narrative voice that was different from the seminar environment that I was more used to. This voice was instrumental in the rapid writing of the manuscript between July and November of that year.

It is not because of the healthy, even philosophical, irreverence toward institutions advocated by Spinoza—a crucial figure in the book—that I cannot thank the university as such for this book. It is rather because institutions are made from the people working in them, and I was very fortunate to be surrounded by stimulating colleagues. I would like to thank, then, Chris Fleming and Chris Peterson, Judith Snodgrass and Anthony Uhlmann, Allison Weir and Jessica Whyte, Cristina Rocha and George Morgan, Gail Jones and Magdalena Zolkos, Charles Barbour, and Alex Ling, and Paul Alberts and Tim Rowse. I also thank Peter Hutchings and Mike Atherton for the institution's support in the arduous editing of the draft manuscript in 2011. I am grateful also to Norma Lam-Saw for assistance with the manuscript and for her insights.

Presenting parts of the book at different research seminars, I was very fortunate to discover a challenging and demanding community of scholars with whom I let my ideas contend. For this privilege I can mention here the following: Kiarina Kordela, Cesare Casarino, and John Mowitt; Stathis Gourgouris, Gil Anidjar, and Andreas Kalyvas; Eleanor Kaufman and Amir Mufti; Justin Clemens; Arthur Jacobson, Peter Goodrich, and Stanley Fish; Peg Birmingham, David Pellauer, and Tina Chanter; Peter Fenves and Bonnie Honig. Andrew Benjamin supported the development of the ideas in too many ways to enumerate, but primarily by being *the* most challenging and demanding audience of my arguments.

The decision to actually write the book was made possible by Helen Tartar, who strongly encouraged me to embark on this project. The conception of the book took place while I was enjoying the generous hospitality of Tina Weller and Flemming Lembeck. The actual writing of the book was influenced primarily by two people. The first is Alexis Vardoulakis, my son. I can still point to the sections of the book that were written during my trips to see him in Melbourne. The other is Amanda Third. Her generosity of intellect and spirit enriches both my thought and my life.

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SOVEREIGNTY AND ITS OTHER

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PREAMBLE, OR POWER AND ITS RELATIONS

The present examination of sovereignty rests on the axiom that the operation of sovereign power consists in the justification of violence. Justification is determined—for reasons that will become clear later—in terms of a means-and-ends relation.¹ Thus the question that structures the present study entails that both a descriptive and a normative extrapolation of sovereignty are outside its purview. Rather, the examination of sovereignty proceeds through the construction of a relational ontology of power that interrogates the way that means relate to the ends of power. The thesis I defend is that there are two distinct forms of relation.² The first, sovereignty, consists in different modalities of the justification of violence. The second is a kind of relation that is incommensurable with a means-and-ends relation and hence cannot be reduced to justification. This relation is democracy, the other of sovereignty.

An important reason for examining sovereignty through such a relational ontology of power is that such an approach mediates on an ambiguity that seems to suggest that there are two incompatible ways of propounding a theory of sovereignty. The first concentrates on the epochal differences that structure power, whereas the second endeavors to derive a logic of power without a reliance on chronological ruptures. A rapprochement between these two different approaches is requisite to delineate sovereignty's relation to its other—namely, democracy. Or, more emphatically, a relational ontology of sovereign power incorporates both a typology of sovereign power—distinctions can be drawn as to how the means-and-ends relation of justification operates—and a logic of sovereignty that distinguishes it from

democracy. I will present some of the salient features of the relational ontology of power by starting with the distinction between the two approaches to sovereignty. This will lead us to show how justification can be understood as a means-and-end relation, as well as to how sovereignty is distinguished from democracy.

The most prominent philosopher to have adopted the first, epochal approach to sovereignty is Michel Foucault.³ His archaeologies of sovereignty rely on separating classical power from disciplinary power and then from biopower and so on.⁴ This approach also permeates the vast majority of the literature on sovereignty from political science and international relations.⁵ This is not to discount the significant diversity of views in the approach that concentrates on different epochal determinations of power. For instance, one of the most commonly held views in this approach is that sovereignty is a modern configuration of power whose main principle is the separation of national from international politics—or internal from external power.⁶ The corollary to this view is that sovereignty is power exercised by the state.⁷ This view is almost axiomatic in international relations, but it is not shared by Foucault. So what I have referred to as the “epochal” approach does include a wide variety of often competing perspectives.

Jacques Derrida and Giorgio Agamben have been the most prominent proponents in the past couple of decades of the approach that seeks to identify a logic of sovereignty. In *Rogues* Derrida identifies “ipseity,” or the self-referentiality of one power, as the main characteristic of sovereignty.⁸ In the lectures published as *The Beast and the Sovereign*, the figure of animality is identified as the other that animates sovereignty’s power.⁹ Agamben observes that Roman law defined subjectivity in relation to sovereignty as “*homo sacer*,” or the division of the individual into a political and a biological part. He contends that this same division applies diachronically, from Aristotle’s separation of *bios* and *zoe* to the contemporary biopolitical world.¹⁰ The provenance of these attempts to discover a logic of power may not be strictly speaking Friedrich Nietzsche, but Nietzsche’s work has been instrumental in propagating this approach. One crucial feature of this approach is that power—and hence sovereignty—are not confined to the state.¹¹ Rather, as Georges Bataille showed in his influential *The Accursed Share*, power is a matter of “economy,” or the sets of relations that permeate community and sociality.¹²

There have been some attempts at a rapprochement of these two approaches to sovereign power.¹³ The most important is Michael Hardt and Antonio Negri's *Empire*.¹⁴ Hardt and Negri both develop a historical typology of sovereignty and argue that the different forms of sovereign power rely on a single logic—namely, repression of the creative forces in society or the “multitude.” The crucial common denominator of their typology and their logic of sovereignty is the distinction between constituent and constituted power.¹⁵ They offer illuminating insights based on this distinction, but ultimately their logic requires constituent power to overcome constituted power. The “multitude” is expected to rise above, take over, and thereby abolish government—in Hardt and Negri's words, “the multitude banishes sovereignty from politics.”¹⁶ This proffers a vision of an occlusion to power. I criticize elsewhere such a utopian conclusion.¹⁷ Suffice it to say that I seek to avoid such an occlusion of power in the present book. To do so it is necessary to construct a logic of sovereign power that, unlike Hardt and Negri, does not depart from the opposition between constituted and constituent power.

The rapprochement that I am proposing here develops a logic of power that derives from an insight at the beginning of Walter Benjamin's “Critique of Violence.”¹⁸ Benjamin notes that power, or violence (*Gewalt*), can best be described through the way that the law relates to justice or, in other words, in terms of how violence is justified.¹⁹ He further describes the relation of law and justice as a means-and-end relation: “If justice is the criterion of ends, legality is that of means.”²⁰ Investigating sovereignty in terms of justification in general or the justification of violence in particular is nothing new.²¹ And even though it is less recognized, articulating legality and justice as a means-and-ends relation is not particularly novel, either—for instance, we will see later that Spinoza, a crucial figure for this book, had arrived at a similar conception.²² The novelty in Benjamin's argument consists rather in combining these two insights in order to draw distinctions about how power operates—moreover, distinctions that allow for a typology of power. Specifically, the central characteristic of modern conceptions of power is the privileging of means over the ends: “the central place [in this study] is given to the question of the justification of certain means that constitute violence,” writes Benjamin in order to delimit his article to the study of power or violence in modernity.²³ Thus Benjamin

implicitly asserts that the privileging of legality—or what he refers to as “positive law”—is the essential characteristic of modern power.

Benjamin’s articulation of the justification of violence through the use of a means-(law) and-ends (justice) relation can be expanded to provide a typology of power based on the ways in which such a means-and-ends relation is articulated. If the relation of means toward ends is the defining feature of modern power, then there can be two further modalities of power. In particular, there can be a power where the end justifies the means—that is, the reverse of the modern conception of power. I will argue here that this relation characterizes ancient sovereignty. Further, there can be a power that is characterized by a perceived lack of ends, or more precisely, by a justification of means with reference to further means. The present book refers to this kind of power as biopolitics. Schematically, the typology of relations of power that I derive from Benjamin’s essay will unfold as follows:²⁴

In Chapter 2 I argue that *ancient sovereignty* privileges the end over the means. For instance, Augustine argues in *The City of God* that the aim of mankind is to enter the “city of God.” The “pagans,” however, hinder the “pilgrims” from achieving this just end. Therefore, Augustine argues, violence is justified against the pagans. In other words, the end (entry into the “city of God”) justifies laws and institutions that function as the means to that end, including the exercise of violence against those who are opposed to that end. *The end justifies the means.*

Chapters 3 and 4 will show that *modern sovereignty* reverses the relation between means and end. When Machiavelli writes in Chapter XVIII of *The Prince* that a prince observing moral rules may be honorable, but will thereby lose power, he is not simply granting license for the exercise of unlimited violence. Rather, he provides a different justification of power—namely, that the sovereign must use the laws and institutions of the state to remain in power. The means (law and institutions) justify the end (the just aim of the perpetuation of sovereignty). In other words, it is just for the state to desire its self-perpetuation because *the means justify the end.*²⁵

Biopolitical sovereignty was a term coined by Foucault in *Society Must Be Defended* to describe, as I will outline in Chapter 5, the exercise of power through the control of populations. Biopolitics justifies itself in terms of the betterment of the lives of the people. With biopolitics issues such as the control of sexuality become central to the operations of power, as Foucault’s

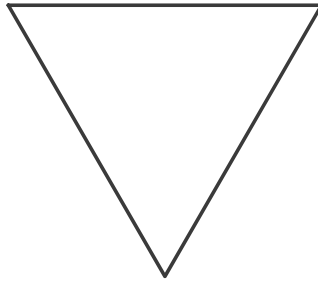
unfinished project on the history of sexuality makes clear. Biopolitics blurs the distinction between means and ends. For instance, sexuality is not regulated primarily by creating new laws, but through campaigns that aim to change how people think and act. Biopolitics describes a dispersed sovereign power that *blurs the distinction between means and ends*.

Understanding sovereign power in terms of the justification of violence, where justification is explicated in terms of a means-and-ends relation, enables a rapprochement of the two approaches to sovereignty. The logic of sovereignty is one of justification, whereas its typology is given by the differential relation between means and ends. The corollary to this rapprochement is that the three modalities of justification—ancient, modern, and biopolitical—can be distinguished, but not separated. Ultimately, as it will be argued throughout the book, this means that the three modalities of justification do not exclude one another, but rather are mutually supportive. This is a crucial point, since it makes possible a thinking of power without being based on a logic of justification—indeed, as I will argue shortly, the possibility of democratic judgment depends on recognizing that the different modalities of justification are distinct, yet inseparable.

We can represent the mutual support of the three modalities of sovereign justification in the form of a triangle—or the “trinity of justification,” as it will be called in Chapter 1. Each corner of the triangle indicates the privileged point of each form of justification (see figure on p. 6). The different forms of sovereignty indicate the direction in which justification proceeds. Thus ancient justification proceeds from end to means, whereas modern justification moves from means to end. A central thesis of the present study is that justification as such includes all three points of the triangle. The three modalities of justification—ancient, modern, and biopolitical—are mutually supportive. Or, more emphatically, the three justifications are *cosupponible*.

I will use the concept of the “neighbor” to illustrate in rough brushstrokes the cosupponibility of the three modalities of justification. As I will argue in Chapter 2, ancient sovereignty culminates in the universalism propagated by Christianity. One of the crucial figures in this context is Paul. His injunction to “love thy neighbor” is not merely a law, but rather the justice that underlies any sense of legality. As Freud observes in *Civilization and Its Discontents*, such a sense of neighborly love functions as a justification of violence.²⁶ Violence is inevitable, since Paul’s logic relies on

Means
(modern)



End
(ancient)

Means and End
(biopolitical)

a dichotomy between “us” who love and “them” who do not: “They which are the children of the flesh, these [are] not the children of God” (*Romans* 9:8). If neighborly love creates a community under God, those who have earthly desires are excluded from that community. It is a small step from here to more systematic elaborations of just war—it is simply a matter of developing a system that defines what the “flesh” is. Notions of nationalism can be understood as the transfiguration of the Christian neighborly love into the modern justification of violence. Modern sovereignty can privilege the realm of means or legality because of the insistence on the independence of a state from other states or of the separation between one state’s system of laws and another system of laws in modernity. The universalism of neighborly love is now constrained within the borders of a nation state. Thus the fellow citizens who share the same ethnic and/ or religious identity now become the territorially determined neighbors, and their other is now the foreigner. With the advent of “postmodernity” and high capitalism, territorial integrity is undermined. From the perspective of biopower, ethnic and/or religious identity is no longer the essential criterion that determines one’s neighbor. Rather, now the criteria are being constructed through the control of populations—or what Hardt and Negri call a “right to police.”²⁷ From health to housing to work, conduct is regulated, and whoever deviates from the justified norm is no longer a neighbor. The figure of the “smoker” can be taken as an example of biopolitical control of conduct. Smoking is regulated on the grounds that it is harmful to personal and public health. The ban on smoking extends across public spaces, across territorial borders—no smoking is allowed on airplanes—and even

to private places—for instance, the state of Tasmania in Australia recently prohibited smoking in the presence of minors, even in one’s private home.²⁸

A number of inferences can be drawn from the different configurations of the neighbor according to ancient, modern, and biopolitical forms of justification. First, violence is justified by identifying someone who is not a neighbor—someone who is other. Differently put, there is a logic of sovereignty that relies on the justification of violence. Second, the other can be determined in different ways. The logic of sovereignty can be expressed in three different modalities. Third, the three different modalities of the justification of violence are distinct, but they do not preclude each other. Paul’s “children of the flesh,” the “foreigner” of the nationalist discourse, and the “smoker” of biopower have a family resemblance, which is not merely a lapse into identity politics.²⁹ Rather, it moves toward a relational ontology of sovereignty according to which one modality of justification does not preclude either of the other two modalities. The “smoker” can be castigated not simply on health grounds. Smoking can also be constructed as a marker of identity—it is “these foreigners” who smoke more than “us.” Or smoking can be linked to immoral behavior—to the sin of lusting after earthly pleasures or the sin of harming (not loving) others.

The mutual support of the three forms of justification as a result of asserting both a typology of sovereign power and a logic internal to it is indispensable in recognizing the other of sovereignty. To say simply that the sovereignty’s other is he or she against whom violence is justified is not really to say very much. The cosupponibility of the different modalities of justification entails that potentially—if not de facto—everyone can be positioned as the other. The multifarious forms of justification can be applied to every situation. Sovereignty is omnipresent because being a subject means being subjectable to violence.³⁰ Consequently, a form of relating that does not privilege justification—the other to sovereignty—cannot be sought simply in the other that sovereignty subjects, precisely because everyone is subjectable. Instead, the other of sovereignty has to be sought in how its logic is disrupted by altering its defining relation—that is, justification. It is this disruption of justification that is called here judgment, which is a different kind of relation, as I will argue in Chapter 1. In addition, judgment is understood as the defining feature of democracy. In this sense, democracy is the other of sovereignty.

Without a recognition of the cosupponibility of the different modalities of justification—or a recognition that sovereignty can assume three forms—judgment cannot counter justification. I will illustrate this point with a specific example: namely, the Australian government’s justification of violent actions against refugees as it was expressed at the height of the debate in the lead-up to the 2001 general elections. The anti-refugee stance of the incumbent Liberal government was encapsulated in Prime Minister John Howard’s statement, made for the first time on October 28, 2001: “We will decide who comes to this country and the circumstances in which they come.”³¹ This statement summarized the government’s attitude to asylum seekers arriving by boat and was regularly repeated during the rest of Howard’s tenure as prime minister. By adjusting the emphasis this statement can be used to justify the government’s violence against asylum seekers in accordance with the three modalities of justification that correspond to the three forms of sovereignty—ancient, modern, and biopolitical. As I will demonstrate, each modality of justification can be countered individually, but sovereignty can still slip from one form to another. To interrupt justification and to arrive at the possibility of judgment, the logic of justification as such must be countered.

The most obvious meaning of the statement “we will decide who comes to this country and the circumstances in which they come” is the assertion of territorial sovereignty. A sovereign nation must retain control of its borders. This corresponds to the modern justification of violence—those who enter illegally are subject to punishment. Hence the government called the refugees “illegal immigrants.” The main argument to counter this form of justification relies on human rights. According to the Geneva Convention, a refugee is a person who is subject to prosecution on political or religious grounds in his country of origin.³² Australia, as a signatory to the convention, is obliged to provide asylum to refugees. Therefore, from a legal perspective, the asylum seekers posed no challenge to the border integrity of Australia. An argument based on the rights of the refugees can deal with the claim about the undermining of Australian sovereignty where sovereignty is understood in the modern sense.

Confronted with the rights discourse, power can shift to a justification of means through an end—that is, to ancient sovereignty. In fact, the statement “we will decide who comes to this country and the circumstances in which they come” was mobilized in precisely this manner. Three weeks

before Howard made this statement, the infamous “children overboard affair” had unfolded. A sinking boat carrying asylum seekers was rescued by the Australian navy on October 6, 2001. The government released photos of children in the ocean, purporting that their parents threw them in the water so as to be rescued by the navy, thereby effectively reaching Australian territory. Although it was later revealed that children were not actually thrown overboard, the rhetoric of not wanting to take into Australia “the kind of people who put their children in danger” was widely used by the Howard government.³³ The condemnation of exposing one’s children to harm became a moral denouncement of all refugees who were seeking passage to Australian shores on leaky boats. Behaving in such a way was explicitly framed as “unaustralian.” This posited an end, “australianess,” that was used to aggravate fears about the potential of a large wave of refugees on Australia’s northern doorstep to inundate the country and corrupt its moral substance. This justification was used in direct contravention to the Refugee Convention in order to transport asylum seekers to a remote Pacific island, where they were effectively incarcerated while their refugee claims were processed. A response to this moralizing justification was provided by the “We are all boat people” campaign.³⁴ The campaign concentrated on dispelling the myths about refugees—for instance, by publicizing the facts of the “children overboard affair” as well as by challenging the perception that it is “unaustralian” to arrive by boat to Australia. However, debunking the moralistic argument directly could not deal with a third modality of justification.

This biopolitical justification of the violence exercised against the refugees interpreted the statement “we will decide who comes to this country and the circumstances in which they come” from the perspective of regulation. The asylum seekers arriving on boats in order to reach Australian shores were termed “queue jumpers.” They were portrayed as too impatient to await their turn to be processed offshore. Their supposed disdain of the norm was magnified to inflate yet more fears about refugees as a threat to a smoothly functioning Australian system of regulation—for instance, by making claims on the welfare system, thereby asking the Australian taxpayer to “reward” them for their impatience and dismissiveness. Again, it is not difficult to counter such biopolitical justifications of violence against the refugees with facts. For instance, the Australian government had to expend much more significant resources to establish the various

detention centers for refugees than it would have needed to care for their welfare. However, sovereignty would counter such arguments by reverting to either the modern or the ancient form of justification. Thus, it was claimed, the detention centers were “sending a message” that Australia is serious about the protection of its borders and that the Australian government was concerned to preserve the “fair dinkum” Australian way of life. The slippage among the three distinct modalities of justification was so rapid in the political speech around that time that the public rhetoric completely obscured their distinction. Ultimately it is that slippage itself that guards justification—a slippage that is symptomatic of the cosupponibility of justifications that protects sovereignty.

Justification, as I will argue throughout the book and as the above example illustrates, can be disrupted only by adopting a double strategy. First, it is necessary to distinguish and counter the three modalities of justification in any specific case. I call this judgment “dejustification.” The strength of dejustification resides in concentrating on the specific—the particularity of the case or the detail of the argument. In this sense dejustification has a particular historical character that allows it to tackle the distinct modalities of justification. Its limitation is that it does not account sufficiently for the slippage of justification—the cosupponibility of the three modalities of justification. For this a different kind of judgment is needed: what I call “democratic judgment.” This concentrates on showing that the function of all modalities of justification is the same—namely, the justification of violence. The role of the democratic judgment is to describe forms of commonality that counter violence. The basis of the democratic judgment is welcoming of the other as a way of disrupting the cycle of sovereign justification.

The rapprochement of the two approaches to sovereignty—the epochal approach that leads to the distinction of different forms of sovereignty and the approach that identifies a logic of sovereignty—achieves its full significance at this point. The rapprochement of the two approaches to sovereignty shows that the two kinds of judgment are in fact the way that judgment is registered in response to the two different approaches to sovereignty. Dejustification responds to the distinction between the different modalities of justification, while the democratic judgment counters the justification of violence that indicates the logic of sovereignty. This double aspect of judgment is recognized, *mutatis mutandi*, by Jacques Derrida in an address to

Pantion University in Athens.³⁵ Derrida identifies an unconditional thought that he associates with freedom and the democratic imperative to hospitality and the welcoming of the other. The unconditional is distinguished from sovereignty's assertion of frontiers and of the processes that identify the foreigner. Derrida acknowledges that the unconditionality of a free, democratic thought and the absolute power of sovereignty resemble each other. This leads to the question of how it is possible to distinguish them. "It is ultimately [because of] a theologico-political history of power," answers Derrida.³⁶ According to Derrida, then, the logic of sovereignty that operates through justifying the violence against whoever is deemed to be a stranger is interknitted with the historicity of the concept of power that has led to the formation of the modern concept of sovereignty. Thus any democratic thought, or the unconditional, in Derrida's terms, has to do two things at once: to assert the freedom of hospitality, but also, in tandem, to do so while being mindful of the theologico-political history that determines sovereignty. The former corresponds to the kind of relation to the other that I call democratic judgment, and the latter to the kind of relation opposed to the various modalities of justification that I call dejustification.

How is it possible, then, to make a choice between sovereignty and democracy? Are there any criteria that will help us decide between the two? Framed this way the questions are misleading, because they imply two things. First, they imply that it is possible to have democracy without sovereignty, judgment without justification. Nowhere in this book do I make such a claim. The reason is that I regard as the ultimate utopian illusion to believe in a politics where the justification of violence will be *de facto* completely eliminated. Second, they imply that a choice or decision is possible, presumably because of some preestablished, secure rule or law that dictates right from wrong. I regard this moralistic desire for secure criteria as a corollary to the aforementioned political utopia. Instead, the questions can be answered by making two observations. First, if it is in practice impossible to definitely separate democracy from sovereignty, then there is all the more reason to remain vigilant and proactive in exercising judgments. Democracy requires that endless task. Second, part of this task is the recognition that sovereignty's absoluteness—that is, its circularity and self-referentiality that articulates itself through the cosupponibility of the different modalities of justification—this absoluteness that appears to present sovereignty as omnipotent is, in fact, an assertion of the inferior

position of justification in relation to judgment.³⁷ The reason is that it is only in order to avoid judgment that the logic of sovereignty lapses into slippage, allowing for the cosupponibility of justifications. This slippage is a defensive tactic against judgment. Obscuring judgment is sovereignty's only chance in perpetuating the operation of its logic. Or, differently put, it is only because of its other, democracy, that sovereignty can operate. Thus it is not a question of what prevails—democracy or sovereignty, judgment or justification—but rather of describing the ways that sovereignty dissimulates its reactive stance against democracy. The task is to recognize sovereignty's reactive relation to democracy. Another name for this endless task is “judgment.”