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INSTITUTIONAL MORALITY  
INSTITUCIONALNI MORAL





Thomas M. Scanlon

## Individual Morality and the Morality of Institutions

**Abstract** This paper discusses the relationship between moral philosophy and political philosophy. It holds that political philosophy in some way is part of moral philosophy as the former deals with the content of moral standards governing the relations between individuals and institutions. That would be the purpose of the „morality of institutions“, while the so-called „individual morality“ would inform the standards applicable to individuals. On the basis of a conception of individual morality as it relates to contractualism and a discussion of the morality of institutions that closely follows John Rawls' theory of justice, the paper addresses the question of the foundations of the obligation to comply with institution-defined standards that are directed towards individuals. At the end, it focuses in particular on the difficulty of rationalizing that obligation in the case of unjust institutions.

**Keywords:** Moral philosophy, political philosophy, institutions, theory of justice, John Rawls, duty of compliance

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### 1. Introduction

My topic is the relation between moral philosophy and political philosophy – that is to say, the relation between the subject matter of these two enterprises. Is political philosophy simply a subfield of moral philosophy? I believe that in an important respect it is, but that it is nonetheless marked off as distinct. As my title indicates, I will take the first fundamental distinction here to be that political philosophy is concerned with institutions in a way that the rest of moral philosophy – what I will call individual morality – is not.

By individual morality I mean the moral standards that apply to individuals. Primarily, this means standards that determining the permissibility, impermissibility, and blameworthiness individual actions, but it can also include conclusions about values – about the best way to live – that are also commonly called moral. Many moral standards apply to us whether or not others are generally complying with them. For example, the prohibition against the use of deadly force has exceptions – we are permitted to use deadly force when we are attacked and this is necessary to preserve our lives. But this prohibition (with exceptions) holds whether or not it is being generally observed. It would still be wrong for us to attack someone who presented no threat to us even if many, or even most people were not observing this constraint. But other conclusions about the permissibility of individuals' actions depend on the principles that others are in fact following.

Suppose, for example, that the general use of products containing a certain chemical poses a threat to the health of all of us, and that there is no ambiguity about the appropriate remedy, which is simply to stop using such products. (I assume that the burden involved in doing this is the same for everyone, and I will neglect for the moment effects on the lives of those who work in the industry that produces these chemicals and sells products containing them.) If, recognizing this fact, most people have adopted a policy of not using these chemicals, then, I believe, it would be wrong for me to go on using them. (To put the matter in the terms of my own contractualist moral view, a principle permitting people to exempt themselves from this established practice is one that could reasonably be rejected.)<sup>1</sup>

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The practice of abstaining from the use of products containing this harmful chemical is what I am going to call an institution. An institution exists when people are generally not merely conforming to certain standards but see these as standards that they *should* comply with, in part because they believe that many others are doing likewise. This is a very abstract conception of an institution, but I am going to assume that states, legal systems, universities and other things we normally call institutions are institutions in this abstract sense, even though they are much more complex than the simple institution in my example.

The conclusion I just stated, about the wrongfulness of using products involving the harmful chemical when others are abstaining from such use out of recognition of the harms involved, depends on the existence of an institution in a way that the prohibition on the use of deadly force does not. But it is still a conclusion within individual morality. Political philosophy, as I am going to understand it, is concerned with moral standards for appraising institutions themselves – for example, as just or unjust.<sup>2</sup> The conclusions it reaches may have implications for what individuals may or should do, but these conclusions are not on their face conclusions of this kind. They are, rather, conclusions about institutions.

Conclusions arrived at in both of these subjects seem to be *moral* judgments in some broad sense. But what sense is this? This is the first question I want to address about the relation between the two subjects: in what sense are the questions they both deal with *moral* questions? My second question concerns the relation between these two subjects: what implications conclusions about the morality of institutions have for the permissibility or impermissibility of individual conduct, and whether the content of conclusions about the morality of institutions is exhausted by these implications.

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1 As presented in *What We Owe to Each Other* (Cambridge, MA: Harvard University Press, 1998).

2 These are what John Simmons calls questions about the *justification* of institutions. See Simmons, „Justification and Legitimacy“, *Ethics* 109 (1999), 739–771.

## 2. Diverse understandings of morality (a slight digression)

I believe that the term ‘moral’ is widely used without a clear, shared understanding of its content.<sup>3</sup> This is true not only in public discourse but also in academic discussions. It is generally agreed, I believe, that morality claims to be something important – that moral standards are supposed to be ones that everyone has good reasons to take seriously as (normally overriding) guides to conduct. But even people who believe that moral standards have this kind of authority are often quite unclear about what reasons we have to follow these standards. And people who are clearer about this often have different reasons in mind.

One way to identify the reasons that one takes to support moral requirements is to focus on the kind of distress one feels, and takes to be appropriate, when one realizes that one has fallen short of the requirements of morality in a given case. This is what I call the remorse test. The character of this remorse indicates the nature of the reasons one takes to support the standards one has violated. Identifying what one *takes* these reasons to be is, of course only first step in the reflective process. One then needs to ask whether they are, in fact, good reasons or whether, as Nietzsche would say, they are not good reasons, and susceptibility to them is a sickness one should try to transcend.

I believe that this process of reflection uncovers two kinds of diversity. First, different people take morality as they understand it to be backed by different reasons (in some cases good reasons, in other cases not.) But, second, in my own case, the remorse test seems to me to indicate that I take the term ‘moral’ to apply to standards backed by quite different reasons, and by different *good* reasons. I conjecture that this is true of other people as well, and I want to explore briefly this second form of diversity.

The central component of individual morality as I understand it – what I call the morality of what we owe to each other – is something we have reason to care about because we have reason to care about our relations with others in which justifiability of this kind plays an important role. There is, I believe a corresponding version of the morality of institutions, consisting of standards that institutions must meet if they are to be justifiable to those to whom they claim to apply. Much depends, of course, on the particular form of justification that is involved. Roughly put, I take it to be justification in terms of the interests of those who are affected. In what follows I will concentrate on this form of individual morality and of the morality of institutions, and it is in this sense that I regard them as both forms of *morality*. Moral wrongs of the

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3 I discuss this diversity of views more fully in „What Is Morality?“ in *The Harvard Sampler*, Jennifer M. Shephard, Stephen M. Koslyn, and Evelyn M. Hammonds, eds. (Cambridge, MA: Harvard University Press, 2011) pp. 243–266.

kind I have in mind are identified by a particular form of remorse: the feeling of alienation from others that comes with the realization that one has treated them in a way that could not be justified to them, or that one is participating with them in an institution that could not be justified to them (and even depending on their participation in this institution.)

But failures of this kind are not the only kind of thing that is commonly called morally wrong. Various kinds of personal fault, such as failure to work hard, or to strive for what is valuable, for example, are also plausibly called moral faults even when they do not involve failures in what one owes to others.

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In *Anna Karenina*, Tolstoy describes Levin, returning from a day of mowing in the fields with his peasants, as feeling morally superior to his brother, who has been lazing at home, reading. When we read this, it makes sense to us. But what idea of morality is involved? It might be that Levin feels less alienated from his peasants because he has been (at least in a token way) sharing their labor. This would be to invoke morality in the narrow sense I have described. But when we read the passage we might instead be thinking just that it is somehow *better* to be engaged in good, honest physical labor than to be stretched out on the sofa all day with a cigarette and a novel.

The latter idea is a matter of what Bernard Williams, in *Ethics and the Limits of Philosophy*, called ethics – a matter of how best to live – as opposed to morality, which is concerned just with our obligations to others. Until Williams wrote, the terms, ‘morality’ and ‘ethics’ were, at least in most academic circles, used more or less interchangeably. The fact that a philosophy course was called „Ethics“ or „Moral Philosophy“ would not indicate any expected difference in content. And one thing about this content is that it is unlikely to have anything to do with sex. That is to say, although some forms of conduct involving sex, such as rape, would be morally wrong in the sense dealt with in such a course, this would only be because they were instances of more generic wrongs, such as the use of force, violence or deception. Sex itself – the number of individuals involved, whether they were men or women, the parts of the body used, and so on would be of no moral consequence, in the sense of ‘moral’ that would be discussed.

Out in the world, of course, things are quite different. If you read in the newspaper that there is a question about some politician’s morals, you know right away that it has to do with sex. And if it is ethics that is mentioned, then it probably has to do with money. It seems to me, however, that this popular way of understanding the distinction between ethics and morality has things importantly backwards. If there is a difference, as Williams suggested, and as I think there is, between questions of obligation and broader questions of value about how to live; and if there are moral issues having to do with sex that go beyond what we owe to others, as I believe there are,

then these issues are matters of ethics rather than morality. They have to do with what is worth valuing and how rather than with what is permitted or forbidden. This may sound like pedantic terminological housekeeping, but it is of genuine importance. It sounds melodramatic to say that many lives are spoiled by the widespread confusion on this point, but I believe that that is in fact the case. But that is a topic for another lecture.<sup>4</sup>

I have mentioned sex and hard work as two subjects of moral concern in a sense of ‘moral’ that goes beyond what we owe to others. Another is loyalty to a cause or institution. Such loyalty, which is plausibly called a moral virtue, is not something required by principles specifying what one owes to others. It is rather a matter of steadfastness in one’s commitment to a cause or institution that is worth caring about. A person who turns out to be disloyal is open to criticism, by others who are committed to this cause or institution, not only, or mainly, for failure in what he owes to *them*, but also for insufficient commitment to *it* – to the cause or institution in question. And this is a moral failing only insofar as *it* is worthy of this kind of commitment.

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My point in this discussion of the diversity of understandings of the term ‘moral’ is not only that different people seem to use this term with different things in mind but also, as I have said, that each of us uses it to refer to what I suggest we should see on reflection as a diverse collection of values. When we recognize this diversity the question we should address is not „which conception captures what *morality* really is?“ Rather, the questions we should ask are: „what are these values, which of them are really worth caring about, and how do they fit together?“

Corresponding to this diversity in ways of understanding individual morality, there is diversity in moral criticisms of institutions. As I have said, the institutional morality that I will mainly discuss focuses on the justifiability of institutions to individuals, based on their individual claims. But, just as there can be criticism of individuals, plausibly called moral, based on their responsiveness to particular values other than their obligations to others, so also institutions might be criticized on the basis of the valuable ends they promote, the kind of individuals they tend to produce, or the kind of lives they encourage these individuals to lead.

Rawls puts forward what I am here calling an individualist version of the morality of institutions when he says at the outset of *A Theory of Justice* that he is viewing a society as a „cooperative venture for mutual advantage“ (Rawls 1999: 4–5) designed to advance the good of the individuals with disparate aims and purposes who are taking part in it. A conception of justice,

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4 The title might be, „From a Moral and Ethical Point of View, Sex Is Like Work“. I leave it as a homework problem to figure out why this is so.

as Rawls understands it, is a set of standards for assessing the claims that such individuals may make against a system of cooperation, understood in this way. Such a conception establishes what he refers to as the „bonds of civic friendship“ limiting individuals’ pursuit of their disparate aims. This way of understanding justice – and what I am calling the morality of institutions – differs sharply from the one that would be appropriate for society conceived as a set of individuals united in the pursuit of some shared goal or value.

Institutions of the latter kind include universities, political parties and action groups, as well as some businesses. We are invited to rely on and support in these institutions various ways insofar as they are guided by important values. What does it mean for an institution to be *guided by* values? I take it to mean this. Institutions are comprised of individuals to whom they assign various roles and responsibilities. To say that an institution is guided by certain values is to say that it is so organized that it will be responsive to these values if the individuals who are assigned these roles do their assigned parts. Whether this happens or not depends on the way in which the institution is organized, and on what might be called its internal „economy of influence“ – that is to say, on the pattern of motivations that the individuals who take part in it are responsive to.<sup>5</sup>

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So, for example, an airline is guided by the value of passenger safety if it is so organized that information about weather conditions and the mechanical condition of planes gets to the individuals who make decisions about flights, and the individuals who have this role are motivated to make the appropriate decisions about whether to fly or not, based on this information. When I decide to fly, I trust the airline to be guided by this value.

Similarly, Harvard University purports to be guided by the value of producing high-level scholarship and high quality education. It invites people to trust it by sending their children to study there and by placing confidence in the research that Harvard produces. It also invites loyalty, that is to say, invites donors to see that it is worth supporting, and those of us to work there see that it is worth working hard and sacrificing other commitments to do our jobs well. Corruption of an institution occurs when the internal economy of influence of an institution is such that it does not operate in the way required to be responsive to the values that are supposed to give others reason to care about it.

So understood, corruption, trust, and loyalty are normative notions. That is to say, they have to do with what reasons people have to behave in certain ways and hold certain attitudes. These notions also sound moral. But in what sense are they moral? One moral element is that of honesty – whether institutions are really doing what they purport to be doing and invite people

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5 See Larry Lessig, Memorandum of October 9, 2009 <http://www.ethics.harvard.edu/images/resources/pdfs/v1.0.pdf>.

to rely on their doing, or whether they are engaging in a form of deception that is ruled out by moral standards. This is not, however, the whole of the story. If I were to withdraw my trust and loyalty from an institution – whether it is an airline, Harvard, or the FDA – I might believe that it had been dishonest, by sailing under false colors, but my main underlying reason would be not that it had been misleading me but that it was not really responsive to the values in question. This matters to me not only because I object to being misled but also because I care about these values. So the main normative force of notions of trust, loyalty and corruption in this context derives from the particular values that are in question, whether this is personal safety, intellectual quality, or some other value.

This is parallel to what I said a few moments ago about disloyalty as an individual failing. If one person who is committed to some cause criticizes another for being insufficiently loyal to it, this may involve a charge of „letting the rest of us down“ by this lack of commitment. But this is not the main thing. The loyalty that is expected (and in this case held to be lacking) is not in the first instance a sense of obligation to the rest of us, who are fellow devotees of the goal. Loyalty in this case is in the first instance a matter of being motivated by commitment to the goal itself.

So the normative force of the relation that exists where there is loyalty and trust toward an institution, and lost when this is undermined by corruption is, so to speak, *vertical*. It is a relation between an individual and an institution, deriving from some value to which that institution is presumed to be responsive. This is in contrast to the *horizontal* moral ties between individuals who are cooperating members.

### **3. A preliminary question about the morality of institutions and its relation to individual morality**

I have so far been concerned with the question, „In what sense of ‘moral’ are individual morality and the morality of institutions both about morality?“ I have identified one understanding of „morality“ in which this is so. My second question about the relation between individual morality and the morality of institutions is how moral conclusions of this kind about institutions lead to moral conclusions about what individuals ought or ought not to do, and whether these conclusions about individual morality exhaust the normative content of conclusions about the morality of institutions.

I will address these questions within the framework of Rawls’s theory, because it offers a fully worked-out account of the relevant notions: of justice as the central notion of institutional morality and of the relation between the justice of institutions and the duties of individuals. In doing this I do not mean to be arguing from authority, presuming the correctness of Rawls’ view. It may

be that once we see what conclusions Rawls' account leads us to we will be led to question its basic assumptions and look for an alternative.

Principles of justice, according to Rawls, are standards for assessing individuals' claims against their institutions, in particular against what he calls the Basic Structure of their society. The role of these principles is to determine the validity of demands that those institutions be changed. In what Rawls calls a well-ordered society its members share what he calls a sense of justice. This means that they agree on principles of justice, and are motivated by them. Further, if the society is well-ordered, the citizens believe correctly that their institutions satisfy these principles. In the first instance, we can think of being motivated by their sense of justice as having a settled tendency to comply with institutions one believes to be just, to demand change when one believes institutions are unjust, and to acquiesce in such changes when they are demanded by others. This fits with Rawls's remark about a shared sense of justice as an „equilibrating device“. (Rawls 1999: 458) Even just institutions, he says, are likely to become unjust as conditions change. When this happens, the sense of justice that the citizens of a well-ordered society share motivates them to demand, work for and accept changes that are required to bring their institutions back to justice.

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Our sense of justice is what leads us to feel distress of the kind I described in section 2 when we consider the way our unjust institutions treat others, who must comply with these institutions in order for them to function and to meet our own needs. In Rawls's words, mentioned above, institutions that are not fully just strain the „bonds of civic friendship“, and the distress I described is an awareness of this strain.

Distress of this kind is an all too familiar feature of moral and institutional life. But what is the practical significance of this distress? Rawls says that it motivates us to do what is needed to make our institutions more just: taking standards of justice seriously means taking them as action guiding in the voting booth, and on other occasions on which one can have an effect on institutional arrangements. The sad fact, however, is that we generally find ourselves living under, and depending on, institutions that do not meet standards of justice in ways that we ourselves cannot do much, if anything, to change. We are trapped, via the institutions within which we live, in a morally unacceptable relationship with others who are involved in or affected by those institutions.

It is worth pausing to note the essential role of institutions in this kind of distress. If I hear that someone far away is abusing someone else, I may feel outrage. But what I am outraged about does not involve *me*. On the other hand, if I learn that an institution on which I rely operates by exploiting people somewhere, this does involve me, and occasions the kind of distress I am describing, even if I had no role in creating this institution and could not do anything to change it.)



Similar distress may also arise at the level of individual morality. Utilitarianism is often criticized as unacceptably demanding. But, taking into account the plight of all the people in the world who are in desperate need, and whom we could help, it seems likely that any plausible account of individual morality will involve standards of individual conduct that we are not in fact meeting, and that we are not likely to meet (given our concerns for ourselves and those close to us.) If so, then both individual morality and the morality of institutions have their painful side.

These may not, however, be separate problems. The requirements of individual morality that we are most likely to fall short of in this way – such as duties to help the distant, or not so distant, needy – are problems that really require institutional solutions. So the pain of realizing that one is falling short in these ways is really a case of the first kind of distress that I mentioned (of participating in institutions that do not meet standards of justice.)

The examples I just referred to involved our relation to poorer people in other parts of the world. But the points I have made apply domestically. We rely on the poor people in the U.S. who pick our fruit just as much as on the poor elsewhere who pick our coffee. So the same problems arise.

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Some might say that, insofar as injustice of this kind is something we have no way to avoid, distress about it is idle utopian hand-wringing. But it seems heartless to dismiss it. I naturally read the moving final paragraph of *A Theory of Justice* as expressing a longing for a condition in which such distress could in good conscience be avoided. However eloquent one finds that passage, however, one may still wonder whether justice, in the ideal sense with which Rawls is concerned, has anything to tell us about how to think about what to do in the conditions under which we actually live.

#### **4. Justice and duties to comply with institutions**

So far, these are claims only about the motivational role of a sense of justice. Nothing has been said about individual morality – about duty or obligation. I will now turn to the question of how conclusions about justice or injustice lead to conclusions about what individuals ought to do – to the link between the morality of institutions and individual morality. In Rawls' work, this link is forged by what he calls the Natural Duty of Justice. This duty, he says, „requires us to support and to comply with just institutions that exist and apply to us“ and also „constrains us to further just arrangements not yet established, at least when this can be done without too much cost to ourselves“. (Rawls 1999: 99) I will discuss the two parts of this duty in turn, beginning with the duty to comply.

The rationale for this duty might be briefly put by saying that if an institution is just, then individuals have no valid reason to object to it or to demand

changes. It would seem to follow that they have no justification for failing to do what the institution requires of them. (This may seem too quick, but I will explain later why I believe it is not.) What Rawls says is that we have a duty to comply with institutions that *exist*, that are *just*, and that *apply to us*. In order to understand what is involved in these three conditions, and the relation between them, it will be helpful to return to my example of the harmful chemical.

I said earlier that if most people have adopted a policy of not using these chemicals then, I believe, it would be wrong for me to go on using them. This conclusion lies within individual morality – it is a conclusion about what it is morally permissible for an individual to do. But it depends on a conclusion within what I am calling the morality of institutions, since it depends on the fact that the practice in question not only exists but also is just. But we should pause for a minute to consider what this means. It is natural at first to conceive of the justice of an institution in purely distributive terms. So, for example, the practice in this example would be unjust if (without some further justification) it required only some people to abstain from the use of products containing the chemical while allowing others to continue doing so. More generally, we might say that a practice is just if it distributes benefits and burdens in an equitable manner. This might be correct if „benefits“, „burdens“ and „equitable“ are understood in a sufficiently broad manner. But putting the matter this way may direct our attention away from the question of whether the benefits that the practice brings, however evenly they are distributed, are sufficiently important to justify the requirements it imposes, even if these are the same for everyone.<sup>6</sup>

I chose the example of the harmful chemical because I took it to be a case in which this requirement of sufficient importance was fulfilled. A clearer, or at least more dramatic example would be a system of cooperation for maintaining the dikes that keep the sea from washing us all away. A contrasting case would be Robert Nozick's example of the neighborhood public address system. (Nozick: 1999: 90–95) Suppose, he says, that there is a system of loudspeakers in your neighborhood and some of your neighbors get the idea that it would be a nice thing to make use of it for regular programming, provided by neighbors who can choose what to do – to report news, play music, read poetry or something else. They post a list assigning every member a time at which he or she is supposed to do this. After a few weeks have gone by, your assigned time arrives. You find that you have

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6 In what follows, I will assume that the benefits in question are benefits to individuals, specifically to those participating in the process, although the latter assumption will not be crucial. This makes the duty in question a matter of what I called above horizontal obligation. It is an interesting question whether and when institutions can be justified in the way I am presently considering by the fact that they are needed to promote some impersonal value. The idea that coercive institutions, at least, cannot be justified in this way would, I suppose, be a generalized form of Mill's Harm Principle.

enjoyed the institution very much. Even so, Nozick says, you have no obligation to take your turn if you do not wish to do so.

Insofar as this is so, I believe, it is so because the benefits that the institution provides are not sufficiently important to justify, as it were, conscripting all the neighbors to participate. A *just* institution of this kind would have to be voluntary. That is, it would have to allow neighbors to opt out if they so choose. Nozick suggests that the practice he describes is just, having in mind, I suppose, that it treats all the neighbors equally. But the practice is not just if it imposes unjustifiable obligations, and this is what his argument calls our attention to.

This brings us to the third condition Rawls states: that the institution *applies* to one. What is it for an institution to apply to someone in the relevant sense? Given the prior condition, that the institution is just, I believe we can take this to mean simply that the institution *claims* to apply to one. The question then is to whom can an institution justly claim to apply? The answer, I believe, is that a *just* institution can claim to apply only to those whose participation is needed in order to provide the benefits in question, and it can claim this only if these benefits are sufficiently important to justify the constraint that it involves.

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This solidifies what I earlier said might have seemed too quick a move from the fact that an institution was just – that no one had a valid complaint against it – to the conclusion that people were obligated to comply with it. This is a sound move because, as we have just seen, one complaint individuals might have against an institution is that it could not justly claim to apply to them. This explanation may seem to make the move valid by trivializing it, or, rather, by simply pushing the question one step back, to the question of what an institution must be like in order to be just. Nonetheless, reflection on the difference between the case of the harmful chemical and Nozick's public address system seems to me to indicate that this is where the question belongs.

## 5. Unjust institutions

We seem to have reached the conclusion that the justice of an existing institution is a sufficient condition for there to be a duty to comply with it.<sup>7</sup> Is it also a *necessary* condition? Is there no duty to comply with unjust institutions? This seemed to be so in the example of the neighborhood public address system. But that was a special case, for two reasons: because the injustice in question just lay in the absence of an „opt out“ provision, and because the benefit at stake was not very weighty. Things would, I think, be different in the case of an unjust scheme for maintaining the dikes. Justice does not

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<sup>7</sup> In the terms of John Simmons' paper, cited above, this amounts to the claim that an answer to the question of justification also settles the question of legitimacy.

seem *always* to completely undermine a duty to comply. Few if any existing large scale social institutions (what Rawls calls „basic structures“) are fully just, but it does not seem to follow that people have no obligation at all to comply with their requirements. So if we say that an institution is *legitimate* if those living under it have a duty to comply with its requirements then justice seems to set a higher standard than mere legitimacy.

But legitimacy, understood as an all or nothing affair, is too blunt a concept to handle the range of cases we should be interested in. For one thing, duties to comply vary, depending on an individual's position in an institution. If an established practice for curbing the use of products containing a harmful chemical were unjust, it would not follow that those who were the *beneficiaries* of this injustice had no duty to comply with the practice. Second, even if the injustice of a practice changes the moral situation of those who are victims of this injustice, it may not do so simply by removing any duty to comply with the requirements of the practice.

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This is even clearer in the case of the victims of injustice in actual societies. Consider, for example, one of the worst off groups in our society, people who are born and live in urban black ghettos.<sup>8</sup> These people grow up in conditions that present them with very limited opportunities for economic advancement, with severely limited political power, and with educational opportunities so poor as to make it unlikely that they will overcome these conditions. Institutions that avoidably put people in such conditions are seriously unjust, but this injustice does not *simply* undermine the duty of these people to obey the law. Its effects are more complex.

We need, then, to look more closely at the ways in which the fact that an institution is unjust affects the moral situation of those to whom it applies. I will approach this question using two strategies more or less simultaneously. The first is to consider what the second part of Rawls' Natural Duty of Justice might have to say about such cases. The second, which will be in the background, is to ask, as a contractualist, what principles governing the conduct of people in unjust institutions would be ones that no one could reasonably reject.

The second part of Rawls' Natural Duty of Justice „constrains us to further just arrangements not yet established, at least when this can be done without too much cost to ourselves“. This principle resolves what otherwise might have seemed to be a paradox in regard to „institutions not yet established“. Consider again the case of the hazardous chemical.<sup>9</sup> If a practice of abstaining

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8 What I say about in the following paragraphs is greatly indebted to Tommie Shelby's much fuller discussion in, „Justice, Deviance, and the Dark Ghetto“, *Philosophy & Public Affairs* 35 (2007) 126–160.

9 The institution involved in this example is not a basic structure in Rawls's sense. I will return later to the difference this makes.

from the use of products containing this chemical is established, then it is wrong for individuals to fail to comply with it. But if the great majority of people continue to use these products, despite the known effects, then this practice does not exist. Is it still wrong for any one individual to use these products? If giving up the products involves some cost, and any single individual's use of the products does not make a significant difference to the health hazard, then there may seem to be a paradox. On the one hand, it seems pointless for one individual to give up the products for no significant benefit. On the other hand, their general use violates a principle that no one could reasonably reject, and is causing serious harms. It therefore seems clearly incorrect to say that no one is doing anything wrong by continuing this use. So is the principle forbidding such use conditional on its being generally complied with, or not? Call this the non-compliance dilemma.

The appearance of a dilemma here depends on considering only two alternatives: compliance and non-compliance. The third alternative is that when there is general non-compliance, what non-rejectable principles require is that we make known to others our willingness to go along with a principle forbidding the use of these products, and urge upon them the importance of doing likewise. This may involve abstaining from the use of the products ourselves, to provide an example to others and as a sign of good faith. If a person has done this, and general non-compliance persists, then it might not be wrong for this person not to comply, if complying has significant personal cost. This alternative is expressed by the relevant clause of Rawls' Natural Duty of Justice.

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Turning now to the case of institutions that exist but are unjust, recall that principles of justice, as Rawls understands them, are standards for assessing basic structures, and in particular for assessing demands for change. Rawls describes a shared *sense* of justice as an „equilibrating“ source of motivation. We are now considering *principles* of justice as a source of justification, rather than a *sense* as (merely) a source of motivation.

Consider first the position of the participants of an unjust institution who benefit from the fact that it is unjust. Since the demands for change from those whom the institution treats unjustly are valid, it would be wrong for the beneficiaries of the injustice to resist the changes demanded. Rawls' Natural Duty goes farther, and requires that they work to promote such changes „when this can be done without too much cost“ to themselves. This requirement seemed correct in the case of institutions „not yet established“, and it seems just as correct in this case. But there is a question how the „costs to oneself“ are to be measured. In particular, does the loss of unjustly acquired benefits count among these costs? The answer that seems correct, and seems to follow from Rawls's account, is that they do not. Insofar as the demand that such benefits not be given is valid (which follows from the fact that the are unjust,) how can there be a valid objection to giving them up?

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Turn now to the position of those who, like the ghetto poor discussed in Shelby's paper, are the victims of unjust institutions. These people are, as we have said, entitled to demand changes in the institution, to make it more just. But these demands will be idle, and have no „equilibrating effect“, without some means for making them effective. In the case of an isolated practice of the kind I was imagining in my hazardous chemical example, the only possible means may be just public expression, backed perhaps by threats to withhold compliance. If these expressions are unavailing, then actual withdrawal of compliance could be justified as the only effective means of bringing change, and it would seem that those who benefit from the injustice of the scheme could not complain of the loss of benefits. That is, they could not complain about no longer getting the benefits of the institution without bearing their share of the costs. But if the number of those treated unjustly is large enough that their withdrawal undermines the effectiveness of the institution as a protection against the relevant harm, the unjust beneficiaries will not be the only ones who suffer. (Or, as in the dike-maintenance case, the might suffer greater harm than is justified by the degree of injustice.) There is a question, then, of how far non-compliance is justified when it has these costs. I do not have a systematic answer to this question. (I doubt that there is one.) The point is just that the importance of the benefit an institution provides, and hence the cost of losing this benefit, is one factor that needs to be taken into account in determining whether non-compliance is justified, just as it must be taken into account in determining whether individuals must be given the right to opt out.

Things are different in the case of what Rawls calls a basic structure, which includes mechanisms for its own alteration: political procedures for making and changing laws and legal institutions for challenging them. In order to be just, such institutions must include mechanisms through which demands for change can be made effective (mechanisms through which the „equilibrating function“ of a shared sense of justice can be realized.)<sup>10</sup> Where such mechanisms exist, the case that I have just sketched for withholding compliance is undermined.

But such mechanisms do not exist in the case of the ghetto poor in the U.S. As Shelby emphasizes, they are politically as well as economically isolated. It is unjust that they lack adequate representation, but also that they are stigmatized in a way that makes the larger society not inclined to take their complaints seriously. Their situation is one of what I will call *persistent injustice*: serious economic injustice coupled with an (unjust) absence of effective political means for demanding change. The question is how far victims of persistent injustice are released from any duties to comply with an unjust institution.

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10 As Charles Beitz argues, one requirement of political equality is that citizens have effective political means for protecting themselves against injustice. See his *Political Equality*, pp. 110–114.

One argument for the permissibility of non-compliance in such a case is the argument for civil disobedience as a means for expressing demands of justice. As in the case of an unjust practice for avoiding the effects of a hazardous chemical, but for different reasons, non-compliance is justified as a means of protesting persistent injustice because there are no alternative, legal means for expressing demands for change. The classic case for civil disobedience sees it as operating by appeal to the sense of justice of those in positions of power, in particular to their reluctance to punish violators of what they recognize as an unjust law. For the reason mentioned above regarding the political isolation of the ghetto poor, this appeal may be less effective in the case of *economic* injustice than against general denial of civil rights. If the majority regards ghetto citizens as lazy and immoral, then civil disobedience in support of a demand for greater equality of opportunity may be ineffective, because it fails to appeal to the sense of justice of the majority.

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This brings us to the question of whether what I have called persistent injustice undermines the obligation of disadvantaged citizens to comply with its laws (quite apart from whether non-compliance is an effective means to promote change toward greater justice.) The analogy with a system of cooperation like the one in the hazardous waste example suggests that this might be so. If an institution is persistently unjust, and non-compliance by those treated unjustly would not involve unacceptable costs, then the majority could hardly claim that citizens who are the victims of persistent injustice would be violating relations of reciprocity by failing to comply with its laws. These relations were already being systematically violated by the majority. But we need to look more closely at the question of what laws might justifiably be violated and why.

Even if ghetto residents had no obligation to comply with every law as such, they would still have natural duties to others. It would, for example, still be wrong for them to do things that cause pain, injury or death to other individuals. Many instances of theft may also belong in this category. Even if institutions of property are unjust, it is wrong to steal people's food, or their means of livelihood, such as the car they need to get to work.

But many laws do not merely forbid things of this kind. I have in mind laws such as zoning regulations, drug laws, laws against prostitution, and some forms of financial regulation. It is not implausible I believe, to say that victims of extreme injustice might be justified in violating some laws of this kind (by selling drugs, for example, or defaulting on their credit cards if they are charged an unjustifiable rate of interest) when this is necessary to get by and to support themselves and their families. (Shelby 2007: 152) It is not clear that in violating such laws they would be violating duties of reciprocity owed to the rest of us.

The plausibility of this claim (at least *I* find it plausible) rests on several factors that need to be made explicit. First, there is an appeal to *necessity*: to the fact that these forms of crime may be the only way for ghetto residents to survive economically. This factor is present also the familiar example of whether a parent could be justified in stealing a drug, needed to save a child's life, from a pharmacist who refused to sell it, or refused to do so at a reasonable price. Second, as the word 'reasonable' here suggests, there is the question of whether crime deprives others of things that they have a just claim to. Some of the crimes mentioned are „victimless crimes“. The wrongfulness of violating laws proscribing such things (and the permissibility of enforcing them) seems to me seriously undermined if the political process through which they are enacted is seriously unjust. Even where violating laws involves costs to others, if the benefits that would be lost are benefits that are gained only in virtue of the unjust nature of the practice, then, as I remarked earlier, it seems to follow that the person cannot complain of losing them.

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Duties of justice do, however, limit non-compliance in a different way. The Natural Duty to promote the existence of just institutions, does, I believe, require even victims of injustice not to act in ways that can be foreseen to worsen the prospects for improving unjust institutions. So, in Shelby's words, this duty requires them „to not take courses of action that would clearly exacerbate the injustice of the system or that would increase the burdens of injustice on those in ghetto circumstances or others similarly situated, at least not when these negative consequences can be avoided without too much self-sacrifice“. (Shelby 2007: 154)

Finally, going beyond the question of obedience to law, and the permissibility of enforcement, there is another range of obligations that can be affected by injustice, which is the obligations of those treated unjustly to be willing to work on the terms made available to them. If they do not owe it to us to be willing to cooperate on these terms, then it is unjust to withhold other forms of public benefit, such as public assistance, medical care and other benefits from those among the poor on the ground that they are refusing to do their share.

Returning to our own perspective, rather than that of the disadvantaged, this puts a slightly different light on the feeling of being trapped in institutions that treat others unjustly. This feeling arose from the observation that it is beyond our power to do much to make our institutions fully just. This seems true. But if what I have said is correct, then standards of justice have implications for things that we can do: for example, for the position we should take on welfare policy, drug laws, and general issues of law enforcement and incarceration. These might at first seem matters of social policy rather than fundamental justice. But if what I have been saying is correct then justice has something important to say about them.



I have been investigating the relation between the morality of institutions and the morality of individual action. In the last part of my paper I have been considering whether the justice of an institution is a necessary condition for there being a duty to comply with it. If, following Rawls, we think of the basic institutions of a society as „schemes of cooperation for mutual benefit“, and if we see the duty to comply with such an institution as a duty of reciprocity owed to one’s fellow citizens, then it may seem that if a basic structure is unjust, at least if it is persistently unjust, then individuals have no duty (at least not a duty of reciprocity owed to their fellow citizens) to comply with its laws. This seems too stark a conclusion. But I have tried to show that the situation is more complicated than this picture would suggest. I have tried to explore some of these complexities in the relation between conclusions about justice – conclusions in the morality of institutions – and conclusions about the morality of individual action.

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Tomas M. Skenlon

## Individualni moral i moral institucija

**Apstrakt** U ovom članku raspravlja se o odnosu između moralne i političke filozofije. Smatra se da je politička filozofija na izvestan način deo moralne filozofije, pošto se prethodna bavi sadržajem moralnih standarda koji rukovode odnosima između pojedinaca i institucija. To bi bila svrha „morala institucija“, dok bi takozvani „individualni moral“ upućivao na standarde primenljive na pojedince. Na osnovu koncepcije individualnog morala u odnosu na kontraktualizam i rasprave o moralu institucija koja pomno prati teoriju pravde Džona Rolsa, u članku se postavlja pitanje o temeljima obaveze da se podržavaju institucionalno definisani standardi upravljani na pojedince. Na kraju, članak se posebno usredsređuje na teškoću racionalizovanja te obaveze u slučaju nepravednih institucija.

**Ključne reči:** moralna filozofija, politička filozofija, institucije, teorija pravde, Džon Rols, dužnost podržavanja

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### 1. Uvod

Moja tema je odnos između moralne filozofije i političke filozofije – to će reći, odnos između predmeta istraživanja tih dvaju poduhvata. Da li je politička filozofija naprosto potpolje moralne filozofije? Verujem da u jednom važnom pogledu ona to jeste, no ipak se politička filozofija određuje kao distinktna. Kako moj naslov nagoveštava, kao prvu fundamentalnu razliku ovde ću uzeti da se politička filozofija bavi institucijama na način na koji se veći deo moralne filozofije – ono što ću nazvati individualnim moralom – ne bavi.

Pod individualnim moralom podrazumevam moralne standarde koji se odnose na pojedince. To, prevashodno, podrazumeva standarde koji određuju dopuštenost, nedopuštenost i prekora vrednih individualnih postupaka, no oni mogu uključivati i izvođenje zaključaka o vrednostima – o najboljem načinu življenja – koji se takođe obično nazivaju moralnim. Mnogi moralni standardi važeći su za nas bez obzira na to da li ih se ostali generalno pridržavaju ili ne pridržavaju. Na primer, zabrana upotrebe smrtonosnog oružja ima izuzetke – dopušteno nam je da pribegnemo smrtonosnom oružju kada smo napadnuti, što je neophodno kako bismo sačuvali svoje živote. No ova opšta zabrana (sa izuzecima) važi nezavisno od toga da li je se generalno pridržavamo. Ipak bi bilo neispravno da napadnemo nekoga ko za nas ne predstavlja nikakvu pretnju, čak i ako se mnogi, ili pak većina ljudi ne bi pridržavali tog ograničenja. Međutim, neki drugi zaključci o dopuštenosti individualnih postupaka zavise od principa koje drugi zapravo slede.

Pretpostavimo, na primer, da opšta upotreba proizvoda koji sadrže izvesne hemikalije predstavljaju pretnju po zdravlje svih nas, i da nema dvosmislenosti u pogledu odgovarajućeg leka, koji je jednostavno prestanak upotrebe takvih proizvoda. (Pretpostavljam da je teret koji se podrazumeva u činjenju toga isti za svakoga, a za trenutak ću prenebregnuti dejstvo na živote onih što rade u industriji koja proizvodi takve hemikalije i prodaje proizvode koji ih sadrže). Ako je većina ljudi, prepoznajući ovu činjenicu, usvojila politiku neupotrebe tih hemikalija, onda bi, verujem, s moje strane bilo neispravno da nastavim da ih upotrebljavam. (Da to izrazim terminima svog kontraktualističkog moralnog stanovišta, princip koji ljudima dopušta da sebe izuzimaju iz ove ustanovljene prakse jeste princip koji bi se razložno mogao odbaciti).<sup>1</sup>

Praksa uzdržavanja od upotrebe proizvoda koji sadrže tu štetnu hemikaliju jeste ono što ću nazvati institucijom. Institucija postoji kada se ljudi ne samo generalno prilagođavaju izvesnim standardima, već te standarde shvataju kao one kojih bi *trebalo* da se pridržavaju delimično zbog toga što veruju da mnogi drugi to isto čine. Ovo je vrlo apstraktna koncepcija institucije, no ja ću pretpostaviti da države, pravni sistemi, univerziteti i druga uređenja koje obično nazivamo institucijama jesu institucije u ovom apstraktnom smislu, iako su umnogome složenije od jednostavne institucije u mom primeru.

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Zaključak koji sam upravo izneo, o neispravnosti upotrebe proizvoda koji sadrže štetne hemikalije kada se ostali uzdržavaju od takve upotrebe kroz prepoznavanje štetnih posledica, zavisi od postojanja institucije na način na koji zabrana upotrebe smrtonosnog oružja ne zavisi. Međutim, to je i dalje izvođenje zaključaka unutar individualnog morala. Politička filozofija, kako je ja razumevam, bavi se moralnim standardima zbog procenjivanja samih institucija – na primer, kao pravednih ili nepravednih.<sup>2</sup> Zaključci do kojih ona dospeva mogu imati implikacije po ono što pojedinci mogu ili bi trebalo da čine, no oni po svom izgledu nisu zaključci te vrste. Oni su pre zaključci o institucijama.

Zaključci do kojih se dolazi u obe ove oblasti čini se da predstavljaju *moralne* sudove u izvesnom širem smislu. No koji je to smisao? To je prvo pitanje koje želim da postavim o odnosu između ove dve oblasti: u kojem smislu su pitanja za koja se obe oblasti zanimaju *moralna* pitanja? Moje drugo pitanje tiče se odnosa između te dve oblasti: kakve implikacije izvođenje zaključaka o moralu institucija imaju po dopuštenost ili nedopuštenost individualnog ponašanja, te da li se sadržaj zaključaka o moralu institucija iscrpljuje tim implikacijama.

1 Kako je izloženo u mojoj knjizi *Šta dugujemo jedni drugima* (*What We Owe to Each Other*, Cambridge, MA: Harvard University Press, 1998).

2 To je ono što Džon Simons (John Simmons) naziva pitanjima o *opravdanju* institucija. Videti Simons, „Justification and Legitimacy“, *Ethics* 109 (1999): 739–771.

## 2. Različita shvatanja morala (mala digresija)

Smatram da se termin „moral“ u velikoj meri upotrebljava bez jasnog, zajedničkog shvatanja njegovog sadržaja.<sup>3</sup> To važi ne samo za javni diskurs, već i za akademske rasprave. Postoji opšta saglasnost, verujem, da moralni zahtevi predstavljaju nešto važno – da moralni standardi treba da budu takvi da svako ima dobre razloge da ih shvata ozbiljno kao (obično nadvladavajuće) vodiče za ponašanje. Međutim, čak i ljudima koji smatraju da moralni standardi poseduju ovu vrstu autoriteta često nije sasvim jasno kakve razloge imamo da sledimo te standarde. A onima kojima je to jasnije često imaju različite razloge na umu.

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Jedan način da se identifikuju razlozi koje shvatamo kao podršku moralnim zahtevima jeste da se usredsredimo na vrstu ogorčenosti kakvu osećamo, i koju prihvatamo kao prikladnu, kada shvatimo da u nekom datom slučaju nismo ispunili zahteve moralnosti. To je ono što ja nazivam testom pokajanja. Karakter tog pokajanja ukazuje na prirodu razloga koje shvatamo kao podršku standardima koje narušavamo. Identifikovanje načina na koji *shvatamo* prirodu tih razloga predstavlja, dabome, samo prvi korak u ovom refleksivnom procesu. Potom moramo da se upitamo da li oni, zapravo, predstavljaju dobre ili, pak, ne tako dobre razloge, u kojem bi slučaju, kako bi Niče rekao, prijemčivost za njih označavala bolest koju treba prevazići.

Smatram da ovaj refleksivni proces otkriva dve vrste različitosti. Kao prvo, različiti ljudi shvataju moral, onako kako ga shvataju, kao podržan različitim razlozima (u nekim slučajevima dobrim, u nekim ne tako dobrim razlozima). Ali, kao drugo, čini mi se da u mom primeru test pokajanja ukazuje na to da termin „moral“ shvatam kao da važi za standarde koje podržavaju sasvim različiti razlozi, te različiti *dobri* razlozi. Pretpostavljam da isto važi i za druge ljude, pa ukratko želim da istražim ovaj drugi oblik različitosti.

Središnja komponenta individualnog morala onako kako ga ja razumem – koji nazivam moralom onoga što dugujemo jedni drugima – jeste nešto o čemu imamo razloga da se staramo, zato što imamo razloge da se staramo o vlastitom odnosu prema drugima, u kojem odnosu opravdivost (*justifiability*) ove vrste ima važnu ulogu. Postoji, smatram, korespondirajuća verzija morala institucija, koja se sastoji od standarda koje institucije moraju da zadovolje kako bi postale opravdive pred onima za koje se tvrdi da važe. Mnogo toga zavisi, naravno, od osobenog oblika opravdanja koje se tu podrazumeva. Grubo rečeno, takvo opravdanje shvatam u terminima interesa onih koji su tu uključeni. U nastavku ću se usredsrediti na ovaj oblik individualnog morala i morala institucija, i upravo ću ovom smislu oba shvatati

3 O toj raznovrsnosti shvatanja potpunije raspravljam u „What Is Morality?“, u *The Harvard Sampler*, Jennifer M. Shephard, Stephen M. Koslyn, and Evelyn M. Hammonds, eds. (Cambridge, MA: Harvard University Press, 2011): 243–266.

kao oblike *moral*a. Moralne neispravnosti vrste koje imam na umu identifikuju se pomoću osobenog oblika pokajanja: osećanja otuđenosti od drugih koje nastupa shvatanjem da smo ih tretirali na način koji se pred njima ne bi mogao opravdati, ili da s njima učestvujemo u nekoj instituciji (koja pak zavisi od njihovog učestvovanja) koja sa pred njima ne bi mogla opravdati.

Ali podbacivanja ove vrste nisu jedina vrsta stvari koja se obično naziva moralno neispravnom. Različite vrste ličnih mana, kao što su propust da se naporno radi ili da se teži nečemu vrednom, na primer, plauzibilno se naziva moralnim manama, čak i kada one ne sadrže podbacivanja u onome što dugujemo drugima.

U *Ani Karenjini* Tolstoj opisuje Ljevina kako se, po povratku s dana košnje u poljima sa svojim seljacima, oseća moralno nadmoćnim u odnosu na svog brata koji se, čitajući, izležava u kući. Kada to čitamo, za nas to nema smisla. No kakva je ideja morala tu sadržana? Može biti da Ljevin oseća da je u manjoj meri otuđen od svojih seljaka zbog toga što je (makar na sličan način) delio njihove muke. To bi značilo uvesti moral u užem smislu koji sam opisao. Međutim, dok čitamo taj odeljak mogli bismo, naprotiv, pomisliti da je upravo nekako *bolje* biti angažovan u dobrom, poštenom fizičkom radu nego se po ceo dan tegliti na divanu uz cigaretu i roman.

Potonja ideja je pitanje onog što je Bernard Vilijams (Bernard Williams), u *Etici i granicama filozofije*, nazvao etikom – pitanjem o tome kako najbolje živeti – kao suprotstavljenu moralu, koji se tiče upravo naših obaveza prema drugima. Sve dok to Vilijams nije napisao, termini „moral“ i „etika“ upotrebljavali su se, makar u većini akademskih krugova, više ili manje kao međusobno zamenljivi. Činjenica da je neki filozofski kurs nazvan „etika“ ili „filozofija morala“ ne bi ukazivao na bilo koju očekivanu razliku u sadržaju. A jedna stvar u vezi s tim sadržajem jeste da je malo verovatno da on ima bilo kakve veze sa seksom. To će reći, iako bi neki oblici ponašanja koji podrazumevaju seks, kao što je silovanje, bili moralno neispravni u smislu u kojem bi se obrađivali unutar takvog kursa, to bi bilo tako samo stoga što bi oni predstavljali primere opštijih neispravnosti, kao što su primena sile, nasilje ili prevara. Seks sam po sebi – broj uključenih individua, da li su u pitanju muškarci ili žene, koji su delovi tela korišćeni, i tako dalje – ne bi bio ni od kakvog moralnog značaja, u smislu „morala“ o kojem bi se raspravljalo.

U svetu, dabome, stvari stoje sasvim drugačije. Ako u novinama pročitate da se dovodi u pitanje moral nekog političara, odmah znate da to ima veze sa seksom. A ako se pominje etika, onda to verovatno ima veze s novcem. Međutim, meni se čini da ovaj popularni način razumevanja distinkcije između etike i morala značajno unazađuje stvari. Ukoliko postoji neka razlika, kako to Vilijams sugeriše, i kao što ja mislim da postoji, između pitanja obaveza i širih pitanja o vrednosti načina življenja, te ako postoje moralni problemi, kao što smatram da postoje, povezani sa seksom koji su s one strane

onoga što dugujemo drugima, onda su ti problemi pre stvar etike nego morala. Oni su pre povezani s onim što je podložno vrednovanju i načinu vrednovanja nego s onim što je dopušteno ili zabranjeno. Ovo zvuči kao pedantno terminološko gazdovanje, ali je od istinske važnosti. Zvuči melodramatično reći da su brojni životi osakaćeni rasprostranjenim brkanjem ove razlike, ali ja smatram da je upravo to slučaj. No to je tema za neko drugo predavanje.<sup>4</sup>

Pomenuo sam seks i naporan rad kao dva predmeta moralne zainteresovanosti, u smislu „morala“ koji je s one strane onoga što dugujemo drugima. Još jedna takva zainteresovanost tiče se odanosti opštem dobru ili instituciji. Takva odanost, koja se plauzibilno naziva moralnom vrlinom, nije nešto što zahtevaju principi koji specificuju ono što dugujemo drugima. To je pre pitanje postojanosti u privrženosti nekom opštem dobru ili instituciji koja je vredna staranja. Osoba za koju se ispostavi da je neodana podložna je kritici, od strane onih koji su privrženi tom opštem dobru ili instituciji, ne samo, ili ne mahom, zbog podbacivanja u onom što ona duguje *njima*, već i zbog nedovoljne privrženosti *toj stvari* – opštem dobru ili instituciji o kojoj je reč. A to je moralno podbacivanje samo ukoliko je *to* vredno te vrste privrženosti.

Moja poenta u ovoj raspravi o različitosti razumevanja termina „moral“ nije samo u tome što se čini da različiti ljudi upotrebljavaju taj termin s različitim stvarima na umu, već i u tome što ga, kako sam rekao, svi upotrebljavamo da ukažemo na nešto što bi, sugerisao sam, trebalo da uvidimo kao raznovrstan skup vrednosti. Kada prepoznamo tu raznovrstanost, pitanje koje bi trebalo da postavimo nije „koja koncepcija zahvata ono što *moral* jeste?“. Pitanje koje bi trebalo da postavimo pre glasi „kakve su te vrednosti, koja je od njih zaista vredna staranja, i kako se one zajedno uklapaju?“

Ovoj raznovrstanosti u načinima razumevanja individualnog morala korespondira raznovrstanost u moralnoj kritici institucija. Kao što sam rekao, institucionalni moral o kojem ću uglavnom raspravljati usredsređuje se na opravdivost institucija pred pojedincima, a koja je zasnovana na njihovim individualnim zahtevima. Međutim, kao što može postojati kritika individua, koja se plauzibilno naziva moralom, koji je pre zasnovan na njihovoj osetljivosti prema osobenim vrednostima nego na njihovim obavezama prema drugima, tako se i institucije mogu kritikovati na osnovu vrednih ciljeva koje one pospešuju, vrsti pojedinaca koje one teže da stvore, ili vrsti života na koji one podstiču te pojedince da ga vode.

Na početku *Teorije pravde* Rols (John Rawls) predlaže ono što ja ovde nazivam individualističkom verzijom morala institucija, kada kaže da društvo shvata kao „kooperativni poduhvat na uzajamnu korist“ namenjen tome da unapredi dobro pojedinaca koji u društvu učestvuju s različitim ciljevima i

4 Naslov tog predavanja mogao bi da glasi „S moralne i etičke tačke gledišta, seks je poput rada“. Ostavljam kao domaći zadatak problem da se razluči zašto je to tako.

svrhama. (Rawls 1999: 4–5) Konceptija pravde, kako je Rols razume, jeste izvestan skup standarda za procenjivanje zahteva koje pojedinci mogu izneti protiv sistema saradnje, shvaćenog na ovaj način. Takva konceptija ustanovljava ono što on naziva „vezama građanskog prijateljstva“, koje ograničavaju težnje pojedinaca ka različitim ciljevima. Ovaj način razumevanja pravde – a što ja nazivam moralom institucija – oštro se razlikuje od onog koje bi bilo prikladno za društvo shvaćeno kao skup pojedinaca ujedinjenih u težnji ka nekom zajedničkom cilju ili zajedničkoj vrednosti.

Institucije potonje vrste uključuju univerzitete, političke partije i aktivističke grupe, kao i pojedine biznise. Pobuđeni smo da na razne načine podržavamo te institucije i da se u njih uzdajemo sve dotle dok se one rukovode važnim vrednostima. Šta to znači da se institucija *rukovodi* vrednostima? Smatram da to znači sledeće. Institucije se sastoje od pojedinaca kojima se dodeljuju razne uloge i odgovornosti. Reći da se neka institucija rukovodi izvesnim vrednostima znači reći da je ona tako organizovana da će biti osetljiva na te vrednosti ukoliko pojedinci kojima su dodeljene te uloge izvršavaju svoje dodeljene zadatke. Da li se to događa ili ne zavisi od načina na koji je ta institucija organizovana i od onog što bi se se moglo nazvati njenom unutrašnjom „ekonomijom uticaja“ – to će reći, od motivacijskog modela na koji pojedinci, što u toj instituciji učestvuju, reaguju.<sup>5</sup>

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Na primer, neka vazduhoplovna kompanija rukovodi se vrednošću bezbednosti putnika ukoliko je tako organizovana da informacije o vremenskim prilikama i mehaničkom stanju aviona dospevaju do pojedinaca koji donose odluke o letovima, a pojedinci koji imaju tu ulogu motivisani su da donesu odgovarajuće odluke, zasnovane na tim informacijama, u vezi s tim da li poletati ili ne. Kada odlučim da putujem avionom, verujem da se vazduhoplovna kompanija rukovodi tom vrednošću.

Slično tome, Univerzitet Harvard tvrdi da se rukovodi vrednošću stvaranja stručnosti na visokom nivou i visokokvalitetnog obrazovanja. On poziva ljude da mu veruju slanjem dece da tamo studiraju i polaganjem poverenja u istraživanja koja se na Harvardu sprovode. On takođe poziva na odanost, odnosno poziva darodavce da uvide kako je on vredan podrške, te nas koji tamo radimo da je vredno napornog rada i žrtvovanja ostalih obaveza da valjano obavljamo svoje poslove. Kvarenje institucije nastaje kada je unutrašnja ekonomija uticaja institucije takva da ne funkcioniše na način koji zahteva da se bude osetljiv na vrednosti koje drugima treba da pruži razloge da se staraju o njoj.

Tako shvaćeni, kvarenje, poverenje i odanost jesu normativni pojmovi. Odnosno, oni moraju biti povezani s razlozima koje ljudi imaju da se ponašaju

5 Videti Larry Lessig, Memorandum of October 9, 2009 <http://www.ethics.harvard.edu/images/resources/pdfs/v1.0.pdf>.

na izvesne načine i da zauzimaju izvesne stavove. Ti pojmovi takođe zvuče kao moralni pojmovi. No u kojem su smislu oni moralni? Jedan moralni element jeste element poštenja – da li institucije zaista čine ono što tvrde da čine i pozivaju ljude da se uzdaju u njihovo činjenje, ili pak pribegavaju izvesnom obliku obmane koji moralni standardi isključuju. To, međutim, nije čitava priča. Ako nameravam da povučem svoje poverenje i odanost nekoj instituciji – bila to neka vazduhoplovna kompanija, Harvard ili FDA (Uprava za hranu i lekove)\* – mogao bih pomisliti da je ona postala nepoštena, da se pokazuje u lažnom svetlu, ali moj glavni, osnovni razlog ne bi bio taj da me je ona obmanula, već da nije bila stvarno osetljiva na vrednosti o kojima je reč. To mi je važno ne samo stoga što se protivim tome da budem prevaren, već i stoga što mi je stalo do tih vrednosti. Dakle, glavna normativna snaga pojmova poverenja, odanosti i kvarenja u ovom kontekstu proizlazi iz osobenih vrednosti o kojima je reč, bilo da se radi o ličnoj bezbednosti, intelektualnom kvalitetu ili nekoj drugoj vrednosti.

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Ovo se podudara s onim što sam maločas rekao o neodanosti kao individualnom podbacivanju. Ukoliko jedna osoba koja je privržena nekom opštem dobru kritikuje drugu zbog nedovoljne odanosti tom opštem dobru, to za sobom može povući optužbu „ostaviti nas ostale na cedilu“ tim nedostatkom privrženosti. No to nije glavna stvar. Odanost koja se očekuje (a koja u ovom slučaju izostaje) nije pre svega osećaj obaveze prema nama ostalima, koji smo saprivrženi istom cilju. Odanost u ovom slučaju jeste pre svega biti motivisan privrženošću samom tom cilju.

Dakle, normativna snaga odnosa kakvi postoje kada ima odanosti i poverenja prema nekoj instituciji, i koji se gube kada institucija biva potkopana korupcijom, takoreći je *vertikalna*. To je odnos između pojedinca i institucije, koji proizlazi iz neke vrednosti za koju se pretpostavlja da je ta institucija na nju osetljiva. To je u suprotnosti sa *horizontalnim* moralnim vezama između pojedinaca koji predstavljaju kooperativne članove.

### 3. Preliminarno pitanje o moralu institucija i njegovom odnosu prema individualnom moralu

Dosad sam se bavio pitanjem „U kojem se smislu ‘moralnog’ individualni moral i moral institucija tiču morala?“ Identifikovao sam jedno razumevanje „morala“ u kojem je to slučaj. Moje drugo pitanje o odnosu između individualnog morala i morala institucija glasi kako moralni zaključci ove vrste u vezi s institucijama vode moralnim zaključcima u vezi s tim šta pojedinci treba ili ne treba da čine, i da li zaključci o individualnom moralu iscrpljuju normativni sadržaj zaključaka o moralu institucija.

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\* FDA (Food and Drug Administration) je agencija Ministarstva za zdravstvene i ljudske usluge SAD (prim. prev.).



Ova ću pitanja postaviti unutar okvira Rolsove teorije, zato što ona nudi potpuno razrađeni opis relevantnih pojmova: pojma pravde kao središnjeg pojma institucionalnog morala i pojma odnosa između pravde institucija i dužnosti pojedinaca. Čineći to ne mislim da raspravljam sa stanovišta autoriteta, pretpostavljajući ispravnost Rolsovog shvatanja. Može biti da ćemo, čim uvidimo kojim nas zaključcima Rolsov opis vodi, dovesti u pitanje njegove osnovne pretpostavke i tragati za nekom alternativom.

Principi pravde, prema Rolsu, predstavljaju standarde za procenjivanje zahteva pojedinaca protiv njihovih institucija, naročito protiv onoga što on naziva „osnovnom strukturom“ njihovog društva. Uloga tih principa jeste da odrede valjanost zahteva koji će promeniti te institucije. U onome što Rols naziva dobro uređenim društvom njeni članovi dele ono što on naziva osećajem za pravdu. To znači da su oni saglasni oko principa pravde i da su njima motivisani. Nadalje, ukoliko je društvo dobro uređeno, građani s pravom veruju da njihove institucije zadovoljavaju te principe. Pre svega, možemo zamisliti njihovu motivisanost osećajem za pravdu kao ozbiljnu sklonost podržavanja institucija u koje se veruje kao pravedne, da zahtevaju promenu kada poveruju da su te institucije nepravedne, te da pristanu na takve promene kada ih drugi zahtevaju. Ovo se uklapa s Rolsovom opaskom o zajedničkom osećaju za pravdu kao „uravnotežujućem sredstvu“ (Rawls 1999: 458). Kako se prilike menjaju, čak će i pravedne institucije, kaže on, verovatno postati nepravedne. Kada se to dogodi, osećaj za pravdu koji građani nekog dobro uređenog društva dele motiviše ih da zahtevaju, prihvataju i rade za promene koje su neophodne kako bi se njihove institucije vratile pravdi.

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Naš osećaj za pravdu jeste ono što nas nagoni da osetimo ogorčenost, one vrste koju sam opisao u drugom odeljku, kada razmotrimo način na koji naše nepravedne institucije tretiraju druge, koji ih moraju podržavati kako bi te institucije funkcionisale i zadovoljile naše potrebe. Rečeno Rolsovim rečima koje sam već navodio, institucije koje nisu potpuno pravedne zatežu „veze građanskog prijateljstva“, a ogorčenost koju sam opisao jeste svest o toj zategnutosti.

Ogorčenost ove vrste isuviše je dobro poznata crta moralnog i institucionalnog života. No kakav je praktični značaj ove ogorčenosti? Rols kaže da nas ona motiviše da činimo ono što je neophodno kako bismo naterali naše institucije da budu pravednije: shvatiti standarde pravde ozbiljno znači shvatiti ih kao vodiče za delanje u glasačkim kabinama, ali i u drugim prilikama u kojima se može dejstvovati na institucionalna uređenja. Tužna je činjenica, međutim, da sebe generalno zatičemo kako živimo pod institucijama, i zavisimo od njih, a koje ne zadovoljavaju standarde pravde na načine koje sami ne možemo mnogo, ako iole, promeniti. Upetljani smo, posredstvom institucija unutar kojih živimo, u moralno neprihvatljiv odnos s drugima koji su uključeni u te institucije ili su pod njihovim uticajem.

Nije na odmet primetiti suštinsku ulogu institucija u ovoj vrsti ogorčenosti. Ako izdaleka čujem da jedna osoba psuje drugu, mogu osetiti zgražavanje. Ali to zbog čega sam zgrožen ne tiče se *mene*. S druge strane, ako saznam da neka institucija u koju se uzdam funkcioniše tako što negde eksploatiše ljude, to me se tiče i daje povoda za vrstu ogorčenosti koju opisujem, čak i ako nisam imao nikakvu ulogu u njenom stvaranju i nisam mogao ništa učiniti da je promenim.

Slična ogorčenost može nastati i na nivou individualnog morala. Utilitarizam se često kritikuje kao neprihvatljivo zahtevan. Međutim, uzevši u obzir neprilike svih ljudi u svetu kojima je očajnički potrebna pomoć i kojima bismo mogli pomoći, čini se verovatnim da će svaki uverljivi opis individualnog morala sadržati standarde individualnog ponašanja koje zapravo ne zadovoljavamo, i koje verovatno nećemo zadovoljiti (s obzirom na našu brigu o sebi i o onima koji su nam bliski). Ukoliko je to slučaj, onda i individualni moral i moral institucija imaju svoju bolnu stranu.

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Međutim, može biti da ovo nisu odvojeni problemi. Zahtevi individualnog morala koje najverovatnije ne zadovoljavamo na ovaj način – kao što su dužnosti da pomažemo udaljenim, ili ne toliko udaljenim, siromašnima – predstavljaju probleme koji zaista iziskuju institucionalna rešenja. Dakle, bolno shvatanje da ne zadovoljavamo zahteve na ove načine zaista je primer prve vrste ogorčenosti koju sam pominjao (učestovanja u institucijama koje ne zadovoljavaju standarde pravde).

Primeri kojima sam upravo pribegao podrazumevaju naš odnos prema siromašnjima u drugim delovima sveta. Ali poenta koju sam istakao važi i za domaće prilike. Oslanjamo se na siromašne ljude u SAD koji beru naše voće baš kao što se oslanjamo na siromašne u drugim zemljama koji beru našu kafu. Dakle, izranjaju isti problemi.

Moglo bi da se kaže da, sve dok nepravda ove vrste predstavlja nešto što ne možemo da izbegnemo, ogorčenost u vezi s tim jeste zaludno utopijsko kršenje ruku. No čini se bezdušnim odbaciti ga. Dirljivi poslednji pasus *Teorije pravde* prirodno čitam kao da izražava čežnju za uslovima u kojima bi takva ogorčenost bez griže savesti mogla biti izbegnuta. Međutim, ma koliko bio rečit taj pasus, ipak se možemo zapitati da li pravda, u idealnom smislu za koji je Rols zainteresovan, ima išta da nam kaže kako da mislimo u vezi s tim šta činiti u uslovima pod kojima aktualno živimo.

#### 4. Pravda i dužnosti podržavanja institucija

Ovo su dosad samo tvrdnje o motivacionoj ulozi osećaja za pravdu. Ništa nije rečeno o individualnom moralu – o dužnosti ili obavezi. Sada ću se vratiti pitanju kako izvođenje zaključaka o pravdi ili nepravdi vodi zaključcima o tome šta pojedinci treba da čine – vezi između morala institucija i individualnog

morala. U Rolsovom delu ta je veza skovana pomoću onoga što on naziva „prirodna dužnost pravde“. Ova dužnost, kaže on, „zahteva od nas da podržavamo postojeće pravedne institucije koje važe za nas“ i takođe nas „prinuduje da unapređujemo pravedna uređenja koja još nisu ustanovljena, bar kada se to može učiniti bez prevelikih troškova za nas“ (Rawls 1999: 99). Raspravljajući redom o dva dela ove dužnosti, počev od dužnosti podržavanja.

Za obrazloženje ove dužnosti moglo bi se ukratko reći da, ako je neka institucija pravedna, onda pojedinci nemaju valjan razlog da joj se protive ili da zahtevaju promene. Čini se da bi sledilo da oni nemaju opravdanje za propust da učine ono što ta institucija od njih zahteva. (Ovo može izgledati prebrzo, ali kasnije ću objasniti zašto smatram da nije). Rols kaže da imamo dužnost da podržavamo *postojeće, pravedne i za nas važeće* institucije. Kako bismo razumeli šta je sadržano u ova tri uslova, i šta podrazumeva odnos između njih, biće od pomoći vratiti se mom primeru štetne hemikalije.

Ranije sam rekao da, ako je većina ljudi usvojila politiku neupotrebe tih hemikalija, onda bi za mene, smatram, bilo neispravno da nastavim da ih koristim. Ovaj zaključak pripada području individualnog morala – to je zaključak o tome šta je pojedincu moralno dopušteno da čini. Ali on zavisi od izvođenja zaključaka unutar područja koje nazivam moralom institucija, pošto zavisi od činjenice da praksa o kojoj je reč ne samo postoji već i da je pravedna. No, predah-nimo za trenutak kako bismo razmotrili šta to znači. Prirodno je, pre svega, poimati pravednost neke institucije u čisto distributivnim terminima. Tako, na primer, praksa u ovom primeru bila bi nepravedna ukoliko bi (bez nekog daljeg opravdanja) zahtevala samo od nekolicine ljudi da se uzdržavaju od upotrebe proizvoda koji sadrže tu hemikaliju, a drugima dopuštala da nastave da to čine. Uopštenije, mogli bismo reći da je neka praksa pravedna ako raspodeljuje koristi i terete na pravičan način. To bi moglo biti ispravno ako se „koristi“, „tereti“ i „pravično“ shvataju na dovoljno širok način. Međutim, postavljanje pitanja na ovaj način može skrenuti našu pažnju s pitanja da li su koristi koje ta praksa donosi, ma koliko ravnomerno bile raspodeljene, dovoljno važne da opravdaju zahteve koje ona nameće, čak i ako su ti zahtevi isti za svakoga.<sup>6</sup>

Primer sa štetnom hemikalijom izabrao sam stoga što ga smatram primerom u kojem je zahtev dovoljne važnosti ispunjen. Jasniji, ili makar dramatičniji primer bio bi sistem saradnje za održavanje nasipa koji zadržavaju more da nas potpuno poplavi. Suprotan slučaj predstavljao bi Nozickov (Robert Nozick)

6 U onome što sledi pretpostaviću da koristi o kojima je reč jesu koristi za pojedince, pogotovo za one koji učestvuju u tom procesu, iako potonja pretpostavka neće biti presudna. Dužnost o kojoj je reč to pretvara u stvar onoga što sam nazvao horizontalnom obavezom. Interesantno je pitanje da li i kada se institucije mogu opravdati na način koji sada razmatram, na osnovu činjenice da one iziskuju pospešivanje neke impersonalne vrednosti. Ideja da makar prinudne institucije ne mogu biti opravdane na taj način predstavljalo bi, pretpostavljam, izvestan uopšteni oblik Milovog principa štete.

primer komšijske razglasne stanice. (Nozick: 1999: 90–95) Pretpostavimo, kaže on, da postoji neka razglasna stanica u vašem komšiluku i da neki vaš komšija dođe na ideju da bi bilo zgodno upotrebiti tu stanicu za redovno emitovanje, koje obezbeđuju komšije kadre da proberu šta činiti – saopštavati vesti, puštati muziku, čitati poeziju ili nešto drugo. Objavljuje se lista koja svakom članu zajednice određuje vreme kada to treba učiniti. Posle nekoliko sedmica dolazi red na vas. Nalazite da veoma uživete u toj instituciji. Čak i da je tako, kaže Nozick, nemate obavezu da prihvatite svoj red ako to ne želite.

Ukoliko je to slučaj, to je stoga što, smatram, koristi koje ta institucija pruža nisu dovoljno važne da opravdaju, takoreći, regrutovanje čitavog komšiluka da u njoj učestvuje. *Pravedna* institucija ove vrste morala bi biti dobrovoljna. To jest, ona bi morala da dozvoli komšijama da odustanu ukoliko tako odluč. Nozick sugeriše da praksa koju on opisuje jeste pravedna, imajući na umu, pretpostavljam, da ona sve komšije tretira jednako. Međutim, praksa nije pravedna ako nameće neopravdive obaveze, a njegov nam argument upravo na to skreće pažnju.

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To nas dovodi do trećeg uslova koji Rols iznosi: da institucija *važi* za nekoga. Šta u relevantnom smislu znači da institucija *važi* za nekoga? Uzevši u obzir prvi uslov, da je neka institucija pravedna, smatram da možemo uzeti da to naprosto znači da ta institucija *zahteva* da *važi* za nekoga. Pitanje onda glasi za koga institucija s pravom može zahtevati da *važi*? Odgovor, smatram, glasi da pravedna institucija može zahtevati da *važi* samo za one čije je učestvovanje neophodno kako bi se obezbedile koristi o kojima je reč, te da ona to može zahtevati samo ukoliko su te koristi dovoljno važne da opravdaju ograničenje koje to za sobom povlači.

To učvršćuje ono za šta sam ranije rekao da može predstavljati prebrz korak od činjenice da je neka institucija pravedna – da niko nema valjan prigovor protiv nje – do zaključka da su ljudi obavezni da je podržavaju. To je ispravan korak zato što, kao što smo upravo videli, prigovor koje bi pojedinci mogli da upute protiv neke institucije glasi da ona ne bi mogla s pravom zahtevati da *važi* za njih. Možda se čini da ovo objašnjenje pravi taj korak valjanim time što ga trivijalizuje, ili pre time što ga naprosto gura nazad ka pitanju kako jedna institucija mora izgledati da bi bila pravedna. Pa ipak, meni se čini da refleksija o razlici između primera štetne hemikalije i Nozickovog primera razglasne stanice ukazuje na mesto kojem to pitanje pripada.

## 5. Nepravedne institucije

Izgleda da smo dospeli do zaključka da je pravednost neke postojeće institucije dovoljan uslov da postoji dužnost da se ona podržava.<sup>7</sup> Da li je to i

7 Prema navedenom članku Džona Simonsa (John Simmons), to se svodi na tvrdnju da odgovor na pitanje o opravdanosti rešava i pitanje o legitimnosti.

*nužan* uslov? Ne postoji li dužnost da se podržavaju nepravedne institucije? Čini se da je to slučaj u primeru komšijske razglasne stanice. No to je poseban slučaj, iz dva razloga: pošto nepravda o kojoj je reč upravo leži u odsustvu odredbe „odustajanja“, i pošto korist tu nije mnogo značajna. Stvari bi, smatram, stajale drugačije u slučaju neke nepravedne sheme za održavanje nasipa. Ne izgleda da pravda *uvek* potpuno podriva dužnost podržavanja. Od postojeće ogromne skale društvenih institucija (ono što Rols naziva „osnovnom strukturom“) malo ili nimalo njih je u potpunosti pravedna, ali ne čini se da iz toga sledi da ljudi nemaju nikakvu obavezu da podržavaju njihove zahteve. Dakle, kada kažemo da je neka institucija *legitimna* ukoliko oni koji žive od nje imaju dužnost da podržavaju njene zahteve, onda se čini da pravda predstavlja jedan viši standard od puke legitimnosti.

Međutim, legitimnost, shvaćena kao pitanje onog sve ili ništa, isuviše je otvoren pojam da bi se nosio s opsegom slučajeva koji bi trebalo da nas zanimaju. Jer, pre svega, dužnosti podržavanja se menjaju, zavisno od položaja individua u nekoj instituciji. Ako je neka ustanovljena praksa za obuzdavanje upotrebe proizvoda koji sadrže izvesnu štetnu hemikaliju nepravedna, iz toga ne sledi da *korisnici* te nepravde nemaju nikakvu dužnost da podržavaju tu praksu. Drugo, čak i ako nepravednost neke prakse menja moralnu situaciju žrtava te nepravde, može biti da se ona ne menja jednostavnim povlačenjem dužnosti podržavanja zahteva te prakse.

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Ovo je još jasnije u slučaju žrtava nepravde u aktuelnim društvima. Razmotrimo, na primer, jednu od najlošije stojećih grupa u našem društvu, ljude koji su rođeni i koji žive u gradskim crnačkim getoima.<sup>8</sup> Ti ljudi odrastaju u uslovima koji ih izlažu veoma ograničenim šansama za ekonomski napredak, uz strogo ograničenu političku moć i toliko siromašnim obrazovnim šansama da postaje malo verovatno da će oni moći da nadvladaju te uslove. Institucije koje stavljaju ljude u takve izbežljive uslove ozbiljno su nepravedne, no takva nepravda ne podriva *na jednostavan način* dužnost tih ljudi da se povinuju zakonu. Njene posledice su složenije.

Dakle, moramo da pobliže sagledamo načine na koji činjenica da je neka institucija nepravedna utiče na moralnu situaciju onih na se koje ta institucija odnosi. Ovom ću pitanju pristupiti pribegavajući, manje ili više istovremeno, dvema strategijama. Prvom ću strategijom razmotriti šta bi nam drugi deo Rolsove „prirodne dužnosti pravde“ mogao reći o takvim slučajevima. Uz pomoć druge strategije, koja će se nalaziti u pozadini, pitaću se, kao kontraktualista, koji bi principi što upravljaju ponašanjem ljudi u nepravednim institucijama bili oni principi koje niko ne bi mogao razložno da odbaci.

8 Ono što ću reći u narednim pasusima umnogome dugujem Šelbijevoj (Tommie Shelby) iscrpnijoj raspravi u „Justice, Deviance, and the Dark Ghetto“, *Philosophy & Public Affairs* 35 (2007): 126–160.

Drugi deo Rolsove „prirodne dužnosti pravde“ „prinuđuje da unapređujemo pravedna uređenja koja još nisu ustanovljena, bar kada se to može učiniti bez prevelikih troškova za nas“. Ovaj princip razrešava ono što bi inače moglo izgledati kao paradoks u odnosu na „institucije koje još nisu ustanovljene“. Razmotrimo opet primer opasne hemikalije.<sup>9</sup> Ako se ustanovi praksa uzdržavanja od upotrebe proizvoda koji sadrže tu hemikaliju, onda je za pojedince neispravno da podbace da je se pridržavaju. Međutim, ako velika većina ljudi nastavi da upotrebljava te proizvode, uprkos poznatim posledicama, onda ta praksa ne postoji. Da li je za bilo kog pojedinca i dalje neispravno da ih koristi? Ako odustajanje od korišćenja proizvoda za sobom povlači izvestan trošak, a pojedinačna upotreba tih proizvoda ne ugrožava u značajnoj meri zdravlje individua, onda to može izgledati kao paradoks. S jedne strane, čini se besmislenim da se pojedinac liši tih proizvoda a da od toga nema nikakvu značajnu korist. S druge strane, opšta upotreba tih proizvoda narušava princip koji niko ne bi mogao razložno da odbaci i uzrokuje ozbiljne štete. Stoga se čini jasnim da je neispravno reći da niko ne čini ništa pogrešno nastavljajući da ih koristi. Dakle, da li je princip koji zabranjuje tu upotrebu uslovljen njegovom opštom podrškom ili ne? Nazovimo tu dilemom ne-podrške.

Pojavljivanje dileme ovde zavisi od razmatranja svega dve alternative: podrške ili nepodrške. Treća alternativa se sastoji u tome da – kada postoji opšta nepodrška, a uzevši u obzir zahteve neodbacivih principa – drugima otkrijemo našu spremnost da prihvatimo princip koji zabranjuje upotrebu tih proizvoda i da ističemo važnost sličnog postupanja. To može podrazumevati da se sami uzdržavamo od upotrebe tih proizvoda, da pružamo primer drugima kao znak iskrenosti. Ako neka osoba tako postupa, a opšta nepodrška opstaje, onda možda za tu osobu nije neispravno da se ne pridržava tog principa, ukoliko bi pridržavanje označavalo značajan lični gubitak. Jedna relevantna rečenica iz Rolsove „prirodne dužnosti pravde“ izražava ovu alternativu.

Vratimo se sada slučaju postojećih a nepravednih institucija, prisetimo se da principi pravde, kako ih Rols razume, predstavljaju standarde za procenjivanje osnovnih struktura, a naročito za procenjivanje zahteva za promenom. Zajednički osećaj za pravdu Rols opisuje kao „uravnotežujući“ izvor motivacije. Pre nego osećaj kao (prosti) izvor motivacije, sada razmatramo *principe* pravde kao izvor opravdanja.

Razmotrimo najpre položaj učesnika neke nepravedne institucije koji izvlače korist iz činjenice da je ona nepravedna. Pošto zahtevi za promenom onih koje ta institucija tretira nepravedno jesu valjani, za korisnike te nepravde

<sup>9</sup> Institucija u ovom primeru ne predstavlja osnovnu strukturu u Rolsovom smislu. Kasnije ću se vratiti toj razlici.

bilo bi neispravno da se opiru zahtevanim promenama. Rolsova „prirodna dužnost“ ide još dalje, te zahteva da korisnici rade na tome da pospeše takve promene „kada se to može učiniti bez prevelikih troškova“ za njih. Čini se da je ovaj zahtev ispravan u slučaju institucija „koje još nisu ustanovljene“, a isto tako i u ovom slučaju. Međutim, postavlja se pitanje čime „troškove za nas“ treba meriti. Pogotovo, da li se gubitak nepravedno stečenih koristi računa u te troškove? Odgovor koji izgleda ispravan, a čini se da sledi iz Rolsovog opisa, glasi da se takav gubitak ne računa. Sve dok zahtev da takve koristi ne treba da budu pružene jeste valjan (što sledi iz činjenice da su one nepravedne), kako može postojati validan prigovor protiv odustajanja od njih?

Vratimo se sada položaju onih koji su, poput siromašnih u getoima o kojima se raspravlja u Šelbijevom članku, žrtve nepravednih institucija. Ti su ljudi, kao što sam rekao, ovlašćeni da zahtevaju promene u toj instituciji kako bi je napravili pravednijom. No ti će zahtevi biti uzaludni, i neće imati „uravnotežujuće dejstvo“, bez određenih sredstava koji će ih učiniti efikasnijim. U slučaju izolovane prakse vrste kakvu sam zamislio u mom primeru opasne hemikalije, jedino moguće sredstvo može biti tek javno izražavanje, možda podržano pretnjama uskraćivanja podrške. Ako su ta izražavanja uzaludna, onda bi stvarno uskraćivanje podrške moglo da se opravda kao jedino efikasno sredstvo koje donosi promenu, te se čini da oni koji imaju korist od nepravednosti te sheme ne bi mogli da se žale na gubitak koristi. To jest, oni ne bi mogli da se žale što više ne stižu koristi od te institucije, a da ne snose svoj udeo u tim troškovima. No ukoliko je broj onih nepravedno tretiranih dovoljno veliki da njihova zadržka podriva efikasnost te institucije u vidu zaštite od relevantne štete, nepravedni korisnici neće biti jedini koji trpe. (Ili, kao u primeru održavanja nasipa, mogli bi pretrpeti veću štetu nego što stepen nepravde to opravdava). Postavlja se, dakle, pitanje u kojoj je meri nepodrška opravdana kada povlači takve troškove. Nemam sistematski odgovor na to pitanje. (Sumnjam da uopšte postoji takav odgovor). Poenta je upravo u tome da važnost koristi koju neka institucija obezbeđuje, a otuda i trošak gubitka te koristi, jeste faktor koji se mora uzeti u obzir pri određivanju da li je nepodrška opravdana, baš kao što se to mora uzeti u obzir pri određivanju da li se pojedincima mora dati pravo da odustanu.

Stvari stoje drugačije u slučaju onoga što Rols naziva osnovnom strukturom, što uključuje mehanizme samoizmene: političke procedure za donošenje i izmenu zakona, te pravne institucije za njihovo osporavanje. Da bi bile pravedne, takve institucije moraju uključivati mehanizme pomoću kojih zahtevi za promenom mogu biti učinjeni efikasnim (mehanizmi pomoću kojih se „uravnotežujuća funkcija“ zajedničkog osećaja za pravdu može ostvariti).<sup>10</sup>

10 Kao što Čarls Bajc (Charles Beitz) tvrdi, jedan od zahteva za političkom jednakošću jeste da građani imaju efikasna politička sredstva da se zaštite od nepravde. Videti njegovu knjigu *Political Equality* (1989): 110–114.

Gde takvi mehanizmi postoje, primer uskraćivanja podrške koji sam maločas skicirao je oslabljen.

Međutim, takvi mehanizmi ne postoje u slučaju siromašnih u getoima u SAD. Kao što Šelbi naglašava, oni su i politički i ekonomski izolovani. Ne samo da nemaju adekvatan broj predstavnika, oni su i stigmatizovani na način koji veće društvo čini nesklonim da ozbiljno shvati njihove žalbe. Njihova je situacija situacija koju nazivam *istrajnom nepravdom*: ozbiljna ekonomska nepravda udružena s odsustvom efikasnih političkih sredstava za zahtevanje promene. Pitanje je u kojoj su meri žrtve istrajne nepravde oslobođene dužnosti da podržavaju neku nepravednu instituciju.

Jedan argument u prilog dopuštenosti nepodrške u takvom slučaju jeste argument u prilog građanske neposlušnosti kao sredstva izražavanja zahteva pravde. Kao i u slučaju nepravedne prakse izbegavanja posledica opasne hemikalije, ali iz drugačijih razloga, nepodrška se opravdava kao sredstvo protivljenja istrajnoj nepravdi, budući da ne postoji nikakva alternativa, pravna sredstva izražavanja zahteva pravde. Klasični slučaj za građansku neposlušnost jeste shvatanje da ona funkcioniše apelujući na osećaj za pravdu onih što se nalaze u položaju moći, pogotovo na njihovo opiranje da kazne prekršitelje zakona koji se prepoznaju kao nepravedni. Iz već navedenog razloga u vezi sa političkom izolacijom siromašnih u getoima, ovaj apel može biti manje efikasan u slučaju *ekonomske* nepravde nego protiv opšteg poricanja građanskih prava: ako građane getoa većina shvata kao lenje i nemoralne, onda građanska neposlušnost može biti neefikasna u podršci zahtevu za većom jednakošću šansi, budući da podbacuje u apeloivanju na osećaj za pravdu većine.

To nas dovodi do pitanja da li ono što sam nazvao *istrajnom nepravdom* podriiva obavezu građana u nepovoljnom položaju da se povinuju zakonima (sasvim odvojeno od pitanja da li nepovinovanje predstavlja efikasno sredstvo za pospešivanje promene u pravcu veće pravde). Analogija sa sistemom saradnje poput onog u primeru opasnog otpada sugeriše da bi to moglo biti slučaj. Ako je neka institucija istrajno nepravedna, a nepovinovanje onih nepravedno tretiranih ne bi podrazumevalo neprihvatljive troškove, onda bi većina teško mogla da tvrdi da bi građani koji su žrtve istrajne nepravde narušavali reciprocitetne odnose prestajući da se povinuju njenim zakonima. Te je odnose većina već sistematski narušila. Međutim, moramo bliže da sagledamo pitanje u vezi s tim koji bi zakoni mogli opravdano da se prekrše i zašto.

Čak i da stanovnici getoa nemaju nikakvu obavezu da se povinuju svakom zakonu kao takvom, oni bi ipak imali prirodne dužnosti prema drugima. I dalje bi, na primer, bilo neispravno da čine stvari koje nanose bol drugim pojedincima ili uzrokuju njihovu povredu ili smrt. Mnogi primeri krađe takođe mogu spadati u ovu kategoriju. Čak i ako su institucije svojine nepravedne,



neispravno je od ljudi krasti hranu, ili njihova sredstva izdržavanja, poput automobila koji im je potreban da bi se dovezli do posla.

Međutim, mnogi zakoni naprosto ne zabranjuju stvari ove vrste – na umu imam zakone kao što su propisi o podelama na zone, zakone o farmaceutskim proizvodima, zakone protiv prostitucije, te neke vidove finansijske regulacije. Smatram da nije uverljivo reći da bi žrtve krajnje nepravde mogle da se opravdaju kršeći pojedine zakone ove vrste (na primer, prodajom lekova ili neizmirenjem svojih novčanih obaveza ukoliko su opterećeni nekom neopravdanom kamatnom stopom) kada je to neophodno kako bi se snašli i zbrinuli sebe i svoje porodice. (Shelby 2007: 152) Nije jasno da li bi kršeći takve zakone narušavali dužnosti reciprociteta koje duguju nama ostalima.

Uverljivost ove tvrdnje (makar je *ja* smatram uverljivom) počiva na nekolicini faktora koji se moraju razjasniti. Prvo, postoji pozivanje na *nužnost*: na činjenicu da ti vidovi krivičnog dela mogu predstavljati jedini način za stanovnike getoa da ekonomski prežive. Ovaj faktor iznosi i poznati primer u vezi s tim da li bi roditelj mogao da se opravda što krade neki lek, koji je neophodan kako bi sačuvala život svog deteta, od apotekara koji odbija da ga proda, ili odbija da ga proda po nekoj razumnoj ceni. Drugo, kao što reč „razumno“ ovde sugeriše, postoji pitanje u vezi s tim da li izvesno krivično delo lišava druge ljude stvari na koje oni upravo pretenduju. Pojedini od pomenutih krivičnih dela jesu „krivična dela bez žrtava“. Neispravnost kršenja zakona koji zabranjuju takve stvari (i dopuštaju njihovu primenu) izgleda mi ozbiljno podrivena ukoliko je politički proces posredstvom kojeg su oni doneseni ozbiljno nepravedan. Čak i kada kršenje zakona podrazumeva troškove za druge, ako koristi koje bi bile izgubljene jesu koristi koje su stečene samo na osnovu nepravedne prirode prakse, onda se čini da sledi, kako sam ranije naznačio, da osoba ne može da se žali na njihov gubitak.

Dužnosti pravde, međutim, ograničavaju nepodršku na jedan drugačiji način. Smatram da „prirodna dužnost“ da se pospešuje postojanje pravednih institucija zaista zahteva, čak i od žrtava nepravde, da se ne postupa na načine za koje se može predvideti da će pogoršati izgleda za popravljavanje nepravednih institucija. Tako, prema Šelbijevim rečima, ta dužnost zahteva od njih „da ne zauzimaju pravce delanja koji bi jasno pogoršali nepravdu sistema ili koji bi povećali terete nepravde za one u okolnostima getoa ili za neke druge slično situirane, makar ne onda kada se te negativne posledice mogu izbeći bez previše samožrtvovanja“ (Shelby 2007: 154).

Konačno, nezavisno od pitanja o poslušnosti zakonu i dopuštenosti primene, postoji još jedan opseg obaveza na koje nepravda može uticati, obaveze onih nepravedno tretiranih da dobrovoljno rade pod raspoloživim uslovima. Ako nam oni ne duguju to da dobrovoljno sarađuju pod takvim uslovima, onda je nepravedno siromašnima uskraćivati druge oblike javne pomoći, kao što

je socijalna pomoć, zdravstvena zaštita i ostale pomoći na temelju toga da oni odbijaju da obavljaju svoj deo posla.

Vraćajući se vlastitoj perspektivi, pre nego perspektivi onih u nepovoljnom položaju, ovo baca malo drugačije svetlo na osećanje upetljanosti u institucijama koje druge tretiraju nepravedno. Ovo osećanje izranja iz zapažanja da prevazilazi naše moći da učinimo nešto više kako bismo svoje institucije napravili potpuno pravednim. Čini se da je tako. Međutim, ako je ono što sam rekao ispravno, onda standardi pravde imaju implikacije po stvari koje možemo da učinimo: na primer, po poziciju koju možemo da zauzmemo u vezi s politikom blagostanja, zakonima o farmaceutskim proizvodima i opštim pitanjima o primeni zakona i hapšenjima. Isprva bi moglo izgledati da se ovde radi o pitanjima socijalne politike pre nego o fundamentalnoj pravdi. No ukoliko je ono što sam govorio ispravno, onda pravda ima nešto važno da kaže o tim pitanjima.

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Ispitivao sam odnos između morala institucija i morala individualnog delanja. U poslednjem delu svog članka razmatrao sam da li je pravednost neke institucije nužan uslov za postojanje dužnosti da se ona podržava. Ukoliko, sledeći Rolsa, o osnovnim institucijama društva mislimo kao o „shemama saradnje na uzajamnu korist“, te ukoliko dužnost da se neka takva institucija podržava shvatamo kao dužnost reciprociteta koju dugujemo našim sugrađanima, onda može izgledati da ako je osnovna struktura nepravedna, makar ako je istrajno nepravedna, onda individue nemaju nikakvu dužnost (makar ne dužnost reciprociteta koju duguju svojim sugrađanima) da se povinuju njenim zakonima. Ovo izgleda kao isuviše uvrnut zaključak. No nastojao sam da pokažem da je situacija složenija nego što ova slika sugeriše. Pokušao sam da istražim neke od tih složenosti u odnosu između izvođenja zaključaka o pravdi – zaključaka unutar morala institucija – i izvođenja zaključaka o moralu individualnog delanja.

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WITH JUDITH BUTLER ON VULNERABILITY/RESISTANCE  
SA DŽUDIT BATLER O RANJIVOSTI/OTPORU

II



Džudit Batler

## Ranjivost i otpor

Velika je čast što sam u Beogradu i želim da vam se zahvalim na pozivu i uloženom trudu i strpljenju u organizaciji ovog događaja. S vama želim da razmotrim odnos između ranjivosti i otpora. Stvari se mogu postaviti na sledeći način: *ili* smo ranjivi *ili* pružamo otpor, a otpor tada podrazumeva da je ranjivost savladana. Suprotno tome, tvrdim da otpor može poslužiti tome da se ranjivost mobiliše, i da uzvraćeni udarac ili trijumf u borbi ne poništava ranjivost. Možete se zapitati šta je ovde po sredi, jer ova tema pokreće mnoštvo drugih tema, od kojih je jedna svakako da li učestvujemo u društvenim pokretima koji se suprotstavljaju ugroženosti (*precarity*) kojoj smo stalno sve izloženiji. Uz to, ako se suprotstavljamo društveno uslovljenoj ugroženosti i ranjivosti, da li to znači da želimo da postanemo neranjivi i bezbedni u apsolutnom smislu? Ako to nije ono što tvrdimo, kako ćemo prići ovim pojmovima da bismo razumeli kako oni „rade“ u društvenim pokretima koji se bore protiv sve brojnijih oblika ugroženosti?

Znamo da se ljudi okupljaju na ulici i drugim javnim prostorima, na mestima gde je i policija prisutna, uvek izlažu riziku od hapšenja, pritvora, ali i direktnog nasilja, čak i smrti. Prema tome, kada razmatramo nasilje policije nad demonstrantima – a flagrantan primer za to je ubistvo 43 studenta na protestu u Ajocinapi u Meksiku, septembra 2014. godine – jasno je da ljudi koji se okupljaju da bi pružili otpor raznim oblicima državne i ekonomske moći, izlažu sopstvena tela mogućim povredama. Kad to formulišemo na ovaj način, sasvim je jasno da okupljanja na javnim mestima uvećavaju našu ranjivost. Ali, možda bi trebalo drugačije postaviti ovaj sled kojim se narativno strukturira razumevanje odnosa između ranjivosti i otpora. Kako sada izgleda, mi se prvo opiremo, a to nas potom suočava s vlastitom ranjivošću, bilo u dodiru s policijom, bilo u dodiru s onima koji se na istom mestu pojavljuju da bi iskazali protivljenje našem političkom stavu. Međutim, ne treba zaboraviti da je ranjivost tu i ranije, i pre svakog čina okupljanja, što je posebno jasno u slučajevima kada se bunimo protiv uslova života koji ugrožavaju naše postojanje. Stanje ugroženosti upućuje na ranjivost koja prethodi ranjivosti s kojom se ljudi, sasvim slikovito, suočavaju na ulici. Uz to, ako tvrdimo da je ranjivost koja je učinak siromaštva, rasposedovanosti (*dispossession*), nasilja i odsustva bezbednosti, svega onog što nečiji položaj u svetu čini ugroženim, i sama uzrok otpora, onda se narativni sled menja: prvo smo ranjivi, a onda tu ranjivost, bar privremeno, savladavamo činovima otpora.

Naravno, bilo bi važno ustanoviti precizniju vezu između ranjivosti i ugroženosti (jer nije reč o istome). Ali, osvrnimo se sada na snažan primer ranjivosti

i otpora infrastrukturi koja se urušava. Nije potrebno mnogo govoriti o tome koliko življiv život (*livable life*) zavisi od infrastrukture. Dakle, ukoliko se infrastruktura ruši i ne prestaje da se urušava, kako da razumemo takve uslove za život? To od čega zavisimo zapravo nije tu za nas, što znači da ostajemo bez oslonca. Kada nemamo nikakvog utočišta, onda smo u svoj svojoj ranjivosti izloženi vremenskim neprilikama, hladnoći, vrućinama, bolestima, a možda i gladi i nasilju. To dakako ne znači da kao živa bića nismo bili ranjivi i pre, kada je infrastruktura bila na svom mestu, niti da se naša ranjivost pojavljuje tek kad infrastruktura počne da se urušava. Kada se pojave pokreti protiv beskućništva, neprihvatljivost takvog vida ranjivosti (u smislu izloženosti povredama) postaje sasvim jasna. No, time još nismo dobili odgovor na sledeća pitanja: da li je ranjivost i dalje važan deo ovakvog oblika otpora? Da li je za otpor neophodno prevazići ranjivost, ili mi mobilishemo svoju ranjivost?

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Uzmimo u obzir da uspostavljanje adekvatne infrastrukture ili sprečavanje njenog uništenja može biti sâm podsticaj razvoju pokreta. Možemo se prisjetiti kako je do toga dolazilo u sirotinjskim naseljima u Južnoj Africi, Keniji, Pakistanu, u privremenim skloništima izgrađenim na granicama Evrope, ali i u venecuelanskim *barrios*, brazilskim favelama ili portugalskim *barracas*. Te prostore nastanjuju grupe ljudi, među kojima su imigranti, bespravno useljeni i/ili Romi, koji se bore za tekuću i čistu vodu, funkcionalne toalete, nekad i za zatvorena vrata na javnim wc-ima, za popločane ulice, plaćen rad i neophodne mere koje ga prate.<sup>1</sup> Ulica, utoliko, ne predstavlja samo bazu ili platformu odakle se postavljaju politički zahtevi, nego i infrastrukturno dobro. Kada se okupljamo na javnim mestima da bismo se suprotstavili oduzimanju javnih dobara, merama štednje koje će, na primer, srezati sredstva za obrazovanje, biblioteke, tranzitne sisteme i puteve, shvatamo da je i sama platforma za našu politiku jedna od tačaka na političkoj agendi. Ponekad do okupljanja dolazi upravo da bi se stvorila, otvorila ili održala platforma koja nam omogućava da se politički izrazimo. Materijalni uslovi govora i okupljanja teško se stoga mogu odvojiti od motiva koji nas navode da govorimo i da se okupljamo. Infrastrukturna dobra za koja se borimo moraju se pretpostaviti. Ako su, međutim, infrastrukturni uslovi za politiku kao takvi razoreni, ni okupljanja koja od njih zavise ne mogu biti u boljem stanju. U takvom trenutku, uslov političkog je jedno od dobara zbog kojeg se političko okupljanje i odigrava – tako možemo razumeti dvostruki smisao pojma „infrastrukturno“ u uslovima urušavanja javnih dobara privatizacijom, neoliberalizmom, ubrzavanjem ekonomske nejednakosti, antidemokratskim taktikama autoritarnih vlasti i nasilnim spajanjem interesa vlasti i kartela.<sup>2</sup>

1 Delovi ovog teksta preuzeti su i prilagođeni iz moje poslednje knjige, *Notes Toward a Performative Theory of Assembly* (Butler 2015).

2 O privatizaciji javnih dobara videti Brown 2015.

Premda je otpor ponekad zbilja uzrok ranjivosti, kao što je i ranjivost (u smislu „izloženosti“ koju proizvodi ugroženost) ponekad uzrok otpora, otpor ne vodi prevazilaženju ranjivosti. Ona je potencijalno delotvorna pokretačka snaga u političkim pokretima. Imajući to u vidu, zahtev za infrastrukturom postaje zahtev za nekom vrstom nastanjivog tla, a njegov smisao i snaga dolaze do izražaja upravo kada to tlo počne da popušta. Zbog toga se ne može uzeti zdravo za gotovo da je ulica, da upotrebim izraz Hane Arent (Hannah Arendt), prostor u kojem se pojavljujemo, prostor politike, pošto se, kao što znamo, samo to tlo ne uspostavlja bez borbe. Arent je bar delimično u pravu kada tvrdi da prostor u kojem se možemo pojaviti nastaje u trenutku kada politički delujemo. Tu je na delu romantično shvatanje otevoljenog performativnog govornog čina, prema kojem prostor pojavljivanja političkog nastaje svuda i svaki put kada delamo. To, naravno, nije uvek tačno – možemo pokušati da delujemo kolektivno, a da se time ne uspostavi nikakav prostor pojavljivanja. Mediji su, recimo, odsutni s lica mesta, ili su u igri određeni strukturni oblici sprečavanja pojavljivanja ovakvih oblika delovanja – prostor je ograđen, neophodne su dozvole, na snazi su propisi protiv okupljanja. Hana Arent očigledno pretpostavlja da se materijalni uslovi koji omogućuju okupljanje mogu odvojiti od svakog konkretnog prostora pojavljivanja. Ako je, međutim, cilj politike da stvori i očuva te uslove, čini se da se prostor pojavljivanja nikada ne može u potpunosti odvojiti od pitanja infrastrukture i arhitekture. Arent nije mogla uzeti u obzir vezu koja danas postoji između medija i javne sfere, ali mi u infrastrukturu moramo ubrojati i javne medije i razne druge medijske forme posredstvom i unutar kojih se sada uspostavlja prostor pojavljivanja. To su mediji koji ustanovljuju, posreduju i nadgledaju domen javnosti. Mediji mogu da funkcionišu kao „infrastrukturni oslonac“ kada dopinose razvoju solidarnosti i kada stvaraju nove prostorno-vremenske dimenzije javne sfere, prikazujući ne samo one koji se vizuelno mogu pojaviti kao predstavljeni, nego i one koji zbog prinude, straha ili iz nužnosti žive izvan dometa vizuelnog okvira.

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Kakva je veza između ovakvog shvatanja infrastrukturne podrške političkom delovanju s jedne, i ranjivosti i otpora s druge strane? Sugerisala sam da prostor pojavljivanja i politike zavisi od infrastrukture, te utoliko i samo delovanje zavisi od infrastrukturne podrške. Poznata nam je ideja da možemo biti slobodni samo ukoliko imamo podršku da upražnjavamo slobodu. Ovde je reč o materijalnom uslovu koji je sastavni deo samog čina upražnjavanja slobode, odnosno onog što je čini mogućom. Kad mislimo o telesnom subjektu koji koristi svoju moć govora i kretanja u javnom prostoru, moć da prelazi granice, mi obično mislimo o nekom ko je već slobodan da govori i da se kreće, i kome ne pretili zatvaranje, ili deportacija, ili gubitak života. Tako zamišljeni subjekt je ili obdaren slobodom koju poseduje kao kakvu inherentnu moć, ili tu slobodu ima zato što živi u javnim prostorima gde postoji podrška da je otvoreno upražnjava. Sam termin „mobilisanje“ zavisi

od toga kako razumemo mobilnost, koja je sama po sebi prâvo, i to pravo koje se ne podrazumeva za svakoga. Da bi se telo kretalo, neophodna je nekakva površina po kojoj će se kretati, a i raznovrsni tehnički oblici podrške bez kojih kretanje ne bi bilo izvodivo, moraju mu biti na raspolaganju. Utoliko, pločnici i ulica spadaju u osnovne zahteve tela kada ono u delo sprovodi svoje pravo na mobilnost. Niko se ne može ni pomeriti izvan okruženja koje mu pruža oslonce, u šta spada i niz tehnologija. Kad to okruženje počne da se raspada ili kad postane jasno da više ne nudi oslonce, mi smo na izvestan način pušteni da „padnemo“, što dovodi u pitanje i samu našu sposobnost da sprovodimo u delo svoja osnovna prava.

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I svakako bismo mogli navesti razne načine na koje je ideja o telu koje se oslanja, ali deluje, oslanja i deluje, implicitno ili eksplicitno u igri u velikom broju političkih pokreta: borbama za hranu i utočište, zaštitu od nasilja i razaranja, pravo na rad, priuštivu zdravstvenu zaštitu, zaštitu od policijske agresije i pritvaranja, od rata, od bolesti, u pokretima protiv mera štednje i uslova ugroženosti, autoritarnih režima i nejednakosti. Prva ravan pitanja odnosi se na implicitnu ideju o telu kakvu nalazimo u kontekstu političkih zahteva i mobilisanja oko njih. U drugoj ravni treba pokazati da mobilisanje pretpostavlja telo koje zahteva oslonce. Mnoštvo javnih skupova koji okupljaju osobe koje smatraju da je njihov položaj u svetu na neki način ugrožen, organizuje se oko zahteva da se ugroženost zaustavi, i taj se zahtev izvodi javnim izlaganjem ranjivosti zbog infrastrukture koja se urušava. Reč je o pluralnom i performativnom telesnom otporu koji prikazuje kako društvene i ekonomske mere koje razaraju živote deluju na tela. Međutim, prikazujući svoju ugroženost, ova tela istovremeno pružaju otpor tim moćima; ona otelovljuju otpor koji pokreće svojevrsna ranjivost i koji se protivi stanju ugroženosti. Kako, dakle, ovde razumemo telo, a kako ovaj oblik otpora?

Ako se zadržimo na individualnom nivou, možemo reći da svakom pojedinačnom telu pripada pravo na hranu i utočište, sloboda kretanja i disanja i zaštita od nasilja. Premda takav iskaz uopštava (jer tvrdimo da „svako“ telo ima ta prava), on i partikularizuje, jer se telo razume kao zasebno, kao individualno. To zasebno telo je u bitnom smislu oblikovano normom o tome šta tela jesu i kako ih treba koncipirati. Na prvi pogled ovom se nema šta dodati, ali imajmo na umu da ideja pojedinačnog telesnog subjekta prava može izostaviti osećaj ranjivosti, izloženosti, pa čak i zavisnosti, pretpostavljen samim pravom, koje korespondira alternativnom viđenju tela. Drugim rečima, ako prihvatimo da ono što telo jeste – i to treba razumeti kao ontološku tvrdnju – jeste u zavisnosti od drugih tela i mreža podrške, onda o pojedinačnim telima nije sasvim ispravno misliti kao da su potpuno zasebna. To, naravno, ne znači da su tela stopljena u nekakvu amorfnu društvenu masu. Ali ako imamo poteškoće da razumemo politički smisao ljudskog tela u odnosima koji mu omogućuju da živi i napreduje, onda će nam teško poći za rukom da objasnimo zbog čega hoćemo da ostvarimo političke ciljeve



do kojih nam je stalo. Time ne sugerišem da su neka konkretna tela zahvaćena mrežama odnosa, već da telo, uprkos svojim jasnim granicama – ili možda baš zbog njih – definišu odnosi koji mu omogućuju život i delovanje. Ti odnosi koji omogućuju život i delovanje takođe su odnosi koji ga i onemogućuju. Ne možemo, dakle, razumeti ranjivost tela, a da u obzir ne uzmemo društvene i materijalne odnosa.

Naša ranjivost dolazi i iz sfere jezika. U tom smislu pitanje ko smo, pa čak i naša sposobnost da preživimo, zavise od jezika u kojem se pojavljujemo (Butler 1998: 1–42). Jasna dimenzija ranjivosti očituje se u stalnoj izloženosti mogućim pogrđnim nazivima i raznim diskurzivnim kategorijama koje nam se dodeljuju u doba najranijeg detinjstva i kasnije, tokom čitavog života. Svi smo tome nekada bili izloženi i to je jedna važna dimenzija govornog čina. Kada nešto izgovaramo, upuštamo se u govorni čin kojim nešto činimo i izlažemo se govornom činu. Ukoliko se kaže da smo ovog ili onog rod, da smo pripadnici ove nacionalnosti ili one manjine, time se proizvodi specifičan performativni efekat, a mi shvatamo da je odnos prema nama sažet u nekom imenu koje možda nismo znali niti smo ga izabrali. Možemo se zapitati, poput velike crne feministkinje iz 19. veka, Sudžerner Trut (Sojourner Truth), „jesam li ja to ime?“ (Brezina 2004). Kako misliti o snazi i efektima imena koja dobijamo pre nego što se pojavimo u jeziku kao bića koje govore, pre no što steknemo kapacitet za naš vlastiti govorni čin? Da li govor deluje na nas pre nego što i sami progovorimo? I, da nije delovao na nas, da ne deluje aktivno na nas, da li bismo uopšte govorili? Možda ovo i nije puka stvar sleda: da li govor nastavlja da deluje na nas i u trenutku kada i sami govorimo, tako da možemo misliti da delujemo, ali smo istovremeno i izloženi delovanju?

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Iv Sidžvik (Eve Sedgwick) je iznela značajne zaključke o odnosu performansa i performativnosti, pokazujući da govorni činovi odstupaju od svojih ciljeva i često proizvode posledice koje su bile sasvim nenamerne, a neretko su imale i neke prilično zgodne efekte (Sedgwick 2003: 67–92). Na primer, neko se može upustiti u bračne odnose i, izričući bračnu zakletvu, proizvesti javno priznanje koje donosi institucija braka, što potom otvara prostor za neku moguću seksualnost koja se odigrava izvan očiju javnosti, pošto se koristi upravo prednostima sopstvene ne-prepoznatosti. Bračna zakletva javno prikriva oblike seksualnog života koji, nekad na sreću, ostaju neprepoznati. U takvim slučajevima, brak organizuje seksualnost onako kako se i očekuje, u supružničkoj i monogamnoj formi, ali proizvodi i drugu zonu seksualnosti koja se definiše upravo odsustvom otvorenog priznanja u javnoj sferi. Sidžvik podvlači smisao u kojem govorni čin odstupa od svojih očiglednih ciljeva, i to „skretanje“ je svakako jedno od značenja reči *queer*, koja se manje odnosi na identitet, a više na kretanje misli i jezika suprotno prihvaćenim oblicima autoriteta, kretanje koje uvek skreće, i tako otvara prostore za želju koja ne bi uvek bila otvoreno priznata i prepoznata unutar ustanovljenih normi.

Diskursi o rodu proizvode i puštaju u opticaj izvesne ideale o rodu, oni ih generišu. Ono što ponekad smatramo prirodnim suštinama ili istinama zapravo su samo ideali, fantazmi ili norme koji se doduše duboko i trajno ukorenjuju. Tako ideali koji su diskurzivno proizvedeni – u ovom slučaju, govorimo o skupu rodnih ideala – mogu ostati pohranjeni u nečijim gestovima i postupcima; mogu čak postati shvaćeni kao suštinski za naše određenje. I uistinu, postojane predstave, norme i ideali koji imaju moć da upravljaju našim radnjama, ne mogu se po volji odbaciti, a da se pritom ne izgubi doživljaj o tome ko smo. Posedovanje suštinskog doživljaja o tome ko smo, u izvesnoj je meri rezultat skupa društvenih normi. Međutim, moj doživljaj o tome ko sam „u svojoj suštini“ nije prevodiv u argument o urođenim razlikama. Argumenti o urođenosti u osnovi proizvode jedan oblik esencijalizma. Moguće je imati doživljaj o tome šta je suštinsko za nečiji život, a da se u isti mah ne bude esencijalista.

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Moja davnašnja formulacija prema kojoj je rod performativan tumačena je na dva oprečna načina: prema prvom tumačenju, mi imamo radikalnu mogućnost da biramo svoj rod, dok smo, prema drugoj interpretaciji, potpuno determinisani rodnom normama. Tako duboko interpretativno razilaženje pokazalo je da dvojnost koja se mora uzeti u obzir pri svakom objašnjenju performativnosti, nije bila dovoljno dobro artikulirana i shvaćena. Ako jezik deluje na nas pre nego što mi delujemo, i nastavlja da deluje u svim instancama u kojima i sami delujemo, onda o performativnosti roda treba da mislimo, prvo, kao o „pripisivanju roda“: pod time mislim na sve one situacije kada smo, takoreći, imenovani i rodno propisani pre nego što uopšte razumemo kako rodne norme deluju i kako nas oblikuju, i pre nego što razvijemo sposobnost da reprodukujemo te norme na način koji sami biramo. Izbor, u stvari, dolazi prilično kasno u performativnom procesu. Drugo, na tragu Iv Sidžvik, treba uzeti u obzir da se odstupanja od normi mogu dogoditi i da se događaju. Nešto *queer* je u samom središtu rodne performativnosti, nešto što podseća na ponovljivost zaokreta u Deridinom (Derrida) objašnjenju citatnosti govornog čina, što kod Sidžvik dobija specifično telesno i društveno značenje.

Uzmimo stoga da se performativnost odnosi i na procese koji deluju na nas i na uslove mogućnosti našeg delovanja, kao i to da ne možemo razumeti kako performativnost radi ako se u obzir ne uzmu obe dimenzije. Kada kažemo da norme deluju na nas, to znači da smo podložni njihovom delovanju, da smo u svojoj ranjivosti od početka izloženi različitim oblicima imenovanja, i to se registruje na stupnju koji prethodi htenju. Da bi se razumelo šta znači da nam je rod pripisan, mora se uzeti u obzir polje prijemčivosti za utiske, podložnosti i ranjivosti koju nismo hteli, kao i izloženost jeziku pre ikakve mogućnosti formiranja ili izvođenja govornog čina. Takve norme zahtevaju i ustanovljuju izvesne oblike telesne ranjivosti bez koje njihovo operisanje ne bi bilo misljivo. Zbog toga govorimo o velikoj citatnoj snazi rodnih normi kada ih uvode i primenjuju medicinske, pravne i psihijatrijske

institucije, i zbog toga se bunimo protiv patologizujućih učinaka normi na formiranje i razumevanje roda. Pa ipak, sam taj prostor u kojem smo nečemu podložni, u kojem se utiče na nas, istovremeno je i prostor u kojem se može dogoditi nešto što je *queer*, što podstiče odbacivanje ili reviziju norme, ili inicira nove načine artikulisanja roda. Premda nam rodne norme prethode i utiču na nas (to je jedan smisao njihovog delovanja), mi smo obavezni da ih reprodukujemo (to je drugi smisao njihovog delovanja). Upravo zato što se u toj sferi u kojoj smo podložni uticajima može dogoditi nešto nenameravano i neočekivano, postoje rodne forme koje prekidaju s mehaničkim obrascima ponavljanja, odstupajući, preoznačavajući, a nekad i sasvim naglašeno kidajući te citatne lance rodne normativnosti, čime se pravi prostor za nove oblike rodno određenog života. Teorija performativnosti roda, kako je ja razumem, nikada nije propisivala koji su rodni performansi ispravniji ili subverzivniji, a koji su pogrešni i reakcionarni. Ključ je bio upravo u popuštanju prisilnog stiska normi na rodno određene živote – što nije isto što i transcendiranje svih normi – u svrhu življenja življivijeg života.

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Treba napraviti razliku između dva različita delovanja norme. U prvom slučaju, norma je interpelativna, i ovdje se najlakše može razumeti kao čin pripisivanja roda. Nas oblikuju i strukturiraju društvene norme koje nam prethode i koje postavljaju granice kontekstima u kojima s vremenom ispoljavamo svoju moć delovanja. Ne može se reći da ikada prevazilazimo ono što nas je formiralo, ali se ponekad dogodi da skrenemo sa zadate putanje, što znači da između delovanja i skretanja *queer* putem postoji nekakva veza. Ali, postoji i drugi smisao normi, prema kojem one nisu u potpunoj opreci s našim doživljajem moći delovanja: norme konstituišu intersubjektivne i infrastrukturne uslove življivog života. Teško se može reći da nam je cilj prevazilaženje društvenih i materijalnih uslova života – mi u stvari želimo da oni budu pravedniji, jednako raspoređeni i osposobljavajući. Dakle, u kontekstu ovako određenih interpelativnih i infrastrukturnih normi, mi smo telesna stvorenja podložna efektima imena koja su nam pripisana i zavisna od strukturā koje nam omogućuju da živimo. Sad, šta god da je to što nazivamo performativnom moći delovanja, ona ne nadilazi ove ranije i konstitutivne dimenzije društvene normativnosti. Zato tvrdim da performativno objašnjenje moći delovanja mora uzeti u obzir zavisnost i ranjivost. Telesnost koja se pretpostavlja i rodom i izvođenjem, zavisi od institucionalnih struktura i široko postavljenih društvenih svetova. Ne možemo govoriti o telu, ne znajući o šta se oslanja to telo, i kakav bi mogao da bude odnos tela prema tom osloncu – ili njegovom odsustvu. U tom smislu, telo je pre relacija nego entitet, i ne može se potpuno razložiti od svojih infrastrukturnih uslova i životne sredine. Zavisnost od ljudskih i drugih bića i od infrastrukturnih oslonaca upućuje nas na specifičnu ranjivost kojoj smo izloženi kada ih nema, kada infrastrukturni uslovi karakteristični za naše društvene, političke i ekonomske živote počnu da se raspadaju, kada

nam se eksplicitno pretili ili kada, u uslovima koji proizvode ugroženost, osetimo radikalno odsustvo oslonaca.

I studije performansa i studije invaliditeta (*disability studies*) ponudile su izrazito važan uvid prema kojem svako delovanje zahteva oslonac, i da čak i neki najprecizniji i naizgled sasvim spontan čin implicitno zavisi od stanja infrastrukture koja doslovno podržava i podupire telo koje deluje. Ideja „oslonca“ nije bitna samo za rekonceptualizaciju takvog tela, nego i za šire shvaćenu politiku mobilnosti: ona od nas zahteva da pitamo kakvi arhitektonski oslonci moraju biti u igri da bi svako upražnjavao određenu slobodu kretanja, neophodnu da bi se upražnjavalo pravo na javno okupljanje. Na isti način na koji tvrdimo da govorni čin zavisi od društvenih uslova i konvencija, možemo reći da izvođenje roda, uopšte uzev, zavisi od infrastrukturnih i društvenih uslova podrške. Na taj način ćemo lakše objasniti šta u načelu podrazumeva da je delovanje društveno i telesno uslovljeno, ali će nam to pomoći i da shvatimo rizike kojima se izlažu žene i transrodne osobe kada noću same hodaju pojedinim ulicama u pojedinim delovima grada, ili kada se okupljaju na trgovima i javnim mestima (seksualno nasilje prisutno na protestima jasan je primer tog rizika).

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Kako tvrdim u svojoj poslednjoj knjizi (Butler 2015: pogl. 5), nad svakim javnim okupljanjem širi se bauk policije i zatvora. Takođe, svaki trg bar delom definišu i oni koji do trga nikako ne mogu da stignu; jer su ili zadržani na granici, ili im je uskraćena sloboda kretanja i okupljanja, ili su uhapšeni i leže u pritvoru. Uz slobodu da se okupljamo uvek je i sablast pritvorenih, onih koji su tu slobodu upražnjavali i zbog toga završili u zatvoru. Istupanje na javnim mestima s radikalnim ili kritičkim gledištima uvek prati nespokoj i anticipacija mogućeg, a nekad i sasvim izvesnog pritvora. Nekad svesno idemo, ili čak hrlimo ka zatvoru, pošto to predstavlja jedini način da se ukaže na nezakonitost ograničavanja javnog okupljanja i političkog izražavanja. Svesno izlaganje povredama bilo je ključno za Gandijevo (Gandhi) shvatanje nenasilnog oblika građanske neposlušnosti (Dalton 1996: 27–94).

Tokom demonstracija u Gezi parku, neki od okupljenih bili su pritvoreni, drugi su pak bili povređeni. Advokati koji su došli da pomognu uhapšenima i sami su bivali hapšeni; nekad su i lekari koji su dolazili da pomognu povređenima završavali s povredama. Pa ipak, nove grupe nisu prestajale da pristižu, stalno su dolazili novi aktivisti i aktivistkinje, novinari, zdravstveni radnici, pravnici, čime se mreža podrške stalno obnavljala. Kada je došlo do hapšenja članica grupe Pussy Riot posle njihovog performansa u moskovskom hramu Hrista Spasitelja, izbile su demonstracije u velikim gradovima širom sveta, uz razne oblike solidarnosti preko interneta čiji je cilj bio da se izvrši pritisak na vlade i agencije za ljudska prava, da bi se omogućilo puštanje uhapšenih i da bi se osudio tretman političkih zatvornika i zatvorenica. Oba primera, kao i sve mnogoljudniji pokret koji se bori za ukidanje smrtno

kazne, nagone nas da obratimo pažnju na instituciju političkih zatvorenika i na zatvorsku industriju koja postaje globalni mehanizam za regulisanje građanskih prava, gde spada i pravo na okupljanje. Čak tri četvrtine zatvorenika u Sjedinjenim Američkim Državama otpada na crnce, a gotovo svaka osoba koja je osuđena na smrtnu kaznu je afroameričkog porekla. Anđela Dejvis (Angela Davis) tvrdi da zatvor u Sjedinjenim Američkim Državama na sebe danas preuzima nekadašnji rad ropstva, jer suspenduje građanska prava tamnoputih ljudi; ovako, dakle, zatvor postaje nastavak ropstva drugim sredstvima (Davis 2003: pogl. 2).

Sugerisala bih da je feminizam ključan za mreže solidarnosti i otpora, zbog toga što feministička kritika destabilizuje upravo one institucije koje zavise od reprodukcije nejednakosti i nepravde. Feminizam kritikuje prakse i institucije koje vrše nasilje nad ženama i rodnim manjinama, zapravo, nad svim manjinama koje su na meti policije samo zato što se usuđuju da se oglašavaju. Svedoci smo pučkih pokreta koji se u Francuskoj i nekoliko istočnoevropskih zemalja poput Poljske, Mađarske i Slovačke, organizovano suprotstavljaju „rodu“. Ti pokreti su u savezništvu s grupama koje se bore protiv reproduktivnih prava, protiv gej braka, protiv ukidanja zabrana kojima se ograničava pismenost i zapošljavanje žena i njihova sloboda izražavanja. Malo-malo saznajemo da vlasti na raznim stranama sveta dovode u pitanje osnovne zahteve žena i manjinskih grupa za jednakošću i slobodom, pošto se protive „opštim normama“ nacionalne kulture, ili pošto su im ciljevi neizvodivi i pokazuju koliko su nezahvalni onim što su već dobili, ili pošto je to što se naziva slobodom i jednakošću zapravo opasno i predstavlja ogroman bezbednosni rizik po naciju, ili po Evropu, ili po samu civilizaciju. Ruska vlada je optužila Pussy Riot da „napada dušu čoveka“. Teško da im borbi koje bi bile važnije od onih koje dovode u pitanje takozvane „opšte norme“, propitujući čiji životi *nikada* i nisu bili uključeni u te norme. Čiji su životi, u stvari, eksplicitno isključeni iz tih normi? Kakva norma ljudskog ograničava te opšte norme? I u kojoj je meri ta norma muška, ili norma rasne privilegije?

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Ukazala sam na to treba iznova promisliti odnos ljudskog tela i infrastrukture, da bi se moglo dovesti u pitanje shvatanje tela kao zasebnog, singularnog i samodovoljnog. Predložila sam da telesnost shvatimo kao performativnu i relacionu. Relacionalnost se odnosi na zavisnost tela od infrastrukturnih uslova i nasleđa diskursā i institucionalne moći koja nam prethode i uslovljavaju naše postojanje. Takođe smatram da su izvesni ideali nezavisnosti maskulinistički, ili da pripadaju ideologiji radikalnog individualizma, i da feministička teorija otkriva kako je poricanje zavisnosti u samoj srži maskulinističke ili individualističke ideje tela. Kada ovako nešto kažemo, time ne govorimo šta ženska tela *jesu* ili šta muška tela *jesu*. Takve tvrdnje ne iznosim. Pokazujem samo da je reč o nečemu što smatram maskulinističkom koncepcijom telesnosti i delovanja, i tvrdim da to treba aktivno kritikovati. Kada govorim o zavisnosti, to se svakako može odnositi na zavisnost od staratelja

ili majke, mada ta forma primarne zavisnosti ovdje nije od središnjeg značaja. Kada teorijski promišljamo ljudsko *telo kao zavisnost* od infrastrukture, što u svojoj složenosti obuhvata životnu sredinu, društvene odnose, mreže podrške i potporu – i što ukida podjeljenost ljudskog tela i životinjskog i tehničkog sveta, mi ističemo našu ranjivost koja se pojačava kada se infrastruktura razara ili nestaje, kada izostanu ekonomski oslonci i siguran rad za koji postoji adekvatna nadoknada. Ukoliko zauzmemo ovu perspektivu, pokazuje se da ono što nas čini ranjivima nije svodivo na to kako se odnosimo jedni prema drugima, što spada u nepromenjivu odliku društvenih odnosa. Ranjivost nagoveštava širi plan zavisnosti i međuzavisnosti koji dovodi u pitanje dominantno ontološko shvatanje otelovljenog subjekta.

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Ima, naravno, više razloga da nam se ranjivost *ne* dopada. Najveći deo nas želeo bi da bude manje ranjiv u uslovima koje nismo izabrali, a na nas utiču direktno, čineći nas „ranjivim“. Pa ipak, to samo za sebe ne može biti razlog da se teorijski ne razmotre oblici upotrebe ovog pojma, posebno kada znamo da ranjivost nije ispravno redukovati na nešto što ne možemo zbilja hteti. U svojim zaključnim zapažanjima želim da dovedem u pitanje shvatanje prema kojem je ranjivost suprotna otporu, štaviše delovanju. Tvrdim, u afirmativnom smislu, da ranjivost – shvaćena, na primer, kao namerna izloženost moći – ulazi u sâmo značenje političkog otpora koji izvode tela. Znam da govor o ranjivosti proizvodi otpore raznih vrsta iz razloga koje sam upravo pomenula. Ima onih koji se brinu da će se ranjivost, čak i ako je samo tema ili problem za razmišljanje, predstaviti kao primarno egzistencijalno stanje, ontološko i konstitutivno, i da će se takva teza nasukati o iste hridi kao i njoj slične, poput etike brige ili maternalističkog mišljenja. Ima i onih koji se pribojavaju da će ranjivost lišiti feminizam njegovih tekovina, ako se na bilo koji način i u bilo kojoj svojoj verziji dovede u vezu s njim, dok će žene ponovo biti prikazane kao lišene moći delovanja. Da li zaokret ka ranjivosti zbilja nastoji da ponovo uvede te utemeljivačke ili esencijalističke modalitete mišljenja i vrednovanja u javni diskurs? Da nije ovdje reč o potajnom pokušaju da se ponovo prokrijumčare paradigme koje su već izvesno vreme na popustu? Da li ideja ranjivosti šteti ženama? Da li je u samoj osnovi tog pitanja pretpostavka da će svaki oblik pristanka na ranjivost voditi ranjivosti, koja postaje (a) utemeljujuća premisa za politiku (što ona nije), (b) esencijalni identitet (što ona takođe nije), ili će voditi (c) povezivanju žena i viktimizacije (što smatram da nije nužno). Sve te brige polaze od pretpostavke da se ranjivost ne može spojiti s otporom i drugim oblicima voljnog i odlučnog delovanja. Ta pretpostavka u osnovi je mnogih naših političkih nesporazuma koji postoje u vezi sa značajem ovog termina.

Dakako, otpor prema ranjivosti često se zasniva na političkim strepnjama: ako se žene ili manjine etabliraju kao ranjive, da li one time hotimično ili nehotično nastoje da ustanove zaštićen status koji je otvoren prema paternalističkoj moći, i kojim se traži zaštita za ranjive, za one koji su, po pretpostavci,

slabi? Da li se diskursom o ranjivosti odriče politička moć delovanja potlačenih i priziva neka vrsta paternalizma? Politički problem koji po pravilu iskrsava u takvim raspravama odnosi se na pitanje da li ranjivost utvrđuje paternalističku moć, budući da se u suštini pripisuje samo onima koji su izloženi diskriminaciji, eksploataciji ili nasilju. Gde je tu moć potlačenih? I šta je s ranjivošću samih paternalističkih institucija? Najzad, ako je njih moguće osporiti, srušiti ili iznova izgraditi na egalitarnim temeljima, onda je i sam paternalizam ranjiv, jer se njegova moć može rastočiti. A kada potlačeni dovode do njegovog rušenja, zar se oni time ne uzdižu u ravan u kojoj više nisu ranjivi? Odista, da li ćemo reći da se na taj način prevazilazi ranjivost, da se negira kada se preobrati u moć delovanja? Ili je ranjivost i dalje tu, samo što sada ima drugačiji oblik?

Najzad, postoje i opravdani politički prigovori činjenici da dominantne grupe mogu da koriste diskurs „ranjivosti“ da bi utvrdile sopstvene privilegije. Kada su počeli da gube većinski status u Kaliforniji, bilo je belaca koji su tvrdili su „ranjiva“ populacija. Na koji način ranjiva? Govorimo li o multinacionalnoj i multirasnoj državi? Takav iskaz je očito rasistički. U vreme kolonizacije, kolonizatori su se jadali zbog svoje „ranjivosti“, pošto su stalno bili izloženi mogućim napadima onih koje su kolonizovali, i na temelju te tvrdnje su očekivali simpatije od čitavog sveta. Ima i muškaraca koji se žale da ih je feminizam pretvorio u „ranjivu populaciju“ i da su postali „meta“ diskriminacije. Predstavnici raznih evropskih nacionalnih identiteta sada se žale da im „prete“ migrantske zajednice, i ove nove i one koje već dugo žive u Evropi. Vidimo, dakle, da termin može i da se menja i – kako nam se neke, pa čak i mnoge njegove promene možda neće dopasti – možemo dospeti u situaciju da se radije, iako pomalo nespretno, protivimo ranjivosti. To je, naravno, prilično čudno reći, jer koliko god se mi protivili ranjivosti, to protivljenje nju neće zaustaviti u našim telesnim i društvenim životima. Zapravo bi baš žestoko protivljenje ranjivosti moglo biti znak da je ranjivost itekako u igri. To je minimalna istina koja se može prihvatiti iz psihoanalize. Da li nas onda politički prigovori koje upućujemo ranjivosti čine budalama u psihoanalitičkom smislu? Ili da izokrenemo pitanje, da li nas prihvatanje psihoanalitičke afirmacije ranjivosti čini saučesnicima s političkim pozicijama koje nikako ne odobravamo?

Kada pružamo otpor „ranjivosti“ u političkom smislu, to obično činimo zato što sebe želimo da vidimo kao onog ko deluje, ko ima moć delovanja, ko će proizvesti bolje političke posledice zato što deluje. Ako kažemo da se protivimo ranjivosti jer želimo moć delovanja, da li to znači da sebe hoćemo da vidimo kao one koji jedino deluju i koji sami nisu izloženi delovanju? Kako da se onda odnosimo prema onim oblastima estetike i etike koje pretpostavljaju da je naša prijemčivost za utiske povezana s našom spremnošću da na njih odgovorimo, u zoni u kojoj svet deluje na nas rečenim i prikazanim, onim što čujemo i onim što nas dotiče? Ako tu sferu sposobnosti da primamo

utisake smatramo primarnom, onda se možemo zapitati kakve aspekte svet utiskuje u nas u trenutku kada mi formiramo utisak o njemu. Zar ne nalazimo da i mi istovremeno delujemo na svet na izvesne načine? Zar protivljenje ranjivosti ne dovodi u opasnost i niz drugih stanja, poput sposobnosti da reagujemo, da primamo utiske, da nečemu budemo podložni; zar se odbijanjem ranjivosti ne protivimo i povredivosti, otvorenosti, ogorčenosti, besu, pa čak i samom otporu? Ako na mene ništa ne deluje protiv moje volje ili bez mog prethodnog znanja, onda ovde imamo samo suverenost, stav kontrole nad svojinom koju posedujem i koja jesam, jedno naizgled postojano i na sebe usredišteno mišljenje „ja“ koje nastoji da skrije one brazde u sopstvu koje se ne mogu savladati. Kakva politika podupire taj nepopustljivi oblik poricanja? Nije li upravo to maskulinističko objašnjenje suverenosti, koje smo mi, kao feministkinje, pozvane da ogolimo (Ahmed 2014: 133–172)?

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Skrenuvši pažnju na dvojni prirodu performativnosti, sugerisala sam da delujemo i da se na nas stalno deluje, zbog čega se performativnost ne može svesti na ideju slobodnog individualnog performansa. Imena nam se pripisuju, a svet u koji stupamo je svet kategorija i opisa koji su tu daleko pre no što mi sami počnemo kritički da ih razvrstavamo, i svakako pre nego što probamo da ih promenimo i prilagodimo. Utoliko smo, takoreći sami sebi uprkos, ranjivi i podložni diskursima koje nikad ne biramo. Uz to, postoji i dvojni odnos prema otporu koji nam pomaže da razumemo šta je to što mislimo pod ranjivošću. S jedne strane, otpor prema ranjivosti ima i psihičke i političke dimenzije. Psihički otpor ranjivosti počiva na želji da nam se diskurs i moć nikada ne nameću kako to sami nismo izabrali, što utvrđuje ideju o individualnoj suverenosti u odnosu na formativne istorijske sile koje deluju na naše telesne živote. S druge strane, sâmo se značenje ranjivosti menja kada ga shvatimo kao deo prakse političkog otpora (Rose 2013: 17–38). Javna okupljanja kojima odnedavno svedočimo potvrđuju da politički otpor u temeljnom smislu zavisi od mobilisanja ranjivosti. Ranjivost se tako pojavljuje kao način da se u isto vreme bude i izložen i delajući. Ovakve kolektivne forme otpora imaju sasvim drugačiju strukturu od ideje političkog subjekta, čija se moć delovanja uspostavlja razaranjem ranjivosti. To je maskulinistički ideal kojem se svakako i dalje treba suprotstavljati.

Najznačajniju kritiku upućuju oni koji tvrde da ranjivost ne može biti osnova grupne identifikacije, a da se time ne ojača paternalistička moć. Kada se u diskursu ljudskih prava i zakonodavnih režima neke grupe označe kao „ranjive“, one postaju postvarene, postaju po definiciji „ranjive“, fiksirane u političkoj poziciji nemoći i odsustva moći delovanja. Sva se moć prenosi na državu, nevladine organizacije i međunarodne institucije koje bi trebalo da im ponude zaštitu i da se založe za njih. Takvi potezi potcenjuju ili efikasno brišu moduse političke moći delovanja i otpora koje proizvode te takozvane ranjive populacije. Da bismo razumeli otpor koji se javlja izvan domena zakona, trebalo bi da promišljamo kako ranjivost i otpor rade zajedno, što



paternalistički model nema načina da učini. U meri u kojoj je „ranjivost“ predstavljiva kao svačije egzistencijalno stanje, budući da smo naprosto podložni udesima, bolestima i napadima koji lako i brzo mogu zbrisati naše živote, ona je i društveno nametnuto stanje kojim se objašnjava disproporcionalna izloženost patnji onih koji se, najšire rečeno, nazivaju *prekarijatom*, kojima je pristup hrani, krovu nad glavom i zdravstvenoj nezi često drastično ograničen. Pa ipak, za političko delovanje nije dovoljno prihvatiti ranjivost i doći u dodir sa svojim osećanjima, ili ogoliti brazde svoga sopstva da bismo tako lansirali neki sasvim nov modus autentičnosti, ili zamisliti neki novi poredak moralnih vrednosti i iznenadne i rasprostranjene provale „brige“. Ne zalažem se za primenu autentičnosti u politici, jer je ranjivost ovde i dalje u opreci prema moći delovanja koja se poistovećuje sa suverenom odbrambenošću. „Autentična pozicija“ ne uspeva da uvidi kako je ranjivost od početka moment otpora, ne prestavši da bude njegov sastavni deo. Tek kad budemo razumeli da ranjivost i moć delovanja nisu binarne suprotnosti, jer ranjivost ulazi u sferu moći delovanja, možemo očekivati da se shvatanje oba pojma promeni. Smatram da je razlaganje te binarnosti kritički zadatak.

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Da rezimiramo, ranjivost nije subjektivna predispozicija. Ona upućuje na veze prema polju objekata, sila i strasti koje deluju ili nekako utiču na nas. Kao forma povezanosti s nečim što nisam ja sama i nad čim ne mogu potpuno da ovladam, ranjivost predstavlja odnos koji pripada neomeđenoj sferi u kojoj prijemčivost za utiske i spremnost da na njih odgovorimo nisu precizno označeni u svojoj različitosti, ne razlikuju se kao zasebni momenti sleda, i tako postaju osnova za mobilisanje ranjivosti umesto za njeno razorno poricanje.

Svesna sam, naravno, da sam termin „otpor“ upotrebila na bar dva načina. U prvom redu, bilo je reći o *otporu prema ranjivosti*, kakav je karakterističan za mišljenje koja se oblikuje u duhu ovladavanja. U drugom smislu, govorila sam o otporu kao *društvenoj i političkoj formi* koja se oblikuje ranjivošću, te joj stoga nije suprotstavljena. Sugerisala sam da ranjivost po sebi nije ni sasvim pasivna ni sasvim aktivna, već je negde na sredini, što je konstitutivna odlika ljudske životinje koja dela i izložena je delovanju. Pomišljam na činove namernog izlaganja nasilju policije ili vojske gde tela smeštena na liniji primaju udarce, ili nastoje da zaustave nasilje kao žive blokade ili kordoni. Telesna ranjivost se u tim činovima nenasilnog otpora javlja kao ono s čim se istupa, što se mobilise u svrhu otpora. Ta tvrdnja je svakako kontroverzna, jer ovi činovi mogu voditi samouništenju. Mene, međutim, interesuju oni oblici nenasilnog otpora koji mobilise ranjivost u cilju afirmacije egzistencije, koji traže prava na javni prostor i jednakost, i protive se nasilju policije i vojske. Može delovati da je reč o izolovanim momentima kada grupa unapred odlučuje da organizuje blokadu ili da u slozi fizički zaustavi oduzimanje javnog prostora ili se odupre pokušajima policije da ih s lica mesta ukloni. To je sigurno tačno, što, recimo, pokazuje primer napada policije na grupu studenata i profesora na kampusu univerziteta Berkli 2011. godine,

u toku njihovog nenasilnog protesta. Razmotrimo, međutim, činjenicu da je za transrodne osobe i žene koje noću žele da bezbedno hodaju ulicom u mnogim delovima sveta, sam trenutak pojavljivanja na ulici ujedno i svesno preuzet rizik da će se izložiti sili. Postoje okolnosti u kojima to što i dalje živimo, što se krećemo i dišemo, samo po sebi predstavlja oblike otpora. Zbog toga se u Palestini ponekad mogu videti ljudi koji protestuju s plakatima na kojima piše „I dalje postojimo!“ To se svakako odnosi na grupe koje izlaze na ulicu bez propisanih dozvola i bez oružja da bi se suprotstavile privatizaciji ili se borile za demokratiju. I mada su te grupe lišene pravne i policijske zaštite, one nisu redukovane na „goli život“. Suverena moć ne odbacuje subjekt u domen izvan političkog kao takvog. Ali ono što se tokom takvih situacija odigrava jeste svojevrsna obnova pučke suverenosti izvan, i protiv, uslova koje propisuju suverenost države i snage policije, suverenost koja često podrazumeva usaglašen i telesni oblik otpora i izloženosti.

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Ranjivost se može javiti u samom otporu i direktno-demokratskim akcijama kao namerno mobilisanje naše telesne izloženosti. Već sam ukazala na to da je trebalo uzeti u obzir dva značenja otpora: otpor prema ranjivosti koji pripada projektima mišljenja i politikama koje se rukovode suverenom, i otpor nepravednim i nasilnim režimima koji mobilise ranjivost kao deo sopstvenog upražnjavanja moći. Čini se da se u političkom životu prvo dogodi neka nepravda na koju će potom uslediti odgovor; ali može biti da se odgovor odvija dok se događa sama nepravda, što nam omogućava drugačiji pristup promišljanju istorijskih događaja, delovanja, strasti, i ranjivosti u formama otpora. Ako nismo u stanju da mislimo o ranjivosti, ne možemo misliti ni o otporu. Mислеći o otporu, mi već uklanjamo otpor prema ranjivosti upravo da bismo pružili otpor.

Prevela s engleskog Adriana Zaharijević

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## Seminar on Judith Butler's "Notes Toward a Performative Theory of Assembly"

"Lots of consequential movements have started  
in small rooms in hostile environments."

The seminar "Judith Butler's *Notes Toward a Performative Theory of Assembly*" was held in Belgrade on November 21<sup>st</sup>, 2015. The texts assembled in this thematic block are the contributions of researchers who kindly answered the call to join the conversation about this book. The order of presentations respected improvised thematic units. The printed transcription of Judith Butler's answers and comments followed the edited and elaborated contributions of each participant, complemented by their lists of references. Some chose to submit their original texts, prepared for the occasion, while others were subsequently inspired by the seminar, evoking what they heard and read in the meantime.

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### Sanja Milutinović Bojanić

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Nothing less than those evils, which threaten the whole species, can disturb the calm sleep of the philosopher, and force him from his bed. One man may with impunity murder another under his windows; he has nothing to do but clap his hands to his ears, argue a little with himself to hinder nature, that startles within him, from identifying him with the unhappy sufferer. Savage man wants this admirable talent; and for want of wisdom and reason, is always ready foolishly to obey the first whispers of humanity. In riots and street-brawls the populace flock together, the prudent man sneaks off. They are the dregs of the people, the poor basket and barrow-women that part the combatants, and hinder gentle folks from cutting one another's throats. (Rousseau, 1994: 112)

Rousseau's words from *A Discourse Upon the Origin and the Foundation of the Inequality Among Mankind* ring out forcefully and passionately in their political incorrectness. What mob, what rabble and barrow-women could react more authentically than the prudent man in preventing a massacre? Who would even be the "prudent men" of our times? Would they not be those Judith Butler calls "discursive strategists" (Butler 2015: 3) who rely on modes of public discourse, marketing, and propaganda to decide the question of which states and which popular movements will or will not be called democratic? It is not that the masses are less prone to violence, nor are they free of seeking conflict, yet street clashes and fights remain confined to crime pages of dailies and obscure histories, their larger impact blunted. In contrast, the epidemic of violent and cunning strategies aiming

to suffocate struggles against inequality is on the rise, its pathways and driving forces difficult to map out, pinpoint and contain. Sleeping uneasily, Butler has been on the road nearly five years – beginning around the time of the *Tahrir Square* events, having participated in *Occupy Wall Street* and the gatherings at *Zuccotti Park*, but also in the *West Bank* where she led a seminar at *Bir Zeit University* and visited a theater in *Jenin*, to *Black Lives Matter* and *Gezi Park protests* – noting reasons, posing questions and negotiating, putting up signposts and methods that could potentially describe or sketch out reasons that justify not only the purpose of public assembly that signifies resistance to inequality (and is this not Rousseau’s motive?), but also its place and function in society at large.

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Did you notice the interloper there? What is theory doing, what the philosopher? And how can we articulate something that Judith Butler in this book names “a performativity of assembly”? What is the context of creation of public assemblies? How are they put into action? How is the assembly of a people (of the ninety-nine percent) arranged, realized and executed (all words under the umbrella of the performative)? Who are the people and how is their will expressed? Are we speaking the language of *demos* and democracy? What are modalities of public discourses and how is the demarcation line of a people drawn? Before embarking on her argument and gradually expanding her premises, Butler writes: “Groups suddenly coming together in large numbers can be a source of hope as well as fear, and just as there are always good reasons to fear the dangers of mob action, there are good grounds for discerning political potential in unpredictable assemblies.” (Butler 2015:1) It is difficult to count a group, yet it is extremely important to collect it, call it together, despite the various denominators of belonging (whether geographic or linguistic), bring them together into infrastructures whose public use could guarantee equal rights of expression to all.

The first chapters of the book focus on the distinction among kinds and forms of assembly that could carry clear political content. Judith Butler notes the disagreement between the political forms of democracy and the principle of popular sovereignty. Thus Rousseau’s *first whispers of humanity* can be detected in the bodies mobilized in spaces where, exposed and laid open, they become clearly vulnerable and precarious. Hence Butler writes: “When bodies assemble on the street, in the square, or in other forms of public space (including virtual ones), they are exercising a plural and performative right to appear, one that asserts and instates the body in the midst of the political field, and which, in its expressive and signifying function, delivers a bodily demand for a more livable set of economic, social and political conditions no longer afflicted by induced forms of precarity” (Butler 2015: 11). We might recognize such forms of togetherness as being in the state of becoming and potential forms of popular sovereignty. However,

is any action of the people “democracy in action?” When squares, streets, devastated portions of cities, phantom neighborhoods and occupied territories experience the mobilization of the vulnerable and exposed, do these forms of assembly carry within themselves those “fugitive” moments of democracy that on so many occasions Jacques Derrida too named always and ever in the future momentum as *démocratie à venir*? Indeed, fugitive moments of democracy are not only transient, since, in the words of Sheldon Wolin, “democracy is not about where the political is located but how it is experienced” (Wolin 1994: 18). The singular experience of fracture and partialness, insufficiency and incompleteness, are manifestations of a bad world in which there is no room for content of spontaneously changing experience. Such a world necessitates change, because as Butler suggests, following Adorno, it is not possible to live the “good life” in a bad world, and the imperative ought to be leading a social life “implicating us in a larger social, economic, and infrastructural world that exceeds our perspective and the situated, first-person modality of ethical questioning.” Butler’s book indeed comprises published notes, and not ready made answers; yet in moving *towards a performative theory of assembly*, the author is certainly not discouraged by the insufficient vulnerability of ones or the ignorance of precarity of the others.

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By briefly looking at the last paragraph from the introduction of the book, I would like to draw attention to one such “note.” Namely, the constructive concern that groups of people assembling in large numbers could be both “a source of hope as well as fear” is precisely the introductory oxymoron with which the book strengthens its argumentation, while at the same time marking the rhythm in which it builds its sturdy construction. Certainly it is a question of measure – measure of vulnerability or precarity that ought to alternate and be spread out so that it awakens vulnerability in the intransigently strong, yet be a source of strength for the endlessly weak. It ought to represent what Butler describes as the “paradoxical condition of a form of social solidarity both mournful and joyful.” Flights of hope necessarily replace picks of fear and anxiety, alternating the paradoxical condition of action:

Indeed, the very conception of human action as pervasively conditioned implies that when we ask the basic ethical and political question, how ought I to act, we implicitly reference the conditions of the world that make that act possible or, as is increasingly the case under conditions of precarity, that undermine the conditions of acting. What does it mean to act together when the conditions for acting together are devastated or falling away? Such an impasse can become the paradoxical condition of a form of social solidarity both mournful and joyful, a gathering enacted by bodies under duress or in the name of duress, where the gathering itself signifies persistence and resistance. (Butler 2015: 23)

## Judith Butler

### Introductory remarks

First of all, at the very outset, I would like to thank all the people who have worked so hard not only to put this wonderful conference together, but to make this visit so smooth and interesting and productive for me. So, I really thank you all. If I might just say one more thing, I left last night realizing that I have not answered Ksenija's question about reason, feeling, male and female, active and passive, how to think those dualities in relation to one another. If I may just take a moment to do that, I would feel better and perhaps Ksenija, if you are there, you will feel better, too.<sup>1</sup>

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I think one of the great contributions of feminist philosophy has been to call into question those polarities between reason and feeling, male and female, active and passive, and to show that they also tend to hierarchize the binary relations that they install. And, of course we are always in a bind once we have shown that reason is understood to master feeling or should master feeling, just as male should subordinate female, just as activity should subordinate passivity. We are always in a bind because the easiest strategy is simply to reverse the value given to the dyad and assert the superiority of the female, the feeling and the passive. Now, the problem with that gesture is really obvious, (there are, after all, many so-called women who are not going to like that particular identification), and there is a tendency to believe that there are still these discrete, polar opposite differences between the sexes, rather than to explore the complex continuum that gender is. You will note that gender, for me, enters at this moment when the dimorphic imaginary of sex is contested. When writing this book on assembly, I was most interested in rethinking the difference between passivity and activity in light of the problem – and it is a political problem – of how and when do people take action, gather or become assembled. It is usually in the midst of conditions in which they are undergoing something that they did not choose, and which undermines their capacity to choose. They are suffering, there is a passive suffering of a condition that is not chosen, and yet there is an action that is not just my action or your action, but an acting together in the now, right? We are coordinating what is going

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1 Ksenija Forca (Feminist and queer activist, Belgrade) posed the last question during the previous night discussion, after the lecture “Vulnerability/Resistance”. Her question concerned an analysis of interconnections between binary dichotomies such as masculinity/femininity, irrational/rational, vulnerability/ resistance, active/passive etc. In patriarchal (mainstream) discourse and normative societies, femininity, passivity, irrationality and vulnerability are considered worthless and undesirable in constituting any (political) subject. Since Judith Butler wrote about these dichotomies and interconnections in her previous work, it would be interesting to see such an analysis, given the topic of the book and her lecture in Belgrade.

to happen even though coordination is not mastery or prediction, so we do not know precisely what is going to happen.

One of the questions I am trying to think about is: how do we move beyond the temptation to cling to the polar opposite of the passive, the receptive or the responsive. When we talk about responsiveness – is that passive, is that active, is that exactly both – a mode of being affected and moving toward what affects us? Is that a term – responsiveness – that defies the binary opposition itself? Responsive is already alive, animated, moving in the direction toward something else, but also affected by something exterior. It is not a passive standstill, it is not a pure being-acted-on. It is being acted on and being animated by virtue of being acted on in a certain way. And that being or becoming animated, which could bring us into all kinds of philosophical discussions about Spinoza, for instance, strikes me as the in-between of the active and passive, or calls for a different kind of configuration that moves us beyond the opposition itself. And I think that this moving beyond the strict polarity of active and passive is true about gender performativity. You could say that the theory of gender performativity bears both conventional masculine and feminine qualities and even enacts the critique of the binary. In other words, if I am being acted upon but also acting, am I being active or passive, or in-between, or am I in a historical process that involves all kinds of combination? Norms act on us, but one way that they act is by shaping the form of our response and appropriation to them. That response and appropriation also has the power to reshape that norm, or those norms – the ones we never chose. So I guess my interest is not to trans-valuate the binary but to move us through it, to show us another kind of possibility outside of hierarchy and binary opposition.

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#### Vulnerability, infrastructure, and (non)violence: preliminary thoughts on Judith Butler's *Notes Toward a Performative Theory of Assembly*

Judith Butler's latest book is a profoundly engaging read, tackling many contemporary burning issues through highly dense theoretical considerations. Many of its passages made me embark on different and often mutually unrelated chains of thoughts and associations, but here I will try to single out three themes for reflection and to establish some connections between them.

One theme that kept emerging as a thread connecting different chapters, which I find impossible to ignore, not only in the context of its presence in

the book, but due to its importance for reflecting our contemporary condition more generally, is vulnerability. Even though the book offers many important insights into the conditions generating *unequal* distribution of precarity and vulnerability – or maybe precisely because it does so – I could not help but think of an opposite process actually taking place: the one of the relatively *even* distribution of vulnerability we are starting to experience today. Maybe we could claim that this is precisely the reason (or at least one of the reasons) vulnerability has become such a widespread notion and framework for thinking our present political and social conditions. In my mind this leads to a rather pessimistic view: namely, we are overwhelmingly stressing the precarious conditions of our modern lives because of a certain *randomness of precarity*, which hitherto has not been its defining feature. Certain *equilibrium* of the conditions generating vulnerability – modern history has made us used to relating vulnerability to certain social classes, ethnic and minority groups, or regions in the world (“destined” to be politically and socially unstable) – has collapsed with neoliberalism and geographical and social distribution of vulnerability has become less predictable. And we can already see the confusion this insight is creating – just think of some of the reactions to paralysis we could find on social media after the recent attacks in Paris that went along the lines of “why don’t you mourn Beirut bodies the same way you mourn Paris bodies.” Of course this issue is immensely complex, polarizing and certainly deserving of a much more serious approach. But the point is this: we are moving towards becoming relatively equally vulnerable – exposed to uncertainties and *failing infrastructures*; or at least previously *reliable* geographical and social containers of vulnerability no longer work (bodies in Paris can be vulnerable just like bodies in Beirut; bodies of adjunct professors are becoming vulnerable just like the bodies of construction workers). Pessimism comes from this insight: we are resenting not precarity as such, but the fact that it no longer resides in *predictable* places, that it could affect anyone, *even us*. This idea should urge us to reconsider our deeply embedded hierarchical visions of humanity.

Another matter I want to briefly turn to is already mentioned – *infrastructure*. Even though we are usually lamenting its steady decline and the loss of its supportive functions (which we are right to do) – precisely rendering us more vulnerable – here I want to remind of its totality, namely to underline that infrastructure supports inequalities and distribution of vulnerability as well. Many passages in the book indicate precisely this point: the non-pre-political nature of infrastructure, the way very conditions enabling political enactment are political themselves. Infrastructure is not un-biased, it is not neutral – it does not only safeguard us against precarity but simultaneously (re)produces precarious and vulnerable bodies. (As vulnerability stems from relationality; relations are constituted within socio-material contexts [call them cultures, societies, groups...]; contexts are only played out through concrete infrastructures...).



So, finally, for me, the most important question is how to non-ambivalently connect and relate to one another: infrastructure, *livable life* and non-violence (as livable life is another important thread in Butler's book; an ideal and a norm that has to depend on supportive infrastructure and on the absence of violence). To this we must answer: what is a livable life? It has to be saturated with norms, but whose norms? It has to be supported by infrastructure, which has to be non-exclusive – even though, as it was mentioned, infrastructure is political; and does the non-exclusionary political exist?

At the very end, to summarize my thoughts on these matters and worries they incite, let me ask another question seemingly unrelated to previous concerns: is the life of an untouchable (a Dalit) a livable life? If not, by whose standards? The question is not random, as the train of thoughts that led me here included the figure of Gandhi (being emblematic in the context of Butler's book because of the argument of non-violence as action), his opposition to Ambedkar regarding the latter's fight for the abolition of casts, and possible *translation* (in terms of the Butler's book) of Gandhi's response to him: the abolition of casts would destroy the *infrastructure* of the Indian society, and that would incite *violence*.

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This historical vignette is invoked as a reminder for all our present and future theoretical efforts to preserve and establish infrastructure for enabling livable lives and fighting violence: an argument was raised in the name of preventing violence and preserving infrastructure (by a figure who gave non-violence his name) to maintain one of the most violent systems of human relations this world has ever known.

### Éric Fassin

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It is a pleasure to have one more chance to speak here in Belgrade, all lined up for discussion. Not only am I delighted to have yet another opportunity to engage Judith Butler's work, but I am also fascinated by this *dispositif* which reminds me of the pictures of Tito that we glanced at as we made our way through the building to this event: indeed, this looks like an intellectual version of the Politburo... though I must add that, in this case, I am not worried: our judgment on Butler's new book will be unanimously positive. In order to express my gratitude to the organizers, I shall be brief.

Let me start with a famous scene from the French Revolution, which may truly be called its foundational moment. In 1789, representatives of the Estates-General met in a hall, the *Jeu de Paume*; but they were trapped. The King's men wanted to force them out. Mirabeau's refusal to have their group disbanded before they could draft a constitution transformed their resistance

into a historical gesture that shook monarchy and inaugurated a democratic era: “Go tell your master the King that we are here by the will of the people, and that we shall be removed only at the point of bayonets.” This became an oath soon to be immortalized in heroic form in an unfinished painting by David.

What I want to point out is that this scene conflates two different meanings of the French phrase “espace publique.” On the one hand, there is the public sphere: these men claim to speak as representatives of the nation as they recreated themselves as a National Assembly. On the other hand, there is a private space (a “jeu de paume”, that is the king’s tennis court) that becomes a public one (the “Jeu de Paume” becoming the house of the people).

My question is: how are the two meanings, the abstract space of representation, and the concrete space of location, related in your work? Are the metaphorical and the physical meanings conflated, or separate? How are they articulated? In order to illustrate my question, let me take two examples that I have encountered in my sociological work in the French context.

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One is that of prostitution, or sex-work. The politics of this polemic, at least in France, focus on public spaces, if not public squares. The issue is visibility. No one is claiming to fight against sex work that takes place in private spaces, either in homes or businesses; the problem is street prostitution – and in particular the fact that these women congregate publicly in order to avoid the perils of isolation (men are left out of the discussion). In the public sphere, the whole heated debate turns around public spaces. At the same time, these “femmes publiques” (the old word) do not have a voice in the public sphere. They are spoken of; but they are never heard. Their physical assembly does not give them a representative presence.

The second example is that of the so-called Islamic veil. It is also a question of visibility in more ways than one. First, women wearing a veil are accused of trying to escape visibility; public visibility is then understood as an essential component of democratic participation. The justifications for the 2010 law against the integral veil focused on this type of argument. But second, it is their visibility (as much as their invisibility) that is considered problematic: the 2004 law rejected “ostentatious” religious signs in schools. However, the meaning of “public” changed from 2004 to 2010, from public schools to public spaces: while girls leaving secular schools can put their veil back on, women wearing an integral veil have to take it off if they want to go into streets. But in both cases, just like sex workers, veiled women are spoken of, but not heard from in the public polemic that concerns them most.

So, again, is this distinction of any use in your own work? And if so, what is the work that this distinction can do for the purposes of “a performative theory of assembly”?

## Daša Duhaček

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### Judging (for) the assembly: a commentary on Judith Butler, *Notes Toward a Performative Theory of Assembly*

Judith Butler's recent book, *Notes Toward a Performative Theory of Assembly*, opens up myriad important questions. This short commentary will focus on the possibility of – once again – using Arendt and feminist interpretations of her theory. I will resist the temptation to go into any of the other directions – such as exploring gender which is, in this book, an excellent summation of a long-term engagement Butler has invested in tackling gender trouble/s (Butler 1990, Butler 2004). The tone of this book may come across as “resisting,” or “refusing” Arendt and, in each particular argument, quite rightly so (Butler 2015: 60, 75). However, I think there are some possibilities in the way Arendt's political theory may still be further explored; and these possibilities are very much in the context of the questions raised here.

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One of the points of departure in the book may be called “responsibilization” wrestled from under “neoliberalism, and renewed versions of political and economic individualism” (Butler 2015:14-15). The category of responsibility is also Arendt's focus, addressed as personal responsibility (Arendt 2003), but also, significantly, as *collective* responsibility (Arendt 2003), which in her theory has become an emphatically political category. This concept of collective responsibility in Arendt's theory corresponds to Butler's focus on acting *in concert*, or *plural* performativity, etc.

Action in Arendt's theory is a privileged category, however performed only in public, and, as Butler reminds us often, notoriously absent from the private sphere (Butler 2015: 44). Even if the issue has to some extent been resolved (Honig 1992) it is always important to address it, especially concerning the legitimate proposal of bridging this gap between private and public, important for feminist political theory (Butler 2015: 76).

Butler mentions other gaps/binaries, considering them to be sharply divisive and hence problematic if transposed from Arendt's political theory and deployed, as such, in contemporary issues of building the concept of the political, notably the “distinction between body and mind” (Butler 2015: 45), or the problem of separating (the life of) the body from the life of the mind (Butler 2015: 203, 205) or, in Arendt's terms, thinking from acting. Butler resolves the public /private gap picturesquely naming it as a “passage from private to public” by arguing that “the public is essentially dependent on the private” (Butler 2015: 205). Moreover, she convincingly claims that the “private is not opposed to the political, but enters into its very definition

(...) private sphere becomes the very background of public action.” (Butler 2015: 205). However, the other binary – mind versus body – equally critical for the political, can benefit from further deploying Arendt’s theory.

In that context, my question concerns the possibility of using the Arendtian approach to judgment as a possible link to bridging the above mentioned gap (notwithstanding some of the arguments to the contrary, see Villa 1999). By focusing on the body (and juxtaposing it to the Arendtian concept of the mind), Butler appears to highlight this as a critical opposition. On the other hand, while the Arendtian body is laboring, working and finally, according to Butler, also acting politically (Arendt, 1958), it should be noted that the Arendtian mind is thinking, willing and ultimately judging (Arendt 1977).<sup>2</sup> As is well known, it is the category of judgment which, albeit not finally explicated in Arendt’s theory, is designated as an eminently political category (Arendt 1989). Consequently, it is my argument that Butler’s analysis of the acting in concert, renewed in her interpretation of responsabilization, can benefit from an expansion into the inquiry of judgment.

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Butler already addressed the problem of judgment in some of her previous work (Butler 2012), but the category of judgment in the text *Parting Ways* is understood as a result, the aim of a process. Judgment is addressed within Levinas’ and Benjamin’s concept of judgment and, of course refers to Kantian aesthetic judgment. However, there are some restrictions in presenting this concept since here it pertains to the judgment as a court decision (Butler 2012: 132) or, the “final judgment”, even the “Last Judgment” (Butler, 2012:95). As significant as these points in understanding judgment are, it is Butler’s study of the assembly where judgment, as a bounded concept, will not suffice and cannot be productively analyzed as finite. The many guises of assembly that Butler considers, such as protests, gatherings, vigils, even funerals, where concerted action is taking place, are forms of political engagement which require the analysis of the processes of judging. Perhaps, these dynamics can then contribute even to redefining the concept of the political. On the other hand, as noted, Arendt has indicated and opened up the issue of judgment. Without going into the countless interpretations of the category of judgment which dovetailed the original unfulfilled promise of the last part of *The Life of the Mind* (e.g. Beiner 1989) let us place it on the theoretical and political agenda once again.

Here is where Linda Zerilli has seriously moved the debate forward which is why her analyses are relevant in feminist theory (Zerilli 2005, Zerilli 2009, Zerilli 2011). Devoting a series of texts to unfolding the category of judgment,

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2 Arendt’s last work, *Life of the Mind* consists of two parts, Thinking and Willing. The third part was to be on Judging, but it was never written. Arendt, Hannah (1977) *Life of the Mind*. San Diego: Harcourt Brace & Company.

she clarifies relevant issues (plurality, validity, imagination, etc.). Contrary to the prevailing interpretations of judgment, which perceive it as a cognitive closure, Linda Zerilli explicates why validity, as an epistemological criterion, cannot be the only politically relevant parameter. Therefore, in the matters of assembly or concerted action the ramifications of judgment regarding sustaining plurality, or building a community become evident since “the practice of political judgment is a way of constructing or discovering community through articulation of individuality...for this articulation will always involve taking the perspective of others into account.” (Zerilli 2005: 159). However, it must also be taken into account that “[j]udgment is a way of constructing and discovering (the *limits* of) community,” (Ibid. emphasis added) and, we may add, judging becomes irreplaceable in negotiating most issues of acceptance and inclusion into the public sphere. When claiming that “to be precluded from the space of appearance...” Butler also notes this is an exclusion from plurality (Butler 2015: 59). And plurality is the condition of (political) action – “the *conditio per quam* – of all political life” (Arendt 1958: 7). This again calls for the analysis predicated on the category of judgment. Just to illustrate some of the complexities which may need to be addressed in this context, for example, Butler asks: “[t]he sphere of politics ...is one in which there are always more than two subjects at play on the scene. (...) To which Other do I respond ethically? Which Other do I put before myself? Or do I stand by?” (Butler 2004: 139-140)

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To return to the gap which Butler underscores in Arendt’s political theory, namely the one between the body and the mind. Zerilli appears to resolve the problem by privileging the position of the spectator in the ongoing debate: actor *versus* spectator. Spectator “sees the play as a whole.” More importantly, Zerilli draws attention to what Arendt clarifies as a politically pivotal position: “the judgment of the spectator *creates the space* ...the public realm” which is “constituted by the spectators, not by actors” (Arendt 1989: 63). But, she expands and clarifies her claim, “this spectator sits in every actor” (Ibid.). Linda Zerilli highlights the significance of this positioning of the actor and the spectator. “This shift in emphasis amounts to a Copernican turn in the relationship of action to judgment: without the judging spectators...action would have no meaning...” Judgment is the faculty which “allows us to order or make sense of our experience (...) gives coherence and meaning” (Zerilli 2005: 160). Nonetheless, questions regarding interpretations of judgment do remain.

In order to underscore this, the claim that the point is in securing the conditions of the process rather than aiming for the result as the criterion “Arendt emphasizes judging as an activity, not judgment as the result of an activity... What we affirm in a political judgment is experienced not as a cognitive commitment, but as pleasure, as shared sensitivity. ‘We feel our freedom’

*What gives us pleasure is how we judge...in freedom”* (Zerilli 2005: 183). This is the process of construction, building the political community.

In her book on the *Performative Theory of Assembly* Butler develops a strong case in defense of the Arendtian argument of the *right to have rights*, which she translates into a current political issue of recognizing the urgency of the right to assembly and protest. This can further be unfolded in building a passage between spectator and actor, perhaps even discovering that there is no gap between mind and body – not even in Arendt’s theory – just the unfolding of the complexities of judging processes. These intricacies can only multiply in all the pathways which lead from ‘I’ to ‘we’, and spill over into the public square of concerted political action.

## Erzsébet Barát

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### For embedded distinctions of precarity and identity

For this round table, I have decided to reflect in detail on the first chapter of *Precarious Life*, as it is this chapter that speaks most to my scholarly field, namely social linguistics, and to my interest in studying the relationship between language use, power and ideology. In addition, this is the text I can contextualize in Judith Butler’s works in queer theory that develop a discursive approach to gender, some of which I have translated into Hungarian. The chapter brings me closest to my interest in and concern about the validity of the category of ‘identity’ (Barát 2011, 2015). Therefore, I would like my contribution to focus on the differentiation that in my reading Judith Butler draws between a politics of precarity as something that is more promising for collective political acts of justice *vis-a-vis* identity politics.

In my understanding, Butler sets out to argue that on occasions of occupations of public spaces by bodies that are deemed disposable, people come together to demand a livable life and, as a corollary to that, a grievable death. They demand the very right to appear and thereby say ‘We are still here.’ They do not have on these occasions a list of specific demands concerning a particular vision of how to make their life more just, more livable because, I gather, such an articulation of actual demands would run the risk of engaging in identity politics. At the same time, there is also the assumption that making the precarity of life intelligible is not about willing away our ontological vulnerability to others but about making precarity function as a site of intervention to keep fear and anxiety from turning into murderous action, while identity is seen as an inherently normative and normalizing category of (legitimization of) exclusion. Precarity would allow for a broader, by

implication non-exclusionary, understanding of 'demands'. However, it is not so much a matter of scale as the reference to a broader/narrower scope should imply. This inclusiveness is made possible, paradoxically, by the fact that the category of precarity is conceptualized to allow for imagining *sharing the demand* of livable life in public spaces in the form of a political act of plural performativity. Sharing then comes to be precluded in the case of political acts by mobilizations around 'identity' that is said to operate through the production and maintenance of normative conceptions of belonging. To me, this distinction seems to produce a binary between a sharing that is associated with a universally imagined human condition over and against the articulations of particular demands. My reflections start precisely with how to understand this plurality as the condition of an inclusionary progressive political act that should not hinge on the viability of this binary divide. If we accept the ontological premise that utterances (for their intelligibility) are structured by plurality, or multiplicity, that is the meaning of any category, including identity as well as precarity, is by definition polyvocal or dialogic in Bakhtin's (1975/1982) sense of the term, then all categories are informed by this multiple logic. Plurality is integral to all categories as a logical contingency. Consequently, the identity of the 'I' or 'us' is always already called into question in and by its differential modes of relating to others. Then the task to address to me is not that much to argue that identity as a category should necessarily fail to furnish what it means to live and act ethically together while precarity could deliver this by way of its necessary orientation to inclusion but rather to explore the genealogy of the categories themselves; to see whether the current historic conditions of social struggle are more favorable towards an understanding of, or preference for, precarity over identity. Maybe, what we should study is the reasons for 'precarity' to seem more of a promising category in contemporary political thought. Is the concept of precarity more productive because it has not become sedimented in the same way or to the same level of 'obviousness' as 'identity' has either in academic or in non-academic discourses of progressive politics to evoke people as a group of belonging.

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I believe seeing plurality as a structuring principle of all categories also entails the need to differentiate between arbitrariness and contingency, between the openness of a category as a matter of logical, epistemological likelihood and that of deontic binding of actual political relations of power that are to set a limit to the potential, logical plurality of signification. In my opinion, it is the paradigm of flexibility embedded within a particular political context of contingency that may explain why we should like to invest in the mobilizing potential of 'precarity' over 'identity' now and not some inherently understood exclusion/inclusion divide. I have come to this understanding on the basis of Judith Butler's *Bodies That Matter*; more specifically its chapter entitled "Critically Queer." Her concern in that closing

chapter is with the temporality of the term. She sets out to explain the change of the meaning of the term from stigma to an affirmative set of meanings, from working as the mundane means of discursive regulation of the boundaries of legitimate sexuality to the successful resignification of desire as liminality (Butler 1993: 230).

In light of her argument there, I would say that our task is now to see whether we can argue for the need to overcome the constitutive history of injury articulated by interpellations through identity categories under the current particular conditions, such as the US practice of indefinite detentions in war camps. Our analyses then need to explore if and how identity indeed cannot be seen as a useful category of analysis for such political activism as ‘precarity’; if that is the case because identity has been centralized too much, even in political movements that self-identity as progressive, to the point of articulating itself as “the obvious center” of political movements for social justice. Within such a historically contingent frame, we do not need to exclude ‘identity’ as inherently normative and take precarity as necessarily of more critical and organizing potential any longer. Even if what is at stake in contemporary political movements of occupation of public spaces is negotiating what counts as livable and grievable life, it is not obvious that it should be seen to be more effective through precarity because the latter is not a category that could yield an act of identification. As a linguist, I would say that within the contemporary political economy of signification, part of the attraction of precarity may lie with its more intensified orientation to encoding activities and so it can be more easily associated with transformation while identity is more readily anchored in nominalization and hence seen as oriented to static, non-dynamic states of being and hence to rigid dispositions in political negotiations. This orientation to nominalization can contribute to rendering ‘identity’ as if “the” category of mediating the meaning of autonomous sociality abstracted away from any actual performances of embodiment that are much more readily available for the grammatical categories of verbs that are associated with precarious embodiments.

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## Judith Butler

Responses to Jelena Vasiljević, Éric Fassin,  
Daša Duhaček, Erzsébet Barát

First of all, Jelena, I appreciated very much your remarks, they could in fact develop into enormously robust criticisms in time, so I hope you go on to read other books as well. Just kidding. There are many important issues here. I take it that the pessimistic view that you are offering is one that suspects that, in fact, precarity has become increasingly random and that it affects people in increasingly random ways that cannot be patterned and predictable. And you suggest that perhaps we are not living in a situation of an unequal



distribution of vulnerability, but we actually are experiencing randomly induced vulnerability or even an emerging homogenization of vulnerability. So I would just say this: I think there is an interesting debate going on having to do with Thomas Piketty's work, suggesting that in fact we can chart and track accelerating inequalities at the economic level and that wealth is being accumulated by fewer and fewer people at a greater rate, and poverty is being expanded at an accelerated rate, and including more and more people. One question is this: for those who might understand themselves as middle-class, or who believed that going to school and getting a job might safeguard them from precarity, they are finding that the jobs they are getting are temporary or the debts they are accruing cannot be paid off even with a full salary. So, to be salaried is not enough to safeguard against the prospect of unpayable debt. I do not want to be too economic about this – I am not an economic mind – but I do think that the Piketty argument is an interesting one, because from the perspective of that group which is trying to ascend to the middle class, or which understands itself as functioning within the middle class presumption – only to find that they lost this job, or that that job does not work, or the salary is not ok, or I cannot get a house, or I cannot do anything that was part of the traditional promise of middle class employed life – from that group's perspective it does feel random, it can be registered as random. Why did I have this job and suddenly I do not? That is random. Why did I get this salary only to find that I cannot pay my rent with that salary? It is random at a certain level because patterns that we expect to replicate themselves are breaking down, but it may be that those random patterns can be thought about in terms of Piketty's understanding of economic inequality as an effect of randomness that actually belongs to this unfortunately patterned way in which economic inequality is increasing in an unfortunately predictable – not totally predictable, but trackable – way. (Jelena Vasiljević makes a short intervention to clarify her point)

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Right. But would we not protest it if we saw it as not only unequally distributed but *increasingly* unequally distributed? In other words, I think there is an analysis that could perhaps produce a better informed protest. But thank you, I think this is really helpful to think about. I completely agree with you that infrastructure can support inequality. That was the problem with apartheid; it was the problem with slavery and the caste system, as you pointed out. And though I make use of Gandhi occasionally, I am not in any way committed to all of Gandhi's views. I do not accept his views on caste, I do not accept his views on women or, indeed, on passivity. No. So, if abolition of the caste system destroys the infrastructure, is that a bad thing? No, it strikes me as a revolution. And sometimes infrastructures need to be destroyed, or brought to a halt, in order for something revolutionary to take place. That is perhaps one of the key meanings of the general strike. Maybe the category that is missing from this book is revolution.

Eric, I appreciate very much your once again letting us imagine *L'Assemblée nationale* trapped in the Jeu de Paume. Really, amazing. Maybe we should make distinctions here in Arendt's work: *Espace publique*; the space of appearance and the space of politics. Of course, it becomes confusing because Arendt maintains a distinction between the private and the public and, at least in *The Human Condition*, it would seem that it is the public sphere which is the presumptive space of politics. And yet, as she describes the space of politics we realize that it is effectively disjoined from any particular architecture or infrastructure. It does not have to take place in the square, it does not have to be an already established public space. It actually comes into being wherever and whenever a group of people get together and act in concert. So that is the literal plural performativity of her view. We get together and act in concert, and we could be in the Jeu de Paume or we could be in a railway station, or we can be in a street or at the border, or any number of places. Insofar as we act together we produce a space of politics which rearticulates the public in a new way, outside of any established or recognizable public space. That seems interesting – of course, I love that idea of hers, it is beautiful, it is romantic, I wish it were true, and perhaps it is true in part, for we do not know in advance what will become a space of appearance. But in fact, I worry about her transcendence of the material conditions of acting, the question of support, the question of architecture and infrastructure. So that is where I try to re-ground her or at least point out that action always needs support. All action needs support, including plural action (plurality alone is not sufficient support). It does not need to be a recognized public space that would be the support – I think that would be a kind of Bourdieu argument, namely, that already existing convention alone supports effective action. But still, there must be some kind of structuring of space for that to take place even as it can be significantly restructured in and by the action.

The question you raise about “prostitution” is an interesting one. Should prostitutes – should sex workers, as some of us would prefer to call them – remain invisible, should they remain unrepresented, or should they be in fact visible, an acknowledged part of public life, and represented by unions and institutions that will make sure that they work safely and with proper pensions? I am in favor of that second view. I guess I wanted to point out that, at least in France, the question of what is permissible in a public space is confused, as you yourself pointed out with the wonderful example of the woman who leaves school without the niqab and then puts it on to go home and so loses respect and standing in the public sphere, since veiled women are not considered to be political subjects in their own right. I recently saw under conditions of *l'état d'urgence*, news programs were interviewing the neighbors in Saint-Denis where the most suicide bombing occurred and where those responsible for the attacks were living. And this woman (a neighbor) was in a full-face veil, and she was giving an interview on

the television show. And they wanted her information; they did not say you couldn't appear like this on a television show. And they did not presume she was, because veiled, utterly mute. They let her appear, perhaps by accident, she had a perfectly interesting set of remarks to make about the people who were living there and how much she did not like them. It caused a brief debate in public discourse: should she not have been interviewed? Should that face not have been broadcast? Well, she is a neighbor, she had things to say, and someone thought: let us forget about the niqab, let us hear what this woman has to say. I enjoyed that little transgression, it seemed there are many inconsistencies on how public space is regulated. Perhaps by accident, she was rightly treated as a citizen at that moment.

Daša, thank you for your remarks on Hannah Arendt, I really believe that the central question of what concept of judgment should concerted action rely upon is an excellent question. I do not have a clear answer to it, but I would be most interested in trying to think through Arendt's writings on reflective judgment and aesthetic judgment in Kant in relationship to concerted action. If we could put those different strains of Hannah Arendt together it would be quite amazing. My worry has always been that the one who judges is a more or less free, spontaneous, sovereign, reasonable creature. And that is not a "we", that is not a "plural we" who is exercising judgment (or that the "plural we" is sometimes modeled on sovereignty). Especially in Arendt's work on civil disobedience, or when she writes about moral responsibility under dictatorship, then we really are holding individuals responsible for not simply saying, "I refuse to follow the laws of the Nazi regime". They fail in matters of personal individual judgment. But to think judgment in relationship to plurality and to concerted action, I think she did not do it. Perhaps I am wrong, but I think it is left to us to do it really. She seems to be the person who has gone as far as possible in that way, and I would be willing to be led and illuminated. So, thank you very much.

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Zsazsa, I do not know whether you were suggesting that one reason I prefer precarity over identity is that precarity allows me to think about livability whereas identity would compel me to think about justice. Was that the point you were making? Well, I would certainly want to talk about justice, but I guess what eludes me is why it is that identity is the link to justice. I do not see an immediate link. Maybe I am missing something terribly obvious. It seems to me that there are all kinds of ways of asking for justice. We can ask for the just distribution of wealth, we can ask for legal justice in relationship to atrocities committed, we can ask for a just society in which laws and political organization are open and transparent. I am not sure how any of those particular versions of justice would rely on identity. Sometimes identity claims are about wanting to be recognized. Identity seems more related to the question of recognition than to justice, but maybe there is a link there

that I am not seeing. But I would hope that I would be able to account for demands for justice, as I hope I would be able to account for judgment as a kind of plural action. Although it is not what I do here, and that may well be a limitation of this book.

I very much appreciate your other point, which is that all identity categories are multiply created, multiply determined, which means that they are not as identitarian as we might think. So I appreciate that very much: that is a very good point. However, your last intervention – that the term precarity has not been sedimented in political discourse as much as identity, and in that sense it is not yet fully determined, or it provides more openness – is interesting. I think that Petar and some others are going to suggest that precarity is embedded in fact in forms of paternalism, which I am going to wait to respond to. But let me simply say this: I am not choosing to focus on the term precarity for arbitrary reasons. I am noticing, of course, that there are mobilizations in and around precarity and that this has been a term that I understand to be developed to supplement the idea of the proletariat. The proletariat is a group of exploited workers, and it seems to me that the precariat go in and out of work, they cannot even necessarily be understood primarily as workers because the status of worker is not fully available to them, given the way in which employment has become temporary, or contingent, or retractable. It is not possible to become constituted as proletariat political subject with the same consistency and durability. So, I am trying to follow these mobilizations, and if that's "precarity" proves not to be the most important political signifier, that is ok. I do not think that it has to be one term around which people mobilize. I think there are a number of such terms, maybe I would say a family resemblance of signifiers that we might be able to collect and think about as mobilizing, having a certain mobilizing force of holding out an aspirational possibility. We will come back to this once paternalism enters the scene.

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### **Petar Bojanić**

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In my brief remarks, I will try to be as concise as possible. I will try to problematize what I have read last few days in this book and in Judith Butler's lecture, keeping in mind that I have not been able to, for example, look into the functioning of *vulnerabilité* in Levinas (and how Butler reads him). What interests me most of all is what holds us together, what keeps us bound, what allows for living or acting together. (And there are myriad responses to this question – are we held together by money, interest, crime, collective killing, collective intentionality? Is there group or collective consciousness, etc.? Also, I am of course interested, along with many others, whether it is

really possible to find a different common action beyond the corporation or company?) Further, I wonder, are we really held together by these two protocols, vulnerability and precarity? If you look at the titles of interviews conducted with Butler in Argentina and Brazil from June of this year, you will notice an international of those in *precarità* or *precarité* or in “precarity” (“*Somos todos potencialmente precàrion*,” “*alianca entre os precàrions*,” a word which functions entirely differently in Romance languages).

The question from the chapter “Precarious Life and the Ethics of Cohabitation,” “What is the relation between precarity and vulnerability?” (109) but also Butler’s awareness that there is “the risk of using the term ‘vulnerability,’” “There is of course an even more sinister way of wielding both categories of precarity and of vulnerability” (143), her various hesitations, etc. – all center in Butler’s project to gently modify Hannah Arendt (“I would suggest, when vulnerability is itself mobilized, not as an individual strategy, but in concert” and “to think vulnerability and agency together” [139], or else “to mobilize vulnerability in concert” [140], as well as “mobilizing precarity,” “to show us the simultaneity of being precarious and acting”). The biggest problem, it seems to me, from the lecture on Vulnerability/Resistance and from the book is constructed around paternalistic power. “A most important criticism,” says Butler, “emerges from those who argue that vulnerability cannot be the basis for group identification without strengthening paternalistic power.” This is followed by Butler’s attempt to improvise a swift and effective response. My question is how is it possible *a priori* to cleanse vulnerability or precarity of paternalistic histories when they are its integrative part?

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Let me elaborate: the moment of resistance, apart from the group or “mobilizing precarity,” necessarily implies the existence of a strong instance of sovereignty. This could be easily shown through a legal history of “precariousness protocol,” which sums up the entire political theology of the Western world and Christianity. The word precarity or *précaire* appears for the first time in the 16<sup>th</sup> century (Levinas, I recall, uses the phrase “ontological precarity” [*la précarité ontologique*] saying that the face is “precarity more precarious than all precarity” [*précarité plus précaire que toute précarité*]). It comes from Latin legal jargon, *precarius*, and means “obtained by praying” (*prex*). Surprisingly, this origin is at once juridical and religious (or pseudo-religious). This etymology would indicate that all precarity is synonymous with dependence on a curatorial power, regardless of its precise nature, which could give us what we ask, or refuse our request, or even withdraw it from us at any moment after having given it – whence the idea that anything precarious is poorly established and secured. However, this etymology also at once signals that human precarity is not exclusively a contemporary issue, nor indeed a recent one. By definition, there is precarity wherever there is power. To reiterate: “precarity” exists in a place where: (1) there is power that can be solicited (asked, begged) for something (usually land or some

such benefit), (2) something has been lent or borrowed without a contract (a transaction that is not a legal act [*acte juridique*], not an obligation, but a simple fact), (3) it is not a lending or borrowing with a specific date of return (*commodatum*), but the owner decides on their own when the precarious [*précariste*] must return the land (this is called *precarium*; in Naples, in 1772, Giambattista Vico writes in the margin of his book *Il diritto universale* about the *precarium* as the origin of the contract; a hundred years prior, Hugo Grotius writes about Jews to whom the Roman emperor allowed the conduct of public ritual and the following of their own laws based on *jus precarium*, and not on the laws of the empire (*non ex lege aliqua imperio additâ*). Meaning, that he could have abolished them whenever he so wished.

It seems entirely clear to me, then, why Abraham insists on purchasing the land on which to bury Sarah, and not accept it as a “gift,” and why, on the other hand, the various 17<sup>th</sup> century converts, who abandon Judaism, think that precarity is a sign of malediction [*la précarité est signe de malédiction*]. Conversely, a good example that could also be thematized is as follows. If the great legacy of the French revolution was to make all work of limited duration in order to prevent the risk of slavery and servitude (since, as we know, there were no contracts of unlimited duration until the end of the 19<sup>th</sup> century), or if people have consciously accepted precarity as a common resistance to becoming individually subjugated, it is uncertain whether inequality is thus reduced or even if the master or sovereign is thus lesser. Assuming that the goal of resistance is to bring more justice, might we ask, does justice reduce vulnerability? Thank you very much.

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### Katarina Lončarević

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Since I have only five minutes, I cannot discuss all the important topics Judith Butler explores in her new book. But I must say that all the issues raised in *Notes Toward a Performative Theory of Assembly* are important for us today, for our lives and our struggles against injustice and inequalities we face. First, as a feminist, I must say that this book is very important from a feminist perspective, because almost all the problems you discuss are problems that feminists explore: from subversion of the dichotomy between traditionally political and nonpolitical sphere, over the analysis of the concept of the individual, to relationship between “I” and “We” and discussion of possibility of joint political action... However, in these few minutes I would like to say something about the concept of vulnerability as one of the crucial concepts analyzed in the book. It is a very important concept for feminism as well, and as you say in chapter four (“Bodily Vulnerability and Coalition Politics”) “feminist theorists have for a long time argued that women suffer

social vulnerability disproportionately” (Butler 2015: 140). You recognize in the book and you said yesterday during the lecture something about the dangers of understanding that “women have an unchanging and defining vulnerability” (Ibid), because it leads to asking a “paternal authority for special ... protections”, and at the very same time “affirms that inequality of power that situates women in a powerless position” (Ibid: 141). So, I agree with you that vulnerability is not totally active or passive, and that vulnerability and resistance can and do happen at the same time, and we can see that in different feminist claims.

I am going to use the opportunity that you are here today among us to ask a question about something that is absent from the new book (although not from your previous work), but it is close to you and your work, namely I would like to hear a little bit more about the concept of vulnerability presented in the theory of your colleague and friend Bracha Ettinger among others. Ettinger’s work is not unknown to the wider audience, because she was in Belgrade last year as the keynote speaker at the Summer School for Sexualities, Cultures and Politics, organized by our colleague Jelisaveta Blagojević on behalf of *Ipak Center* and Faculty of Media and Communications.

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The concept of vulnerability is one of the crucial concepts in your recent work (not only in this book) as well as in Ettinger’s work (and not only hers; I am using her as an example of a different position from yours). Ettinger and you are inspired by, but also very critical of two authors: Arendt and Levinas. And both you and Ettinger conceptualize vulnerability in a similar, yet different way, in part due to different theoretical frameworks, which, I believe, can nevertheless communicate with each other. For both of you, the body that is vulnerable is a crucial point, the body is always already vulnerable and it is important to recognize the same vulnerability (or potential for vulnerability) of the other. For both of you interdependency is important, although you two do not use the same terminology when speaking about interdependency, but for both the subject is never alone, never isolated, and always dependent on the others.

I believe that the crucial points of disagreement are, first, Ettinger’s invitation to return to transsubjective precondition of subjectivization (trans-subjectivity for Ettinger is co-emergence of I and non-I). And second, while both of you speak about vulnerability of the subject, of the body, Ettinger claims the recognition of the vulnerability of the other and self-fragilization as a chosen position (she believes that self-fragilization is the position upon which you can act because one chooses to self-fragilize in an encounter with the other) (Ettinger 2006a; 2006b; 2011).

From this point, it seems to me that the differences in your and Ettinger’s account of vulnerability can have different ethical and political consequences. And despite the fact that your account of vulnerability is much

closer to the account of vulnerability I would embrace, I am asking you to explain, from your point of view, differences between these accounts of vulnerability, especially because you are reluctant to accept self-fragilization as a chosen position.

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### Movements and the Balkans

Judith Butler's latest book, *Notes towards a Performative Theory of Assembly* was published at approximately the same time as the (European) public acknowledgement of the so-called refugee crisis, i.e. the mass arrival of people mostly from the Middle East (but also Africa) to Europe. The motivations behind their emigration are different (war in Syria, political or economic deprivation in Afghanistan, Sudan etc.), but their goal is the same – to reach one of Western Europe's developed countries. A significant part of this moving population passes through the geographical region of the Balkans, and it did not take long for the media to coin the name “The Balkan Route” (interestingly enough, there has never been “The Italian Route” regardless of the fact that Italy has in the last couple of years been the principle entry point onto European ground).

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The term ‘route’ evokes the notions of passing through, of mobility or movement. Butler writes: “Mobility is itself a right of the body, but it is also a precondition for the exercise of other rights, including the right of assembly itself” (Butler 2015: 138). It is exactly this dual nature of mobility/movement that seem especially plausible in the context of the “newcomers” passing through the Balkans.

People arriving in Europe – migrants, immigrants, refugees, expatriates, emigrants, exiles – share the notion of precarity with the people mentioned as examples of assembled action in Butler's book, as well as vulnerability to a great extent. This is especially the case, I believe, due to their absolute exposure to others. They move towards and through the Balkans in accordance with one another, as well as with all the possible support they are able to get, often not official, or legal, usually overtly criminal. (What would be the right way to update Agamben's notion of police and humanitarians as being the only instances of dealing with the refugees' needs?)

I am not sure, though, whether it is possible to call their ‘movements’ concerted in the same sense as the amassing of undocumented workers, or the Occupy movement, or even of the refugee uprisings in refugee camps in demand for food, shelter or sanctuary. For it seems that in this particular case, the movements within the (refugee) camps differ from ‘bare mobility’



or mobility as a precondition of the right to (political) movement in one small but important feature: there is no hint of anything that might point towards their engaging in a concerted (cl)aim to make a different societal surrounding in the Balkans, for example one that claims the (free) right of passage through the area. In other words, it seems that the Balkans is not recognized as a place good enough to make a claim for political visibility/reality. The people who arrive do not intend to occupy the streets or squares of the Balkans in revolt because of things of which they are deprived. They actually want to pass through the Balkans, preferably as quickly as possible in order to reach a different place where, I suppose, they believe their life could become a livable one, or even a good one, regardless of the fact that practice often shows the opposite. The Balkan Route functions simply as a space of traversing, of momentariness; it figures as a space not shaped for claiming the right to (make a) movement, but one that could be utilized for many purposes with regards to demanding bodies in mobility – taking inventories of life and death, young and old, refugees or immigrants, woman and man. Bio-bureaucratization is at the threshold of Europe and for the purposes of the systematic and regulated transition of bodies from unrecognizable “bare life” to “rightless” or “already but not yet” recognized in rights, agencies or reality.

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Is it the case that a “sedentary” situation of uprisings and demands in the (refugee) camps all over Europe exceeds in reality “nomadic” wandering through the Balkans? Butler writes: “Those who are excluded from existing polities, who belong to no nation-state or other contemporary state formation, may be deemed “unreal” only by those who seek to monopolize the terms of reality. And yet, even after the public sphere has been defined through their exclusion, they act. Whether they are abandoned to precarity or left to die through systemic negligence, concerted action still emerges from their acting together” (Butler 2015: 80-81). In a certain sense, the “newcomers” take over and pass through various areas that in many ways become “public”/politicized in a different ways than before, when their bodies were not appearing there – for example, the illegal crossing of green borders; pressure on opening the ‘soft’ ones; and on the other hand putting up barbed wire or building walls along state borders... All of these situations are present and connected to the fact of passing through, or stopping for the moment of the gathered/arrived bodies. This is not an effect of a concerted action of a refugee uprising in demand for free passage, but more as a consequence of the (dis)orientation of the Balkan political establishment in a situation that shows clearly all the dimensions of the inconsistencies of the European political mainstream.

Would, then, the phrase “acting together” be applicable to the fact of an en masse arrival of people mostly from the Middle East to Europe? Or is it some other form of acting, some form that belongs to a state of affairs that are maybe ‘prepolitical’ or some other register of things we do not yet have the

language to describe? How should the public claim of those people, consisting of being able to live a livable life in the countries that rarely and occasionally recognize Middle Eastern lives as grievable, be thought of?

And in connection to this, is the space/area of the Balkans (traditionally treated as an Other of Europe) possible as a space of concerted, public action that can bring about “radical democratic change?” Or is it the case that the Balkan “saturation in power relations” (Butler 2015: 80) reveals, traditionally again, clear-cut “dominant and subjugated forms” (Butler 2015: 80)? For it seems that the mere name *Balkan Route* functions as a performative act, which enacts shapes and situates assembled bodies aiming to traverse a specific space, as well as those destined to live in this very space. Especially regarding the fact that insecurity over the grievability of Balkan lives amounts to a certainty over understanding the Balkans as a space that is between (European) borderlines.

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## Judith Butler

### Responses to Petar Bojanić, Katarina Lončarević and Brigita Miloš

I will try to be brief. These are all, of course, really excellent questions. I find myself surprised and pleased by every question I receive in Belgrade, I do not know why that is. It is not that I had a different expectation, it is that the form of engagement is extremely serious and thoughtful and respectful and there is nothing formulaic about it. So I cannot just occupy a role and... “oh, that question again,” which is what I am sometimes used to doing.

First of all, let us think a little bit about this extraordinary etymology of precarity that Petar has offered us. I think there are at least two questions raised by the etymology. Is it possible to disjoin precarity from the paternalistic tradition from which it comes, and is it possible to disjoin precarity from the idea of an arbitrary sovereign, which is a very specific kind of paternalism? The figure of the arbitrary sovereign who decides when and where and whether the precarious must return the land, and in relation to whom the precarious are beseeching, begging. I want to suggest is that it is precisely this etymology that offers a certain kind of descriptive power. In other words, the term precarity offers by virtue of this etymology a descriptive power for certain kinds of relations that we experience in the present. I think one could actually read this through the work of Giorgio Agamben in an interesting way, thinking about the precarious as bare life, or as a population subject to sovereign expulsion or containment or both. But what interests me about the etymology provided is that precarity exists where there is a power to whom the precarious makes its petition, and that relation is one of abasement; in other words, those who are precarious are in the position of living at the whim of a sovereign who is under no contractual obligation to engage the precarious in a just or

fair way. It is an importantly pre-legal condition of dependency and petition. The precarious have to formulate their petition and abase themselves before a power that may or may not countenance the request.

So why would such a term be brought forward to describe contemporary relations of labor and dispossession? Well, one reason is that labor contracts have become a thing of the past, that we are entering again into a situation where people are working without a contract, or long-term contracts are nullified, or short-term contracts have qualifications built into them that give the employer the possibility of ending the contract at will. So, we are seeing the destruction of labor unions and syndicalism in various parts of the world, and we also see the outsourcing of labor to countries where the regulation of labor practices are weak or nullified, so that labor can be exploited outside of recognizable conventions of contracting, outside of the reach of international labor law. It is that outsourcing of labor that has produced the contemporary situation of precarity both for those deprived of labor, and those employed under conditions in which contracts have been decimated. Now, Petar is right to point out that precarity is bound up with paternalism and with arbitrary sovereign power, but maybe what we are actually seeing is a re-entry of this idea of precarity into the contemporary world precisely on the grounds that the idea of reliable labor contracts and contractually guaranteed long-term employment have been nearly destroyed and we are now falling back into this pre-legal situation, or perhaps a pre-modern form of legality. If so, then who are the arbitrary sovereigns of our contemporary scene? Well, they are corporations, they are sometimes universities that hire contingent faculty and abandon them before they have a chance to achieve security. But they are also financial institutions, and the way that finance has entered into the social organization of work. That is becoming an increasing norm where I live and where I visit.

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So it is a world of broken contracts and weakened or eviscerated labor unions and labor laws. The trans-national labor practices are now ones that can, and do, consistently break with internationally regulated labor laws and maybe this is what reanimates such a term from the past. Now, when you say that the sovereign or the figure of paternal power is integrated into the very concept, I do not know. I think we can trace that etymology and that gives us many related insights, and we can even say that that etymology illuminates the descriptive power of precarity in trying to describe the contemporary situation of those who are in and out of labor at the will of supervenient powers. However, to mobilize on the basis of that precarity, that is to say, to identify as the precarious or to oppose the condition of precarity is to reanimate the concept and the virtue of etymology *against* that etymology. I mean, anachronistic terms get reanimated for contemporary reasons and they become redeployed for counter-purposes and the etymology cannot constrain those movements in advance. There is nothing about the etymology that can

stop that redeployment or reanimation from happening. I love etymologies but I am not that much of a Heideggerian that I think they finally control the semantic reach of the concept. It was Derrida who raised some of those critical questions about the presumptive power of etymology to control the semantic reach of the term, was it not? It was iterability that posed the possibility of a constitutive interruption and deviation of that signifying chain.

Bracha Ettinger's work – yes – I engaged with in several essays, and she has engaged with mine, and she is responsible for alerting me to the importance of impressionability, what she calls primary impressions. And for her these are often psychic traces that cannot be consciously recuperated, but that leave their traces in the visual field in some way. I certainly have cited her before, and I have worked on her, I have written essays in her exhibition catalogues, and if I did not cite her in this book then that is just an oversight and I will correct it in the next edition. I worry that the idea of the *matrixial* in Ettinger's work gives a kind of primacy to the figure of the mother, and I think that, for me, I accept that there is this primary, radically non-volitional dependency, but I am not sure we can call this support system, even for the infant – I am not sure we can call this entire support system *maternal*. After all, there is an entire adult and institutional world that makes its primary impingements on the infant. Now, she might understand me as somehow engaging a rejection of the mother. Of course, the mother, if there is mother, plays a very large role, but when the maternal becomes the name for the matrix that implies that a certain social form is identical with that structural function. The truth is that infants are brought into the world under all kinds of conditions, and we have to develop several names for those forms. Let us remember as well that mothers are also supported, hopefully, by institutions and laws and networks of relations. I do not want the maternal to be the name for that that entire problematic of support systems. How do we think about hospitals, how do we think about healthcare, how do we think about shelter, how do we think about citizenship – all those things are there as vital and necessary forms of support for creatures defined in part by their dependency on those supports.

I accept that self-fragilization is an important strategy, if it is a strategy. It seems to me that fragility comes upon us non-volitionally, or that it is already there prior to any reflexive act of our own; I am not sure it can ever be fully marshaled by our deliberate efforts to form a strategy on the basis of that fragility. Perhaps fragility shares a family resemblance to vulnerability. I think that for Ettinger, self-fragilization becomes an important concept in a culture where military aggression and defensiveness have become the norm; there is an anti-military ethos in this idea of self-fragilization that I respect profoundly, and it is true that it probably would not be my term, but it does not mean I do not relate to it, or that I refute it.

As to the refugee crisis, briefly, I would simply say it is interesting to think about when and where refugees do in fact gather – and they are of course

compelled to gather at borders that are closed. And in some cases, like Calais (before it was forcibly scattered), there are minor polities that emerge in the camp, in the refugee camp. Who is going to represent the refugees, who is going to devise the strategy, who is going to speak to the NGOs, who is going to talk to the security guards, who is going to try to stop the train, who is going to get on the train? So, there are informal assemblies, and there are some people who are trying to offer informed descriptions about how that happens. It is an interesting remark about the Balkans being a country to be passed through, but not a destination. Perhaps we have to understand the phantasmatic character of the Eurozone, and the tales that are transmitted over borders and languages about the safety or possibilities that wait at the end of the line. But even as the refugees pass through the Balkans, they enact rights of passage, and here I would just go back to the point I mentioned yesterday, which is that rights of mobility or capacity for mobility are prior to gathering, they are prior to assembly. There has to be an assembling from a state of dispersal before there can be an assembly. Although, people can assemble as well in motion, in transit, in media res. So, I think there are some ways that moving and acting together and even stitching together forms of support for chronic forms of abandonment are really crucial. We have all followed reports on the sharing of cell phones regarding bus schedules and transit routes, blocks, security guards, police, and deportation possibilities. It is very interesting to think about the networks of support that take place over cell phones, all of them suggest modes of acting, thinking and deliberating that are mediated within virtual frameworks of space and time. I think there is much more that can be thought about in relationship to those networks, how the virtual intersects with embodied life, both its constraints and its mobility. There may have to be many people moving for anyone to move, and yet the movement of the many is never a single movement. The cell phone involves a certain movement, but it is also a crucial technological dimension of mobility and the movement.

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### **Athena Athanasiou**

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Your book, Judith, asks about the embodied and plural political performativity of public assembly, especially when freedom of assembly is coming under increasing assault, because the very public spaces of assembling and protesting are dispossessed by capitalist forces of corporatization and privatization, forces of anti-immigrant securitization and the “constitutive exclusions” by which the body politic is established and are at work in the performative power of subject formation. In mobilising your unconditional concern with conditions and conditionality, you ask who “the people” may be, what counts as “public,” and how people come together even when the conditions for

their acting together have been devastated. “The people,” you write, “are produced by the conditions of possibility of their appearance.” At the same time, “ways of avowing and showing certain forms of interdependency stand a chance of transforming the field of appearance itself.” The conception of “the people” that you develop stands as a critique of both the managerial evisceration of political subjectivity and the conception of a total, unified, and exclusionary community forming always within existing borders.

Such a gesture allows the conception of “the people” to be critically displaced by those who have become rendered invisible and disposable: “those who cannot appear, who are constrained from appearing or who operate through virtual or digital networks” (8). The book implies a new and radical understanding of the public space of appearance essential to politics. I wonder, however, whether we might read Arendt with Foucault here: “space of appearance” as “trap of visibility.” How, in becoming present to one another and in coming together in transformative modes of survival and persistence, might we become dispossessed by – and critically displace – the normative premises of “presence?”

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One of the most important contributions that this book makes is that it indicates ways in which, in the context of critical practices emerging despite and against current regimes of subordination, political subjectivity is not enacted as grounded in a pre-existing solid foundation of the (present) self, but rather as brought about through collective modes of subjectivation and critical de-subjugation – echoing your reading of Foucault’s “What Is Critique?” and your emphasis on de-subjugation. So I think the question of “appearance” might be fruitfully linked to the question of the specter, as the human whose humanity persists in spite of the forces that seek to expropriate its humanness. This is a figure that animates the conditions of im/possibility, which make performativity political. And it is crucial to the question of what *happens* when “we” come together as *sans papier*, queer, and unemployed: what happens to both the “we” and the “come-together.” I am motivated here by Achille Mbembe’s “The Well of Specters” and his analysis of the specter of the nègre. So what is spectral about the assembly? And how might it work to animate the assembly and unsettle the biopolitical matrix of subjectivation and de-subjugation?

Public assemblies, which have become a defining characteristic of political action in this decade, embody not only the struggle in the street but also, significantly, the struggle *for* the street. The intimate connection between struggle *in* the street and *for* the street gains suggestive resonance as a way of reflecting and engaging with forms of political subjectivity that are – or seek to become – possible in these times of autarchic governmentality and increasing securitization. A question that emerges here is this: how would the conception of taking action as taking to the streets shift from the perspective of people in the boats in the Mediterranean? What claims to the infrastructural, affective,

and institutional conditions for livability are enacted by refugees and undocumented migrants who pour over European borders or cross the Mediterranean waterways in overcrowded fishing boats demanding the right of life? Throughout the book, you give these questions new possibility. With your insistence on the concerted actions of the body – in its becoming “at once concretely vulnerable, even breakable, and potentially and actively defiant, even revolutionary” – you perform for us this possibility.

The book offers us valuable ways to account for the possibility of non-sovereign political agency: a notion of agency that is not reducible to an antecedent sovereign self, self-willed intentionality and the standards of possessive individualism. Instead, it remains immanent to power, socially involved and compromised, potent and vulnerable, contingent and indeterminate. Such “transient and critical gatherings” implicate the political and affective register of social relationality, freedom with others, questions of demarcated matrices of recognizability, as well as the gendered, sexual, racial, and economized implications of one’s bodily exposure to one another and to embedded power. The notion of non-volitional and non-individualistic agency reaches far back into your oeuvre. You now return to the theory of performativity, in extending its purview beyond speech acts to include embodied forms of coming together, in order to dwell on its transformative political implications and unravel them more specifically under conditions of precarity and neoliberal dispossession. Performativity does not just indicate how we come to act, but also how we are differentially affected by discursive and institutional power and how we are animated and moved with others and by others in relation to our common but differential precarity and in relation to making room for new forms of being beside oneself and being-together. The book asks how we might come to be asking the question about acting. It does so by taking us beyond saturated, typical debates between Leninist “vanguardism” and late-Autonomist “spontaneity”, or those who seek vertical organization and others who underscore the benefits of activist horizontality and the “commons.”

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The question then becomes: is the assembly a new political institution? Is it a provisional figure of struggle? Is it an embodied form of radical democracy? Does it seek to describe and build a post-party political formation that differs from or rejects a politics of representation? Understanding public assemblies as plural forms of performative action brings to the fore the question of how different this is from liberal pluralism. I think one possible answer is given in the book, when you write: “The point of a democratic politics is not simply to extend recognition equally to all of the people, but, rather, to grasp that only by changing the relation between the recognizable and unrecognizable can (a) equality be understood and pursued and (b) “the people” become open to a further elaboration” (5).

“Popular sovereignty”, as a key term of the democratic lexicon, might produce a quandary here. As political subjects are increasingly destituted of their

sovereign status, in contexts of desiccated popular sovereignty, is there a call for sovereignty to be made or are we in need of alternative conceptual and affective devices which would not reiterate founding acts of violence implicated in the ethicopolitical genealogy of sovereignty (a genealogy premised upon the normative presumptions of the proper subject and the proper body politic)? Are we perhaps challenged to account for *another* sovereignty and render it an occasion for a radical politics of resignification? Do public assemblies themselves constitute a sovereignty alternative to reigning frames of sovereignty? So another (always-open) question that emerges for me here is the following: What critical form of politics does public assembly embody and enact in the context of dispossessed popular sovereignty? To what extent does this plural, transient, and embodied action return to safeguard values of liberal democracy that are under attack by neoliberal rationality and to what extent does it constitute a critical resignification of it or even an alternative to it? Is this not about an aporetic work of simultaneous safeguarding and critically resignifying democracy?

Finally, one of the most thought-provoking points of this book, for me, is the delicate distinction you make, Judith, between non-violent and passive resistance. Non-violent resistance, you suggest, “does not just say no to a violent world, but crafts the self and its relation to the world in a new way, seeking to embody, however provisionally, the alternative for which it struggles.” How would this distinction relate to the political labor of thinking vulnerability and agency together and of thinking non-violence as agitive? How would it imply an understanding of agency as always already traversed by the norms and passions of vulnerability? How would it help unsettle reigning notions of the political?

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Borrowing the link between academic and activist from Eric Fassin’s lecture<sup>3</sup>, I am now choosing to act in that role, stressing its state of emergency, demobilization, depression and resistance. My question-comment leans specifically on the fifth chapter of *Notes Toward a Performative Theory of Assembly*, but it is also in conversation with *Dispossession* and *Who Sings the Nation-State?*, notably, two books enacted in feminist dialogue (See: Butler, Athanasiou 2013; Butler, Spivak 2007). The fifth chapter is concerned with the freedom of assembly, the right which can never be held alone (Butler 2015: 186). What interest me about this individual right – which is also almost inherently collective – is its exercise within and against the state. Even more

3 Eric Fassin, ‘Mobilizing Publics. Intellectuals, Activists, and the Political Work of Representation’, November, 2015, available at <https://www.youtube.com/watch?v=qeb-oEj1AY>.



precisely, I want to understand consequences of the claim that freedom of assembly has to precede and exceed any form of government that confers or protects that right of assembly.<sup>4</sup>

In order to do so I would contextualize this claim in one possible way, and with one further claim: it is my wager that this book, which is not on feminism, is more feminist than any other Butler wrote. Thus I wish to link feminism, which is in this book a very broad and, I would say, purposefully indefinite designation, with what is being termed as popular sovereignty. Throughout the book, popular sovereignty is taken as something different from state sovereignty. It is sometimes defined as contrary to it, at other times as its condition of possibility, and still at others as the power to challenge or even topple the state sovereignty. Exercising freedom to assemble in common, bodily enacting popular sovereignty, is referred to as an “anarchist interval” or “permanent revolution” (Butler 2015: 163). I wonder in what way it also has to be thought of as a “feminist interval.”

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I am thinking of feminism as a kind of split with the state, or as a perpetual act of separating from the state, especially when state acts as (a) the facilitator in the expansion of the markets that transforms public entitlements into consumer goods and investment opportunities, (b) as the producer of jettisoned lives, and (c) as the instiller of fear through its military might which forecloses the possibility of popular assembly. Rallying against life as unlivable – life of the human capital, jettisoned life or enclosed life which is privatized by its internalization of fear – has to be a deeply feminist concern. Putting livable life at the forefront of politics induces skepticism towards the state which acts as the deliverer of paternalist power: as the provider of citizenship rights, differentially allocated and distributed, and provider of protection which can be taken away and withdrawn. Then, can a politics devoid of retrenchment in paternalism – which incorporates both market paternalism and military paternalism – ever be realizable within a model of a nation-state? Can feminism ever be pro-state, or when, at what point, in what kind of state (if any), can we claim that we are dealing with a feminist-friendly or even feminist state?

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### Questions and thought on resistance in the periphery

As I understand Judith Butler to be an intensely politically engaged thinker my remarks will be guided by a two-fold outing inspired by Butler's

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4 See also Judith Butler's Istanbul Lecture: 'Freedom of Assembly, or Who are the People?' September, 2013, available at <https://www.youtube.com/watch?v=Yd-7iT2JtXk>.

lecture and her new book on performative theory of assembly. I am outing myself as a frustrated citizen of Bosnia and Herzegovina, or to put it differently a citizen of Former Yugoslavia frustrated with being in-between, on the periphery and irrelevant, ruled by a nexus of political and economic elites, parasiting on the permanent transition to a democracy-era characterized by a mixture of authoritarian and patriarchal *habitus*, neoliberal pragmatism and ethno-nationalist ideologies. This is the background against which an average citizen in Post-Yugoslav societies in the last 20 years was put on the margin and reduced to a new transitional *precariat*, sentenced to an “unlivable life” (Butler 2015: 201). Listening to Judith Butler speaking here in Serbia, in one of the societies where forms of radical solidarity in opposition to political and economic forces are rather rare and when showing up on the surface is suppressed, either through direct or more frequently subtle repression, I simply have to read her book as a deeply political book.

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Second, following Adriana Zaharijević’s reading of Butler’s book as a feminist one, at the same time inspired by Butler’s narrative on bodily actions and performative assembly of bodies as well as her term of vulnerability as a part of political resistance, I have to out myself as a feminist utopian urged to provide an argumentation able to create a framework to pose one final feminist utopian question at the end of my intervention.

My starting question is how much is the newly emerging competitive and neoliberal/competitive authoritarianism that I see flourishing in the region built upon patriarchal negation and exclusion of the female and all other non-heterosexual identities? To recompose my question I argue that there is precisely this patriarchal negation and exclusion of the female, and it is by the police and prisons (both in the metaphoric and literal sense of the word – here following Butler: “All public assembly is haunted by the police and the prison“ [185]) that societies of Former Yugoslavia are kept “stable.” Besides, I regard the term “stability” as a new paradigm of both the EU and the so-called international community when dealing with peripheries and so called transitional societies. Former Yugoslav countries outside the EU and all other countries encompassed by the EU’s Enlargement and Neighborhood Policy belong to this form of periphery.

The second paradigm that has emerged in the region in the last two decades of “transitioning to democracy” is described by the term “pragmatic.” Only if politicians and citizens behave “pragmatically” and “deliver” in the so called “school of democracy” run by the EU and the Internationals<sup>5</sup> that democracy will start emerging and freedom will prevail. The problem is

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5 See here Boris Buden’s thought on the permanent transition to democracy in his book *Zonen des Übergangs. Vom Ende des Postkommunismus* (2009).

only that looking at the very bleak results of democratization and authoritarian trends in the majority of the countries of Former Yugoslavia in 2016 we cannot avoid to label the process of transitioning to democracy as failed, at least measured against the promises of democracy euphorically formulated at the beginning of the 1990s. This is the moment where we can easily expose pragmatism as a cynical and in the end neoliberal ideology designed for countries in the periphery to keep them “stable” while accepting that the political game is dictated by (new) ruling political and economic elites.

Pragmatism as a new ideology of the permanent “transitional present” is alluding to precarity as used by Butler, since it is drawing a line between the few (called pragmatic elites and their clientele) and the masses (deprived, being a new precariat). As soon as we accept and adjust to pragmatism we immediately reject any kind of progressive political ideology in favor of empirical facts and reality, which again is – at least in the region of Former Yugoslavia but not only – shaped by the peculiar mixture of neoliberalism, nationalism and various forms of authoritarianism.

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Here we can think further and extend the argumentation to yet another important term from Butler’s thinking, namely freedom understood as a term around which we organize our political resistance: “Freedom can only be exercised if there is enough support for the exercise of freedom, a material condition that enters into the act that it makes possible.”<sup>6</sup>

The question that arises here is basically how to exercise freedom in spaces and political entities on the periphery (like in the case of Post-Yugoslav countries) where freedom has been reduced and literally stolen, leading to a situation where material conditions for freedom are missing, where freedom discursively and in terms of realpolitik was miss-appropriated by transitional political and economic elites, or to put it more broadly in the sense mentioned above, by neoliberal ethno-nationalist conundrum. So, the question is how to reverse and renew the meaning of freedom, and how to reclaim democracy, and freedom in the periphery caught in seemingly endless transition to democracy?

One possible answer would be the one provided by Wendy Brown in her ferocious act to protect the very term of freedom and consequently liberal democracy from its (neoliberal) opponents. In one of her interviews prior to the publication of her book *Undoing Demos. Neoliberalism’s Stealth Revolution*, she is “in favor of trying to rehabilitate the term (democracy), give it substance, reawaken its potential, not only for emancipation and

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6 Judith Butler, *Rethinking Vulnerability and Resistance*, Manuscript for the Keynote lecture given on 20<sup>th</sup> November 2016 in Belgrade.

equality but also for a notion of popular sovereignty”.<sup>7</sup> Brown relates the process of reawakening the emancipatory potential to struggles by groups of citizens (be it in the Arab Spring, Occupy or Gezi-Park movement) fighting to „reclaim democracy as something that has to do with more equality than it has been used to signify in recent neoliberal decades, and also more control by the people.“ (Ibid.) But how to organize the process of reinventing and re-energizing democracy as an emancipatory term? And what place to find for the people?

As aspects of sudden or provisional assembly are already – without entering the debate on self-constitution and struggles over “who we are” – a major new formation of the public space able to confront the authoritarian state (regime) on the periphery with a quest for freedom, equality and solidarity, for a “life as livable.” Here we might think of whether, how and if not why protests in Bosnia in February 2014, collective actions on the streets of Skopje recently, or many other forms of assemblies in the newly emerging illiberal belt in Eastern and Southeastern Europe (including Hungary, Poland, Turkey) are able (or made unable) to change the parameters of “life as unlivable.”

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Finally, following Adriana Zaharijević’s<sup>8</sup> argument that freedom to assemble, besides bodily enacting popular sovereignty, also embodies feminist principles. To bring the argument back to Butler’s book, I am arguing that this above mentioned specific form of neoliberal authoritarianism with patriarchal negation and exclusion of the female, built upon terms of “stability,” “pragmatism” and ethnic nationalism, is preventing new forms of public assembly in the region of Former Yugoslavia and keeping the regimes alive. If this is right we might argue that precisely feminism can be taken as a key to understand and to attack these newly emerging post-transitional illiberal/authoritarian regimes. It is – to invert Putin’s words directed against Pussy Riot – the feminist fight against the “soul of man” (13) that can attack these regimes, both in ideological terms as well as in political terms.

This is precisely the place where we need Butler’s term of “vulnerability,” more precisely her affirmative use of vulnerability, “understood as a ‘deliberate exposure to power’ as a part of the very meaning of political resistance as an embodied enactment.” (15) Against the concerns that “vulnerability is disjoined from resistance, mobilization, and other forms of

7 See Wendy Brown, *Reclaiming Democracy: An Interview with Wendy Brown on Occupy, Sovereignty, and Secularism*, in *Critical Legal Thinking*, January 30<sup>th</sup> 2013, <http://critical-legalthinking.com/2013/01/30/reclaiming-democracy-an-interview-with-wendy-brown-on-occupy-sovereignty-and-secularism/>

Of course, the sense that democracy (and the notion of freedom) needs to be reconstituted is widely shared by authors and scholars ranging from Skinner (1998) Runciman (2005), Derrida (2006) or Badiou (2006).

8 See Adriana Zaharijević’s contribution in this volume.

deliberate and agentic politics,” (16), Butler argues that “the very meaning of vulnerability changes when it becomes understood as part of the very practice of political resistance” and that “we can come to understand bodily vulnerability as something that is actually marshaled or mobilized for the purposes of resistance.” (18-19)

When we speak about resistance in the periphery characterized by patriarchal and patrimonial male structures with male bodies deeply inscribed into the authoritarian inner-life of the regime and the “other” in gender terms is automatically marginalized and excluded, we have to imagine the resistance as a truly feminist endeavor. To put it in Butler’s words,

Feminism is a crucial part of these networks of solidarity and resistance precisely because feminist critique destabilizes those institutions that depend on the reproduction of inequality and injustice, and it criticizes those institutions and practices that inflict violence on women and gender minorities, and, in fact, all minorities subject to police power for showing up and speaking out as they do. (20)

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This brings me back to the beginning of my intervention and to the announced utopian feminist question: Can a feminist rallying against “life as unlivable” be the way out for the peripheral regions in East- and Southeastern Europe, more precisely in the Post-Yugoslav realm? Or to put it differently, to argue that only a moment where feminism becomes pro-state can be a moment where freedom, responsibility and thus democracy will come back to the region on a broader scale than in this very room.

## Judith Butler

Responses to Athena Athanasiou,  
Adriana Zaharijević, Vedran Džihić

Wonderful. Many important issues raised. First of all, thank you Athena for your trenchant comments. It is true that plural action and plurality are not quite the same as pluralism, and how to think about differentiating those terms is important. I certainly read and engage the work of William Connolly on that topic, interested in the way that “pluralization” works for him, but perhaps I also move in a slightly different direction than he does. I agree that it is important to think about assembly in ways that are not constrained by the accepted parameters of liberal democracy.

In your remarks you also suggest that perhaps something we might call humanity is understood as persisting even as the human has fallen into crisis, so how are we to think about that? Is there also a resignification of the human going on? I am reminded of the importance of resituating humanness and the human animal as one form of creaturely life among others, and that this is in part a way of understanding, perhaps developing a different

bio-political vocabulary, one that does not disavow the animal in the human, the animality of the human, but also the human dimensions of companionate species, as Donna Haraway reminds us. But also, perhaps we need another name to think about the dignity of this persistence that happens among humans who are with cruelty expelled from the human norm by those who seek to monopolize its definition in the service of racial projects. Is something we might still call humanity that which emerges precisely when the expulsion is refused either by those who are expected to execute that strategy or those who are subject to the brutality of that effacement. I am certainly not opposed to humanity. What would it mean to say that? That would be wrong, I certainly defend “the humanities” (in English), that is terribly important, although it is always possible to ask, where is humanity in the humanities? Let us speculate that humanity traverses and upends the logic of exclusion by which the human is produced and sustained. Even so, humanity brings with it its own specter, maybe the animal is the specter of humanity, or maybe none of us can have humanity without also engaging the spectral being of the animal. So, I appreciate the question of specter, since Derrida is in the room, and is always in the room when we try to think seriously about these issues. So, what is spectral in the assembly? I think that there are spectral assemblies in every assembly. I am re-reading now Marx’s *18th Brumaire*, as a way of trying to think about how the anachronistic reemerges in an unexpected and animated form in the present. And of course, to even understand Syntagma, Gezi Park, Tahrir, all of these have enormous genealogies which are, I would say, selectively animated in the present, and maybe even the *Assemblée nationale* in the Jeu de Paume is with us as well. The question is whether the specter of past assemblies operates as an unfinished promise or unfulfilled history, or whether it actually disrupts the historical continuum. In the *18th Brumaire*, it was generally unexpected that the people would miss the monarchic power that they destroyed, and how easy it was for them to give up their freedoms to a power who seemed, if only unconsciously, to be a living substitute for that lost authoritarian ruler. The sequence: we have destroyed the monarchy! What have we destroyed! Oh look, we have destroyed nothing: the Ruler is back!

As for the politics of representation, I do not, cannot, reject it thoroughly. I accept, for instance, parliamentary democracy, even if the parliamentary form cannot exhaust all we mean by democracy. All forms of parliamentary democracy depend however on what I would call popular sovereignty. But popular sovereignty is not distinct from what Sheldon Wolin called the “fugitive” dimension of democracy: it supports and withdraws, it installs and destroys. When it no longer supports the parliamentary democracy that it elected, it can withdraw itself and threaten that government with delegitimation even if that government responds to that delegitimation with military force. And responding with military force only makes that regime more vulnerable to delegitimation; it does not mean that the government necessarily

comes down, it can continue. And there are non-military forms of coercion that we might think about as well, such as the constraints on information.

So this power to confer or withdraw legitimacy is one that belongs to a people quite regardless of whether or not it is recognized by law. It is an extra-legal power without which legal powers can only operate without legitimation. With this in mind, then, popular sovereignty may well be a term that maintains closer allegiances to anarchist moments, ones that we can find implicit in every parliamentary democratic form. I am not saying we should be anarchist rather than parliamentary democrats, no, I am saying there is an anarchist possibility within every parliamentary form; this is surely why so many democratic constitutions are so fearful of the mob, so fearful of the crowd, so fearful of the popular will, even fearful of its own elections, so that this popular moment has to be managed and constrained. In other words, a radically democratic potential always needs to be managed by every parliamentary democracy, and I think there is a tension there that I would want to preserve between the two. I also think, and perhaps this is because I have been thinking about the Middle East and Israel/Palestine, that popular sovereignty can be divisible. The sovereign is not necessarily a figure of indivisible unity or a master figure. I know it is often defined that way, but the definition does not help us. Sovereignty can be divisible; it can even be dispersed. I am extremely interested in the idea of a dispersed sovereignty. And it might be something other than pluralism, it might be a form of cohabiting in ways that acknowledge difference but also the obligatory claim cohabitation at the same time.

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I also think that without sovereignty, it is very hard to defend the very important concept of political *self-determination* that is needed for decolonization efforts of all kinds. For example, it is important for Greece, which should be able to decide how it pays its debts, and manage its own economic activity, and surely should not be “owned” by Germany or the Eurozone or the World Bank. For Palestine, which has not yet seen the rights of political self-determination, for native peoples in Canada, Europe, the US and Mexico. Many indigenous movements rely very strongly on the concept of political self-determination and I think that that is linked with the idea of popular sovereignty, and I am not sure we should – just because sovereignty has a bad name – so quickly get rid of it altogether. But let us think about what it means or how it can be revised in those particular contexts. I am working on non-violence now, and I suppose I am working towards an idea of an aggressive non-violent strategy, and maybe I need to disavow passive resistance, but I think that there is a way of thinking non-violence as agentic and as aggressive, even as it refuses violence. There is another way of thinking about non-violence as non-action, and that seems important as well. If a strike is a non-action, a not-working, is it for that reason passive? I like to think about the emphatic refusal of violence. And maybe I will make an argument about that in time.

It is true that I want to claim that the freedom of assembly precedes and exceeds any form of government, and maybe that is an anarchist notion or maybe it is a popular democratic notion, or a populist view, I do not know. I do think that we would all do well to think about why Ernesto Laclau thought that there could be a left populism – maybe that would also be a question for Eric Fassin, given his own suggestion that perhaps we cannot really work with the idea of “the people” as such. Laclau published a book *On populist reason* making the case for a left populism, asking what makes them left and how do they work. Perhaps “the people” is a fiction, but that fact alone does not tell us whether it is an enabling or a disabling fiction.

I love it that everybody thinks this is a feminist book. I do not have any problem with that. But if it is feminist, it is also queer. Bernice Johnson Reagon spoke those beautiful passages on coalitions, emphasizing the difficulty of staying in coalitions, defining what a coalition is, especially across racial boundaries, what a feminist coalition is and can be (See Johnson Reagon: 2000). I rely on that enormously, but queer actions, especially those mobilized on the issues of HIV and violence, perhaps even before Occupy, have been crucial for my understanding of alignments and mobilization, of networks formed across time and space, even between the living and the dead. So, if it is going to be feminist, it has to be queer, or feminist/queer/radical-democratic.

I acknowledge that there has to be a utopian horizon within which we think and act. I guess I have come to that conclusion, I did not always think that, but I think experimenting with the possible is something we get to do in academic life, in universities and art, in our creative and theoretical work, and that it is a radical act when the very idea of another future becomes impossible to consider. So opening up the horizon of the possible is not a bad idea. Some horrible things can enter into the picture, of course – very bad possibilities – but also some other kinds of possibilities as well. I mean, this is where politics actually involves a kind of crafting, how we think about principles that can be crafted into forms of life: less as prescriptive than generative principles, considered as a matrix out of which a set of possibilities for life might be generated. I know that pragmatism has become a combative term, I think that Nancy Fraser has tried to suggest that pragmatism could be used for both feminism and for socialism, so maybe we need to consider that. But I do not know if feminism is the way out. I know that Butler cannot offer the way out. I was always worried that Bosnia became an example in US feminism when Catherine MacKinnon claimed that she “represented the women of Bosnia.” I thought it was maybe a bad idea for her to say that. I think it is a really bad idea for US intellectuals to go touring around the world telling people what the way out might be. No. If anything, I come here to listen to you and become a slightly more informed and thoughtful person, by virtue of your challenges, as a consequence of what you tell me.



As for Adriana's question about feminism and the state, I do not have a categorical view. We can pose the questions abstractly: is there a way to refigure the state on feminist principles? Or, must feminism always be an anti-statist project? I would agree that feminism should not have as its primary goal state-building, but that does not mean that certain feminist principles should not organize state policy. Perhaps it is necessary to ask first about the contemporary condition of the state, since what we see is the dismantling of social democracy and health care, the outsourcing of basic services, and the implication of neo-liberal and market rationalities in state structures. If we oppose the dismantling of social services, the outsourcing of public goods, then do we do that in part on feminist grounds? If so, then we are interested in a renewed state structure, but are not in principle opposed to a state.

So, which state are we seeking to be part of, or not part of? Maybe we need a radical and feminist critique of neoliberalism and its privatization strategies and its market rationality in order to usher in a different set of values that would remind us of what the public good is, and of our obligation to preserve the public good, which does include various kinds of services from which women benefit – which does include education, healthcare and shelter. I am not sure what to say there, but my thinking is very dependent on Wendy Brown's on this issue. I heard Vedran's frustration and his voice, trying to speak, wondering about what can be said or heard from here, positioned on the periphery. I suppose we have to ask whether only the center maintains the conditions for freedom, or whether there is, as it were, an assembly among and for the peripheries. Yes, we are in a small room in a hostile environment, and we do not always know how to make change outside of the confines of academic life, but apparently the *Assemblée nationale* was in a small room in a hostile environment and finally emerged as quite a power. A lot of consequential movements have started in small rooms in hostile environments. Sometimes, as Virginia Woolf tells us, one needs a small room, a room of one's own, for the composition of thought. As Kafka tells us, it turns out that small rooms are adjacent to other rooms and corridors, passageways and adjoining buildings, and that much depends on how one regards the beginning and end of the spatial infrastructure that conditions livability. Anyway, thank you all for your difficult and important questions, I am most grateful and only sorry that I cannot address them all in the way that they surely deserve to be addressed.

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After the holy trinity of gender, race and class faded away and *identity* simply replaced them by becoming *the* buzzword of the *academe* in the '90s, two terms emerged designating the beginning of the third millennium: *uncertainty*

and *precarity*. The fact that a fairly recent spell check still underlines precarity as an unknown term confirms its ‘originality’. Since minds are always faster than their discursive articulation that uttered words turns into written discourse there is nothing wrong with the software-slowness—certainly nothing that would question the legitimacy of terminological ‘innovations’. Actually, ‘innovation’ might be an inappropriate term here and I suggest to replace it by ‘re-contextualization’. Because people lived precarious lives filled with uncertainty since the very beginning of time. These two terms are today under the spotlights not because of their ‘originality’ or protean power of mimicry throughout Western history but because of the very fabric of the times we live in. Therefore all the criticisms that this reinvigoration of operative terminology suffers being seen as ‘nothing new’ I find rather misplaced. In terms of paradigm shift, be it in humanities, social or natural sciences, these terms are precisely here as a paradigmatic framework for understanding the world while hoping to change it. Since prior to making any effort to change the world (even in a utopian way of remodeling it discursively) we must be sure that we do our best to understand it, and since, at the moment, we have no better pair of terms as tools in reading our present, I strongly suggest to use them to the best of our abilities.

Two recent books confirm the importance of the pair: *The Cunning of Uncertainty* by Helga Nowotny (2016), and *Notes Toward a Performative Theory of Assembly* by Judith Butler. In this short note toward the re-contextualization of operative terminology that opens effective modes in our efforts to understand our present, I will address only Judith Butler’s latest book, while seeking for modes of solidarity in the existing context of so-called special interest groups targeting particular spheres of interest that harm their very core of existence.

And here I speak from my personal experience while living in the US in the early ‘90s and witnessing the bracketing of interest among either racial, ethnic, religious issues or those of gender or sexual preference. The question I have (having in mind the entirety of Butler’s work) is how productive it is to think within a respective group, sharing its experience, its vulnerability and precarity without making serious efforts to draw a diagonal cut through various but mutual sites of vulnerability.

After being asked this question, at the panel in Belgrade, Judith Butler recognized many important points, underscoring not only the content but also ways of elaborating the manifestations of special interest groups in the field. She pointed out that the situation in the US academy in which claims of identity are put forward is a very difficult one, while thinking that it does sometimes produce an ethnographic shock on the part of those who travel to US campuses and see how the logic of political identity gets reproduced in ways that are quite antagonistic and that produce rupture time and again.

She saw it being tight and said that she was not certain whether or not special interests are the best term to talk about dispersing solidarity the way I imagined it underscoring that special interest groups is the term that the Republican Party uses in order to talk about women – that means half the population has “special interests” and it’s not the general will, they make a distinction between what is a special interest and who is the general public. Anybody who is marked by gender is, Butler said, a “special interest.” But still, there is a really big question here how to deal with that marking and how it emerges in political discourse. Maybe we could slip forward and remember that absolute identification with another, that is, being able to completely and utterly take the place of another in whatever it is they have suffered, or in whatever it is they struggle for – is not a possibility, and certainly not a basis of solidarity, it cannot be. Then she pointed out that a particular example of comparative genocide studies. They have done some really important work about exactly what can be said, how we establish a dialogue on atrocity, a dialogue on mass death, how we establish a dialogue on the technologies of state-sponsored murder. All those questions are really important to think about in common, even though many of us come to these issues from very different historical circumstances.

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### **Critical claims and critical ‘eyes’: the people**

Reading *Notes Toward a Performative Theory of Assembly* was certainly an exciting theoretical venture. Not only because this book deepened but also because it articulated in a fresh and lucid manner Judith Butler’s already on-going self-conversation and responses to the key issues of the historical present. These issues which include precarity, political agency, vulnerability, violence, resistance, dissent, discrimination, responsibility, among others, particularly appeared in her books *Precarious Life: The Powers of Mourning and Violence*, *Frames of War: When is Life Grievable?*, and *Dispossession: The Performative in the Political*, written in the form of a dialogue with Athena Athanasiou.

In this brief contribution there is no need to give an explanation on why this study engages our critical discourse; rather it is about how to utilize it, being aware of the limits of our most convinced ways of knowing, articulating and acting. In a deliberative gesture of ethical and political reflection that maintains both tension and theoretical bonding of respect while performing the realm of a new critical activity, Judith Butler allowed for the ‘Performative Theory of Assembly’ to take place on the scene, in the auditorium of the Cultural Centre in the heart of Belgrade.

The presence of the constant transposition of the modalities of theme that seek the political within a neoliberal contemporaneity and countering it at the same time, while aiming to expose through the possibilities of public assembly, or more precisely, through its, as the author says, “responsibilization” (Butler 2015: 15), moved my aspiration towards a simple claim for public agency. What stands behind this claim and to what does it obligate us?

Apart from various provocative thoughts and convincing arguments on bodily and embodied assembly in public spaces that re-configure the political, I will draw attention to the potency for the politicality of assembly from a very distinct angle. Namely, by referring to the syntagm ‘We are *still* the people’ (Butler 2015: 181) that Butler addressed precisely as a response to a “historical articulation of urgency,” disclosed as a need to oppose the acceleration of precarity and economic inequality of humans, I will try to rethink what we keep by recreating the exterior of human-ness.

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On the one hand, what to connect within providing us the people today, in this repetitive claim “We are *still* the people”, that allows us to think whether humanness might be the ultimate bonding, or the condition of being human; on the other hand, in which way does this declaration resonate in the formation of public assembly by claiming for the shape of human possibility as its condition? In order to see an intrinsic link between these two concerns, one has to make an additional effort rather than a switch in perspective.

This so-called phrase ‘We are *still* the people’ is present in the book even when it is not expressly mentioned, through the webs of other thoughts, concepts, questions, imaginative positions, always signaling something that goes beyond enunciation itself, or its “vocalized performative” (Butler 2015: 170). What thus thrilled me at first glance was not the problematic *we*, or even more problematic syntagm ‘*we* as the people’, or ‘we are the people’, rather the unexpected meanings that *still* implies and creates.

“It can mean, ‘we are *still* the people’ – therefore, still persisting and not yet destroyed” (Butler 2015: 181), as Butler pleads for one of the possible interpretations, by highlighting equality as a matrix of public constituency gathered around an assumed yet indefinable “the commons” that is to be jointly struggled for. While I must admit the point that embodied equality through a public assembly linked to human interdependency and “a fair distribution of labour tasks” (ibid.) as an ‘inquiry’ involuntarily implies other political claims upon bodily agencies under the conditions of neoliberal governing and its reshaping and defracting of the concept of “the commons” today, I would argue that this abovementioned syntagm elicits a response on another level.

What I found to be most significant is that ‘being *still* the people’ invokes the possibility of enabling and creating a human zone at, paradoxically, the very

edge of the human zone itself and despite ethical disputes around human subjectivity, political agency and popular sovereignty. Subaltern, subjugated, oppressed, marginalized, “banned” as the one Other-ed, or the one whose being is “necessary prerequisite exclusion for sovereign inclusion” (Nayar 2010: 5) have confronted and occupied our gaze.

Hence at this point we are precisely talking about the condition of governing human life as a political subject-citizen as governing life itself that is at the present time, according to some decolonial theorists and critical thinkers (Mbembe, Beller, Gržinić, Berardi etc.), marked through necropolitical practices for the greatest extent. Based rather on the “distribution of death” (Mbembe 2003: 24) than on the “fair distribution of labor tasks,” they produced a capitalization of death since, as Marina Gržinić argued “(...) the logic is not the maximum of life but the minimum for living (...)” (2013: 7). In the strict sense, it is the logic of how the global capitalist social body is organized (Gržinić 2008, internet) and “how *racially* ontologized hierarchies of space” (McIntyre, Nast 2011:1466) in convergence with this expose the modes of production of life.

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When the Swiss visual artist Ursula Biemann, for example, in her video essay project *Performing the Border* (2000: 133-144) explored the spaces provided by the unrestricted movement of capital and labour power within neoliberal capitalism, she introduced the notion of “geobodies” as a peculiar metaphor for mobile factories that rely on the exploiting regime of women’s bodies that serve capital there, especially concentrated on the border and around the border. This geobodies trajectory operates very efficiently in various countries, increasingly mapping spaces for bare survival both for female migrants and local ‘immobile’, subaltern women based on providing a bias that enhances cheap and overexploited labour and enforces work under slave-like and subhuman conditions, along with exploitation and over-subjugation. Migrant women workers from respective ‘marked’ states or regions (such as Southeast Asia) have very often lived under border conditions and at the border of living bodies whose neo-slavery position emerges out of invasive neoliberal strategies that often intersect with “racialized nationalism and disjunctive morale economies based on kinship and ethnicity” (Ong 2009: 160). Therefore, “biopolitical otherness,” a term used by Aihwa Ong (2009: 161), contains the implications of all these moments in their “otherness status,” from precarious non-human status to noncitizen one, from colonised body to dehumanised subjectivity.

How can we then make a claim for political acting knowing that any attentiveness to the substantive harms of human discrimination and subjugation within the public field cannot be realized if the intentional ignorance of human beings, who have been forced to live under extreme conditions and substantially de-humanized is at risk? How can we then struggle “for a world

in which life becomes livable for those who have not yet been valued as living beings?” (Butler 2015: 183). These kinds of questions may leave us in a state of human anxiety or caught by ‘ontological’ melancholia.

Or going further, whether the possibility of human assembly in reminding us of what ‘still the people’ is, means an ultimate condition of acting as being, or rather a kind of transformative compassion among humans through modes of social reciprocity and recognition, and above all, solidarity (Berlant 2011: 182). Enrique Dussel, in advocating for the stand that “life is the only absolute moment in all ethical and political description” (Dussel 2013), starts from a material ethics of the affirmation of life as a form of counter-acting in favor of those who are poor, oppressed, and hyper-exploited, and seemingly, by this, opens up towards an initial proposal of possible engagement. However, a new modality of ‘the political’, in order to activate a critical positioning and acting, rests on this agonistic ‘burden’ as well on the capacity of ‘humanistic resistance’ (Said’s term) that the still enigmatic ‘We are *still* the people’ implies and offers. And as I presume, just as Judith Butler notes in this book, on “radical hope.”

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### Jasmina Husanović

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I would like to thank the organizers for the opportunity to take part in this seminar, since I have had the pleasure to engage closely with Judith Butler’s thought in my research, teaching and activism in the past decades. My questions and comments concerning Butler’s latest work *Notes Toward a Performative Theory of Assembly* (Butler 2015) stem from the experiences of academic, artistic and activist work in Bosnia and Herzegovina where traumatic common corporeal injuries and predicaments have been normalized and institutionalized for a long time, through the war in the 1990s as well as in the so-called ‘post-Dayton’ period. For more than two decades the twin logic of ethnonationalist and neoliberal governance of affect and abject in Bosnia and Herzegovina has resulted in a particular set of ways governing ‘human waste’ through normalized terror (Husanović 2015; 2014a), or „terror as usual“ (Taussig 1992). I think it would be very interesting to discuss several issues in Butler’s latest book from the perspective that takes into account the lessons of protests and plenums in Bosnia and Herzegovina in 2014, especially in terms of political strategies and infrastructural challenges of direct democracy and social revolt as I have analyzed elsewhere (Husanović 2014b).

I was particularly impressed with the insistence in Butler’s book on the necessities of producing and reproducing the actual infrastructural conditions for politics – for political expression, subjectivization and action. In this sense, I think that such material experiences of precarious subjectivities

caught in multiple and complex emergencies affecting our politics, labor and thought today must be understood as a matter of engaged political enterprise on the battleground for the social body and public good today. To play with some metaphors from Pierre Bourdieu's opus and go beyond them (Bourdieu 1990: 3), "a fieldwork in philosophy" today has to be about producing knowledge as "a martial art" honed through political antagonization and common struggles in new social movements around us. Our battle is against the politics of terror which through its "irregular rhythms of numbing and shock" constitutes "the apparent normality of the abnormal created by the state of emergency" (Taussig 1992: 12). This, however, implies a quantum leap in the degrees and forms of creative and risk-taking work to be undertaken when resisting normalized terror, whilst firmly set on the tracks of the politics of hope, solidarity and equality, in the horizon of social change and justice. It is a daunting endeavor to forge, at the very heart of this political knowledge enterprise, a critical distance from emergency-induced hysteria, numbness or acceptance, and against resentment, envy, nostalgia, melancholia and despair as predominant affective mechanisms of the culturalized neoliberal governance.

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For instance, there is a tendency to interpret the latest events in Bosnia and Herzegovina, which emerged as an amalgam of performative assemblies and street protests spreading from Tuzla throughout the country, as coming about suddenly, "out of nowhere," whereas actually they were the outcome of a nexus of long-term emancipatory practices and movements that have been nesting in the fields of social activism, critical pedagogies, knowledge production and are there for many years. These practices and collectives have been questioning and challenging the merging of ethnocorporate and neoliberal regimes of power and violence in their particular post-atrocity order of governance instituted in Bosnia and Herzegovina for more than twenty years, colonizing all spaces of publicity and everyday life. The culture of terror, trauma and exception that is embedded in the so-called „transitional justice“ industry exposes political and economic orders where all lives, life as a whole, feeds into the "ethnicity incorporated" (Comaroff and Comaroff, 2009). From what has happened in the social revolt engulfing Bosnia and Herzegovina in 2014, and in the period afterwards, there emerges not a context-specific, but a common and universalizing imperative everywhere in global politics – to create, invent and nurture new modes of struggle against inequality and reclaim the tools, or the means of production necessary for such political enterprise. The question of solidarity seems of paramount importance here.

In this sense, what strikes me as a particularly significant insight in Butler's latest work is the argument that claims of identification with someone's predicament are not to be equated with solidarity, or what would be politically productive solidarity (Butler 2015). In addition to this, there is a call

there to move away from, and abandon the attempts to generalize or universalize cultural identifications in political thought and action. In my opinion, this directly speaks to the need to turn towards the question of class antagonisms, and to take class as a key category of analysis and political mobilization. This, of course, includes the sphere of knowledge production, which is also marked by class antagonisms and deeply unequal and unjust political economies. Speaking about the field of knowledge production through the critique of its political economy underneath also equips us to go beyond not only this false dichotomy between ‘intellectuals’ and ‘activists’, but also those equally false or docile claims that academic work, however critical, is enough for the political enterprise we have to engage in current political circumstances and our lives. We could witness how the field of knowledge production populated with many social actors and their transformative practices in a specific setting can foster promising political interventions, such as performative assemblies or street protests, by actively producing and reproducing the infrastructure, the tools, the means of political protest in deteriorating circumstances. I would like to place emphasis on those particular affective mechanisms which underpin the neoliberal/ethnonationalist colonial political economies rampant in Bosnia and Herzegovina, which clearly indicate the collusion and complicity of local and international elites and ideological orders they fodder.

Within the constraints of this seminar, I have chosen to pose a couple of specific questions concerning the arguments in the book. The first one is about the relationship between violence and nonviolence, especially when referring to Walter Benjamin’s *Critique of Violence* (Benjamin 1986). The second one refers to the paradox or crevice between fear and hope. This is something I am quite concerned about, considering that the possibility of future performative public assemblies is severely curtailed by the ever-stronger reorganization and preparation of state orders and their repressive forces to contain and prevent civic protest in any shape or form, using increasing levels of violence and inducing and disseminating fear through the social fabric and social body. What also concerns me is the saturation of various instantiations of socialist, social democratic, radical democratic, as well as liberal political scholarship and activism with a series of platitudes, withdrawals and complacencies about political organization today, often amounting to something that resembles a peculiar solipsism of passion, which deadens the potential to think and act politically, which evades the urge to embody passionate subjectivities collectively. In this sense, it seems to me that the problems and weaknesses in the field of knowledge production are largely to do with the refusal to engage in actually producing the public space, with its infrastructure, to orchestrate public resistance, protest and transformation. I think we lack enough discussion on how we, as knowledge producers, embody individually or collectively the symptoms of alienation on the affective level,



through the reproduction of affective bodily states of defeat, depression, mistrust, faint-heartedness, cynicism, hopelessness, and so on. Perhaps the right slogan at this moment of facing the politics of terror of inequality anew is to wish upon ourselves much more of everything that is already too much for us, because when things get truly unbearable, radical hope and the drive to change such things seem to ground themselves in new and promising forms.

To sum up the questions: How should we position ourselves towards violence in the context of bodies occupying public space and claiming public good that need to navigate the paradox between fear and hope, through bodily vulnerability, especially because the crevice between the two seems to be rather difficult to think and act upon? What kind of affective fiber is necessary to take on productively those political strategies that blur or displace the distinction between violence and nonviolence, and dominant normative prescriptions that go along with it?

## Judith Butler

Responses to Nikola Petković,  
Biljana Kašić and Jasmina Husanović

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Thank you very much. There are again so many important points here, and I just want to thank you for elaborating your questions in the ways that you have.

The situation in the US academy in which claims of identity are put forward is a very difficult one, and I think it does sometimes produce an ethnographic shock on the part of those who travel to US campuses and see how the logical political identity gets reproduced in ways that are quite antagonistic and that produce rupture time and again. I think that's right. I don't know if I would call them special interests, I think that's the term that the Republican Party uses in order to talk about women – that means half the population has “special interests”, it's not the general will, they make a distinction between what is a special interest and who is the general public. Anybody who is marked by gender is a “special interest.” But still, there's a really big question here how to deal with that marking and how does it emerge in political discourse. Maybe we could slip forward and remember that absolute identification with another, that is, being able to completely and utterly take the place of another in whatever it is they have suffered, or in whatever it is they struggle for, is not a possibility, and certainly not a basis of solidarity, it cannot be. And I think, for instance, comparative genocide studies has done some really important work about exactly what can be said, how we establish a dialogue on atrocity, a dialogue on mass death, how we establish a dialogue on the technologies of state-sponsored murder. All those questions are really important to think about in common, even though many of us come to these issues from very different historical

circumstances. I think that there are better ways of doing that, but something like that strikes me as closer to a model of solidarity I'm interested in.

I do think that we are still the people, whoever is standing there or here, whoever is part of the larger network of support. There is this *deictic* moment where I'm pointing to those of us who are assembled – whoever we happen to be, as if to say, “we have not yet been eradicated.” That does not mean that others have not been eradicated, indeed the reason we can say that we are still the people is that we know very well that others are no longer the people, or that they are dead, or dying, or they are at risk of death, or expelled or imprisoned, having lost some substantial access to the rights of citizenship. There is a very important relationship between memorialization and assembly that we haven't really thought about today, but which I know has been part of the Women in Black movement. Asserting the grievability of lives that have been lost, marking them, naming them in common, is not necessarily a monumental form of mourning, but more simply a set of practices of public acknowledgment that become reiterated throughout public space and time – that is a crucial feature of many public assemblies. The political power of mourning is evident, in Palestine, where it is sometimes difficult to know what is a funeral and what is a protest. And I know that this happens in many places, I know that Assad used to, perhaps still does, shoot at the Syrian people who gathered to mourn those who were killed by his army. He clearly feared the potential of an uprising on the part of those who gathered together to mourn. I think that the question of grievability and marking grievability is one way to transform the idea of human waste into valuable life, or grievable life – livable life is the aspiration of the still living, grievable life is the entitlement of the dead, or those who are on the way towards death. I think the fact that we are still the people marks the fact that we could be destroyed, some of us have been destroyed, and in that face of actual destruction we are still here, assembled, but also exposing ourselves in a way that every assembly does to the proximate and possible force of destruction.

The particular political situation of “transitional justice” is clearly an important one, a chance for a “diagonal” or “transversal” analysis that would consider post-genocidal, post-dictatorial, and decolonized conditions, but also apartheid and occupation (we are not yet post-occupation and on some analyses, apartheid continues in new forms). All of these histories are histories of enormous state violence. What is the place of critical memory studies in relation to the dominant and official versions of history, and even the sorts of narrative forms of a life-story required by non-governmental organizations and international law? Allied with this question is another, namely, what is the specific harm of normalizing trauma? And what happens under regimes that understand themselves as post-atrocity, or that have normalized unspeakable losses, or even capitalized on their unspeakability. I have a great deal to learn

about how neo-liberalism has entered into the process of “rebuilding” the Balkans, and how NGO discourse has imposed a language on trauma that effaces those that have emerged from the very people who have undergone violence and loss of such magnitude. And I’m interested to hear that there are a number of practices, including art practices and critical pedagogy that are part of the knowledge production that seeks to interrupt, or call into question, the post-atrocity order of government. That seems crucial. And I think there is also a way of bringing that forward.

I recently visited the *Centro Conti* in Buenos Aires where they of course have given a great deal of thought to memorializing those who have disappeared or explicitly killed. They make a distinction between sensationalist representations in museums dedicated to telling and documenting histories of violence and those that actually work with a pedagogical aim, and which also allow for a spatial organization of memory, such that one can pass in and out of the sites of torture and have time for reflection. This latter does not “sanitize” but neither does it seek to “retraumatize” or overwhelm those who wish to pass through those spaces. I think as well that such sites are important not only for the way they memorialize, but also for how they teach, and then again for the possibility to emerge with a new view on the ethics and politics of non-violence. I’m interested in critical memory studies in that respect, but I also think that there are comparative and transnational projects that are dealing with that, in ways that are really important. I also agree that fiscal elites and their state allies are very interested in suppressing civilian protest and expanding the military functions of the police. It did strike me as quite horrible that the French government, in establishing a state of emergency, not only suspended the freedom of assembly, but identified the climate change conference as the one in relationship to which there shall be no demonstration. So, a very tactical, very political use of the state of emergency to quell civilian protest. At the time of this re-editing, the Turkish government has instigated legal action against academic in Turkey who signed a “peace petition” in an effort to establish a better understanding with the Kurds. The call to peace has become punishable.

Perhaps I have one last thing to say about depression, melancholy and hopelessness – themes that we have spoken about during these days. One of the features of neoliberalism that is most nefarious is that we are each held responsible for the suffering we undergo, we expected to “bounce back” and to show a form of resilience that is part of the entrepreneurial spirit of self-making. This manic imperative corresponds to the classic melancholic and depressive position. Mania is the inverse side of melancholia, and so part of its own logic. The self-punishing side of melancholia is more well-known: one imagines oneself to be the sole source of one’s suffering – one didn’t try hard enough to find or keep a job, one didn’t put oneself on the market often enough, one didn’t prepare for the market well enough, one didn’t learn how

to show or demonstrate one's capacities, etc. One didn't sell oneself well enough. But I do think that sometimes, when we find ourselves falling into complete pessimism, from which we can find no exit, maybe it's because we let our suffering become too private, that we've allowed the suffering to become too individual, in other words: we follow the neo-liberal imperative to produce oneself with very few resources in the midst of devastation. The alternative before us would be to identify the common elements and even the structuring conditions that reproduce us in our isolated suffering, trying to obey a manic imperative we know to be impossible. So, moving out of that isolation, I do believe – it may start with commiseration and a sense of relief that one is not alone, but it may become something more, a thinking and acting in concert articulates a different kind of sociality that may well remind us of the limits of individualism and our common power.

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Adriana Zaharijević

## In conversation with Judith Butler: Binds yet to be settled

Judith Butler is well-known as feminist, gender and queer theorist. She is probably the most widely acclaimed woman in philosophy, which was recognized not only by her great readership, but also by many awards, such as Theodor Adorno Preis awarded to her in 2012. However, Judith Butler has not dedicated her work solely to critical theory: she is also a human rights activist, and the staunch advocate of anti-war politics, non-violence and radical democratic principles.

Butler came to Belgrade as the Institute for Philosophy and Social Theory's honorary guest in November 2015. She gave a lecture on 'Vulnerability and resistance', followed by an intensive seminar on her newest book, *Notes toward a Performative Theory of Assembly*. On that occasion we began this exchange which centred very much on her recent conceptual framework. 2015 was an important year because it marked the 25<sup>th</sup> anniversary of the publication of *Gender Trouble*, the book that has most notably changed the course of gender and sexuality studies. That book had also had tremendous impact on how women's and gender studies were framed in post-Yugoslav region – suffice it to say that it has been translated in Slovenia, Croatia, Montenegro and Serbia. The fact that Butler's work which did not revolve around gender has been much less known, prompted this interview to focus on politicality of vulnerability, precarity and dispossession, the cornerstones of her political and ethical theory. Questions put forward make linkages with gender which 'is still there'; they ask what kind of human can we claim to defend in times of post-humanism and relentless production of human capital; when freedom, equality and livability work together; and how to argue for non-violence and act non-violently in the amidst of so many forms of violence. The interview took place immediately after Paris and Beirut killings, which was to some extent captured by its tone and by its aspiration to understand the limits of what is politically impossible to will. The impossibility of leading a good life in bad life informed Butler's answers, with her constant readiness to make us think and will differently, to make us understand our obligation to co-habit the earth together on terms of equality.

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Adriana Zaharijević: „Ethical and political responsibility emerges when a sovereign and unitary subject can be effectively challenged“ (Butler and Athanasiou 2013: ix), this sentence from *Dispossession* reminded

me – although the terms are different – of the beginning of *Gender Trouble*. Now, 25 years after its publication, how would you explain its reverberations in your later work?

Judith Butler: In general, I do not try to connect the earlier work with the more recent work. I accept that there are connections, and it seems that you just found one. I tend to start again and again, which does not mean that each time, I start *de novo*. Maybe the same issues get raised in different contexts – gender, war, precarity, censorship – and they get folded into new contexts. But it was never my intention to produce a systematic or internally coherent system of thought. I continue to think with the resources I have. That includes Hegel, for instance, but also feminist theory.

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AZ: However, in *Notes toward a Performative Theory of Assembly*, you do dedicate the whole second chapter to gender. It seems that your earlier interest in gender performativity fits perfectly in performative theory of assembly.

JB: I do not know if it fits perfectly. It seems to me that *Gender Trouble*, for instance, did not sufficiently think about social and political actions, those that emerge from collective movements, and it did not offer a way to think about social relations or sociality. The way it was sometimes interpreted as a form of individualism or even neo-liberal individualism was a problem for me, and I needed to rethink performativity within plurality. Arendt helped me to do that, even though her notions of the social are finally not adequate.

AZ: It may be said that during the last ten years, three notions frame your work: precarity, vulnerability, and to a lesser extent dispossession. They are obviously different, but are also interlocked. All of them appear as double-sensed, with two interdependent valences. How to want one and not want the other valence?

JB: Perhaps we can say that these are issues that have to be thought at various levels, and that we cannot expect to say „yes“ or „no“ to any of them. They are not positions for which one argues only on a normative basis: I say „yes“ or „no“ to precarity. We have to find out first what they are, and how they operate, and then perhaps we have a better idea of what can be affirmed or negated at a normative level. My sense is that the insufficiency of the sovereign subject has to be understood in various ways. It is not simply that sovereignty is a fantasy that is time and again defeated by a principle of „lack“ – that kind of explanation produces a formal solution that is insensitive to historical context, or finds in historical context a convenient occasion to assert its trans-historical validity. At least with dispossession and vulnerability, the



double-edged character of the condition is part of what it is. On the one hand, one requires vulnerability but also to be „outside of oneself“, delivered over to a world of others, establishing sexual, social, and ethical modes of relationality. On the other hand, it is precisely by virtue of this kind of condition that we become subject to exploitation.

Precarity is different, since we have to distinguish between socially induced forms of precarity and those that characterize mortal and injure-able existence, human and creaturely. It is by virtue of the latter that we are eligible for forms of suffering. If we live in an area that is flooded, like New Orleans was some years ago, and certain populations are quickly moved to safety, and other populations are left to die, then we have a natural disaster to which we are subject as human creatures, but the way that we undergo that natural disaster is determined in part by failed infrastructure, social and racial inequality, and a biopolitics of population management. We can barely distinguish the two moments as they are lived together, but they do become distinct as clearly as we see how the power differential works in establishing lives worth saving, and lives not worth saving. The metric of valuable life operates throughout.

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AZ: The notion that binds those three terms is certainly the notion of the human. You seem to ask the one and the same question for more than two decades: what or who counts as human? And, by inference, what kind of human is constituted as inhuman or less than human? We now know that being human is a cross-over of matrices of possessive individualism, phallocentrism (or sexism), colonial expansionism, racial hierarchies and heteronormativity. Can this notion of the human ever be recovered and recuperated from its genealogies, so contaminated with different and overlapping kinds of in-humanness?

JB: This is a good question, an important question. I think we cannot give up on the idea of the human. At the same time, we cannot become „humanist“ in any of the conventional senses attached to that term. On the one hand, the human is crafted through all the norms that you mention and so „contaminated“ with forms of power that are objectionable. The human works not as a foundation, but as a criterion for recognition. On the other hand, precisely because there are those who have not yet been recognized as human, or whose recognition would „break“ the category, we have to keep it in place precisely to understand its historical changes, and the vector of power that works through it. When we claim that certain kinds of violence and atrocity are „inhuman“ we are surely saying that we do not want those kinds of crimes to be part of what we affirm as the human. So we are implicated in a debate at that moment. Similarly, even as the human/animal distinction has been used to establish racial hierarchies among humans,

and so requires a critique of „bestialization“, it is also important to count humans as one sort of animal, a creature among creatures. These kinds of binds are not yet settled.

AZ: In order to really appreciate interdependency, dispossession and vulnerability, to appreciate them *as* political, we would have to think of them outside of the logic of possession. We would also need to think of acting as of something other than mastery, and of actor as other than sovereign. What is this kind of politics that challenges sovereignty and property that I am and that I have? And is there such a politics that can effectively bring them to an end?

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JB: Oh, „bring them to an end“ – that would be a fine idea, a fine goal! I am perhaps too stuck in history to plot a course toward the elimination of the property form and the conceits of sovereign possession. Perhaps we have to consider those practices that effectively do undermine them, and to build those forms of kinship, community, and solidarity that effectively dispute the necessity and value of sovereignty and possession. I would like to see new ways of thinking about public space and the „commons“ – not so much what we „own“ in common, but what we share or circulate in common. This happens usually outside of the structure of states, in civil society, or in non-authorized modes of sociability. But perhaps it is possible to think about a different kind of state structure that would divide up or disperse sovereignty. I have always thought that was a good model for understanding what a bi-national authority might look like in Palestine.

AZ: Can you tell something more about the non-authorized modes of sociability? In times when the Left opts for much grander solutions, those „queer modalities“ of sociability, if I understood you correctly, also came under attack as insufficient and fragmentary. How do you assess these kinds of critiques?

JB: My sense is that whatever large legal and political efforts are made to establish rights or even to establish political parties on the left – and for the queer left, in particular – they have to come from popular struggles that cannot be fully translated into legal reform or party politics. I think it is probably a mistake to think that one has to choose between local movements and initiatives and „larger“ structural and institutional political participation. They are dependent upon one another, and they constitute different modalities of the political. If a party loses contact with its „base“ it becomes part of a machinery, so it requires the pre- and extra-parliamentary field of politics for its own legitimacy. Similarly, if we disregard the need to gain significant power, even becoming part of governments, then we really do keep ourselves in a mode of self-righteous marginalization. So I guess I refuse

the distinction between the „fragmentary“ queer politics and the „mainstream“ left – which is usually recruiting LGBT rather than queer. I think the dynamism, the antagonism, between them is extremely valuable.

AZ: You once said that the day of public intellectual is gone (Butler 2012). Would you connect this in some way with your understanding of a necessity to become dispossessed of a sovereign self? What then a public intellectual does? Do we need to redefine the term itself?

JB: I think the idea of the „public intellectual“ is an individualist notion. It assumes that there are heroic individuals who courageously speak out, who engaged in powerful speech and stand for important values, and that they do this because of internal conviction or special moral or linguistic capacities. But such individuals are shaped and made in the context of informal or formal social movements. They are supported by hundreds or thousands of others who are „there“ in some sense as those individuals speak. They are not separated from the social and historical conditions of their emergence, of their very possibility.

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AZ: Linked to this question: In *Dispossession* especially, but also after the many lectures when you are careful to answer all the questions and to leave room for their differences and intonations, there seem to be many „I’m not sure“ and „It seems to me“ (rather than I argue, I claim, all those figurative speech acts that confirm sovereignty of the author in the contemporary academia, in whichever discipline). The process of questioning is obviously not only about getting rid of what has been already there in order to give some alternative, but positive answer. It is also about not being sure what there is to be given as an answer. I was wondering if this has to do only with some sort of academic or even philosophical decency, or does it point to something else? For example, the possibility of opening up the space for something monstrous, both terrifying and incoherent, contrary to seamless: full of seams!? (And doing this today, when there are expectations to offer ready answers, even more, solutions applicable in different dimensions of our everyday struggles, which seems even harder...)

JB: I do not mean to be playful by saying, „I am not sure“ in response to your question, but the truth is, I do not always know. Sometimes I only know what I am willing to say in the course of saying and revising. I accept the idea that sometimes thought is fabricated through speech, and that it is only by letting a set of words loose in public that we start to get a sense of what they mean. I realize that I sometimes commit myself to more than I mean to, and other times I say less about what really matters to me. So I am, as it were, in the midst of finding myself in speech with others, and that is part of what conversation is. It also gives us perhaps a concrete example of what it means to be constituted in the midst of sociality.

AZ: When I asked you about the perils of possessive individualism, I omitted its contemporary form – what Wendy Brown defines as human capital in her new book, *Undoing the Demos* (2015). This also brings us back to the issue of the human in times of neoliberalism, in terms of normalisation of poverty and precarity.

110 JB: Human capital is one way of thinking about the value of the human self. Both Wendy Brown and Michel Feher have been tracking the way that „self-appreciation“ has become a new form of the neo-liberal subject. We are, effectively, assets that can be promoted on the market, and market-rationality has suffused our way of thinking both about self and other. This is different from self-ownership, since the self is constantly marketing itself. It has become not so much a piece of property, but an assemblage of „assets“ that appreciate or depreciate depending on their market value. It is difficult to find values that exceed this framework, but part of what I am trying to do is to think about how the forms of precarity produced by neo-liberalism also have led to new forms of sociality. These would distinct from, and opposed to, that neo-liberal form of the subject.

AZ: This is the proper place to turn to your *Notes toward a Performative Theory of Assembly*. There you argue that precarity becomes „a site of alliance“ (Butler 2015: 27)? This point links your earlier preoccupations against identity politics and your newer readings of what it means to live together, across differences.

JB: Yes, I always thought of „queer“, for example, as a term that designated a loose alliance, not a party, not a club, but a network, an emerging and possibly transient movement. And I learned a great deal from other networks that have emerged over time, those against globalization and corporate power, but also against racism. I am also interested in what brings people together more or less spontaneously. What common indignation? It seems to me that one could suffer the condition quite privately. One could assume „responsibility“ for one’s debts, or the foreclosure of one’s home. But that would be precisely not to have a political understanding of profits, banks, and neo-liberal forms of rationality. It is once the structural and shared character of the condition comes to the fore that assemblies and alliances become possible.

AZ: The questions of equality and freedom (and how those two can remain together, how not to lose one at the expense of the other) have a prominent place in this book. Freedom, as you define it, is closely related to its *exercise*, something which Foucault also emphasized. But unlike him, you claim that freedom does not come from you or me, but „from the bond we make at the moment in which we exercise freedom together“,

without which, moreover, there is no freedom at all (Butler 2015: 88). Can you say something more about that, and also about the intrinsic relation between freedom and equality?

JB: It is unclear to me from where freedom comes for Foucault. But it seems to be something that emerges in the operation of critique, at the limit of regulatory power, or in zones that escape disciplinary power. Maybe as well he has an idea of market freedom in his work on neo-liberalism, but that is contested among scholars. I do think Hannah Arendt gives us an idea of freedom that emerges within politics, and it emerges not from me or from you, but from an enacted relationship between us, a relation that is formed through action. As much as I like the sociality of that view, I also worry that she subscribes to a romantic idea of unconditioned action. Some Arendt scholars disagree with me. Still, I think we need to think more strongly about the kinds of support called upon in acting together, especially when we live in a world in which those very supports are diminishing. The „we“ in Arendt is also a function of equality. That is a hopeful yet complicated claim.

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AZ: We may claim that freedom and equality are only important if the lives of those who are presumably free and equal also live liveable lives. The past struggles which sought to institutionalise equality or freedom differ from our own struggles when both of these are in some sense there. And yet, the unlivability has not been eradicated or diminished.

JB: It is difficult to introduce the idea of „livability“ into political discourse because there is an immediate question about what standards might be used to decide whether or not a life is livable. One could just become exasperated with this demand for a standard or measure that would help us distinguish livable from unlivable lives, and simply rejoin that people are quite capable of indicating when life becomes unlivable. Of course, that may be true, but it does not suffice as an answer. I think „livability“ has to do with having proper support, and that includes the economic condition of persisting in life, and in reproducing the material conditions of life. Shelter, food, employment all count here. At the same time, certain kinds of freedoms, such as assembly, mobility, and expression, are also part of livability. It can be unlivable not to be able to speak or to speak out. I don't want „livability“ to be a category that we add to freedom, equality, and justice. Perhaps we have to understand that those three important democratic principles have to be understood concretely in light of the question of what makes for a livable life. The latter is a normative conception of what is needed to live, and to live with some sense of support and some sense of future. The problem is that so many lives are now made unlivable because of accelerating inequalities and massive dispossession. These are only two conditions among many. But I think we have to ask this question in order

to situate the fundamental principles of democracy within social and political life as it is lived or as it is found to be unlivable.

It is an old philosophical question: is life worth living or is only the good life worth living. Now the question may be different: is life worth living when it is not livable? Perhaps it is possible to say that some people are alive, but wish not to be, or feel that life under certain economic and political conditions is not worth living. Socrates asked that former question, under what conditions is life worth living? He distinguished between necessary and sufficient conditions. We can reformulate that question now. When people begin to feel that they are part of a „dispensable“ population, how do they struggle to find and assert the value of their own lives under such conditions? How do they assert the equal value and grievability of their lives?

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AZ: You say: „The opposite of precarity is not security“ (and in the light of Paris killings *this* in itself is too important), „but rather the struggle for an egalitarian *social and political order* in which a livable interdependency becomes possible“ (Butler 2015: 69). What is that order? Does it have an already existing name, or do we yet have to invent it? This seems very important today, when we witness an almost global mistrust towards what is being called (liberal) democracy, in our part of the world instituted after the fall of real-socialism, but also with the return of various Marxist visions of that order.

JB: Maybe there is no name for that order, but we can use this thought, this aspiration, this demand, to evaluate the kinds of orders that are presented to us. I think there are many reasons to go back to Marx to think about structural inequality. His early reflections on „life“ are also worth reconsidering. And I do not think we can simply dispense with all forms of liberal democracy or from its inheritance. These are the resources with which we struggle, so the question is, what can and ought to be reanimated from these histories?

AZ: Revolutions, or some in size smaller, yet revolutionary gatherings at the squares, in the streets, in other public spaces, are not only important because they may be conducive to a different kind of political and social order. The presence of the gathered bodies undoes or at least unsettles the division between public/private. As you said, „revolution sometimes happens because *everyone refuses to go home*“ (Butler 2015: 98).

JB: One aspect of the general strike is to stop businesses, to stop the rhythms of the day, the ritualistic ways of leaving the home, going to work, and returning to home. Once a condition becomes radically unacceptable, one refuses to go to work, but one also refuses to go home. One is, as it were, jettisoned into a public sphere, whether it is the square or the internet or

some other interstitial space. It is a way that bodies assembled say „no“ but also exercise, and demonstrate, their tenacity and demand.

I do think that leaving the house or the shelter for the street is a way of refusing to let political discontent remain private. The street, however, can no longer adequately represent the public sphere, and the internet crosses the distinction between private and public in some new ways. One can be inside and in the world at the same time, and have a political presence that is alternately or simultaneously embodied and virtual. The republican imaginary that models the private/public distinction on the difference between household and public square does still sometimes hold when people leave their homes and populate the street, but none of that „works“ without the media relay, the media as the condition of possibility of gathering. And the media is in some way neither public nor private, though it articulates that distinction anew all the time.

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AZ: Freedom to move, but also to have infrastructure for this movement and to not be detained or otherwise prevented from moving, is a precondition for freedom of assembly. This freedom is in its own right a precondition of politics?

JB: I think this is a freedom that pre-exists the very idea of „rights“. If we have a right to assemble, it is because we have a presumed capacity to move and gather. The right presupposes a body unconstrained enough, enable enough, to move toward other bodies in places that are seen and heard. So there is an operative presumption about bodies, movements, and freedom that precedes the „right“ to assemble. It is this corporeal presupposition of rights discourse that is often missed when rights are considered to be abstract and individual. Here, again, Marx continues to help us.

AZ: „It is not from pervasive love for humanity or a pure desire for peace that we strive to live together. We live together because we have no choice“ to live otherwise. What we *can choose* is to live together non-violently (Butler 2015: 191). I assume that your future work will revolve around the issues of non-violence, as a specific way of struggling against aggression. What motivates us to *preserve* the lives of the other? How do we work through dependency and aggression?

JB: Yes, this is a large question, one which I am thinking about very often right now. I accept the notion that social relations are not simply loving ones, that there is aggression within the social bond, and that every social relation contains within it the possibility of destructiveness. It is the late Freud who guides me here, but also Melanie Klein. At the same time, there are obligations to safeguard one another's lives even in the midst of very strong destructive

impulses. Especially in the Balkans or in other places where there has been horrific violence, it is not always easy to step away from violence when there is still shock, outrage, the memory of horror, and fear. In Palestine and Israel as well, the conflict is overwhelming, but so too is the obligation to live together, if not in the same place, then contiguously, and for there to be a commitment not only to give up modes of violence, both state and non-state violence, but to make that „sacrifice“ into the condition of any possible future. Co-habitation is in this way an ethical demand to affirm the equal value of lives, the equal grievability of lives, and regardless of whether we love or hate, we are obligated to co-habit the earth together on terms of equality. This last comes from Hannah Arendt, her argument against Eichmann, an argument, we might say, that still functions as a norm and hope for this time.

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NEW PERSPECTIVES ON DEBT AND ECONOMY  
NOVE PERSPEKTIVE DUGA I EKONOMIJE

III

Edited by Sanja Milutinović Bojanić



## Preliminary note

During the panel session „New Perspectives on Debt and Economy“ at the conference „Thinking Beyond Capitalism“, held in Belgrade in June 2015, the fellows of the Center for Advanced Studies, Southeast Europe, University of Rijeka presented a series of papers. Disciplinarily heterogeneous, the texts were unified by the need to think through and examine the central topic of the conference and its problem: the complex impasse that cunningly and fiendishly permeates every aspect of our lives, our quotidian, and also our future. Precisely for the sake of this future projection of awakening from a state of resignation and impotence (*crisis* or *morbid state* according to Gramsci), the historian Marco Bresciani presented his „Two Historians in Front of the Economic Crisis of 2007–2008: E. Hobsbawm and T. Judt. Between Marxism and the Legacies of the 20<sup>th</sup> Century“. Articulating the future based on the past, through a rational and reasoned evolutionary prism, Mariagrazia Portera wondered „Is Capitalism in Our Genes? Competition, Cooperation and the Idea of *Homo Oeconomicus* from an Evolutionary Perspective“, while Tamara Caraus' thinking was directed at a potential theoretical vaccinating and acquiring a „Debt Resistance – Beyond or Within Capitalism?“. In his text „Denationalization: Neoliberalism after Foucault“, Marcello Barison also projected hypothetical grounds of justification of obviously devastating neoliberal policies, which, it would appear, in their extremes could even attempt to surpass and replace the morbid lamenting over the old nation-state, saying that „it will be out of the metastasis of capital that new forms will be born“. Petar Bojanić, one of the directors of CAS SEE, in a text coauthored with Sanja Todorović, used mathematical vocabulary and reasoning to attempt to reveal the very possibility of conceptually understanding debt. What does it mean to have a debt? What is it that is „had“ when one has a debt?

One could say that debt begets an obligation. It initiates binding, a process that in time easily leads to objectivization, reification. What is the status of this new objectivization? It is not simply a property relation either in the legal or cultural sense. Leonhard Euler, the 18<sup>th</sup> century mathematician, in *Elements of Algebra* writes that „when a man owns nothing and also owes 50 thalers, certainly he has 50 thalers less than nothing“. Following Euler, one who has *less than nothing* „has“ debt, having something that is not. „If such a man were gifted 50 thalers in order to pay off his debt, only then would this man „have“ nothing, even though he would be richer than he

was“, writes Euler. How can we, precisely and carefully, without resorting to utopia or messianism, think and announce something entirely new regarding debt, capitalism, and the game of having, having not, and having nothing at all? Is it even a question of economy or does it not belong to what Aristotle called *chrematisticos* (*ta chrémata*) (when we speak of capitalism, are we not referring to the accumulation of goods, accumulation for the sake of accumulation, a great reserve and repository, and not simply the economy)? According to Lucien Febvre (1939), the word capitalism was „made in Germany“ at the turn of the 20<sup>th</sup> century, and it is truly complicated to determine whether it refers to interest or borrowing money or a money fund or money in general. In the first decades of the 21<sup>st</sup> century, however, the epidemic (to remain for now in medical and hygiene metaphors that, in a way, ushered the beginning of capitalist discourse) of debt all too easily grips even those previously thought immune. Perhaps the answer will not emerge from the anticipated direction of the economy and the rationalization of debt, but on the contrary, from mechanisms, which above all follow auto-immune strategies.

Mariagrazia Portera

## Is Capitalism in Our Genes? Competition, Cooperation and the Idea of Homo Oeconomicus From An Evolutionary Perspective

**Abstract** In the last few years a growing number of academic disciplines in the Humanities and Social Sciences have turned to the evolutionary approach: Evolutionary Economics, among these disciplines, is a thriving subfield of Economics, which adopts Darwin's evolutionary ideas and concepts for the understanding of economic system and modes of production. Evolutionary hypotheses such as the „selfish gene“ idea, the ideas of „inclusive fitness“, „struggle for life“ and „survival of the fittest“ may suggest – and have indeed suggested – that humans are rational self-interest individuals, doing what they can to increase their own reproductive chances or at least the chances of their close relatives („inclusive fitness“). To put it differently, evolutionary theory seems to suggest that *capitalism* (in a broad sense) is a system that has co-evolved with humans and best fits our evolved psychology. Is this the whole story? Is *capitalism* „in our genes“? In this paper I argue that conclusions such as „we are born to be rational self-interested agents“ or „capitalism is encoded in our genome“ are the result of a misleading application of Darwin's evolutionary theory to human socio-economic processes, mainly to justify a (Western) society based on selfish principles, but which is not *naturally* selfish in itself. Evolution seems to be the result of cooperative, not only (or not *mainly*) competitive processes, and the model of *Homo oeconomicus*, that is the idea that humans are rational self-interested agents always trying to maximize profit, is, also from an bio-evolutionary perspective, nothing more than a fictional exercise.

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**Keywords:** Charles Darwin; Survival of the Fittest; Evolutionary Economics; Symbiogenesis; Altruism; Cooperation; Elinor Ostrom

Charles Darwin's *The Origin of Species* (1859), a book that contributed to the revolutionary change of our understanding of the origin of life, of the development of species and of the role of humans in the natural world, was notoriously inspired, among other sources, by social scientists such as Adam Smith and particularly Robert Malthus. In various writings, including the famous *Essay on the Principle of population as it affects the future improvement of society* (1798, first edition) Malthus portrayed economic life as a dynamic process driven by two fundamental forces, population growth and the „means of subsistence“.

Although Darwin's main concern was a strictly biological one, namely how to provide a suitable scientific explanation for the origin and flourishing of life on our Earth and its differentiation in species, it took no more than a few years for his evolutionary theory to be extended beyond its proper domain

in the natural sciences. To cite but an example, the English philosopher and sociologist Herbert Spencer, who came to appreciate the power of natural selection with the publication of the *Origin of Species* in 1859, explicitly referred to Darwin's principles of evolution for his psychological/sociological investigations.

However, it is especially in the last three or two decades of the twentieth century, as a result of the new interest in the naturalization project in the humanities, that an increasing number of disciplines within the human and the social sciences have massively started to turn to evolutionary theory to find explanations for various aspects of human behaviour. We count today, then, an „Evolutionary Ethics“, an „Evolutionary Epistemology“, an „Evolutionary Linguistics“ and, obviously, also an „Evolutionary Economics“, the main topic of the present paper. While the project of constructing an evolutionarily inspired economic theory has been ostracized during most of the 20th century, interest in this endeavour has increased again over the last two-three decades.

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## 1. Evolution and economics

The first use of the term „evolutionary economics“ in English was probably by Thorstein Veblen (in 1898), although Veblen's disciples set quite rapidly this Darwinian legacy apart. The term became more widespread with the publication, in the 80s, of Richard Nelson's and Sidney Winter's *An Evolutionary Theory of Economic Change* (1982), where Darwin's evolutionary theory is used as an innovative tool to analyse „a wide range of phenomena associated with economic change stemming either from shifts in product demand or factor supply conditions, or from innovation on the part of firms“ (Nelson, Winter 1982: 3). Today Evolutionary Economics is a burgeoning, lively sub-field of economic studies, with its own academic journals and centres of research.

Now, in this paper I do not intend to describe extensively or to analyse critically the state of the art in contemporary Evolutionary Economics or specific aspects or hypotheses within the discipline. My aim is much more restricted: I will focus, moving from Darwin's *Origin of Species*, on some problematical passages, misunderstandings and pitfalls along the path that has progressively led to the full application – as it is attested in today's research world – of Darwin's theory to economics.

In the past years, prominent thinkers have claimed that a number of different economic systems (capitalism, socialism, communism and so forth) would dominate in what they described as a social version of Darwinian evolution. A glance at the main events of recent history confirms that they were almost all wrong.

In a nutshell, what I am going to suggest in this paper is that, although motifs or themes coming from the fields of the social sciences and economics can

indeed be found in abundance in the works of Charles Darwin, the relationship between Darwin's theory and economic theory has been in the past century a history *both* of intrinsic affinity and of deep misunderstanding. In this controversial and complicated story our central concept, the concept of *capitalism*, plays a crucial role.

## 2. No direction

Let me start with a terminological remark, which I assume my reader is already familiar with. The well-known expression „the survival of the fittest“, frequently attributed to Darwin, does not stem from Darwin's works, but from Herbert Spencer's, namely from his *Principles of Biology* (1864), where Spencer used the phrase for the first time.

Among the first supporters of Darwin's evolutionary theory, Spencer believed that, as species compete with one another in the natural world, to get food and to escape predators, similarly in the human community different types of society compete with one another. Spencer was persuaded that in his own epoch two types of societies, the „militant“ and the „industrial“, were competing, and that the industrial society was destined to take over and win.

Along a similar line, the Nobel Prize winning Austrian economist Friedrich Hayek presented in his last works (particularly in *The Fatal Conceit: the Errors of Socialism*, published in 1988) an evolutionarily inspired theory, suggesting that the human civilization is the result of the emergence and spread of the concept and practice of private property, leading to economic growth, trade, and eventually to the modern capitalist system, which in Hayek's eyes is an example of spontaneously emerging order. Capitalism is the economic system destined to prevail in the history of human civilization because, in comparison with any alternative system, it can support a higher human population growth rate. Both Spencer and Hayek, inspired by Darwin's theory, argued for the existence of an order, a „fate“, intrinsic to the human society and spontaneously leading to the affirmation of the industrial society, according to Spencer, and of capitalism, according to Hayek.

Now, my first, general point in this paper is to stress with emphasis that all attempts to use Darwin's evolutionary theory, as it is the case with Spencer and Hayek, to identify a „direction“ in the development of economic systems *are not* really Darwinian in their inspiration. The key feature of Darwin's theory is that evolution has no overall direction or, to put it another way, that we cannot determine in advance the trajectory that the evolutionary process will follow. „Evolution“ doesn't mean improvement or progress, it means just *change*, and things are largely (although not completely) unpredictable in the way they can change and „evolve“. The evolution of species occurs as part of a process of variation and selection according to local-contingent environmental pressures, and all hypotheses of societies evolving

towards a common end-point – capitalism, for instance – involve a basic misunderstanding of Darwinian evolution.

### 3. Evolutionary economics today

As mentioned above, evolutionary economics is today a burgeoning and very lively research field, in restless expansion. Simplifying the field for the sake of clarity, we can say that there are today two main schools of thought, or currents, which have developed largely independently of each other: the first current is called *generalised Darwinism*; the second is its opponent, called *continuity hypothesis*.

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In recent years *generalised Darwinism* has been mainly championed by Geoffrey Hodgson, from the University of Herfordshire, and Thorbjorn Knudsen, from the University of Southern Denmark, in books and specialised articles (see Hodgson, Knudsen 2010; Hodgson 2013). Instead of reasoning in terms of analogy, transferring a theory (Darwinian theory), originally emerged within the field of biology, into rather different domains such as economics or social sciences, Hodgson and Knudsen specify three general principles, *variation*, *inheritance* (or *replication*) and *selection*, and define them in such an abstract way that they should no longer be confined to the biological domain. They are Darwinian *generalized* principles: not biological, but *ontological* principles. Hodgson and Knudsen argue that in any system in which these ontological principles are present Darwinian evolution occurs. It was just a chance that the first „official“ scientific demonstration of the action of these three principles was in the biological field, with the theory of evolution by means of natural selection (Darwin 1859). According to the *generalised Darwinism*, the degree to which some entities (firms, for instance) are relatively successful leads to the spread or decline of the frequency of their properties in the population. The frequency of the properties of successful entities tends to increase in the population, while the frequency of the properties of less successful entities tends to decrease (Vromen 2008).

The *continuity hypothesis*, mainly championed by Ulrich Witt (see Witt 2003, 2008), from the Max Planck Institute of Economics in Jena, Germany, rejects the high level of abstraction of *generalised Darwinism*, claiming that, instead of *generalising* Darwinian principles, so that they can be more easily applied to any field or domain of the human activity, we should focus on economics and its structural specificities. Moreover, we should take into account what evolutionary theory tells us about the adaptive (physical, physiological, psychological) modifications that our body and mind have undergone in the course of evolution. Indeed, Ulrich Witt and his collaborators argue that economic evolution proceeds on the basis of, and is largely influenced by the outcomes of, previous processes of biological evolution. For instance, drawing on the main tenets and assumptions of contemporary evolutionary



psychology, Witt claims that the basic needs, psychological dispositions and non-cognitive forms of learning that our ancient human ancestors have evolved over the course of their history as a species, still influence the behaviour of today's human beings, actors in the contemporary economic arena.

#### 4. Critical remarks

In this section I would like to raise some critical remarks on the main tenets of the two aforementioned schools of thought in Evolutionary Economics, particularly on *generalized Darwinism*.

One should always be cautious in extending principles or assumptions beyond the proper domain in which they have originally emerged. This does not mean, obviously, that interdisciplinary research programmes are in principle impossible or that the trans-disciplinary use of concepts and terms should be avoided, but that there are however some methodological issues that should be taken into account.

As evolutionary scholar Alex Mesoudi persuasively argued in his book *Cultural evolution* (Mesoudi 2011), cultural evolutionary processes and evolutionary processes in biology are not coincident or totally overlapping phenomena. While we can certainly claim that cultural evolution follows Darwinian principles, in that it exhibits the properties of variation, competition and inheritance that Darwin described in the *Origin of Species*, it seems that it doesn't follow *neo-Darwinian* principles of evolution. According to neo-Darwinism, i.e. the „new shape“ that Darwinism assumed after its integration with Mendelian genetics at the beginning of the twentieth century, the genetic inheritance is always particulate and non-Lamarckian, and the genetic mutation is blind. Now, cultural traits in humans are not particulate and their spread across generations is not totally blind; moreover, they seem to follow a Lamarckian or a quasi-Lamarckian way of transmission.

Taking into account these differences between Darwinism and neo-Darwinism, one may argue that some cultural phenomena are more Darwinian than others, whereas a significant proportion of events and trends within the field of human culture is not Darwinian or neo-Darwinian at all. This means, going back to Evolutionary Economics, that some economic processes may be truly Darwinian in their essence, others only minimally Darwinian and yet others not Darwinian at all. The view supported by Hodgson's and Knudsen's project of *generalized Darwinism*, in light of the fine distinctions made by Mesoudi and other scholars working within the field of cultural evolution, risks to result in an oversimplification of Darwinism and its role for human culture.

Moreover, and this is my second remark on *generalised Darwinism*, in their effort to generalise Darwinian principles Hodgson and Knudsen seem to refer to a specific (rather partial) „version“ of the evolutionary theory,

focused on the concepts of replicator (in the sense of Richard Dawkins's *The selfish gene*), replication, competition, rivalry, as if they were „the all story“ of Darwinism.

In opposition with Hodgson's and Knudsen's neo-Darwinism, recent findings in evolutionary biology seem to suggest today a progressive shift (or, at least, a more accurate focus) from random mutations, competition, and selection, towards co-operation, symbiogenesis, regulation, networks, self-organisation. I shall come back again to these issues in a later section. For now, let it suffice to say that, since the research program in evolutionary biology is currently undergoing a reassessment, with traditional principles of neo-Darwinism such as blind mutation and „extrapolationism“ being losing significance (obviously, without resulting completely irrelevant), *generalized Darwinism*, as a theoretical option and interdisciplinary effort, is probably no longer up to date (Kottenbauer 2009).

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## 5. Cooperation

The reader of this paper is probably familiar with the plot and the main characters of Oliver Stone's cult-movie *Wall Street* (1987), which tells the story of Bud Fox (starring Charlie Sheen), a young stockbroker working in New York City, and Gordon Gekko, famous, unscrupulous and wealthy Wall Street player (starring Michael Douglas). One of the most popular speeches of the movie is Gekko's well-known „Greed is good“ speech, which has become a symbol of unrestrained greed in popular culture. Gekko says: „Greed, for lack of a better word, is good. Greed is right. Greed works. *Greed clarifies, cuts through, and captures the essence of the evolutionary spirit.* Greed, in all of its forms; greed for life, for money, for love, knowledge, has marked the upward surge of mankind“ (my emphasis).

I would like to recall your attention to the sentence „Greed [...] *clarifies, cuts through, and captures the essence of the evolutionary spirit*“, which may help introduce to the next step of my argument in this paper.

In the years since the publication of Charles Darwin's *Origin of species*, also because of the massive and sometimes crude extension of Darwin's evolutionary principles beyond their proper domain in biology, a misleading and partial interpretation of Darwin's theory began spreading, particularly in the main-stream and popular culture: the idea of a Darwinian selfish man, exclusively driven by an impulse to the maximization of his/her fitness, i.e. to the accumulation of resources and goods in competition with the other members of the population. More recently, publications such as Richard Dawkins' *The selfish gene* (1976), that was a best-seller when first published, unintendedly turned out to contribute to this distortion. Still today, the „version“ of evolutionary theory that seems to be more popular (in the

media, in the TV-radio shows and newspapers, and in the mainstream culture) is focused on *selfish*, *greedy* behaviours, supposed to be intrinsic to humans, and on the idea that rivalry and greed, to the detriment of the co-specific competitors, are a natural evolutionary heritage of *Homo sapiens*. In short, and coming closer to the main topic of this paper, Darwin's theory is popularly supposed to claim that neo-liberal capitalism in *encoded in our genes*, is the result of *Homo sapiens'* evolutionary history.

Now, in what follows I would like to focus on some recent findings in evolutionary biology that, in the last decades, suggest an alternative scenario: not (only) rivalry or competition but (also) co-operation is an important principle of evolution. In other words, I would like to contribute to dismantle, as far as possible given the restricted limits of this paper, the misleading idea of a Darwinian greedy man, a *Homo oeconomicus* fruit of the evolutionary history.

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## 6. An alternative story: cooperation and networking

Let me briefly mention some recent research achievements in evolutionary biology (with no aim of exhaustiveness), that focus on the role of cooperation and networking in the evolution of human and nonhuman animals:

### 1) Endosymbiotic theory

According to the so-called endosymbiotic theory, in early evolution eukaryotik cells (i.e. cells provided with a nucleus) came into existence because archaea-cells imported bacteria and let them become part of their cells. This theory, in other words, explains through a phenomenon of *cooperation* (between archaea-cells and bacteria) one of the most ground-breaking innovations in the history of life on our planet, that is the emergence of eukaryotik cells. As Lynn Margulis, American biologist who contributed to the endosymbiotic theory, famously wrote in her *Microcosmos: Four Billion Years of Evolution from Our Microbial Ancestors*: „The view of evolution as a chronic bloody competition among individuals and species, a popular distortion of Darwin's notion of „survival of the fittest“, dissolves before a new view of continual cooperation, strong interaction, and mutual dependence among life forms. Life did not take over the globe by combat, but by networking. Life forms multiplied and complexified by co-opting others, not just by killing them (Margulis and Sagan 1986: 14).

### 2) Multilevel selection and group selection theory

We know today that selfish interests often diverge from group interest; far from producing a regulated world, selfish competition leads to „arms races“, encouraging behaviours that not only cause harm to the group (in the inter-group

competition) but also provide no lasting advantages for individuals. Moving from this evidence, in 1999 Elliott Sober and David Sloan Wilson restored the hypothesis of group selection and multilevel selection in their book *Unto Others. The Evolution and Psychology of unselfish behaviour*. According to the authors, the traits that maximise the advantage of an individual, in competition with the members of his/her group, are different from the traits required for the group to function as a co-ordinated unit (while competing with other groups): „What’s good for my clan is not necessarily good for my nation. What’s good for my nation is not necessarily good for the global environment or economy“ (Sloan Wilson 2013, on line article; see Sloan Wilson 2015). Humans, as a matter of fact, show selfish, competitive and even violent behaviours towards the members of other groups, and seem to be spontaneously inclined to generous and cooperative behaviours towards the members of their own community. Greed, in short, is *not* (always) good: in a context of inter-group competition, a purely greedy and selfish conduct would eventually cause harm to the (greedy) individuals themselves.

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## **7. Competition is the midwife of cooperation; cooperation is the midwife of competition**

My aim with this paper is not to replace a „greedy“ interpretation of Darwinian evolution with a peaceful, harmonious, more comforting one. The truth, as for many things, lies always somewhere in the middle. This is also the opinion of Samuel Bowles, director of the Behavioural Sciences Program at the Santa Fe Institute and professor in the Department of Political Economy at the University of Siena, Italy, author of several books and papers on the topics of altruism, the emergence of cooperative behaviours in humans, and the idea of *Homo oeconomicus* (the *Economic Man*, led by purely selfish interests). In a paper published in „Nature“ in 2008, *Conflict: altruism’s midwife*, Bowles argues that altruism and generosity towards the members of the same group one belongs to have evolved hand in hand with violent and selfish behaviours towards the members of different groups. „Pre-historic burials of large numbers of men and women with smashed skulls, broken forearms and stone points embedded in their bones – as well as ethno-graphic studies of recent hunters and gatherers – strongly suggest that warfare was a leading cause of death in many ancestral populations. Yet at the same time, humans are unusually cooperative, collaborating with non-kin, for example in hunting and sharing food, on a scale unknown in other animals. Paradoxically, the grisly evidence of our warlike past may help explain our distinctly cooperative nature“ (Bowles 2008: 326).

Going back to our issues in Evolutionary Economics, we may argue from this that humans are equipped, as a result of their evolutionary history, to behave *flexibly* and *appropriately*, i.e. according to the particular circumstances they are embedded in. In other words, they are neither evolutionarily

predisposed exclusively to „capitalistic“ behaviours, rivalry, or competition, nor they have an exclusive „natural“ tendency to cooperation and altruism, *but* can behave either selfishly or generously depending on the context and on the particular environmental pressures acting on them. It is up to us to „adapt“ these environmental (social, cultural, economic) pressures in order to promote a cooperative and pro-social human environment. It's a question of good practices.

## 8. Good practices for a better (Darwinian) world

In 2006 David Sloan Wilson began using his hometown, Binghamton, in the state of New York, as a kind of *open air lab* for the study of social behaviour in everyday life (Binghamton Neighborhood Project, BNP). By means of surveys, group activities, workshops and experimental studies, his main aim was to enhance pro-social behaviours among young people and adults, and to improve the quality of their life and of their social interactions. The most distinctive feature of BNP was its strong scientific foundation: scientists had the opportunity to „see“ Darwin's evolutionary principles and tenets „in action“, applied to social systems, social interactions and inter-human relationships.

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The idea at the basis of Sloan Wilson's research program was the following: given that humans' peculiarity, as we have seen, is to behave *flexibly*, either selfishly or generously depending on the environmental pressures acting on them, to modify these pressures (organizing a pro-social environment) may ensure an increase of cooperative behaviours and a decrease of greed and selfishness among humans. In order to develop the project, scientists worked on the mechanisms of human behavioural flexibility, that is on the mechanisms by which individuals calibrate their degree of pro-sociality to their social environment throughout their lives (Sloan 2015: 122), and, in light of these mechanisms, they tried to ensure conditions as more suitable as possible for the development of cooperative social interactions. Sloan Wilson and his collaborators found that „people have a snail-like ability to change their behaviour in response to the pro-sociality of their social environment, regardless of their past experience“ (Sloan Wilson 2015: 123).

American political economist and Nobel Prize winning Elinor Ostrom's analyses of the governance of common pool resources (Ostrom 1990) played a significant role in Sloan Wilson's research programme. As is known, Ostrom identified eight principles for the governance and management of common goods, i.e. cultural and natural resources accessible to all members of a group or community, including water sources, fields, forests and so forth. These principles are: 1. Definition of clear boundaries (of the commons); 2. Rules (for the use of the commons) calibrated to local needs and conditions; 3. Possibility for those affected by the rules to participate in modifying the rules; 4. Rule-making rights of community members should be respected

by outside authorities; 5. Development of a system, carried out by community members, for monitoring members' behaviour; 6. Use of graduated sanctions for rule violators; 7. Low-cost means for dispute resolution; 8. In case of large common resources, multi-level organization (for the use of the commons), from the lowest level up to the entire system. Just think of a common resource, like a forest, an irrigation system or that small green field in the middle of your neighbourhood that you (and your neighbours) are allowed to use for *open air* parties and similar activities. Ostrom's principles provide a useful and feasible guide in order to enjoy the commons without prevent or undermine other people's (living in the same area, therefore members of the same „group“ you belong to) enjoyment.

As Sloan Wilson remarks, Ostrom's principles can significantly contribute to the construction of pro-social intra-group environments or, to put it another way, following Ostrom's principles we can promote the emergence of altruistic behaviours among the members of the same group, enhance solidarity and cooperative practices and contribute to the decrease of selfish or greedy attitudes. *Environment* matters, and it matters exactly because human nature is evolutionarily *flexible*. Ostrom's principles are a good example of how to organize a pro-social „habitat“ for us, behaviourally „malleable“, evolutionarily both potential greedy and generous, humans.

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## 9. Conclusions

To conclude, I would like to emphasize the home-take message from my short paper: as members of the species *Homo sapiens*, carefully shaped by natural selection over the course of evolutionary time, we are neither neoliberal capitalists „by nature“ (selfish, greedy, competitive) – as some interprets of Darwin's works seem still to claim – nor cooperative angels.

To the contrary, evidence shows that, evolutionarily speaking, altruism and greed have coexisted in us since the beginning, as two of the multiple facets of our intrinsic behavioural flexibility. Good practices for civil participation and governance, as those suggested by Ostrom, can contribute to regulate and „embed“ human selfish dispositions and to promote cooperative behaviours. It is up to us to decide in which direction to tip the scales.

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## Mariagracia Portera

Da li nam je kapitalizam u genima? Kompeticija, kooperacija i ideja *Homo oeconomicusa* iz evolucione perspektive

### Apstrakt

U poslednjih nekoliko godina sve veći broj akademskih oblasti u humanističkim i socijalnim naukama usmerio se ka evolucionom pristupu: među ovim disciplinama, evolucionarna ekonomija se snažno razvija kao podgrupa ekonomije i prilagodila je Darwinove evolucione ideje i pojmove razumevanju ekonomskih sistema i načina proizvodnje. Evolucione hipoteze, kao što su ideje „sebičnog gena“, „inkluzivne podobnosti“, „borbe za život“ i „opstanka najprilagođenijih“ mogu da sugerišu – kao što su i zaista sugerisale – da su ljudi racionalni pojedinci vođeni samointeresom i čine ono što mogu da bi povećali svoje vlastite reproduktivne šanse, ili bar šanse svojih najbližih srodnika („inkluzivna podobnost“). Drugačije rečeno, čini se da evolucionarna teorija sugerise kako je kapitalizam (u širokom smislu) sistem koji je koevoluirao sa ljudima i najbolje odgovara našoj psihologiji nastaloj tokom evolucije. Da li je to cela priča? Da li je kapitalizam „u našim genima“?

U ovom članku tvrdim da zaključci tipa „rođeni smo da budemo delatnici vođeni samointeresom“ ili „kapitalizam je enkodiran u našem genomu“ jesu rezultat obmanjujuće primene Darwinove teorije evolucije na ljudske socioekonomske procese, uglavnom da bi se opravdalo (zapadno) društvo zasnovano na principima sebičnosti, ali koje kao takvo nije *prirodno* sebično. Evolucija jeste, po svemu sudeći, rezultat kooperativnih, a ne samo (ili ne pre svega) kompetitivnih procesa, i model *Homo oeconomicusa*, odnosno ideja da su ljudi racionalni delatnici vođeni samointeresom koji uvek nastoje da maksimalizuju profit nije, takođe sa bioevolucionog stanovišta, ništa drugo no misaona vežba.

**Ključne reči:** Čarls Darwin, opstanak najprilagođenijih, evolucionarna ekonomija, simbiogeneza, altruizam, kooperacija, Elinor Ostrom



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## Realism's Understanding of Negative Numbers

**Abstract** Our topic is the understanding of the nature of negative numbers – the entities to which expressions such as '-1' refer. Following Frege, we view positive whole numbers as providing the answer to the question „how many?“ In this light, how are we to view negative numbers? Both positive and negative numbers can be ordered through the relation of larger or smaller. It is then true of all negative numbers that they are entities which are (somehow) smaller than zero. For many, this has been understood as an ontological paradox: how can something be „less than nothing?“

Some propose to avoid the paradox by treating negative numbers as mere *façons de parler*. In this paper, we propose a more realist account, taking as our starting point the thesis that there is at least one familiar type of object, the magnitude of which can be expressed with negative numbers, namely, debt. How can the sense of an expression be ontologically paradoxical, yet the expression itself still plausibly refer to a social object such as a debt? Or, put differently, how is it possible to be, at the same time, a realist in financial theory and a nominalist in mathematical theory? The paper first shows that the paradox arises when the two distinct ways in which negative numbers are connected to real objects are run together. The first of the two refers to debt only, whereas the second could refer to debt, as well as to physical objects. Finally, we claim that a debt is at once a specifically social object and part of reality as described by physics.

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**Keywords:** Negative Numbers; Debt; Realism; Magnitude; Object

### Introduction

Why should a realist consider the problem of reality of negative numbers? Surely, the widespread application of negative numbers in physics ought to be enough to justify their reality? Indeed, the indispensability argument, first formulated by Euler, is used to show that by being applied in a real context (physics), negative numbers have reality themselves. Putnam says as much in *What is Mathematical Truth?*: „Mathematical experience teaches us that mathematics is true in a certain interpretation; physical experience teaches us that the given interpretation is realistic.“ (Putnam 1975:74)

However, the indispensability argument rests on a specific interpretation of negative numbers. Our contention is that there is at least one application of negative numbers that is not covered by this interpretation. This application is the social object of debt. As a familiar quotidian object, debt provides a specific application of negative numbers. However, if we are correct, it also

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rests on an interpretation of negative numbers that potentially runs into ontological problems.

## Negative numbers

Negative numbers simply do not have as universal an application as natural numbers. Understood naively, natural numbers are understood as answers to the question „how much“? Their main property is to denote a quantity of something. Zero, here, would denote an absence of something. In other words, zero would mean the same as nothing. In this view, negative numbers would appear paradoxical, as it would be meaningless to speak of a quantity smaller than zero.

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Set up this way, as answers to the question „how much“, numbers could be added infinitely; subtraction, on the other hand, comes with limits, i.e. prohibitions. If numbers denote an amount of something, and negative numbers are paradoxical because denoting something that is „less than nothing“, then there has to be a prohibition of subtracting a greater number from a smaller.

However, negative numbers afforded mathematicians the opportunity to perform a more universal algebraic operation. They allowed mathematicians to perform both addition and subtraction to infinity. Negative numbers was for a long time seen as syncategorematic: necessary for the language of mathematics, but without real meaning.

In order to avoid an ontological paradox of „less than nothing“ and give reality to negative numbers, beginning in the 13<sup>th</sup> century, mathematicians resorted to the concept of debt. Indeed, the history of mathematics from the Renaissance to the end of the 19<sup>th</sup> century is partially the history of the attempt of geometry and physics to arrive at new interpretations of negative magnitudes. Around the same time that Euler offers his indispensability argument, a new, geometric interpretation also replaces the „unscientific“ example of debt as negative magnitude: the oriented line segment. (Euler 1822: 324)

Such interpretation included direction as an additional determination of a given magnitude (force, trajectory, etc.). This meant that negative numbers were understood as a quantity with an additional determination (e.g. Bolzano). As Carl Friedrich Gauss (1831) puts it in a sentence quoted by Frege in §162 of *Grundgesetze*: „Positive and negative numbers can find application only where that which is counted has an opposite, so that thinking them in union amounts to annihilation.“ (Frege 2013: 159)

What made this interpretation of negative numbers significant was that it allowed for a framework in which they could stand alongside positive whole numbers and refer to something existing. The domain in which whole numbers (positive, negative, zero) could be applicable, had to be composed of

two mutually opposed parts. This has been the way physics has understood negative numbers and applied them to a wide range of phenomena: coordinates, electric charge, force vectors, temperature scales, etc.

This framework requiring two opposing parts has proved incredibly useful for the domain of physics.

In constructing this framework, however, science relegated debt to a secondary, unexplained application of negative numbers. Thus, in *The Road to Reality*, Roger Penrose asks: „Negative integers certainly have an extremely valuable organizational role, such as with bank balances and other financial transactions. But do they have direct relevance to the physical world?“ (Penrose 2007: 63) The application of negative numbers in financial theory does not conform to the established scientific framework. In debt, negative numbers are not understood as a positive quantity with an additional determination. Rather they describe a real lack or deficiency. Debt represents a very specific example of negative numbers that does not fit the concept of negative magnitude as it appears in physics.

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The application of negative numbers as it appears in debt is not some speculative model in mathematical logic. Rather, it is a model emerging from a social application of negative numbers. Debt is a real application that no one doubts. Yet, as an example of negative magnitudes, the interpretation applied in debt still seems somehow less real than the one in physics.

### Frege, Dedekind

Both physics and financial theory use the same negative magnitudes. The difference between the interpretation used in physics, and the one that would have to be used for debt is not to be found on the algebraic structure. What, then is this difference? The difference is in the way negative numbers are founded in order to avoid the paradox of less than nothing. Now, if numbers are founded axiomatically, then the entire set of real numbers – positive, negative, ration, irrational – is simply given, thus avoiding a paradox. However, such founding also tells us nothing about the application of numbers to reality.

On the other hand, if we follow the genetic method of founding negative numbers, we encounter two paths. (The genetic method was so called by David Hilbert, wishing to distinguish it from his own axiomatic method of founding numbers.) Although many mathematicians worked on this problem, for the purposes of this paper we will refer to the two genetic methods of founding numbers as the Frege method and the Dedekind method, because they are the two methods' most prominent and influential thinkers.

For both Frege and Dedekind what determines the nature of numbers is their application. The most basic application of natural numbers is counting. Each

begins with this application of numbers and then extends the set of natural numbers to reach the set  $\mathbb{R}$ . Frege begins with children's, mercantile numbers, while Dedekind begins with the scientific application. Frege considers numbers as the answer to the question 'how much', while what is important for Dedekind is their order. For Frege, natural numbers are finite cardinal numbers, while for Dedekind, they are finite ordinal numbers. (Dedekind 1969: 2)<sup>1</sup>

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This, we reckon, is the clearest way of showing this specific difference in interpretation of negative numbers. Each interpretation will have a corresponding application in reality. One application is particular to physics; the other to social practice (financial and banking transactions). If we follow the Dedekind method, the appearance of negative numbers presents no problem. Dedekind obtained numbers by identifying them with points on a real line such as it is given to perception, and then sought logical emancipation from geometric intuition. If the nature of numbers is to be found in recursive progression, then going from 1 to 0 to -1 conforms to their nature. This construction of negative numbers as ordered pairs of natural numbers<sup>2</sup> can be found in mathematical literature from van der Vaerden's *Modern Algebra*, to, for example, Birkhoff and MacLane's *Algebra*. In this case, both addition and subtraction can be performed without any prohibition.

However, should we follow the Frege method, we run into problems. His approach to natural numbers as cardinal (*Anzahlen*) makes the prohibition of subtraction ontological in nature. If numbers are children's, mercantile numbers, and are the answer to the question 'how much', then the subtraction of greater number from smaller lapses into ontological paradox. Frege himself had to split natural numbers from positive whole numbers in order to avoid the paradox of 'less than nothing'. Once split, positive numbers can be regarded as inextricably tied to negative numbers. However, this entirely transforms the initial set of natural numbers.

It is important to note that the potential paradox, 'less than nothing', is not simply a matter of naïve understanding. The paradox will present itself every time one begins from natural numbers in the way they are understood in everyday life, i.e. as the answer to the question 'how much'. In *Nachlaß*,

1 Dedekind's letter to H. Weber of 24 January 1888 (Dedekind 1969: 488–490). We cite this letter in particular because in it Dedekind explicitly points out that he considers the ordinal number more original than the cardinal. Considering that we are here interested in Dedekind only to the extent that he represents the position that departs from the ordinal number, we are not citing all the places in the more canonical *Continuity and Irrational Numbers* and *What Are Numbers and What Should They Be?*, although we are of course referring to those.

2 The same is true as in the previous footnote. This is an important text for our argument because in it Dedekind explicitly constructs the extension of the term number on the basis of sequence of natural numbers in the modern way:  $\mathbb{N} \times \mathbb{N} / \sim$ , where  $\sim$  is the corresponding relation of equivalence between pairs of natural numbers.

*Numbers and Arithmetic* (1924–1925), Frege links the failure of his project to ground arithmetic with this very starting point – the quotidian use of numbers. A better starting point, continues Frege, perhaps with Dedekind in mind, is geometry.

Dedekind's „geometric“ founding of numbers is indeed the interpretation of negative numbers used in physics. But the use of negative numbers in physics does not express any actual lack or deficiency. Negative charge, negative direction on the coordinate system, negative particles – none of these has anything to do with insufficiency. They are equally extant as their positive counterparts, but with an additional designation of the negative sign.

A negative bank balance, on the other hand, expresses something different. In accounting (as a type of financial formal language), a negative magnitude is an expression of actual lack. In this, in order for debt to be an expression of real absence, it must rely on a different concept of negative magnitude. Debt is the only application of negative numbers where they appear as truly negative magnitudes. Only in this case is it possible to realize the subtraction of greater number from smaller, understood as amount with no further determination, without lapsing into ontological paradox. The question of the interpretative framework that allows for such application is certainly interesting, but beyond the scope of the present article.

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## Conclusion

At present, it seems to us that the indispensability argument, used to great effect in physics, does not cover the interpretation of negative numbers found in their application in debt. However, we fail to see why this interpretation of negative numbers could not have its reality recognized precisely by its successful application in financial theory. It seems to us inconsistent to claim that the interpretation of negative numbers as debt is ontologically paradoxical, while also holding trust in one's bank and financial transactions. A realist would demand to acknowledge the reality of the successful application of negative numbers in financial theory or bank transactions. This would require the argument of indispensability to broaden its scope to include certain kinds of social objects.

The indispensability argument need not be applied exclusively to mathematics, nor be particularly bound to a given historical moment. Fibonacci introduced negative numbers into mathematics implicitly applying the indispensability argument. Had it been explicitly applied in the 13<sup>th</sup> century, the indispensability argument, as the only grounding for the reality of negative numbers, would undoubtedly have had the reality of debt. Euler supported the reality of space and time based on their indispensability to Newton's laws. He also attempted to justify the reality of negative magnitudes and rescue them from the seeming paradox of being less than nothing. In so

doing, he interpreted negative magnitudes as amount of debt. It could be easily shown that since then, the basic meaning of debt has not changed. Nor indeed the meaning in which negative numbers refer to debt. If there were no other way today to show the reality of negative numbers, debt would still be a sound basis for the argument of indispensability of negative numbers. Such a position would be entirely compatible with realism.

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Sanja Todorović

### Razumevanje negativnih brojeva u realizmu

#### Apstrakt

Naša tema je razumevanje prirode negativnih brojeva – entiteta na koje referišu izrazi kao što je '-1'. Sledeći Fregea, mi razmatramo cele pozitivne brojeve kao one koji daju odgovor na pitanje: „koliko“? U svetlu toga, kako bi trebalo da razmatramo negativne brojeve? I pozitivni, i negativni brojevi mogu biti ponizani kroz relaciju većeg ili manjeg. U tom je slučaju istinito za sve negativne brojeve da su entiteti koji su (nekako) manji od nule. Za mnoge, ovo se smatralo za ontološki paradoks: kako nešto može biti „manje od ničega“?

Da bi se izbegao paradoks, neki predlažu da se negativni brojevi tretiraju kao puki *façons de parler*. U ovom članku predlažemo objašnjenje koje je više realističko, pri čemu kao početnu tačku uzimamo tezu da postoji najmanje jedan poznati tip objekta čija veličina može da se izrazi negativnim brojevima, a to je dug. Kako može da smisao izraza bude ontološki paradoksalan, a da ipak izraz kao takav plauzibilno referiše na socijalni objekt kao što je dug? Ili, drugačije rečeno, kako je moguće da se bude istovremeno realista u finansijskoj teoriji i nominalista u matematičkoj teoriji? Ovaj članak pokazuje, najpre, da paradoks nastaje kada se dva distinktna načina na koji su negativni brojevi povezani sa stvarnim objektima uzimaju kao objedinjeni. Prvi od načina referiše samo na dug, dok drugi može da referiše kako na dug, tako i na fizičke objekte. Na kraju, tvrdimo da je dug ujedno i specifično društveni objekt, i deo stvarnosti koji opisuje fizika.

**Ključne reči:** Negativni brojevi, dug, realizam, magnituda, objekt

Tamara Caraus

## Debt Resistance: Beyond or Within Capitalism?

**Abstract** The empirical cases of debt resistance show that the most coherent way of resisting debt consists mainly in debt cancellation or a jubilee. But is debt cancellation, even on a mass scale, a sufficient form of debt resistance or resistance should aim at a deeper restructuring of the economic system that creates indebtedness? The aim of this paper is to examine if it is possible to formulate an argument for debt resistance to a financial economy that creates debt, instead of becoming indebted and then calling for debt forgiveness, jubilee and cancellation. In order to arrive at such an argument, this paper analyzes firstly the arguments on debt resistance formulated by David Graeber in *Debt: the First 5,000 Years* and by Maurizio Lazzarato in *The Making of the Indebted Man: An Essay on the Neoliberal Condition*, pointing to some common contradictions and shortcomings of Graeber's and Lazzarato's arguments which make debt foundational and inhibit the debt resistance instead of radicalizing it. The paper argues that an emphasis on the contingency and contestability of debt enhances resistance to debt and resistance to the neoliberal system as such.

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**Keywords:** resistance, debt, neoliberalism, contingency, contestability

During the last two decades, waves of protests targeting capitalism and its neoliberal regime have been taking place around the world. The first wave of protests against neoliberal globalization, known as anti-globalization movements, included Zapatista's struggles, Seattle 1999, Genoa 2001, Quebec City 2001, Porto Alegre 2002 and other protests, most of them taking place at the meetings of G8, World Bank, International Monetary Fund, World Trade Organization and other corporations and trade agreements. The second wave of protests took place after 2008 financial crisis, including the Arab Spring, the *Indignados* in Spain, Greece and other EU countries protesting against austerity, unemployment and corrupt governments, and the Occupy movement, targeting financial elites, condemning rising inequality, austerity, and the general disempowerment of 'the 99 percent'. Within these two cycles of protests, there was a targeting critique of contemporary capitalism and financial system, including debt and debt dependency mechanisms.

In the first cycle of protests, there was a broad constellation of struggles against paying 'odious' national debts to international banks (Pettitfor 2005). The most coherent and successful debt resistance within the alter-globalization movement is considered *Jubilee 2000* – an international coalition movement in over 40 countries that called for cancellation of third world debt by the year 2000. The idea of jubilee derives from the biblical Year of Jubilee (as explained in *Leviticus*), that is, the year when those enslaved because of

debts are freed, and the lands lost because of debt are returned. The campaign for *Jubilee 2000* started in the earlier 1990, but the turning point was the demonstration at G8 meeting in Birmingham, UK, in 1998, of 70 000 protesters from all over the world asking to put debt relief on the agenda of the Western governments. By the year 2000, the debt owed by 35 of the poorest countries was cancelled as the result of this campaign (Pettitfor 2005). Later, Jubilee 2000 split into an array of organizations around the world carrying forward the debt campaign.<sup>1</sup>

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The most articulated debt resistance movement from the post-2008 cycle of protests is *Strike Debt!* which emerged within the *Occupy* movement. In the final days of the *Occupy*, a campaign directed at student loans formalized their aim into a pledge: „I will stop paying off my student loan debt, if a million others will do the same“ (Caffentzis 2014). After several months of campaigning, only about 6000 debtors signed the pledge, even though there was estimated that were 7 million of invisible others who had defaulted on their student loan debts and legally faced problems from their defaulting (Caffentzis 2014). This situation posed the problem of how the invisible mass of debtors could transform themselves into visible agents. *Strike Debt!*<sup>2</sup> launched in 2012 aimed to bring about this self-transformation of invisible debtors into visible resisters. Its activity is channelled in two directions. The first is the researching, writing and distribution of *The Debt Resisters' Operations Manual*, addressed to individuals, – „You are not a loan!“ – and intending to educate and empower them. The manual surveyed all circles of the ‘hell of debt’, from credit reporting agencies, to medical debt, house debt, car debt, student debt, to debt collection agencies, explaining the financial discourse in accessible terms and giving concrete advice how to live with debt and how to strike it. Another initiative of *Strike Debt!* is the *Rolling Jubilee*.<sup>3</sup> Like the manual, the *Rolling Jubilee* exposes and undermines the ways that debt works: when a loan is in default, the bank that offered the loan is often willing to sell it on a secondary market for 2 to 5 cents on the dollar, and most often a collection agency is willing to buy the loan and to squeeze as much out of the defaulter as possible. So, the *Rolling Jubilee* raises funds from individual donors, many indebted themselves, to purchase defaulted debt and keep it out of the hands of collectors.

As we can see from these empirical cases, the most coherent way of resisting debt consists mainly in debt cancellation, that is, a jubilee. But is jubilee a sufficient form of debt resistance? Is debt cancellation, even on a mass scale, the only aim of debt resistance or it should aim at a deeper restructuring of the economic system that creates indebtedness?

1 <http://jubileedebt.org.uk/>

2 <http://strikedebt.org/>

3 <http://rollingjubilee.org/>



Debt resistance as jubilee is an immemorial ritual: most of the popular insurrections in the past centuries have begun with the ritual destruction of the debt records-tablets: ‘Cancel the debts and redistribute the land!’ (Graeber 2011: 8). Canceling debt and cleaning states was done since the pre-biblical times, but this did not prevent a new cycle of indebtedness. The idea of jubilee was incorporated as well in the invention of modern bankruptcy law (Mann 2009). The reformers of the day realised that the practice of imprisoning debtors was economically irrational, because it beggared debtors without significantly benefiting creditors. Once behind bars, a debtor had no means of resuming productive economic life, much less satisfying his debts. Thus, cancelling some debts was deemed economically efficient. For capitalism to proceed, it was necessary to shift the economic thinking and legal policy governing debt from moral questions to instrumental ones (Mann 2009). So, in bankruptcy, the debt cancellation is not done necessarily for the benefits of debtors, but mainly for creditors and for the sustainability of the system.

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The question is then if it is possible to formulate an argument for debt resistance to a financial economy that creates debt, instead of becoming indebted and then calling for debt forgiveness, jubilee and cancellation. In order to arrive at such an argument, this paper will focus not on the analysis of the empirical cases of debt, but on the conditions of possibility of debt resistance. The first two sections analyze the arguments on debt resistance formulated in two outstanding approaches: *Debt: the First 5,000 Years* (2011) by David Graeber, and *The Making of the Indebted Man: An Essay on the Neoliberal Condition* (2012) by Maurizio Lazzarato. The third section points to some common contradictions and shortcomings of Graeber’s and Lazzarato’s arguments which make debt foundational and inhibit debt resistance instead of radicalizing it. An emphasis on the contingency and contestability of debt within the frameworks elaborated by Graeber and Lazzarato enhances resistance to debt and to the neoliberal system as such.

## I. Resisting debt: Graeber’s perspective

### The hidden story of debt

The aim of Graeber’s *Debt* is to dismantle the claim ‘One always has to pay his debts’ as a ‘moral confusion’ and ‘flagrant lie’ (Graeber 2011: 391), and this sounds as an unmistakable call for debt resistance. The rich argumentation and illustration with anthropological and historical data cannot be resumed here. The aim of this reading is only to see how Graeber’s approach enables resistance to debt.

Graber deconstructs two ‘founding myths’, which are as well two ways of thinking debt: the myth of barter and the myth of primordality of debt. According to an idealized view of archaic communities, before money systems developed, people exchanged goods and services in their own interests. As

societies became more complex, barter required multilateral transactions to ensure the distribution of a larger number of goods. To simplify the exchange process, a neutral and consensual form of exchange was required, and in this way money was born. Graeber argues that this is a myth and ethnographers have not found any example of a pure barter economy. The myth of barter was crucial to the founding of economics as a discipline by Adam Smith, who conceived it, on a par with Newtonian physics, as a universe that functions according to the laws of spontaneous and effective free market. In this founding story, debt is abolished from the picture (Graeber 2011: 21–43). According to the ‘primordial debt’ theories, the community promotes an increasing sense of indebtedness to one’s forebears that intensifies over time, until at last one’s ancestors are elevated to the status of gods. Human activities become attempts to reduce the sense of debt, the most promising being the sacrificial rituals. Later, as history moved forward, governments start to tax populations because they were able to appropriate the role of guardianship of universal debt. Again, according to Graeber, there is insufficient anthropological evidence to support primordial debt theory, and it is just a backward projection based on a notion of debt that is only made possible with the advent of the modern conception of state, society and of societal „duty“, and so on (Graeber 2011: 69). In this context, Graeber reads Nietzsche’s description of debt from *Genealogy of Morals* as a game „starting out from ordinary bourgeois assumptions and driving them to a place where they can only shock a bourgeois audience“ (Graeber 2011: 79). Without doing justice to Nietzsche’s essay, Graeber says that „It’s a worthy game“, but one „played entirely within the confines of bourgeois thought“ (Graeber 2011: 79). These two myths are for Graeber, „two sides of the same coin... It’s only once we can imagine human life as a series of commercial transactions that we’re capable of seeing our relation to the universe in terms of debt (Graeber 2011: 75).

None of these myths offers a credible explanation and Graeber proposes another way of looking at debt. Graeber maps ‘three moral grounds of economic relations’: communism, hierarchy, and exchange. Communism is „the foundation of all human sociability“, „a recognition of our ultimate interdependence“, a „baseline communism“ (Graeber 2011: 95–98), as in the situation when one needs to figure out how to get somewhere and the other knows the way. Hierarchy involves at least two parts, where one part is considered superior to another, and operates by one side generosity, and Graeber illustrates the logic of hierarchy with stories of kings (giving a candy to a child also illustrates it). Exchange is all about equivalence: „It’s a back-and-forth process involving two sides in which each side gives as good as it gets“ (Graeber 2011: 103). The birth of debt takes place in an exchange: „A debt is an exchange that has not been brought to completion“ (Graeber 2011: 121). Thus, debt presupposes the existence of two free and

equal parties. A debt only exists when the debtor is considered able to repay. During the time that the debt remains unpaid, the logic of hierarchy takes hold. The lack of reciprocity between former equals makes situations of unpayable debt difficult and painful: „Since creditor and debtor are ultimately equals, if the debtor cannot do what it takes to restore herself to equality, there is obviously something wrong with her; it must be her fault“ (Graeber 2011: 121).

In this broken by debt exchange money are born as social currency, that is, money that acts ‘to create, maintain, or sever relations between people rather than to purchase things’, ‘a way of recognizing the existence of debts that cannot possibly be paid’; ‘as a substitute for life’ (Graeber 2011: 159), like money presented to the family of a murdered victim so as to prevent a revenge. Social currency functions in ‘human economies’, in which human beings are „each in a unique nexus of relations“, where „no one could ever be considered exactly equivalent to anything or anyone else“ (Graeber 2011: 208).

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Money, as token of recognition that one cannot pay a debt, turn into a form of payment by which a debt can be extinguished once human economies are taken over by commercial ones. To make a person equivalent, for example, to a bar of camwood, it takes „an enormous amount of sustained and systematic violence“ (Graeber 2011: 160). The growth of a „military–coinage–slave complex“ enforced the mercenary armies that cut human beings from their social context to work as slaves. The extreme violence led to the rise of great empires, the advent of large-scale slavery and the use of coins to pay soldiers. As well, the advent of obligation to pay taxes with money required people to engage in monetary transactions, which increased debt and slavery. From this perspective, Graeber tells the history from around 800 BC to the contemporary neoliberalism, showing a „great embarrassing fact that haunts all attempts to represent the market as the highest form of human freedom: that historically, impersonal commercial markets originated in debt“ (Graeber 2011: 386). How liberating is this history of debt? How does Graeber’s argument empower resistance to debt and to the neoliberal system as such?

### A call for jubilee and its limits

Graeber does not aim to construct an agent of resistance to debt, however his approach aims explicitly to empower debt resistance. In the last chapter, „1971– the Beginning of Something Yet to Be Determined“, Graeber describes the ascendancy of debt in neoliberalism as result of history and as an exacerbation of the logic of debt and violence. Thus, the new global currency is rooted in military power even more firmly than the old was. As well, debt peonage continues to be the main principle of recruiting labour globally. Further, institutions like IMF, World Bank, and the WTO, similar to the divine kings of the ancient Middle East or the religious authorities of the Middle

Ages, have not been created to protect debtors, but to enforce the rights of creditors. US is a „catastrophic illness“ since borrowing is simply a matter of survival.

„We have to begin to free ourselves“, maintains Graeber, and „the first thing we need to do is to see ourselves again as historical actors, as people who can make a difference in the course of world events“ (Graeber 2011: 383). Graeber's history of debt can indeed be a beginning for freeing ourselves from debt. It is liberating to find out that money and debt have „no essence“, these are always human arrangements and a matter of political contention. It allows us to question the „sacred“ principle that we must all pay our debts. Thus, Graeber calls for a „Biblical-style“ Jubilee: „one that would affect both international debt and consumer debt... Nothing would be more important than to wipe the slate clean for everyone, mark a break with our accustomed morality, and start again“ (Graeber 2011: 390–391).

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Not paying all our debts is only a half of the change and liberation – ‘new ideas’ and alternatives are needed, which will not emerge without jettisoning our accustomed categories of thought. Graeber tries himself to jettison one – the postulate of the „industrious poor“ who needs access to debt to rise out of poverty, which is the keystone for the arguments on democratizing debt by channeling the financial flows and credit networks to the „industrious poor“. This view not only concerns the poverty of some people, those who are industrious and do not deserve to be poor, but also is based on the underlying assumption that work is by definition virtuous, since the ultimate measure of humanity's success is its ability „to increase the overall global output of goods and services by at least 5 percent per year“ (Graeber 2011: 390). According to Graeber, if humans continue along these lines, they will to destroy everything. The question now is how to move toward a society where people „can live more by working less“, so Graeber puts a good word for the non-industrious poor: „At least they aren't hurting anyone“ (Graeber 2011: 390).

However, how can one resist the logic of debt that functioned so fiercely for 5000 years? From where will the potential resisters take their strength or inspiration to jettison old categories of thought? Although this ‘real’ but ‘hidden’ history of debt brings new insights and can empower resistance to debt, there are some methodological aspects of Graeber's approach that might impede resistance.

Looking for an alternative history of debt, Graeber constructs a meta-narrative. The general objection to *grands récits* is that although there will always be a multiplicity of rival stories that could equally well be told, these will have to be suppressed in the name of safeguarding the meta-narrative, this is why grand narratives are considered oppressive (Lyotard 1984). Graeber's

alternative history of money and market is not immune to this objection, – it suppresses, for example, the story of market that brought some well-being to humans. Graeber's history of debt ignores this possible criticism as if there is an urgent necessity to write a grand narrative of debt, as grand as the dominant story it opposes. The story told is a counter-story aiming to dismantle and unmask the mainstream narrative of debt (and of money, finance, market, capitalism):

New ideas won't emerge without the jettisoning of much of our accustomed categories of thought – which have become mostly sheer dead weight, if not intrinsic parts of the very apparatus of hopelessness – and formulating new ones. This is why I spent so much of this book talking about the market, but also about the false choice between state and market that so monopolized political ideology for the last centuries that it made it difficult to argue about anything else. The real history of markets is nothing like what we're taught to think it is (Graeber 2011: 385).

This statement has all the ingredients of the „false consciousness – ideology critique„ approach: „accustomed categories of thought“, „false choice between state and market“, „monopolized political ideology“, „real history of market“. The dismantling of the idea of growth – „at least 5 percent per year“ – as destroying everything is a way of saying that the population and capitalist system in general hold desires that are contrary to their own interests, and this is an essential feature of false consciousness (Pines 1993; Cooke 2006). The rejection of the two myths of origins is as well an unveiling of the mystification in the founding of the market and the science of economy. So, the resistance to debt is expected to come from the unveiling of false consciousness, as though once this false belief about debt (and market) is brought to consciousness, the debtor will see how absurd and harmful it is, and will act and think anew, as though the „real“ story of debt will illuminate the debtor's mind, and he will liberate himself from the trap of the debt and will overturn the system. What is wrong with this 'false consciousness' approach of debt?

False consciousness, a concept originally developed by Marx and Engels, was used by various political thinkers to explain the actions and behaviour of different members of society, but mainly of those from lower or subordinate classes (Pines 1993). The concept has attracted an array of critiques that have severely affected false consciousness' legitimacy, value, and explanatory adequacy. The concept was associated with totalitarian political regimes; in addition, the idea that all our beliefs and values are the products of socially constructed regimes of truth renders talk of true and false consciousness essentially meaningless (Celikates 2006; Cooke 2006). If false consciousness and ideology critique are used in the „real“ history of debt, then in order to increase their credibility as concepts and methods, they have to be defended anew. Otherwise, there is something misleading in the access to the „real“ but hidden history of market, which structures our everyday life, but is

intangible and inaccessible for the most of us, and which only reveals its conditions of possibility only when „theory and militancy have managed to crack into the notorious ‘hidden abode’“ (Toscano 2014). The elitism of this approach hardly enhances debt resistance, neither from below nor from above.

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There are other aspects in this „real“ story of debt that might undermine its emancipatory potential. The transition from human to commercial economies sounds deterministic. The „human economy“, containing already the seeds for more or less violent exchange, is nevertheless an economy, and the fact that it degenerates in commercial economies appear unavoidable. There is no guaranty that human economies will not degenerate again if restored, let say, in a community of non-industrious poor where every person is in a unique set of relationships. Another deterministic aspect of this grand narrative of debt relates to the three moral grounds of economic relation – communism, hierarchy and exchanges – which are very unequal in their capacity to determine the course of events. Exchange becomes the dominant ground – it is the origin of debt, debt is the origins of money and market, thus, of all violence that follows. Exchange takes priority without being balanced by communism and hierarchy, which remain in the background as secondary grounds. As well, the „real“ story of debt does not resist the retroactive interpretation of debt that it is devoted to overturn and does not escape the primordiality of debt thesis that is rejected (Wortham 2013; Toscano 2014). In the „real“ story of market and money, debt is the ground of all human activity, the basis of social, economic and political life. The humans from different anthropological contexts are portrayed as immersed in debt; debt, as an incomplete exchange, determining most of their actions. If debt is everywhere and everyone is in debt in a human community, then how can one resist to debt and indebtedness? Stressing the pervasiveness and ubiquity of debt, instead of leading to resistance, can have the adverse effect of „doing nothing“ – even IFM economists recognize that „A radical solution for high debt is to do nothing at all – just live with it“ (Ostry, Ghosh, and Espinoza 2015). „Doing nothing“ could „qualify“ as resistance to debt dependency mechanism, and concomitantly „do nothing“ has to be a liberation from debt and a source of a new ideas.

## II. Resisting debt: Lazzarato's perspective

### The ascendance of debt and the indebted man

Lazzarato's ground-breaking approach of the neoliberal condition is based on two hypotheses. The first is that the paradigm and the archetype of the social lies not in exchange but in credit. There is no equality of exchange underlying social relations, but rather an asymmetry of debt/credit. The second hypothesis is that debt represents an economic relationship inseparable from the production of the debtor subjectivity, since debt is an

economic relation which, in order to exist, implies the molding and control of subjectivity. Thus, credit and debt and the creditor-debtor relationship constitute „specific relations of power that entail specific forms of production and control of subjectivity – a particular form of *homo economicus*, the „indebted man“ (Lazzarato 2012: 30).

The concept of the ‘indebted man’ itself is indebted to Nietzsche, Marx, Foucault, Deleuze & Guattari. This genealogy gives a philosophical explanation of neoliberalism in terms of specific temporality, subjectivity, and existence as such. By asking the governed to promise, that is, to honour their debt, neoliberalism exercises „control over the future“, since debt obligations allow one to calculate, measure, and establish equivalences between current and future behaviour. By this, debt neutralizes time as creation of new possibilities: „the strange sensation of living in a society without time, without possibility, without foreseeable rupture, is debt“ (Lazzarato 2012: 46). The genealogy of debt reveals that the creditor-debtor relationship is also an ethics, since it presupposes an ethico-political process of constructing a subjectivity endowed with a memory, a conscience, and a morality that forces the debt to be guarantor of self, both accountable and guilty. In the neoliberal condition, this ethical process overlaps with the neoliberal imperative to become „human capital“ and „entrepreneur of the self“ (Foucault 2008). Thus, credit exploits not only social relationships in general, but also the uniqueness of existence. The moral judgment on the capacity to pay debts or to make use of yourself as a human capital concerns with the choices one makes, with existence and its meaning.

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Describing the ascendancy of debt, Lazzarato argues that the picture of neoliberalism today is different from the one announced by the new economy of the 1980s and 1990s. The motto of neoliberalism „governing as little as possible“ gave way to even more authoritarian politics. The governmentality is now „governance by debt“ (Lazzarato 2014). The sovereign power of the state is neutralized because monetary sovereignty, that is, the power of destruction/creation of money is reconfigured. Ratings agencies, financial investors, and institutions like IMF place financial constraints on state sovereign power, undermining it.

Neoliberal condition makes visible three types of debt: private, sovereign, and social debt. The private debt through bank loans has now a striking rise in the importance for debt-economy. The sovereign or public debt appeared since the 1970s, when most states have abdicated control over their central banks, which means they can no longer decide to print more money to pay for government expenses and so they have to borrow on financial markets to fund these costs. Lazzarato introduces the notion of „social debt“ to connect private and public debt, and to stresses that public actors and private institutions externalize their risks to the population. For example, when a

state installs a welfare system, the debts to fund this system are ultimately referred back to the population. When a state experiences difficulties in funding the welfare system, the austerity measures are supported as well by the population. Social rights (unemployment insurance, the minimum wage, healthcare, etc.) are transformed into social debt, and beneficiaries into debtors whose repayment means adopting prescribed behaviour. Also, private debts by banks and large companies can be externalized in the form of social debts. When a bank is „too big to fail“ it is saved through the use of public money to nationalize their losses: „in a cynical turn, the costs of re-establishing this relation of exploitation and domination will have to be paid for by its victims“ (2012: 115).

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The ascendancy of neoliberalism enforces debt subjectivity in new ways. Apart from „social subjection“ that controls the subject through the mobilization of his conscience, memory, and representations, there is „machinic subjugation“ with an infra-personal and pre-individual hold on subjectivity that does not pass through reflexive consciousness or through the self (Lazzarato 2012: 146). Lazzarato explores Deleuze’s account on the machine as activating the „dividual“ not the individual. „Individuals become ‘dividuals,’ and masses become samples, data, markets or banks“ (Lazzarato 2012: 148). The credit card is such an apparatus in which the dividual functions like a human element that conforms to the „non-human“ elements of the socio-technical machine constituted by the banking network. The machinic enslavement facilitates a generalized form of exploitation, depoliticizes and depersonalizes it (Lazzarato 2014).

Thus, in neoliberalism, debt functions as a primary instrument of power over population’s life, social rights are transformed into social debts, exploitation is expanded extensively. Then, how is resistance possible?

### Can the indebted man resist debt?

The aim of *The Making of the Indebted Man* is „to venture into enemy territory to analyze the debt economy and the production of indebted man in order to construct the theoretical weapons for the struggles to come“ (Lazzarato 2012: 33). However, the construction of the weapons for struggles is not an easy process, because debt responsabilizes people as individuals and undermines the capacity and conditions for collective political resistance: „The objectives of the debt economy are thoroughly political: the neutralization of collective attitudes (mutualisation, solidarity, cooperation, rights for all, etc.) and the memory of the collective struggles“ (2012: 114). The framework of entrepreneurship of the self, combined with individualized private debt and debt management, limits the realm of collective and democratic action. As well, debt eliminates the politics of „panels“ of citizens, experts and counter-experts, etc. Intending to „govern as little as possible“,



neoliberalism ends by ruling and controlling as much as possible with „as little democracy as possible“ (Lazzarato 2012: 160). In this way, Lazzarato’s analysis creates a horizon of expectation of some powerful and radical weapons for struggling with debt „power bloc“. Thus, how the indebted man can resist debt? What are his weapons for the struggles to come?

Despite the individualisation of debt and responsibility, the resistance to debt has to be a collective action from below. The „mainspring of opposition“ to debt politics cannot come to self-awareness of the debt power bloc that led to the catastrophe: „‘Awareness’ must be imposed on the institutions and structures of government through a struggle from below“ (Lazzarato 2012: 156). The struggle from below is expected to have a large social support, because debt surpasses the divisions between employment and unemployment, working and non-working, productive and assisted, precarious and non-precarious, thus the figure of indebted man calls for „new solidarities“ and „new cooperation“ (Lazzarato 2012: 156–157).

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Another condition for the struggle against debt power is to organize it beyond the border of the nation-state, at the level of Capital as „Universal Creditor“ (Lazzarato 2012: 162). Even if people would manage to organize a collective revolt within the nation state, the state will have to reassure to the global financial institutions, rating agencies and financial market that the sovereign debts will be paid. Debt ignores boundaries and nationalities, it knows only creditors and debtors, so the struggle against debt appears as a cosmopolitan struggle against the unjust globalization of debt and finance.

Further, the struggle against debt has to traverse not only the borders of the nation state, but to reinvent democracy as traversing and reconfiguring the political, the social, and the economic – fields that political theories continue to conceive of separately, although debt has already united them within a „single apparatus“. The debt economy controls the social, economic and political spheres, this is an essential condition for governing by debt, so the struggle against debt has to unite all of them. The envisaged struggle is not only a resistance to debt but the „essence“ of political struggle, that cannot be otherwise „except from within and against the politics of Capital“ (Lazzarato 2012: 163). Capital creates the current domination, therefore the conditions for dispute are here: „The negative that debt institutes informs the historical conditions from which struggle turns away to invent new forms of subjectivation and new possibilities of life. Still, these conditions are indeed, at each instance, historical, unique, and specific. And today they come together in debt“ (Lazzarato 2012: 163).

One more condition of resistance is deemed necessary. Because the debt economy is endowed with a paradigm of subjectivity, the struggle against the debt economy is as well against its morality of guilt and fear, which requires a „specific kind of subjective conversion“ and „second innocence“

with respect to debt, „leaving behind debt morality and the discourse in which it holds us hostage“ (Lazzarato 2012: 164). The Nietzschean inspired „conversion“ and „second innocence“ appear as part of the „theoretical weapons for the struggle to come“.

The approach of the indebted man creates a horizon of expectation of radical and powerful theoretical weapons for struggle. Is this horizon of expectation met? Does Lazzarato provide sufficient theoretical support for resistance to debt? Can the indebted man resist debt? Lazzarato's account of the indebted man is a necessary and timely approach of the necessity of resistance to new forms of power. However, there are several aspects limiting debt resistance, which have to be examined.

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The question why people accept debt economy and their own exploitation instead of resisting it cannot be addressed to the indebted man, as portrayed by Lazzarato. The indebted man appears as being under the veil of „false consciousness“, unaware of the exploitation and of his indebted condition. Lazzarato argues explicitly that the logic of capital is an open process, not a mystifying one: „The power of capitalism, like the world it aims to appropriate and control, is always in the process of being made“ (Lazzarato 2012: 107). Simultaneously but implicitly, he proceeds as though there is still a logic of capital working behind the scenes and the task of the critic is to unveil this logic. He unmaskes one aspect of liberalism after another, such as the contract as an agreement between free and equal individuals, central bank independence, the reduction of work to employment, the machining subjugation, etc. A similar unmasking is his recent book *Gouverner par la dette* arguing that (neo)liberalism has never been liberal, but state capitalism (Lazzarato 2015). This unmasking of the logic of financial debt can have indeed an emancipatory and empowering potential. The field of finance has always been postulated as requiring expert knowledge and the population was unaware of the ways that finance works – the *The Debt Resisters' Operations Manual* presented at the beginning of this paper intends exactly to explain to debtors how finance and debt operate. False consciousness and ideology critique might have an emancipatory role here, but these are not assumed as a methodological strategy by Lazzarato. Without defending anew the credibility of this method, the implicit critique of ideology is prone to innumerable criticism such as elitism, authoritarianism, un-verifiability (Cooke 2006, Celikates 2006).

Another aspect that can impede resistance is a totalising and overdetermined neoliberal condition. Although the aim is „not to offer a new totalizing theory of neoliberalism, but rather to prepare the groundwork for a re-examination of the current transformations affecting Western societies through the debt economy“ (Lazzarato 2012: 35), the concept of the indebted man and „debt subjectivity“ appear in a kind of complicity with neoliberalism,

enriching and refining its theses, effects, impact. Neoliberalism permeates all spheres of life and society, and this reminds a totalizing picture of society, where, according to Claude Lefort, „a condensation takes place between the sphere of power, the sphere of law and the sphere of knowledge“ (Lefort 1988:13). The intensification of the debt-economy in neoliberalism is an empirical and statistical fact, however, Lazzarato’s approach leads to a „philosophical over-determination of neoliberalism“ (Toscano 2014), through philosophically grounded debt and by equating it with a paradigm of subjectivity. As well, the call for transversally ontologizes the capital. Although the aim is „to offer a transversal point of view from which struggles might begin“ (Lazzarato 2012: 164), the capital becomes the „real“ dimension and the „essence“ of the economic, the social and the political, without contradictions, contingency or indeterminacy. However, if we accept the portrait of the indebted man and the resulting theory of neoliberalism, then we risk eliminating any kind of critical distance towards neoliberalism as a crucial condition for resistance to debt.

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Further, the indebted man is trapped in a methodological asymmetry of Lazzarato’s approach. The indebted man is firstly postulated a passive matter who is transformed into a subject by debt, social subjection and machinic subjugation, and afterwards the aim of the argument is to discover the revolutionary subject as free to subvert the existing forms of subjectivation. From where does this capacity to react as a subject free from the constraints of debt come from? How can a theory simultaneously postulate the production of subjectivity and to look for an agency that is able to break with it and with dominant meanings? The solution sounds like *deus ex machina*. It is not surprisingly then, that Lazzarato sees the possibility of resistance in „subjective conversion“ and „second innocence“:

The fight against the debt economy and above all against its „morality“ of guilt, which, in the end, is a morality of fear, also requires a specific kind of subjective conversion...The resumption of the class struggle in the right place, that is, where it is the most effective, must recapture this „second innocence“ with respect to debt... leaving behind debt morality and the discourse in which it holds us hostage (Lazzarato 2012: 164).

How is conversion of the indebted man to a debt free subjectivity possible? What kind of transformative experience is this? Probably, as all conversions, this one is unpredictable and „ineffable“. Nevertheless, conversion addresses a real predicament of debt resistance. The authority against whom the debt resistance has to be directed is more anonymous and ambivalent than the traditional power exercised by state (Balibar 2013). And this makes it rather difficult to establish what exactly has to be resisted and targeted first: the banks, the financial system, the whole way of life? If everything is financialised (education, health, social security, life in general) and the

potential resisters are part of the system to which they (have to) oppose, so what has to be questioned and resisted first is the whole way of life. Resisting a whole way of life inoculated by finance and debt economy can indeed amount to a „conversion“ to a debt free subjectivity. But no „theoretical weapons“ for this conversion are provided. „Conversion“ and „second innocence“ are mentioned only once, in Conclusions, as true *deus ex-machina* type of solutions for resistance to debt. Lazzarato hopes that resistance to debt and debt inducing subjectivity is possible, that man, although indebted, will create new forms of subjectivity, for example by refusing to work, and finding non-exploitative, classless communities (Lazzarato 2014). This resistance can indeed take place, but this will be a practice of resistance, without justification in theory. On the theoretical level, the question from where comes this capacity to resist remains without answer.

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### III. Contingency and contestability of debt

Graeber and Lazzarato's books do not communicate directly and are elaborated from different perspectives: one deals with history of debt, another with subjectivity of debt in the neoliberal condition. Nevertheless, they complement each other, as though Lazzarato's book develops in depth the last chapter of Graeber's history „1970 – The Beginning of Something Yet to Be Determined“, because only a debt imposed by violence through centuries can lead to a total subjugation by debt nowadays. As well, both approaches aim to empower/enhance resistance to debt, and both keep unmasking the logic of debt, market and capital. The liberating and emancipatory potential of both approaches could arise indeed from dismantling the „false consciousness“ of debt through ideology critique. It can be liberating to see that debt is not only a matter of exact neutral mathematical calculation but an effect of violence and asymmetry of power, but the authors do not elaborate on the emancipatory potential of ideology critique for debt resistance.

The liberatory potentially of both approaches is shadowed by the anthropological and philosophical overdetermination of debt, both making the debt foundational, the archetype and ground of social relations, the source of money and of all economic and social transaction. Viewing debt as foundational has an inhibiting effect for creating a theoretical model of agency resisting to debt, because it eliminates any critical distance towards debt economy. The condition of resistance to the mechanisms of indebtedness can be enhanced if debt is not posited as an archetype and paradigm of the social, but as a necessarily contingent ground. The argument for the rest of this paper is that debt is contingent, and the contingency of debt enhances debt resistance by allowing a permanent contestability of debt.

What is contingency then? In order that there be genuine contingency, there must be no reason for anything to be or to remain the way that it is: „everything

must be able, without reason, to be other than it is; everything must, without reason, be able not to be and/or be able to be other than it is“ (Meillassoux 2010: 60). Contingency is part of our intellectual horizon marked by an increased „awareness of contingency“ (Marchart 2007: 26). The increasing awareness of contingency is part of the process of a slow but constant „dissolution of the markers of certainty“ (Lefort 1987: 17) that happens in modernity. Contingency has always been hidden within the shadow of necessity and universality and it has often been underestimated or even overlooked in modern philosophies. For example, Richard Rorty has given prominence to the active role of contingency, analysing three kinds of contingency, that is, the contingency of language, that of selfhood, and that of a liberal community (Rorty 1989). In the last decades contingency moves away from the traditional logical notion of the contingent as that which could be otherwise to the much stronger notion of „necessary contingency“ (Marchart 2007; Meillassoux 2010). Thus, with this minimal specification of what is contingency, the assumption of the paper is that debt is contingent in three ways: as a fact, as a normative claim and as a ground.

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*Contingency of debt as a fact:* When something is said to be contingent, it may be accidental, conditional, uncertain or indeterminate. When applied to facts and events, contingency means that they are somehow accidental, random, and not necessary. Debt as an empirical fact is contingent for obvious empirical reasons. At the level of private debt, not everyone is indebted with a personal/household debt, for several reasons which are again obvious and well known. First, one has to qualify for a debt. A potential debtor has already be a guarantor of its capacity to pay back, before receiving a loan, so not all of the more or less industrious poor can receive a loan, in spite of the attempt to democratise debt and to channel the capital to diverse categories of poor. Second, at the level of private debt, some might not need a debt, be these the privileged from the „1%“, but also some categories who might not feel forced to borrow, because one does not normally view a bank loan as forced on the debtor. Third, debt as a contingent fact means as well that one has been indebted and payed his debts, as Graeber himself affirms that he paid his student loans (Graeber 2011: 389).

Contingency characterizes as well social and sovereign debt as empirical facts. Social debt, defined by Lazzarato, has to take into account the geographical contingency. Social debt might be the lived reality of the French beneficiary of welfare policies, but is it less relevant for some Asian states, for example, or for other countries that do not have a tradition of welfare state. As well, the indebted condition might be the lived reality of US or some EU countries, but it is far from the predominant social relation in other countries. Without taking into consideration the geographical contingency of debt, Lazzarato's thesis, namely that indebtedness is the primary social relation under neoliberalism, could be rather Eurocentric (Slothuus 2013).

Theoretisations of sovereign debt have to take into consideration its contingency as well, at least the most obvious one: sovereign debt does not confirm the asymmetry of power attributed to creditor-debtor relationship. The states with the heaviest sovereign debts are not the weakest in terms of economy, military, or political power, as is the emblematic case of the US foreign debt. Control exercised by financial operators on the sovereign operations of any state is thus easily attributed to a global finance capital working according to a global plan and setting up a form of universal governance through the interaction of different transnational agencies (such as IMF, WTO, etc.), assumptions that are according to Balibar, „fantastic and utopian“ (Balibar 2013), and probably not the worst scenario of global interactions, compared with more violent, war-like ones.

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Neoliberalism itself may be seen as a contingent fact. It is contingent (dependent) on a specific set of historical conditions; it is also contingent (accidental) in the sense that there was no historical inevitability in the emergence of such conditions. The neoliberal course of action was taken by political decision, known as Washington consensus, and it was a decision marked by contingency in the context when the alternative course of action, the continuation of the Keynesian type of economic policies, was available (Harvey 2007, Steger and Roy 2010). Thus, neoliberalism should not be regarded as an ineluctable phenomenon, a corollary of five thousand years of debt and violence, but one that could have happened later, in another epoch or not at all.

*Contingency of debt as a normative claim:* The contingency of debt as fact is significant both in itself and because it may reveal the multifaceted contingency of the normative claims about debt. The empirical evidence that certain facts/events are contingent leads to the normative constructions that are contingent themselves. Thus, normative claims are of second-order kind of contingency. These interlaced contingencies are mutually reinforcing: contingency of facts and events and contingency of the conceptual and normative frameworks we develop to make sense of such phenomena cannot be easily disentangled from each other; furthermore, they tend to lend certainty and determinacy to each other, so that in time, the institutions created to deal with arbitrary or contingent events have a propensity for naturalizing and essentializing them, for creating necessity and universality.

If debt as a fact is variable and contingent, then the normative claims about debt, for example, „one always has to pay his debts“ appears as contingent. This does not mean that the requests to pay debts are inadequate or illegitimate, but that their validity is local, dependent on specific circumstances, and cannot be derived from a general procedure. In other words, normative claims about debt lack universality. The lack of universality of normative claims about debt is implicitly assumed by the arguments for rejecting the usurious and odious debts of the poor countries. The lack of universality is acknowledged

by the calls for debt resistance which point to the illegitimacy of some forms of debt, such as loans which provide benefit only to creditors, loans that inflict social and environmental harm, loans extended to borrowers who cannot possibly afford them, and debt related to access to basic necessities or common goods, mainly healthcare and education (Ross 2014).

The contingency of debt as a fact should not eliminate the normative claims of debt. On the contrary, it can make a more appealing normative notion of „contingent debt“, for example, „contingent sovereign debt“ by introducing contingent clauses and scenarios in loans contracts (Drelichman and Voth 2013). Linking the obligation to pay to an indicator of ability to pay (such as GDP growth or export prices) could substantially reduce the risk of defaults in sovereign debt, allowing the parties to modify repayments in response to unforeseen circumstances and contingencies of the world (Drelichman and Voth 2013).

Compared with Lazzarato's approach, Grabber's arguments, aiming to dismantle the motive „one always has to pay his debts“ as a „flagrant lie“, shows the lack of universality and, implicitly, the contingency of the main normative claim about debt. However, for an empowering condition of debt resistance, the contingency of debt as ground has to be affirmed as well.

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*Contingency of debt as ground.* Graeber and Lazzarato posit debt as ground. In both approaches, debt grounds and validates the whole intellectual edifice, thus debt has a foundational role for their approaches. The whole idea of foundationalism is that justificatory claims in a certain domain terminate in a single unified foundation, in some basic beliefs as *prima facie* justified (Fumerton and Hasan 2010). Lazzarato postulates directly debt as the basic belief/foundation to construct his approach. For Graeber, debt as an incomplete exchange is a second order ground, itself grounded in exchange, which is one the three moral grounds of economic relations – communism, hierarchy and exchange. However, in the whole expose of the debt's *longue durée*, debt takes the role of the determinant ground.

Preoccupation with foundations was considered a form of oppression that limits human possibilities, and hampers the human creative potential (Rorty 1989). The critique and deconstruction of foundations showed that society cannot be grounded, and never will be, in a solid foundation, essence or centre. The most direct stance of critique of foundations is the antifoundationalist position, meaning „no foundations“. In political theory especially, anti-foundationalism considers foundations a threat to otherness, particularity and individuality, and therefore, emancipation can occur only by resisting foundational claims (Marchart 2007 11–13). However, as Judith Butler pointed out, we cannot easily get rid of the notion of foundation, because we need to start thinking from somewhere. Thus, Butler argues that the point is not to do away with foundations or to be a champion of anti-foundationalism:

„Rather, the task is to interrogate what the theoretical move that establishes foundations authorizes, and what precisely it excludes or forecloses“ (Butler 1992: 7). This is a call to examine the conditions of possibility of foundations. Thus, what is problematic is not the existence of foundations in the plural, but their condition of possibility or ontological status, which is seen now as „necessarily contingent“ (Marchart 2007:15). The concept of „necessary contingency“ of grounds means that society is always constituted in the eternal move between attempts at some form of grounding and the failure of such efforts due to the radical contingency underlying all experiences (Marchart 2007). In other words, the necessary contingency of grounds stands for the empty place of final absolute ground. The necessary absence or the empty place of the ultimate ground makes possible the plurality of grounds, which will attempt to fill it. Necessarily, each foundational attempt must fail to posit itself as the ultimate ground (Marchart 2007). In order for a ground to fail in occupying the place of the absolute final ground, it has to be posited both as „fundamental *and* contestable“ (White 2000:6). Thus, all fundamental conceptualisation of the self, other and world are contestable, and nevertheless these conceptualisations are necessary for a reflective ethical and political life. We have to be in a position to construct foundations, while accepting that they are contestable (White 2000: 6–8).

Therefore, when debt is posited as foundation of society, of the human sociability and interaction, it has to be taken as contestable, as one possible ground within a plurality of grounds. The intention of posting debt as ground in whatever context might not be radically different from the intention that Graeber attributes to Nietzsche – „to shock the bourgeois audience“. Graeber's and Lazzarato's implicit aim of thinking through debt is similar: to „shock“ and „shake“ the audience, showing the chains of debt slavery and, in effect, to break the chains of debt. However, as a side effect, thinking through debt as ground of the social leads to a philosophical and anthropological overdetermination of debt, which is more difficult to shake/to resist. As well, a theoretical construction built on debt as ground ends with a strong edifice of a debt economy and neoliberalism, which is more coherent and articulated than its sociological or empirical starting point. For example, the figure of subjectivity with which Lazzarato endows the debt-economy and neoliberalism, ignores that this subjectivity varies across social formations, geographies and class positions and underestimates the „opportunism of capital“, its capacity to be relatively indifferent to mentalities and ideologies (Toscano 2014). Graeber's approach, compared with Lazzarato's, is more aware of contingency and of plurality of grounds: it shows that money, market and debt are human arrangements and gives considerable insights about manmade nature of the market laws. However, the rediscovery of an anthropology of asymmetric economic violence functioning rather implacably through centuries and in different anthropological context, undermines contingency. In addition, the



privileged access to the „real“ but hidden history of market and debt diminishes contingency and contestability.

Therefore, theoretical weapons for struggle against debt have to acknowledge contingency of debt as a fact, normative claim and as ground. Since contingency means that things can be otherwise than they are, it reveals other alternatives to be taken into consideration, and allows the critique of the current order and given meanings. In other words, contingency implies and enhances contestability, and the contingency of debt is not an exception – it implies contestability of debt. By exposing the contingency of the alleged unavoidable debt, a contestation and even a critique of the logic of indebtedness is made possible. In this way, contestability can reintroduce democracy in the undemocratic configurations of debt. Because debt limits democratic participation and decision-making, the struggle against debt has to rescue democracy from debt, and the first step is the democratic contestation of debt.

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Thus, in order to enhance the conditions of debt resistance and to offer theoretical weapons for an agency of resistance, the approaches of debt require some precautions against naturalisation and reification of debt. This methodological adjustment is less demanding than postulating an overwhelming subjectivity of debt, and then to call for conversion to debt free subjectivity. Although apparently debt works to eliminate contingency, indeterminacy, open temporality, possibilities of choice and existential risks, debt might be only a „symptom of a persistent cultural incapacity to acknowledge finitude“ (Weber 2013). The appropriate task for critique of the logic of debt and indebtedness is to show that it is nevertheless compatible with historicity, finitude and contingency. If theoretical conceptualisations can prefigure practical insight and possibilities for action, then theorising debt should fold back upon itself, disrupting its own unity, and in this way enacting its contestability. In addition to exposing the real but hidden history of debt in a new grand narrative, with the hope that these will lead to some radical forms of transgression and rebellion against debt, and apart from the call to conversion to a debt-free subjectivity and second innocence, our theoretical endeavours have to acknowledge the contingency of debt and of debt related economic practices.

### **In place of conclusion**

The contingency of debt opens up the possibility of its contestation and transformation. Contingency reclaims inventiveness and alternatives in the face of implacable determination of debt. Coming back to the question from Introduction, we have to clarify now if these transformations and alternatives are beyond the logic of jubilee or within it, and implicitly beyond or within capitalism.

A debt resistance that will lead to universal debt repudiation, of a true clean slate for society, which will amount to a final jubilee that will end the need of jubilees, and will reconstruct society from the root on an equal basis, has not been elaborated in the frameworks proposed by Graeber and Lazzarato. The suggested methodological adjustment, that is, to view debt as contingent and contestable, as well does not lead to a jubilee that will end the need of jubilees. Viewing debt as contingent does not eliminate it entirely: debt remains as an alternative among other alternatives. Debt as economic practice preceded capitalism, and it is not excluded that debt as an economic practice will continue to exist in a form or another in a possible community of non-industrious poor. Conversely, capitalism as a process of permanent becoming, as Lazzarato admits it is, will be always an alternative among the alternatives that contingency presupposes and reclaims. In addition, contingency of debt as fact and the necessary contingency of debt as ground presuppose and reclaim a permanent contestability, otherwise the naturalisation and reification of debt will be restored. Permanent contestability can make debt compatible with democracy, not in the sense of channelling financial flows to all poor, both industrious and non-industrious, but through deliberating and contesting the debt power and debt economy. So, beyond or within capitalism, contingent debt is within democracy.

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Tamara Karaus

### Otpor prema dugovima: S one strane ili unutar kapitalizma?

#### Apstrakt

Empirijski slučajevi otpora prema dugovima pokazuju da se najkoherentniji način otpora dugovima sastoji pre svega u storniranju dugova ili njihovom otpisu. No da li je storniranje dugova, čak i u masovnim razmerama, dovoljan oblik otpora prema dugovima ili otpor treba da ima za cilj dublje restrukturiranje ekonomskog sistema koji je stvorio zaduženost? Namera ovog članka je da se ispita da li je moguće formulisanje argumenta u prilog otpora prema dugovima usmerenom ka finansijskoj ekonomiji koja stvara dugove, umesto otpora nakon zaduživanja, kada se traži praštanje dugova, njihov otpis i storniranje. Da bi dospelo do takvog argumenta, članak najpre analizira argument otpora prema dugovima koji je formulisao Dejvid Greber u *Dug: Prvih 5000 godina* i Mauricio Lazarato u *Stvarajući zaduženog čoveka: Esej o neoliberalnom stanju*, ukazujući na pojedine zajedničke protivrečnosti i nedostatke u Greberovim i Lazaratovim argumentima prema kojima su dugovi fundamentalni i koji sputavaju otpor prema dugovima, umesto da ga radikalizuju. U članku se tvrdi da naglasak na kontingentnosti i spornosti dugova pojačava otpor prema dugovima i otpor neoliberalnom sistemu kao takvom.

**Cljučne reči:** otpor, dugovi, neoliberalizam, kontingencija, spornost

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## Two Historians in Front of the Economic Crisis of 2007–2008: Hobsbawm and Judt between Marxism and the Legacies of 20<sup>th</sup> Century

**Abstract** How did intellectuals react to the economic crisis of 2007–2008 and its long-term backlash? What did they learn from the main twentieth-century political and social experiences, in order to make a new sense of the traditional cultures of the Left?

In order to answer these crucial issues, this proposal will analyze the paths of the well-known historians E. Hobsbawm and T. Judt and their apparently similar, but actually different reactions to the crisis. First, I will focus on their respective books: *How to Change the World* (2011) and *Ill Fares the Land* (2010). On the one hand, Hobsbawm's critical approach to the post-1991 world, shaped by his lifelong fidelity to Marxism and his persistent sympathy for the Russian Revolution, was connected to his catastrophic vision of the end of the both conflicting and collaborative dynamics between capitalism and socialism. On the other hand, Judt's re-thinking of the social-democratic tradition, compelled by the global transformations of the social question, was inspired by his connections with the East Central European dissidents' anti-totalitarian liberalism and by his critical approach to the *engagement* of the French intellectuals. Second, I will investigate their different interpretations of the „Golden Age“ of post-1945 Europe (with special regard to the long-term impact of the crisis of 1929 and to the influence of Soviet communism) and of the causes of its crisis. Third, I will show how, in spite of their common reference to Marx, late Hobsbawm's and Judt's historical visions – respectively combined with determinism and moralism – provide opposite ways of coping with the legacies of the 20th century and of criticizing the language of neoliberal economy within the Left.

**Keywords:** Hobsbawm Eric; Judt Tony; intellectuals; historiography; socialism; communism; Marxism; totalitarianism

### Different generation, different left

Eric Hobsbawm and Tony Judt were two of the major historians of the recent times. Both of them were British Jews (with deep roots in East Central Europe), were publicly engaged on the Left, and extensively wrote on their fascinating lives. However, they essentially belonged to two different generations, and they were divided by their conceptions of Left. Hobsbawm was born in 1917 in Alexandria of Egypt, then one of the peripheries of the British Empire, and was mostly educated in Vienna and in Berlin between the 1920s and 1930s. He belonged to the generation of the Russian Revolution and of the Soviet communism, of the fight between fascism and antifascism. His

membership in the German Communist Party began in the early 1930s, when he lived in Germany, at the time of Hitler's ascent to power, and he continued to be a member of the small British Communist Party until the very end of the Soviet Union, in 1991 (Hobsbawm 2002)<sup>1</sup>.

Judt was born in 1948 in London, then capital city of the declining British Empire. His family was rooted in the East European Jewry, and the shadow of the Shoah touched him through the killing of a cousin, Toni. He belonged to the post-war generation of the baby-boom, of the public transports and of the Welfare State, and of the rebellious late 1960s. After a brief militancy in the Marxist Zionism as a young student, and a long participation in the 1968 movements in Cambridge and Paris, he reached a skeptical attitude towards any sort of politically organized commitment. In the 1970s he was fascinated by the extreme Leftist ideologies of *tiers-mondisme*, looking at the Mao's China and at the revolutionary peasants, and his early research works reflected this intellectual much more than political fascination (Judt 2010: 98–99).

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As an historian, Judt belonged to what he himself defined as „Hobsbawm generation“ – men and women from the late 1950s to the mid-1970s whose interest in the past had been shaped by the great Marxist historian's writings. Hobsbawm was specializing in the English nineteenth-century working-class movement (Hobsbawm 1964), but he also wrote seminal essays on the primitive or pre-modern forms of popular rebellion and banditry (Hobsbawm 1959). He was then recognized as a great historian of what he called the „long nineteenth century“, extending from the late eighteenth century, particularly since the „dual revolutions“ (i.e. the French and the Industrial revolution), to the early twentieth century, notably the Great War (Hobsbawm 1962; Hobsbawm 1975; Hobsbawm 1987)<sup>2</sup>. His trilogy on the „long nineteenth century“ deeply influenced radical students of history as the young Judt was in Cambridge in the late 1960s. In 1968 he was part of „an attentive and admiring audience“ whom Hobsbawm addressed to in order to explain „the limits of student radicalism“. Judt remembered: „Sometimes, he reminded us, the point is not to change the world but to interpret it. But in order to interpret the world one has also to have a certain empathy with the ways in which it has changed“. In this respect Judt reproached Hobsbawm not to have been up to the demanding standard he himself had set, insofar as he was unable or unwilling to change his mind about the Soviet communism (Judt 1995). Quite the contrary, Hobsbawm's methodological reminder from the late 1960s would keep on being a guiding line for Judt over the next

1 The only attempt at an historical reconstruction of Hobsbawm's intellectual biography has been hitherto made by Elliott, 2010. An archival work for an historical reconstruction of Hobsbawm's biography is under way by Richard Evans.

2 For an historical reconstruction of the British Marxism see Eley 2005: 13–60.

decades. Not incidentally, Judt often referred to a well-known sentence commonly attributed to John M. Keynes: „When the facts change, I change my mind. What do you do, Sir?“ (Judt 2015).

### The twentieth century, a short or a long epoch?

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Hobsbawm was basically an historian of the eighteenth and nineteenth century. Even though he occasionally wrote on the twentieth century, only in the mid-1990s did Hobsbawm begin to write extensively on his own time – famously renamed the „short century“. The basic argument of the *Age of Extremes*, published in 1994, was summarized as follows: „the history of the Short twentieth century cannot be understood without the Russian Revolution and its direct and indirect effects. Not least because it proved to be the saviour of liberal capitalism, both by enabling the West to win the Second World War against Hitler’s Germany and by providing the incentive for capitalism to reform itself“ (Hobsbawm 1994: 84)<sup>3</sup>. Whereas the „direct effects“ of the Russian Revolution applied to the solution of the dramatic conflicts following the crisis of liberal capitalism, the „indirect effects“ of the Russian Revolution applied to the political stability and to the social prosperity of the post-war period. As capitalism was considered in itself as avoid of self-reforming forces from within, the Soviet Union had provided the transformative pressure for capitalism from without. The post-war capitalism was conceived of as „a sort of marriage between economic liberalism and social democracy [...], with substantial borrowing from the USSR, which had pioneered the idea of economic planning“. The „Golden Age“ was thus primarily due „to the overwhelming economic dominance of the US“, but also „to the fear of communism“ (Hobsbawm 1994: 270, 275).

Strangely enough, though, Hobsbawm never researched over the history of the USSR and of the Soviet communism (Pons 2013: 410–416). Albeit his awareness of the limits of a „binary division“ between communism and capitalism, Hobsbawm still referred to it when he wrote his own autobiography *Interesting Times*, which was deeply fashioned by his life-long loyalty and endless sympathy for the October Revolution. The personal experience of the downfall of the Weimar Republic lastingly shaped the mental universe of Hobsbawm, and his catastrophic approach to the post-1989 history seems to remind of the experience of „a world which was not expected to last“ (Hobsbawm 2002: 47).

Consistently enough, Hobsbawm described the world history since the early 1970s in terms of „a world which had lost its bearings and slid into

<sup>3</sup> For a discussion of Hobsbawm’s attitude to the Soviet Union and communism see the conversation between Hobsbawm and the Canadian intellectual Michael Ignatieff, held in 1994.

instability and crisis“. Since the 1980s „the foundations of the Golden Years had crumbled“ „irretrievably“. In particular, after the collapse of the Soviet Union, the capitalistic world unfolded „disorder“ and „disintegration“ without „convincing alternatives“: the economic forces of the free market were „out of control“, and the states had lost their capacity to plan and govern the society (Hobsbawm 1994: 403). Quite paradoxically, the collapse of the „real socialism“, and the testified failure of the Soviet utopia of total control and planning brought about – alongside the end of the „religious wars“ of the Short century – the crisis and decline of the self-proclaimed winner of the Cold War, the „neo-liberal utopia“, the idea of a society based on a global completely free market (Hobsbawm 1994: 562, 563).

*The Age of Extreme* provided Hobsbawm with word-wide celebrity, but it also stirred some sharp critiques. In spite of his deep admiration for Hobsbawm and his work, Judt made of *The Age of Extreme* the target of an harsh critique, on *The New York Review of Books* in 1995. Hobsbawm’s autobiography – particularly his *engagement* with a „single cause“ since his youth – had shaped his perception and his interpretation of the twentieth century. As a major consequence, „the categories right/left, fascist/communist, progressive and reactionary seem to be very firmly set, and pretty much as they first presented themselves to Hobsbawm in the Thirties“. At the core of the polemical intervention put forward by Judt was Hobsbawm’s attitude towards communism much more than that towards Marxism (Judt 1995).

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*Postwar* was published in 2005, more than ten years after *The Age of Extremes*, in a completely different context. Meanwhile, new narratives of the European twentieth century had been proposed by historians of different generations, such as Norman Davies and Mark Mazower, aiming to connect the Western and the Eastern regions of the continent into a unitary historical account (Davies 1996; Mazower 1998). According to Judt, the causes of the post-1945 political stabilization, social reconstruction and economic modernization were complex and multiple all over Europe, but they tended to configure quite different societies in Western and Eastern Europe. As Judt put it, „the Second World War transformed both the role of the modern state and the expectations placed upon it [...]: for the generation of 1945 some workable balance between political freedoms and the rational, equitable distributive function of the administrative state seemed the only sensible route out of the abyss“ (Judt 2005: 73–74). The pre-1914 elaboration of liberal, socialist, Christian democratic reformism, the traumatic lesson of the Great Depression of 1929 and its social backlash, the cogent need for reconstruction after WWII and the economic development intertwined each other in unprecedented ways. Since the early 1970s, „the end of the most prosperous decade in recorded history“ – the 1960s – brought to „an economic slowdown“, which entailed „diminished expectations“ and „a new realism“ (as the precondition or background for the new different forms of liberalism in the

1980s) (Judt 2005: 453). While the „old order“ collapsed through the „revolutions of 1989“ in Eastern Europe, the Keynesian consensus was more and more questioned in Western Europe: in a deep sense, the period 1945–1989, understood both as „a post-war parenthesis“ and as „an epilogue“ to the European civil wars, was over (Judt 2005: 2).

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According to Judt, the fundamental political, social and intellectual agenda of Europe at the beginning of the new century was still shaped by the long-standing legacies and memories of the Second World War, as well as by its deepest roots in the post-1914 decades. In this respect, far from being a short century (in Hobsbawm's terms), the twentieth-century was a long century, projecting its shadow into the next one, the twenty-first. Interestingly enough, albeit their relevant differences, their interpretations of the post-1945 period were based on the narrative of the „Golden Age“. As Geoff Eley insightfully stressed, the basic argumentative structure of Judt's *Postwar*, in spite of his attention for the intellectual and political history, was marked by a „materialist standing point“ to the cycles of growth and of recession, and thus „tends towards the primacy of economics“ (Eley 2008: 205). On the other hand, as Jan-Werner Mueller has clearly put it, the representations of the „Golden Age“ of social democracy (*les Trente Glorieuses*, according to the well-known definition of Jean Fourastié), or even of the „Golden Age“ of democracy as such, are misleading. Both Hobsbawm and Judt tend to downplay the major role of Christian democracy and the disciplined nature of post-1945 Western democratic institutions. Additionally, their historical narratives provide a critical reaction to the euphoria of post-1989 „triumph“ of liberal and capitalistic democracy, but they retrospectively overestimate the positive aspects of the „social democratic moment“ over the negative ones. Last but not least, they neglect a conspicuous opinion which was severely critical of the post-1945 democracies, overemphasizing the positive perception of the political and social post-war progress in the 1960s and 1970s (Mueller 2011: 125–150). In this respect, both Hobsbawm and Judt themselves built retrospective interpretations of those decades.

### **Converging or diverging positions in face of the economic crisis?**

In the context of the economic crisis of 2007–2008, Judt and Hobsbawm published a number of works more or less directly finalized to question the economic system and the meaning of current politics. In 1995, Judt had reproached Hobsbawm the „Geremiah-like tone of impending doom“, characterising the last part of *The Age of Extremes*, entitled *The Landslide* and devoted to the post-1989 period (Judt 1995). Nevertheless, in 2009, both Hobsbawm and Judt, albeit a slightly different language, seemed to address the same issues by an analogous critical standing point. For Hobsbawm, the failure of the „liberal theology“ had proved to be evident and complete since



the 1980s, but the new global crisis of capitalism urged the search for an alternative. As a consequence, for Hobsbawm, „the most serious crisis of capitalism since the Age of Catastrophe“ was no surprise. In an article published on the *Guardian* in April 2009, Hobsbawm pointed out the core problem of the Western economic crisis as follows:

Impotence [...] faces both those who believe in what amounts to a pure, stateless, market capitalism, a sort of international bourgeois anarchism, and those who believe in a planned socialism uncontaminated by private profit-seeking. Both are bankrupt. The future, like the present and the past, belongs to mixed economies in which public and private are braided together in one way or another. But how? That is the problem for everybody today, but especially for people on the left. (Hobsbawm 2009)

In his book *Ill Fares the Land* Judt focused on the political and intellectual problems arising from the global crisis in similar terms to Hobsbawm's:

Why do we experience such difficulty even *imagining* a different sort of society? Why is it beyond us to conceive of a different set of arrangements to our common advantage? Are we doomed indefinitely to lurch between a dysfunctional 'free market' and the much-advertised horrors of 'socialism'? Our disability is *discursive*: we simply do not know how to talk about these things any more. (Judt 2010: 34)<sup>4</sup>

However, it is important to stress that the convergence between Judt and Hobsbawm was much more apparent than real. A close confrontation will help to understand the subtle, but deep divergences between them, and to connect them with their historical narratives of the twentieth century, and to follow their implications.

As the Short century had concluded with the end of the conflict between socialism and capitalism, Hobsbawm maintained that in order to understand the present day, it was necessary to go back to the nineteenth century. If the century marked by the Soviet experience was declared over, the legacy of Marxism might have got rid of the Stalinist legacy. As Donald Sassoon put it, Hobsbawm's last Marx was not the theoretician of the world revolution and the leading role of the proletariat, but the theorist of globalization and of crises, a Marx finally emancipated from the Soviet Union (Sassoon 2012). His interest in a revival of Marxism thus amounted to a radically critical attitude towards the present day. Even if he was conscious that an „alternative system“ might not be on the horizon, he maintained that „the possibility of a disintegration, even a collapse, of the existing system“ was no longer to be excluded. He was pretty sure that economic and political liberalism,

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4 Some of his reflection was anticipated in a conference held in New York, October 2009: see Judt 2009.

„singly or in combination“, could *not* provide the solution to the problems of the twenty-first century. In this regard, though, the real paradox was that both the liberals and its opponents had „an interest in returning to a major thinker whose essence is the critique of both capitalism and the economists who failed to recognize where capitalist globalization would lead“. He was convinced that once again the time has come „to take Marx seriously“ (Hobsbawm 2011: 417–418)<sup>5</sup>.

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In the very last sentences of his *Ill Fares the Land*, Judt also mentioned Marx and his famous *Eleventh Thesis on Feuerbach* concerning the philosophers' various interpretations of the world and the urgent need to change it. However, quite paradoxically, he especially referred to the thought of John M. Keynes, who was defined as „an instinctive conservative“. He re-read Keynes' thought in the light of some liberal or anti-totalitarian thinkers who were traditionally considered adversaries of the orthodox Left, such as Albert Camus, Raymond Aron, Vaclav Havel, Adam Michnik, Isaiah Berlin. The whole of these readings and references provided Judt with the intellectual means for coping with what he called the „unbearable lightness of politics“ in a „new age of insecurity“, by combining *conservative* and *innovative* strategies<sup>6</sup>. It was his conviction that we are „the fortunate beneficiaries of a transformation whose scale and impact was unprecedented“. By that he meant „the institutions, legislation, services and rights [...] inherited from the great age of 20th century reform“ (Judt 2010: 221–222)<sup>7</sup>. However, the social democratic legacy might have a future, according to Judt, only as a „social democracy of fear“. This notion was inspired and fashioned by the conception of the „liberalism of fear“, theorized by the political thinker Judith Shklar, who tried to draw a new lesson for liberalism from the totalitarian experiences (Shklar 1989: 337–63)<sup>8</sup>. Some crucial issues arise: what did Judt mean exactly by „social democracy of fear“? how did he fit his social democratic position into his anti-totalitarian liberal position?

5 This was a collection of essays, some of whom have been written in the light of the crisis of 2007–2008. This book was dedicated to the German historian of French marxism and European socialism George Lichtheim. Interestingly enough, Judt also dedicated two of his works to Lichtheim (Judt 1986; Judt 2008).

6 Judt's sharp critique of the social and psychological implications of inequality was based on the thick analysis carried out by two social epidemiologists (R. Wilkinson, K. Pickett 2009). Afterwards, the historical dynamics of equality and inequality, and particularly the impact of the two world wars on the European social stratification, have been analysed by the well-known (albeit controversial) book by Pickett 2013.

7 A critical comment was made by his friend the French scholar Pierre Rosanvallon: „Although there is a great nobility in such a vision, unfortunately it does not take seriously enough the irreversible character of the individualism of singularity, which is not to be confused with individualism as selfishness and atomism“ (Rosanvallon 2011: 6).

8 For an historical contextualization of the antitotalitarian liberalism and of its intellectual roots see Lilla 1994: 129–157 and Mueller 2008: 45–64.

## Marxism, social-democracy and anti-totalitarianism

Hobsbawm never publicly replied to Judt's harsh attacks, on the *New York Review of Books*. However, after Judt's death, he devoted to him one of his latest public interventions, a Lecture at King's College (Cambridge) in February 2012. This was an insightful analysis of Judt's intellectual biography and an exceptionally sincere proof of their contradictory personal and intellectual relation. In Hobsbawm's opinion, Judt's basic concern during the acute phase of the Cold War was not the Russian threat to the „free world“ but the arguments within the left. Marx – not Stalin and the Gulag – was his subject. Hobsbawm then explained: „Tony's essentially social-democratic liberalism was briefly infected by François Furet's Hayekian economic libertarianism“. However, he couldn't help acknowledging that his brilliant and fearless critique of the post-1989 world since the beginning of the twenty-first century was much more original and radical „for having been a fairly orthodox defender of the 'free world' against 'totalitarianism' during the Cold War, especially in the 1980s“ (Hobsbawm 2012)<sup>9</sup>.

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In Hobsbawm's eyes, Judt's anti-totalitarian liberalism was thus occasional and contingent, but it brought to long-lasting intellectual and historiographical effects. To be sure, though, Judt's sympathy with the anti-totalitarian liberalism had less to do with the Cold War politics than with his overall interpretation of the European history of the twentieth century. In a sense, the French historian François Furet, a well-known scholar of the French revolution, was at the very core of the dissent between Hobsbawm and Judt. Hobsbawm had criticized Furet as a follower of Alfred Cobban's revisionism, by taking sides with the traditional Marxist historiography on the French revolution, understood as a „bourgeois revolution“ (Hobsbawm 1990). More than this, he especially contested Furet as the author of a controversial book on the „illusion“ of communism, *Le Passé d'une illusion*, published in 1995 (Hobsbawm 1996: 129–138). Quite the contrary, since the mid-1980s, Judt had established an intense personal and intellectual relationship with Furet, who wrote a sympathetic foreword for the French edition of his *Le marxisme et la gauche française* (Furet, in Judt 1986: I–XIX). For a long time Judt had been a brilliant but quite obscure historian of the nineteenth- and early twentieth-century French socialism: in a sense, he was a Leftist historian in Hobsbawm's fashion. Through his critical dialogue with Furet (among others), Judt came to terms with the Leftist sympathetic attitude towards the Bolshevik Revolution and the Soviet Union, ignoring or overlooking or minimizing the criminal dimension of the Stalinist totalitarian experience. We have to make a step backwards, in order to understand how deeply and radically Judt changed his idea of Left.

<sup>9</sup> A very harsh polemic against Judt's sympathies for Cold War liberalism, quite similar to Hobsbawm's arguments, was made by D. Riley 2011, 35–62.

Between the mid-1980s and the early 1990s, starting from the problem of French marxism, Judt had begun to make sense of the Leftist attitudes of the French intellectuals' towards Soviet communism and Eastern Europe in the post-1945 period (Tony Judt with Timothy Snyder 2012: 140–194)<sup>10</sup>. He turned to the study of the dissidents' discourses, especially drawing attention to Václav Havel, János Kis, Milan Kundera, Adam Michnik, Czesław Miłosz, and György Konrád<sup>11</sup>. Thanks to his personal connections with the East Central European dissidents in the mid-1980s and to their „impolitical“ thought, he developed a radically critical approach to the *engagement* of the French intellectuals in the name of moral and intellectual responsibility. Far from adhering to the triumphalist post-1989 forms of liberalism, he focussed on both „the importance and primacy of individual“ and „the necessary and desirable complexity, plurality, and indeterminacy of political life“ (Judt 1992: 313). In this respect, his deepest argument was not so much for liberalism, but against any form of historical determinism. In a sense, he rejected the faith in History both of Jean-Paul Sartre and of Francis Fukujama. Quite the contrary, as Judt explained in another book, dedicated to François Furet, his reference points were the concepts of moral and intellectual responsibility of the „prophet spurned“ Léon Blum, of the „reluctant moralist“ Albert Camus, and of the „peripheral insider“ Raymond Aron (Judt 1998). His personal and intellectual friendship to Furet did not entail any sort of adherence neither to the post-Cold war liberal consensus nor to the belief in capitalist democracy as the „end of History“. In an article devoted to Alexis de Tocqueville in 1984, Furet wrote: his „achievement . . . does not lie in any single doctrine but in the acute and sometimes ambivalent ways he confronted the questions of equality, democracy, and tyranny that arose in his time and that continue unresolved in our own“ (Furet 1985; Judt 1997)<sup>12</sup>. These words were quoted with approval in Judt's obituary of Furet in 1997 in order to describe the intellectual and political mind of the French historian. However, they also proved to be an accurate picture of Judt himself. Not incidentally, in the same year, in 1997, he published an essay on *The Social Question Redivivus*, where he began to develop a critical assessment of the globalized world and of its impact on the labour market, as well as on the disruption of the post-1945 social consensus (Judt 1997: 95–117)<sup>13</sup>.

As Judt explained in a series of interviews together with Timothy Snyder, the twentieth century, rather than being defined by the opposition between

10 The deep turning point in the French intellectual history in the 1970s has been critically assessed by Christofferson 2004.

11 Judt 1988; Judt 1992; Judt 1999.

12 For a Left-wing interpretation of the French historian, see Prochasson 2013. See also J.-W. Mueller 2015.

13 Interestingly enough, as an epygram to Judt 1997, Judt quoted Oliver Goldsmith, *The Deserted Village* (1770), which would inspire the title of his last book: „Ill fares the land, to hastening ills a prey, Where wealth accumulates, and men decay“.

capitalism and socialism, or democracy and totalitarianism, was marked by the rise of the state, and by the competition between different forms of state. In the wake of the economic crisis of 2007–2008, and because of it, it had become dramatically urgent to re-think the role of the State (Tony Judt with Timothy Snyder 2012). The new role of the state had necessarily to come to terms with the experiences and legacies of the twentieth century – at least in two respects. First, what is possible to learn from the World War II or from the wars in former Yugoslavia – as well as today from the Russian-Ukrainian conflict (Shore 2015) – demonstrates „the ease with which any society can descend into Hobbesian nightmares of unrestrained atrocity and violence“. Second, what is possible to learn from the history of ideas in the last century is that „the more perfect the answer, the more terrifying its consequences“. Judt’s perspective of a „social democracy of fear“ stemmed from these two points. The Welfare state provided, and can still provide, a set of social services for preventing „a complete breakdown of liberal institutions, an utter disintegration of the democratic consensus“ (Judt 2010: 221).

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To conclude, Hobsbawm thought that the structural dynamics of the twentieth century were over, and that they were doomed to be over and to be followed by endless crisis. In order to search for a perspective *beyond* capitalism, he thus turned himself to the nineteenth century and to Marx. In this respect, his critical vision of the present combined determinism and utopianism. On the contrary, Judt believed that some fundamental political and intellectual options of the twentieth century were still available in the new context of the twentieth-first century, and that it was thus necessary to make sense of its contradictory legacies, and particularly of the connections and continuities between the major catastrophes of the first half and the major progress of the second half of the century. Hence a conception of historical knowledge as the only way of conceptualizing the public discourse, and of re-legitimizing politics. His critical argument, focussing on the social, political and ethical consequences *within* capitalism, intertwined prudential wisdom with moralism.

As a conclusion, it is possible to say that Hobsbawm and Judt, on different, even opposite sides, embodied the dilemmas and the contradictions typical of the European Left in the past two centuries – dilemmas and contradictions such as determinism versus anti-determinism, materialism versus moralism, utopianism versus reformism, thinking beyond or within capitalism. However, it is worth underlying their role in the context of the economic crisis of 2007–2008 as the prefiguration of a new role for historians in the globalized world. Historians as the speakers of big, progressive narratives of History (with the capital H) belong to the past (at least so far). Insofar as the fastening processes of globalization tend to widen space and to compress time, historians like Hobsbawm and Judt, who rethought the complex relationship between past, present, and future, could play a crucial *critical* role in the public debate. Both of them were highly critical towards the post-modern

turn, as well as harshly skeptical towards the politics of identity. Albeit in different terms, they conceived of them as the deepest root of the loss of sense of politics, and particularly of the crisis of the Left. Not incidentally, since the early 1980s, the assertion of postmodernism (with all different interpretations and implications) had coincided with the intellectual decline of Marxism. Insofar as in the last three decades the process of reduction of the state sovereignty has increasingly interwoven with those of individualization and privatization of society, Hobsbawm and Judt, who investigated the *social* history of politics and its long-term impact (until today), could still act as *public* intellectuals<sup>14</sup>. In a sense, they tried to re-legitimize politics, albeit through different, even opposite historical and intellectual arguments. In spite of their multiple lines of divergences, their real converging point was thus not only a „nostalgia of politics“, but also „politics of nostalgia“– which was not only a nostalgia of a past, but also a nostalgia of a future.

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Marko Brešani

## Dva istoričara u susretu sa ekonomskom krizom 2007–2008: Hobsbaum i Džad između marksizma i nasleđa 20. veka

### Apstrakt

Kako su intelektualci reagovali na ekonomsku krizu 2007–2008 i dugogodišnje usporevanje ekonomije? Šta su naučili iz glavnih političkih i društvenih iskustava 20. veka da bi dali novi smisao tradicionalnim kulturama levice?

Da bi odgovorio na ove ključne probleme, ovaj nacrt će analizirati puteve poznatih istoričara E. Hobsbauma i T. Džada i njihove naizgled slične, ali u stvari različite reakcije na krizu. Prvo, usredsređujući se na njihove knjige koje se odnose na ove probleme: *Kako promeniti svet* (2011) i *Teško zemlji* (2010). S jedne strane, Hobsbaumov kritički pristup post-1991. svetu, modeliran njegovom celoživotnom privrženošću marksizmu i njegovom istrajnom simpatijom prema Ruskoj revoluciji, povezan je sa njegovom katastrofičnom vizijom kraja dinamike između kapitalizma i socijalizma, koja je bila kako konfliktna, tako i kolaborativna. S druge strane, Džadovo ponovno promišljanje socijal-demokratske tradicije, podstaknuto globalnim transformacijama društvenih pitanja, bilo je inspirisano njegovim vezama sa antitotalitarnim liberalizmom Istočnoevropskih disidenata i njegovim kritičkim pristupom *angazmanu* Francuskih intelektualaca. Drugo, istraživaču njihove različite interpretacije „zlatnog doba“ post-1945. Evrope (sa posebnim osvrtom na dugotrajni uticaj krize iz 1929. i na uticaj Sovjetskog komunizma) i uzroka njegove krize. Treće, pokazaću kako, usprkos njihovim zajedničkim referencama na Marksa, istorijske vizije kasnog Hobsbauma i Džada – svaka od njih kombinovana sa determinizmom i moralizmom – daju suprotne načine suočavanja sa nasleđem 20. veka i sa kritikom jezika neoliberalne ekonomije unutar levice.

**Ključne reči:** Erik Hobsbaum, Toni Džad, intelektualci, historiografija, socijalizam, komunizam, marksizam, totalitarizam



Marcello Barison

## Denationalization Neoliberalism after Foucault

**Abstract** Starting from Michel Foucault's considerations dedicated to economic knowledge (especially in *Il faut défendre la société* and *Naissance de la biopolitique*), this paper is about setting up a possible theoretical framework in which to situate the relationship between political power and neoliberalism as they appear in their modern articulation, analyzing in depth how international governmental organizations – such as, for example, the European Central Bank, the European Union and the International Monetary Fund – are involved in this process.

**Keywords:** Neoliberalism; Denationalization; Foucault; International organizations, European Central Bank

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*As happened in previous cycles of its expansion, when capitalism broke out of the container of the nation state in the last third of the twentieth century and started to create a single global market, it began to destroy not merely the institution of the national market but also the framework of laws, conventions and organisations, built over two centuries, that had sustained and humanised it.*

Prem Shankar Jha,  
*The Twilight of the Nation State*, p. 96

Taking as a starting point some of Michel Foucault's remarks concerning economic knowledge, this paper aims to outline a possible theoretical framework within which to situate relations between political power and neoliberalism, as they manifest themselves in their current articulation. From within such paradigm, it will proceed by also problematising the concept of national sovereignty, proposing to interpret its dissolution in terms of a progressive *denationalization*, upon whose singular consequences – both philosophical and juridical – it will become necessary to dwell with due care. The reference I make to Foucault, here, is above all methodological in kind. In fact, I regard his research activity in the second half of the 1970s – to be precise, from *Il faut défendre la société* (1976) to *Naissance de la biopolitique* (1978–79) – as having laid the foundations, through fundamental intuitions at times only embryonically developed, for the elaboration of an adequate access strategy to the problem of the contemporary economy; one that thus moves beyond not only liberal thought but also the many interpretations of a Marxist inclination, however much penetrating the latter may be. But where should we place the start of the 'contemporary' in economic terms? A date, however much symbolic, seems fit for purpose: that of 6<sup>th</sup> August

1979, when Paul Volcker was appointed as Chairman of the Federal Reserve, inaugurating the kind of monetarist policies that, assiduously practiced to this day, also seem to represent the incontrovertible constant of the world economy in the past thirty years. It will be noted that, nonetheless, the last lecture of the aforementioned course on the *Birth of Biopolitics* is dated 4<sup>th</sup> April 1979. According to the proposed periodisation, the development of the contemporary economy therefore appears to be immediately succeeding the analyses performed by Foucault: how is it possible, then, to appeal to the latter in order to understand the former? I will try to show that the Foucauldian discourse, while paradigmatic for the forms of pre-Reaganian liberalism, contains numerous insights that we may make use of extending to the present day. In this sense his researches, far from being able to be doxographically repeated, prove to be incisive to the highest degree when, reacting with newly available materials, they undergo those modifications that every understanding of the present demands from the instruments it has inherited. At any rate, it is far from coincidental that the French thinker, committed to the attempt to penetrate the ‘dispositifs’ of current affairs by probing into its genealogical antecedents, has touched upon some of the founding principles of contemporary economics. What is astonishing instead is that – contrary to the numerous studies focused on psychiatric power, systems of imprisonment, or the concept of biopolitics, and save for a few exceptions that still are predominantly reconstructive in their orientation<sup>1</sup> – there exists no critical extension to the most recent ‘evolutions’ of financial capitalism of Foucault’s theses on economics.<sup>2</sup>

1 Cf. M. Bonnafous-Boucher, *Le libéralisme dans la pensée de Michel Foucault: un libéralisme sans liberté*, Paris 2001; J.-Y. Grenier, A. Orléan, *Michel Foucault, l'économie politique et le libéralisme*, in „Annales. Histoire, Sciences sociales“, 5, septembre–octobre 2007, pp. 1155–1182; I. Vigo De Lima, *Foucault's Archaeology of Political Economy*, Basingstoke (Hampshire) 2010 and A. Zanini, *L'ordine del discorso economico. Linguaggio delle ricchezze e pratiche di governo in Michel Foucault*, Verona 2010. A completely separate discussion should be made on the attempt accomplished in G. Agamben, *Il Regno e la Gloria. Per una genealogia teologica dell'economia e del governo*, Torino 2009 (1 ed. Venezia 2007), Eng. tr. Lorenzo Chiesa (with Matteo Mandarini), *The Kingdom and the Glory: For a Theological Genealogy of Economy and Government*, Stanford California 2011; where the relation between *oikonomia* and governmentality is developed along a completely autonomous trajectory – thus neither reconstructive nor historiographical – which however much it makes its own the analyses conducted by Foucault in *Sécurité, territoire, population* (cf. *Ibid.*, pp. 273–277), it overcomes them in the direction of what in them has remained unexamined. Agamben in fact writes, relatively to his research (*Ibid.*, p. xi): „It locates itself in the wake of Michel Foucault’s investigations on the genealogy of governmentality, but, at the same time, it also aims to understand the internal reasons why they failed to be completed.“

2 That for Foucault the relation with the economy is of a fundamental importance, it can be evinced without any reserves from the following passage (which would certainly deserve a discussion in its own right, which is nonetheless impossible to elaborate on here): „The problem that is at issue in the research I am talking about can, I think,

Let us enter then into the heart of his argument. In the opening stages of the 1978–79 course, he presents us with the following reasoning. In the Middle Ages, the sovereign had managed to subject to their own dominion every other feudal authority, by relying on its monopoly over the administration of justice and the military apparatus; thus, the judiciary counted as a kind of „multiplier of royal power“ [„multiplicateur du pouvoir royal“].<sup>3</sup> Beginning from the sixteenth century, but especially from the start of the seventeenth, we witness an essential mutation: juridical institutions no longer have the function of multiplying, but rather that of *limiting* the power of the king. In the balance of powers, they oppose themselves to the „indefinite extension of *raison d'État* that is becoming embodied in a police state“ [„extension indéfinie d'une raison d'État prenant corps dans un État de police“].<sup>4</sup> Indeed, it extends even further than this: since laws constitute the backbone of the State, they *precede* it; they are its ‘condition of possibility’ and, therefore, they institute the very authority of the monarch, who must act within them and has no right to undermine them. So then, the reason of state is founded upon an *external law* that both precedes it and limits it. And the same is valid for the exercise of government, which is legitimised by a power that is other and exterior, and is held by the judiciary. Whenever in fact the sovereign

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be broken down as follows. First: Is power always secondary to the economy? Are its finality and function always determined by the economy? Is it designed to establish, solidify, perpetuate, and reproduce relations that are characteristic of the economy and essential to its workings? Second question: Is power modelled on the commodity? Is power something that can be possessed and acquired, that can be surrendered through a contract or by force, that can be alienated or recuperated, that circulates and fertilizes one region but avoids others. Or if we wish to analyze it, do we have to operate – on the contrary – with different instruments, even if power relations and economic relations always constitute a sort of network or loop? [„Le problème qui fait l'enjeu des recherches dont je parle peut, je crois, se décomposer de la manière suivante. Premièrement: le pouvoir est-il toujours dans une position seconde par rapport à l'économie? Est-il toujours finalisé et comme fonctionnalisé par l'économie? Le pouvoir a-t-il essentiellement pour raison d'être et pour fin de servir l'économie? Est-il destiné à la faire marcher, à solidifier, à maintenir, à reconduire des rapports qui sont caractéristiques de cette économie et essentiels à son fonctionnement? Deuxième question: le pouvoir est-il modelé sur la marchandise? Le pouvoir est-il quelque chose qui se possède, qui s'acquiert, qui se cède par contrat ou par force, qui s'aliène ou se récupère, qui circule, qui irrigue telle région, qui évite telle autre? Ou bien, faut-il, au contraire, pour l'analyser, essayer de mettre en œuvre des instruments différents, même si les rapports de pouvoir sont profondément intriqués dans et avec les relations économiques, même si effectivement les rapports de pouvoir constituent toujours une sorte de faisceau ou de boucle avec les relations économiques?“] (M. Foucault, *Il faut défendre la société*, Paris 1997, Eng. tr. David Macey, *Society Must be Defended: Lectures at the Collège de France, 1975–76*, London 2004, p. 14).

3 M. Foucault, *Naissance de la biopolitique. Cours au Collège de France 1978–1979*, Paris 2004, p. 9, Eng. tr. Arnold Davidson, *Birth of Biopolitics: Lectures at the Collège de France (1978–1979)*, Palgrave MacMillan 2008, p. 8.

4 *Ibid.*, Eng. tr. *ibid.*

violates the limit imposed by legislation, he can be declared illegitimate, and as a consequence his command over each of his subjects to obey is weakened.

At the height of the eighteenth century, Foucault recognises however the presence of a break of utmost importance, given by the need of „establishing a principle of limitation that will no longer be extrinsic to the art of government, as was law in the seventeenth century, [but] intrinsic to it“.<sup>5</sup> But in what does it consist – „[w]hat can an internal limitation of governmental rationality be?“ [„*qu'est-ce que peut être une limitation interne de la rationalité gouvernementale?*“].<sup>6</sup> Now the need to keep the sovereign's actions under control is no longer felt, and it is instead the activity of the executive that must be circumscribed. Or rather, it is the very government that must 'self-limit' *itself*, on the basis of a rational function that would allow it to achieve maximum results – in terms of increase in prosperity – by reducing its own operation to the minimum. Well, such rational function – or, as Foucault calls it, „intellectual instrument“ [„*instrument intellectuel*“]<sup>7</sup> – is the *political economy*.<sup>8</sup> It is thus the characteristic of a State that has within itself the principle of its own sovereignty, which indeed does not derive from any external foundation or legitimation; but which, ever since seventeenth century despotism, consists in fact in „an economic government which is not hemmed in and whose boundaries are not drawn by anything but an economy which it has itself defined and which it completely controls“ [„*un gouvernement économique, mais qui n'est enserré, qui n'est dessiné dans ses frontières par rien d'autre qu'une économie qu'il a lui-même définie et qu'il contrôle lui-même totalement*“].<sup>9</sup> Therefore, we can deduce that at least at an early stage, *the political economy, as the principle of the State's constitution, is posed by the very same State of which precisely it is the primary foundation. This is the truly vicious circle of power, understood essentially as the government's self-legitimation.*

Justified by Foucault,<sup>10</sup> I now allow myself to jump to the heart of the twentieth century. Germany, 1948: while Europe as a whole – with the exception, at

5 „Cette transformation, elle consiste en quoi? Eh bien, d'un mot, elle consiste dans la mise en place d'un principe de limitation de l'art de gouverner qui lui ne soit plus extrinsèque comme l'était le droit au XVII<sup>e</sup> siècle, [mais] qui va lui être intrinsèque“ (*ibid.*, p. 12, Eng. tr. *Ibid.*, p. 10).

6 *Ibid.*, Eng. tr. *ibid.*

7 *Ibid.*, p. 15, Eng. tr. *Ibid.*, p. 13.

8 Cf. *Ibid.*, Eng. tr. *Ibid.*: „Well, once again, the intellectual instrument, the type of calculation or form of rationality that made possible the self-limitation of governmental reason was not the law. What is it, starting from the middle of the eighteenth century? Obviously, it is political economy.“ [„Eh bien, cet instrument intellectuel, le type de calcul, la forme de rationalité qui permet ainsi à la raison gouvernementale de s'autolimiter, encore une fois ce n'est pas le droit. Qu'est-ce que ça va être à partir du milieu du XVIII<sup>e</sup> siècle? Eh bien, évidemment, l'économie politique.“]

9 *Ibid.*, pp. 16–17, Eng. tr. *Ibid.*, p. 14.

10 „So I will skip two centuries, because obviously I do not claim to be able to undertake the overall, general, and continuous history of liberalism from the eighteenth to

any rate partial, of Belgium and Italy<sup>11</sup> – is governed by political economies that are Keynesian in kind, Ludwig Erhard, then in charge of the economic administration of the Anglo-American area and future chancellor, delivers a speech where the following affirmation appears: „Wenn auch nicht im Ziele völlig einig, so ist doch die Richtung klar, die wir einzuschlagen haben – die Befreiung von der staatlichen Befehlswirtschaft.“<sup>12</sup> That is, he advocated „to free the economy from State control“ – to return to that *laissez-faire* that Keynes, in that notorious 1926 article,<sup>13</sup> had too precociously decreed at an end. But what does this all mean, within which – with Foucault – we have to recognise the most important outcome of the long parabola of liberalism before 1979? Let us just imagine what Germany was like during those years. In full reconstruction, occupied by the Allies and politically annihilated after the regime’s dramatic capitulation, the German nation has no legitimate foundation on which it can constitute the new ‘democratic’ State. It is not possible to refer to any preceding institution, since Nazism has severed any historical continuity with the past; and „[i]t is not possible to claim juridical legitimacy inasmuch as no apparatus, no consensus, and no collective will can manifest itself in a situation in which Germany is on the one hand divided, and on the other occupied“.<sup>14</sup> What will the constitutive criterion be, then, demanded to give legitimacy to the new State; that criterion which Foucault – with a subtlety and capacity of penetration difficult to equal – glimpses in Erhard’s abovementioned externalisation? *The German State will have to found itself upon the principles of its own economic model: it will be the very institution of the new economic freedom that will legitimate the formation of the nascent sovereign political entity.* To put it in the author’s unequivocal words: „in contemporary Germany, the economy, economic development and economic growth, produces sovereignty; it produces political sovereignty through the institution and institutional game that, precisely, makes this economy work. The economy produces legitimacy for the state that is its guarantor. In other words, the economy creates public law“

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the twentieth century“ [„Je vais donc faire un saut de deux siècles, car je n’ai pas la prétention de vous faire bien sûr l’histoire globale, générale et continue du libéralisme du XVIII<sup>e</sup> au XX<sup>e</sup> siècle“]. *Ibid.*, p. 80, Eng. tr. *Ibid.*, p. 78).

11 I refer to an acute observation Foucault makes, cf. *Ibid.*, p. 83, Eng. tr. *Ibid.*, p. 81.

12 L. Erhard, *Gedanken aus fünf Jahrzehnten. Reden und Schriften*, Dusseldorf 1988, p. 110, cit. in M. Foucault, *Naissance de la biopolitique. Cours au Collège de France 1978–1979*, cit., p. 82, Eng. tr. Arnold Davidson, *Birth of Biopolitics: Lectures at the Collège de France (1978–1979)*, Palgrave MacMillan 2008, pp. 80–81.

13 Cf. J. M. Keynes, *The End of Laissez-Faire*, in *The Collected Writings of John Maynard Keynes* (29 voll.), London 1971. IX. *Essays in Persuasion*, pp. 272–294.

14 „Il n’est pas possible de revendiquer une légitimité juridique dans la mesure où il n’y a pas d’appareil, il n’y a pas de consensus, il n’y a pas de volonté collective qui puisse se manifester dans une situation où l’Allemagne, d’une part, est partagée et, d’autre part, occupée.“ (M. Foucault, *Naissance de la biopolitique. Cours au Collège de France 1978–1979*, cit., p. 84, Eng. tr. Arnold Davidson, *Birth of Biopolitics: Lectures at the Collège de France (1978–1979)*, Palgrave MacMillan 2008, p. 82).

[„dans l'Allemagne contemporaine, l'économie, le développement économique, la croissance économique produit de la souveraineté, produit de la souveraineté politique par l'institution et le jeu institutionnel qui fait précisément fonctionner cette économie. L'économie produit de la légitimité pour l'État qui en est le garant. Autrement dit, [...] l'économie est créatrice de droit public“].<sup>15</sup>

The importance of this thesis is rather difficult to assess. In my view, it identifies what we may perhaps indicate as a veritable *principium individuationis* of the liberal State from 1945 to 1979. But after that? What changes after that date? And in what way do the analyses conducted by Foucault prove themselves useful to understand the transformations that follow it? Before turning to a discussion of my hypotheses on the matter, let us first summarise in three points – *three theses on the foundation of sovereignty* – what has been gained by reading Foucault:

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- (1) The modern State (seventeenth century) is founded upon an external law, which legitimates and at the same time limits the exercise of sovereignty.
- (2) The liberal State (eighteenth century) is founded upon an internal function of its own: the political economy, which it has instituted itself and through which it self-limits its own governmental action.
- (3) The 'post-Keynesian' State (1945–1979) is a product of the free market economy. Insofar as it „creates public law“, it is that very same economic freedom which institutes the sovereignty of the State.

Some observations are in order regarding this. Indicating the variable *economy* with the letter  $\varepsilon$ , and having to recognise the *modality* in which it is present in each of the three theses just enunciated, and thus its respective degree of incidence, in (1), (2) and (3), I would indicate it in the following way:

- (1):  $\varepsilon^0$  In the first thesis, the economy does not appear. The modern State (seventeenth century) is founded upon an external law, and at this level the economic variable does not play any role.
- (2):  $\varepsilon^1$  In the second thesis, the economy is a function internal to the liberal State (eighteenth century), legitimates its power but still remains a 'theoretical instance', an „intellectual instrument“ produced by the State.
- (3):  $\varepsilon^2$  In the third thesis, it is the economy that institutes the 'post-Keynesian' State (1945–1979), which thus is totally subordinate to it.

The three theses manifest therefore a *patent progression*, according to which *the economy acquires ever more importance with respect to the State*. In fact, if the economy at first does not even appear ( $\varepsilon^0$ ), it then enters the scene in

15 *Ibid.*, pp. 85–86, Eng. tr. *Ibid.*, p. 84.

the guise of a function that is inherent and subordinate to the State ( $\varepsilon^1$ ), proposing itself in the end as that which even ‘produces’ it ( $\varepsilon^2$ ). In parallel, we also witness some significant variations in the power expressed by the State,  $\sigma$ :

- (1):  $\sigma^1$  The instance of the modern State (seventeenth century) is subordinated to an external law.
- (2):  $\sigma^2$  The liberal State (eighteenth century) is essentially autarchic: it derives from itself, by instituting it within itself, the principle of its own legitimacy.
- (3):  $\sigma^1$  The ‘post-Keynesian’ State (1945–1979) is a product of its own economic model and thus becomes subordinate to it.

By observing (2) and (3) in relation to the behaviour of  $\varepsilon$  as much as that of  $\sigma$ , we can evince the following consideration: they are ‘inversely proportional’ instances. The closer we get to the contemporary the more a tendency makes itself clear: *to the growth of the economy’s influence corresponds a reduction in the State’s political weight*. So then, the attempt to think the contemporary in light of the frame obtained from Foucault will not at all mean to take up again one of his three theses, in order to ‘recycle’ it and apply it ‘as it is’ to the present-day financial dispositif. None of this. To think the contemporary in light of the itinerary traced in *Birth of Biopolitics* will mean instead to carry on such way autonomously with a view to formulate one’s own thesis relatively to the subsequent stage, the one dominated by monetarist economics: (4) *The neoliberal State (1979–2011)*. Expressed with the variables developed up to here, my hypothesis is the following:

- (4):  $\varepsilon^3, \sigma^0$

Before illustrating its meaning and sketching an attempt of its articulation, some considerations are however necessary.

In a recent work, André Orléan summarises with fairly good precision what is perhaps the most striking – as well as unexamined – contradiction of the current economic order: the one between the State and financial capitalism. I will refer then directly to his words: „Market liquidity, insofar as it allows capital to be rapidly invested wherever profitable opportunities for present themselves, is perceived as eminently positive, and must absolutely be pursued. On the contrary, to obstruct the free movement of capital is regarded as the source of a rigidity that diminishes general prosperity. For this reason, the theoretical approach we are describing moves towards the suppression of all those barriers erected following the great crisis of the Thirties; a suppression which should lead to the advent on a world scale of a market of unified capital for all financial products (shares, bonds, derivatives, currencies), all durations (short, medium and long term) and all actors (enterprises, families, States). *This is the ultimate aim pursued with constancy for*

the past thirty years by all the ruling classes, both on the left and the right: to create financial liquidity on a world scale.<sup>16</sup> Well then, with respect to the creation of such „liquidity“ belonging to the economic movement as such – a liquidity which, in a Spinozian way, is the physical state of the new ‘*substance*’ (the fluid aggregate of „products“, „durations“ and „actors“) – the borders of the State and the *resistance* of its sovereignty immediately transform themselves into dams slowing down or impeding the flow. As Shankar Jha notes, taking up the study conducted by Lash and Urry<sup>17</sup> (which still remains perhaps the most exhaustive on the matter): „The assault on the nation state has begun in the realm of the economy. By creating a market and a manufacturing network that transcends the national market, globalisation is eroding the economic foundations of the nation state.“<sup>18</sup> Until here nothing new – it is a matter of processes, in all truth, that are anything but underground. Which should drive us instead to revise the traditional categories of our political thought – the keystone of which still continues to implicitly be the State. And yet, precisely insofar as it is a matter of transformations that are for the large part evident, perhaps it is precisely for this reason that their authentically revolutionary coefficient escapes us, hiding inside that evidence. I resort once more to referring to Foucault, who justified his rejection of any theory of the State that presupposes it as a given by arguing: „the state does not have an essence. The state is not a universal nor in itself an autonomous source of power. The state is nothing else but the effect, the profile, the mobile shape of a perpetual statification (*étatisation*) or statifications (*étatisations*), in the sense of incessant transactions [...] it has no interior. The state is nothing else but the mobile effect of a regime of multiple governmentalities“ [„l’État n’a pas d’essence. L’État ce n’est pas un universel, l’État ce n’est pas en lui-même une source autonome de pouvoir. L’État, ce n’est rien d’autre que l’effet, le profil, la découpe mobile d’une perpétuelle étatisation, ou de perpétuelles étatisations, de transactions incessantes [...] il n’a pas d’intérieur. L’État, ce n’est rien d’autre que l’effet mobile d’un régime de gouvernementalités multiples“].<sup>19</sup> Confronting these observations, what immediately catches the eye here, as well as in the previous reflections advancing from *Birth of Biopolitics*, is that we never come across a ‘description’ of the

16 A. Orléan, *De l’euphorie à la panique. Penser la crise financière*, Paris 2009, tr. it. *Dall’euforia al panico. Pensare la crisi finanziaria e altri saggi*, a cura di A. Fumagalli e S. Lucarelli, Verona 2010, pp. 58–59. My trans. The concept of ‘financial liquidity’ – and for this reason virtual and dehumanised – expressed by Orléan, seems to me more poignant than the one, more notorious, thematised in Z. Bauman, *Liquid Modernity*, Cambridge 2000, which in my view suffers the influence of a still essentially humanist approach.

17 S. Lash, J. Urry, *The End of Organised Capitalism*, Cambridge 1987.

18 P. Shankar Jha, *The Twilight of the Nation State. Globalisation, Chaos and War*, London 2006, p. 97.

19 M. Foucault, *Naissance de la biopolitique. Cours au Collège de France 1978–1979*, cit., p. 79, Eng. tr. Arnold Davidson, *Birth of Biopolitics: Lectures at the Collège de France (1978–1979)*, Palgrave MacMillan 2008, p. 77.



State but always the highlighting of its own *forming*, of the process of its own constituting, without which the State would remain nothing. This is so because the State – in the same way as politics, the economy or any other ‘disembodied institution’ of the historical being-there<sup>20</sup> – is not in itself something existing; in spite of this, it can become ‘something’ as soon as it becomes indispensable for a *practice* so as to produce itself. This practice alone makes it exist, according to a peculiar modality of presence that may be assimilated perhaps to *commingling*; that is, the commingling of a real event with the intangible instance that it expects in order that it may concretely assert itself. But then, what is it that Foucault achieves in making us understand? Precisely that the State does not exist: that, as such, neither it existed before nor it exists now. All that has undoubtedly existed, instead, and to which the theses previously listed ((1), (2) and (3)) alluded to, is not so much the State but rather *three different processes of statification*; which, strictly speaking, have had as their ‘outcome’ the formation of three distinct entities, certainly comparable, but which we could also name by recurring to different terminology. If prior to 1979, therefore, those practices effectively put in place translated themselves into configuring the ‘State’, today inverse processes (or even more simply different ones) could concretise themselves in its ‘dismantling’; which is exactly what coincides with the thesis that is here sustained and ‘gathered’ under the concept of *denationalization*. As the above recalled observations by Orléan and Shankar Jha illustrate, *the current economic model demands the progressive denationalization of political power: the attainment of a state of absolute liquidity capable to optimise the performance of financial capital – the current form of the ‘economic’ – thus entails the dissolution of any national sovereignty whatsoever*. In continuity with the trend lines already found in (1), (2) and (3), the formula previously identified<sup>21</sup> will therefore mean:

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20 Cfr. *Ibid.*, p. 22, Eng. tr. *Ibid.*, p. 21.

21 A brief remark – in the form of a mere critical hint – on the term  $\varepsilon$ . The exponent which accompanies the variable  $\varepsilon$  may be thus interpreted: while in the presence of the classical liberal State – that which Marx speaks about, let’s say – the dimensions of the economy are still two (production and exchange) – from which the expression  $\varepsilon^2$  derives, indicating a horizontal kind of economic model –, in the epoch of the dissolution of the State the economy develops instead a *third* dimension, relatively to finance. From this derives the expression  $\varepsilon^3$ , so as to indicate precisely this ‘verticalization’ of the economic, which, abstracting itself both from production and from exchange (which are nonetheless maintained), it also operates within a dimension that is other, and reveals aspects of virtuality. In brief: the economy becomes *volumetric* (which does not exclude that in the future further dimensions may be developed:  $\varepsilon^{n-x}$ ?) Clearly, though, finance was already present much before 1979 (it is sufficient to think of the investigations carried out in the first half of the twentieth century by R. Hilferding, *Das Finanzkapital. Eine Studie über die jüngste Entwicklung des Kapitalismus*, Wien 1910). How can we then avoid such observation? It should be explained that, for instance, the analyses here presented, as much as Foucault’s own, identify tendencies and do not describe ‘facts’. When, for example, it is said that the liberal State of the eighteenth century is founded upon the political

(4):  $\varepsilon^3$ ,  $\sigma^0$  The neoliberal State (1979–2011) is progressively annihilated by the real movement of the economy. Such economy, which had already subordinated to itself – by making use of it – the ‘post-Keynesian’ State (1945–1979), conceiving it as a product of its own ‘performance’, now no longer needs the State. In order to fully assert itself it requires, rather, the ability of suppressing those ties imposed by the existence of statal sovereignty and its laws. The formula  $\varepsilon^3$ ,  $\sigma^0$  therefore reduces itself to a very simple assertion: *the economy without the State*.

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The context in which the research here proposed aims to operate has thus been delineated: *to think the economy – and the whole of what it articulates politically – in a regime of ‘zero sovereignty’: to think the liquidity of the economic environment in the epoch of neoliberalism*. The point we have reached, however, can only be a consistent starting point in the general framework of the problem and in elucidating its provenance, its complex stratification of the historical forms upon which it rests, and which also allows its ‘consisting’, its crystallising in an emersion, however much temporary but still nonetheless long-lasting with respect to the biological time of the experience perceiving it. I will thus conclude this brief presentation by comparing the hypothesis that has been formulated ((4)) with the three theses in which

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economy as its own internal function, do I intend to say perhaps that the State is no longer legitimated by any law whatsoever that limits its power? If that were the case, we could bring forward as ‘evidence’ a whole series of strictly historiographical events and analyses, which in appearance would subvert the thesis advanced in *Birth of Biopolitics*. Nonetheless, it is not a matter here of having recourse to a positivistic vision of history – which pretends to be based on ascertaining ‘facts’ as if they were incontrovertible – so as to destitute every attempt to obtain dominant complexes in the *political* articulation of power and of its development. The question that ought to be posed is not so much what factually exists – or has ‘existed’ – and what has not, but rather: what is, in a given period, the dominant function which power makes use of (or has made use of) in order to govern *real processes* – as pose itself as real? In these terms, it should be said then that while in the regime  $\varepsilon^2$ ,  $\sigma^1$  the axis of power relies on the relation between the horizontal economy (production, exchange) and the State (where the latter, however much subordinated to the former, remains *nonetheless* fundamental for the interests of power), in the epoch of contemporary neoliberalism the above mentioned formula  $\varepsilon^3$ ,  $\sigma^0$  seems prevalent, entailing the imposition of a three-dimensional economy (production, exchange, finance) which is essentially *destatifying* – which, in its turn, does not mean that materially there are no longer nations, but that what about these is truly significant does not consist so much in the fact that they, out of a kind of ‘hereditary bureaucratic automatism’, continue to perform the tasks classically attributed to the State, but in the process of disintegration to which they are subjected. Put more explicitly,  $\sigma^0$  does not indicate a ‘factual’ annihilation of the State, but the fact that today the State is a function of economic power insofar as it is subject to *denationalization*. That which, of the State, sets off real processes, derives from its own dissolution, and not from the ‘insistence’ with which – in a totally fictitious way – it continues to exercise its hereditary prerogatives.

the Foucauldian reflection on the State has been summarised. Beginning from such comparison, the actual problematic articulations that the paper proposes to confront will thus be made more evidently clear.

In a preliminary way, I would like to sketch a brief reflection. The accent has been placed on the fact that statal sovereignty, overwhelmed by the contradiction with the supranational character of the financialised economy, finds itself gradually forced out from the exercise of government. But how does this exclusion happen concretely? Its modalities are multiple and complex. Herein I will limit myself to indicate one way, which is particularly relevant since it is inherently political, and which concerns the handing over – juridically regulated – of a part of its national sovereignty to any political subject or organisation whatsoever, such the European Union or the International Monetary Fund. Let us consider, for instance, specifically the latter example, the IMF: its economic role in the management and in conditioning the market is evident, and thus it does not necessitate to be argued for. What matters is the fact that its power is located outside of representational mechanisms. Even it is true that members of the IMF still are elected by the single governments of the member states, this does not take away from the fact that the government of a nation is not necessarily, in its turn, composed by elected members; and that, equally, the absence of a direct election constitutes a very serious problem with regard to the political legitimacy of activities carried out by the IMF. In whichever state it is – it is impossible here to linger on the details of such question – , we find ourselves before an extraordinary significant circumstance: an international organism that is endowed with enormous power, acting without any *direct* political control on the part of the populations upon which it is legitimised to intervene. Put otherwise: a significant portion of sovereignty, handed over to an international organism that exercises economic power, is subtracted from the State's political intervention. State power is thus forcefully limited: there exists a *law external to the State* that, exercised by a subject that is other, circumscribes its power. In the case of the IMF, such law concerns precisely the economy, upon which each single State cannot completely call itself sovereign. But let us return for a moment to the first of the Foucauldian theses we had identified. It went like this: (1) The modern State (seventeenth century) is founded upon an external law, which legitimates and at the same time limits the exercise of sovereignty. With respect to the neoliberal State – but to a lesser extent this is valid also for the 'post-Keynesian' one – we have just said that there exists a law external to the State which, exercised by a supranational organism such as the IMF, limits State power. The analogy between the two statements is evident: both, precisely, refer to an external law that limits State power. There is also, however, a substantial difference: whilst in the case of the modern State (seventeenth century) the external power was conceived as founding, even antecedent with regard to the State,

now in this case we witness something different but perhaps not less significant: *the 'external' law, the law exercised by the IMF as a supranational organism, is produced by a specific economic need; that of subtracting from statal political power the possibility of exercising its own governmental activity over the free market.* Reformulating the above cited Foucauldian thesis, according to which „the economy creates public law“, we will say that, in light of the case just analysed, the following argument could be substantiated: *the economy creates international law, where precisely such 'creation' is an eminent form of denationalization.* Among the tasks that the present paper aims towards, the following should be included: to study the process of denationalization in relation to the creation of international law triggered by economic power so as to reduce the State's power of control: how does all of this actually happen? Which economic subjects are capable of promoting similar operations? What is their juridical *status*? And if it were to concern private subjects – what sorts of political problems would need to be posed, were such situation to take place? Is it possible to come across a trace of this in all the documents that are produced, for instance, by an organization such as the IMF and by its diplomatic relations with States and institutions? We should therefore push ourselves even further. There exist in fact private subjects (holding, investment banking, multinational corporations) whose actions, intensely *destatifying*, are dedicated to creating so-called *private international law*, an appellative whose legitimacy is nonetheless theoretically resisted in multiple ways. Beyond the discussion on this definition's validity or lack thereof – which should at any rate at least be put under examination – , in my view it poses an unassailable problem: *the economy creates a peculiar form of law, private international law, which affirms itself hand in hand with denationalization, and which in fact has as its primary aim that of weakening both governmental action and the State's legislative action.* Such law interacts with public international law and heavily conditions it. Furthermore, it expresses itself in a whole series of collateral fields with respect to the law's formal sphere; which, equally, would need to be probed into (we refer, for example, to the economic interactions on an international scale between different private subjects and to the level of material relations that they imply).

Let us now reconsider also the following assertion – which corresponds *latu sensu* to the second ((2)) of the theses above listed: „I think that fundamentally it was political economy that made it possible to ensure the self-limitation of governmental reason“ [„*L'économie politique, je crois que c'est fondamentalement ce qui a permis d'assurer l'autolimitation de la raison gouvernementale*“].<sup>22</sup> Nevertheless, as for the epoch of neoliberalism, if the

22 M. Foucault, *Naissance de la biopolitique. Cours au Collège de France 1978–1979*, cit., p. 15, Eng. tr. Arnold Davidson, *Birth of Biopolitics: Lectures at the Collège de France (1978–1979)*, Palgrave MacMillan 2008, p. 13.

horizon taking shape ((4)) is that of the absolute absence of statal government, what role does the political economy take on when there is no national sovereignty 'to limit' any longer? And once the State is extinct – as it is happening to this day – does it still make sense to speak of a *political economy*? Should we not, rather, invert the expression, and thus speak of the *economic politics* of international organisms and supranational subjects that exercise actual power without any restraint on the part of statal authorities? In what is the political economy *transforming* itself in order to survive the State's financial suppression? Does it perhaps take on the appearance of a *juridical economy*, which disciplines the relations between those international organisms that are in charge of regulating the market, and the subjects that hold the highest concentrations of capital? And what role will the military apparatus assume in the epoch of the State's economic overcoming – in what is it destined to transform itself? Only one thing is certain: the economy, which was born in order to limit State power ((2)), now perceives State power as its own limit. An essential inversion has taken place, which has at its summit *the economic destitution of the State so as to free the market once and for all*. The fourth of the theses presented, the one concerning contemporary neoliberalism, is therefore the exact overturning of the third Foucauldian thesis. Therefore, it is no longer as such:

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(3) It is economic freedom itself that institutes the sovereignty of the State,

but rather:

(4) It is economic freedom itself which destitutes the sovereignty of the State.

Before concluding the present reflection, a few more remarks on the problematic at hand. The first concerns the *constitutional synthesis* incarnated by the State. That there exists an irreconcilable conflict between some of the constitutionally sanctioned principles and the development of the market, it is plain for all to see. It would in fact be legitimate to postulate – but this is something that should be demonstrated more in depth – that *economic power works actively towards the suppression of the State even with the aim of freeing the market from those obligations the Constitution requires*. But there is a problem that is perhaps more significant, for it concerns the current situation: the contradiction which starts to take shape when, during the progressive dissolution of the State, it still conserves some of its principal prerogatives, such as the expenses for maintaining national public health services, for social security, or to promote public works. The circumstance in which modern Western nations now find all these costs to be almost unsustainable, has perhaps something to do with the fact that, in order to be managed, they would require the State to have complete control of its own resources. Except that it is precisely this that has become impossible,

since the economy has forced the State to hand over its sovereignty, and to be made to survive through implementing perpetual extraordinary measures. But the repercussions for domestic policies are enormous: harsh austerity, increases in income tax, contractions in consumption, the definitive abolition of what was left of the welfare State – I propose to interpret these factors of instability as consequences of economic power forcing the State to hand over its sovereignty; a transfer in which the State is no longer able to plan its own economic functioning as a whole. The social collapse of the civil society that occurs in these cases should thus be understood as an *internal* effect of the process of denationalization to which sovereign power is submitted – something analogous to what has been happening in Greece.

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André Orléan writes: „*the survival of the financial system has only been assured by the massive intervention of public authorities; an intervention made possible precisely because these authorities have ends that are not of a financial order.*“<sup>23</sup> And what is then the „*order*“ of these ends? They are nothing but the attempt to realise an action, a political practice capable of justifying – and in a certain sense producing – the existence of the State required in order for such order to emerge. More or less the same took place at the time of the New Deal, when the unemployed were demanded to dig some holes so as to immediately refill them up again, in such a way that they would count as *really* being employed even when they were performing an *illusory* job, contributing to maintaining the production *but* through a totally unproductive activity. And yet such similitude has its merits: it is fitting, perhaps, insofar as it unmaskes the false consciousness of the State in dissolution and the absurdity of those stratagems that its advocates contrive in order not to accept seeing it die. If there may be some good in reasoning on neoliberal policies, this may perhaps be in realising that there is nothing much there to salvage, in that disheartening factory of conservation. There is nothing more deleterious than lamenting the old nation-state precisely now that its parabola is coming to an end; or than for critique pleading, in the intent to transform itself into a strategy, for a ‘surrogate’ of the State. Better the shoreless sea of liquid transactions, with its vortices and desert islands. It will be out of the metastasis of capital that new forms will be born.

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Marčelo Barison

## Denacionalizacija Neoliberalizam nakon Fukoa

### Apstrakt

Polazeći od razmatranja Mišela Fukoa posvećenim ekonomskom znanju (posebno u *Il faut défendre la société* and *Naissance de la biopolitique*), ovaj tekst nastoji da uspostavi mogući teorijski okvir u kojem se smestaju odnosi između političke moći i neoliberalizma kakvi se pojavljuju u njihovim savremenim artikulacijama, kao i dubinsku analizu načina na koji su međunarodne organizacije vladavine – kao što su, na primer, Evropska centralna banka, Evropska unija i Međunarodni monetarni fond – uključene u ovaj proces.

**Ključne reči:** Neoliberalizam, denacionalizacija, Fuko, međunarodne organizacije, Evropska centralna banka





STUDIES AND ARTICLES    IV  
STUDJE I ČLANCI



Raymond Geuss

## Historisierung, Aufklärung, Genealogie

**Zusammenfassung** Das historisierende Denken kennzeichnet sich durch drei Thesen: a) die Vergangenheit war anders als die Gegenwart, b) sie war kontingent, c) trotzdem ist sie gegenwartsrelevant. Die von Nietzsche und Foucault praktizierte genealogische Methode erweist sich als ein brauchbares Mittel, eine historisierende Kritik gewisser Aspekte der Gegenwart in die Wege zu leiten, im Interesse einer undogmatisch verstandenen Aufklärung.

**Schlüsselwörter:** Historisierung, Aufklärung, Genealogie, Vergangenheit, Nietzsche, Foucault

„Sie fragen mich, was alles Idiosynkrasie bei Philosophen ist? [...] Zum Beispiel ihr Mangel an historischem Sinn, ihr Haß gegen die Vorstellung selbst des Werdens, ihr Ägyptismus. Sie glauben einer Sache *Ehre* anzutun, wenn sie dieselbe enthistorisieren, sub specie aeterni – wenn sie aus ihr eine Mumie machen.“

(Nietzsche *Götzendämmerung*)

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Zwar gab es im 18. Jahrhundert bedeutende Geschichtswerke die man der „europäischen Aufklärung“ zuschreiben kann, wie beispielsweise Gibbons *The History of the Decline and Fall of the Roman Empire* (1776–89). „Aufklärung und Historisierung“ scheint nichtsdestoweniger eher einen Gegensatz als eine Wahlverwandtschaft zu bezeichnen. Charakteristisch für die Aufklärung, so könnte man argumentieren, waren nicht „historisierende“ Untersuchungen, sondern allenfalls historienarme geschichtsphilosophische Entwürfe wie die von Condorcet (Condorcet 1970) oder Kant (Kant 1977). Schließlich waren die Aufklärer sehr stark auf einen abstrakten, universalistischen Begriff der „Vernunft“ fixiert, der, gelinde gesagt, keinen besonders günstigen Ausgangspunkt für ein tiefergehendes Verständnis der Geschichte darstellt. Muss man vielleicht die Aufklärung in dieser Hinsicht über sich selbst aufklären? (Adorno & Horkheimer 1969)

In seiner Schrift über Kants Aufsatz „Was ist Aufklärung?“ (Foucault 1994: Band 4, S. 562–578) unterscheidet Michel Foucault zwischen dem *Ethos* und den *Dogmen* der Aufklärung. „*Lumière*“ zu sein war eine Lebensform mit entsprechenden Gewohnheiten, Verhaltensweisen, und Charaktereigenschaften. Der Aufklärungsphilosoph war in allen Lebensbereichen unausgesetzt „kritisch“ eingestellt: Vorurteile, rigide Dogmen, und veraltete Traditionen hat er systematisch bekämpft; angebliche Autoritäten nie ungeprüft gelten lassen. Vor allem war er ein Kritiker seiner eigener

Zeit: „... *l’Aufklärung n’est pas [constituée par] la fidélité à des éléments de doctrine, mais plutôt [par] la réactivation permanente d’une attitude ; c’est-à-dire d’un éthos philosophique qu’on pourrait caractériser comme critique permanente de notre être historique*“ [„Aufklärung besteht nicht in der Treue zu Lehrsätzen, sondern in der ständigen Neuaktualisierung einer Einstellung, oder eines philosophischen Ethos: Es handelt sich um die permanente Kritik unserer historischen Epoche“] (Foucault 1994: Band 4, S. 571). Daher die Vielfalt von Reformprogrammen für Staat, Gesellschaft, Kirche, Erziehung und Wissenschaft, die in der zweiten Hälfte des 18. Jahrhunderts erschienen und ein breites Echo in der neu sich bildenden bürgerlichen Öffentlichkeit fanden.

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Nun kann man aber kaum in Abrede stellen, dass die Aufklärer selbst an gewissen „Dogmen“ hingen. Der „Kult der Göttin ‚Vernunft‘“, der im zweiten Revolutionsjahr von den Hébertisten propagiert wurde, war nicht nur eine skurrile Singularität, sondern ein zwar übertriebener, aber genuiner Ausdruck zentraler Motive der Aufklärung. Die Vorstellungen vieler Aufklärer über „die Vernunft“ waren in der Tat fast so inflexibel und dogmatisch wie die theologischen Glaubenssätze der etablierten Kirchen, die sie so entschieden ablehnten: „Die Vernunft“ sei absolut universal, einheitlich, unveränderlich, und unwiderstehlich; sie gebe einen klaren Maßstab für Bewertungen in allen Situationen ab. So konnte in den 60er Jahren ein Hans-Georg Gadamer mit einer gewissen Plausibilität den Aufklärern Inkonsistenz vorwerfen: sie litten an einem „Vorurteil gegen das Vorurteil“. (Gadamer 1960: 250–290)

Foucault stimmt der Kritik an dem Dogmatismus der Aufklärung in vielen Punkten zu, nur hält er dafür, dass das Ethos der Aufklärung weiter gepflegt werde, auch wenn man das Dogma als unplausibel verabschieden muss. Wenn die Aufklärung sich selbst treubleiben will, muss sie ihre eigene Autorität und die ihrer Grundbegriffe – etwa Vernunft, Wissenschaft, Wahrheit – selbst einer Untersuchung unterwerfen, eine Aufgabe die Immanuel Kant in seinen großen *Kritiken* übernommen hat. Dass sich die „reine“ Vernunft selbst in seinen Werken ein Gültigkeitszeugnis (innerhalb gewisser Grenzen) ausstellt, sollte nicht wundernehmen: wenn der Angeklagte in seinem eigenen Fall auch Richter sein darf, hat er immer gute Hoffnung auf einen für ihn günstigen Ausgang. Gibt es andere Instanzen, etwa die Geschichte? Viele Revolutionäre (Castro 2009), und nicht nur Revolutionäre, waren der Überzeugung, dass es einen „Gerichtshof der Geschichte“ gibt, dem der Kantsche Gerichtshof der reinen Vernunft untergeordnet war. (Kant 1956: B779) Oder sollte die historische Betrachtung dazu führen, die ganze Vorstellung eines allerletzten Gerichtshofes aufzulösen oder zu relativieren? Vielleicht ist das Bild des Lebens als Gegenstand einer permanenten Gerichtsverhandlung schief, beschränkt, oder einfach grundverkehrt. Sicherlich hatte das Aufklärungsdemokratie eine Tendenz, vorschnell das Leben in eine Gerichtssitzung zu verwandeln, wo man es eilig hatte, zu definitiven Urteilen über „wahr“ und

„falsch“, „legitim“ und „illegitim“, „schuldig“ und „unschuldig“, „gerechtfertigt“ und „ungerechtfertigt“ zu kommen. Die Unfähigkeit, das Offene, Zweideutige, Unbestimmte, Zwitterhafte, direkt an der Grenze Liegende, (um ganz zu schweigen von dem Grenzüberschreitenden) auch nur kurzfristig zu ertragen, ist eine merkwürdige, aber historisch immer wiederkehrende Art der Intoleranz (Douglas: 1966) und eine eindeutige Schwäche der dogmatischen Aufklärung.

Foucault plädiert für das Ethos der Aufklärung, die ununterbrochene Kritik, widersetzt sich aber der „Erpressung“ („*chantage*“; Foucault 1994: Band 4, S. 574) die von den Dogmen der Aufklärung ausgeht: „*On doit échapper à l'alternative du dehors et du dedans; il faut être aux frontières*“ (Foucault 1994: Band 4, S. 574). Sinngemäß heißt das: „Man muß versuchen, der Alternative zwischen einem Innerhalb (der von der Aufklärung scharf gezeichneten Grenzen der Vernunft) und einem Außerhalb zu entkommen, und lernen sich an der Grenze selbst aufzuhalten“. Wie kann ein Gerichtshof tagen, wenn die Grenzen *alle* fließend sind, d. h., wenn wir die Geschichte ernst nehmen?

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„Kritik“ heißt bekanntlich ursprünglich „Analyse“, nicht „Ablehnung“ und die das Ethos der Aufklärung konstituierende kritische Einstellung ist eine des Abstandnehmens von den etablierten Institutionen, Praktiken und Überzeugungen, um sie besser zu verstehen und zu bewerten<sup>1</sup>. Schließlich gibt es für diese Einstellung der forschenden Urteilsenthaltung ehrwürdige Präzedenzen in der Philosophie: Der antike Skeptiker war kein Alles-Verneiner, sondern jemand, der sich des Urteils enthält, wenn die Tatbestände, die Existenz des vermeintlichen Gesetzes, ggf. dessen genaue Bedeutung, oder die Zuständigkeit des in Aussicht gestellten Gerichtshofes unklar sind. Dass diese Unklarheiten dauernd wiederkehren und nicht ein für allemal behoben werden können, ist nicht die Schuld des Skeptikers.

Als guter, d.h. auch *selbstkritischer* Aufklärer sollte man sich eine Frage erlauben, die Kant gar nicht ernsthaft stellte: Gibt es überhaupt die „*reine*“ Vernunft, d.h. eine menschliche Fakultät, die „universal“, aber auch inhaltlich-substantiell genug ist, um die ihr zugeschriebene Richterfunktion auszuüben? Wenn die reine Vernunft keine inhaltlich bestimmten („synthetischen“) Sätze liefern kann, dann könnte sich leicht die vermeintliche hohe Richterin als bloße Putzfrau in den weiten Lesesälen und Laboratorien der Wissenschaft entpuppen. Auch wenn beispielsweise der Satz vom Widerspruch „universal“ gelten sollte, was keineswegs eine Selbstverständlichkeit ist, käme man in den Geschichtswissenschaften, wie in der Politik und im Moralischen mit ihm und seinesgleichen gar nicht sehr weit, genauer man bewegte sich kaum von der Stelle. Auch der vermeintliche Einwand, *ohne* reine Vernunft gäbe

1 „*Il ne s'agit pas d'un comportement de rejet*“ (Foucault 1994: Band 4, S. 574).

es überhaupt keine Möglichkeit einer Orientierung im Leben, ist lediglich eine halbhysterische Versicherung, die man auf ihre Plausibilität (und ihre Ideologienträchtigkeit) untersuchen müsste.

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Man kann den riesigen Aufklärungsapparat der Wahrheitsfindung, Überprüfung und Rechtfertigung von Ansprüchen, Urteilsbildung usw. „in seinen [eigenen] Geltungsansprüchen einklammern“ und „näher untersuchen“, ohne diese selbst zu bejahen oder zu verneinen (Husserl 2012). Damit werden gewisse Aspekte der komplexen inneren Maschinerie, sowie gewisse gesellschaftliche Funktionszusammenhänge, die man sonst leicht übersehen würde, viel sichtbarer gemacht. Wie, und wieso, werden *gewisse* Aussagen und Behauptungen produziert, und etablieren sich als allgemein anerkannte „Wahrheiten“, während andere im Prinzip mögliche Aussagen entweder gar nicht gemacht werden oder sofort aus dem öffentlichen Diskurs verschwinden? Eine metaphysische Antwort der Art „Die ersten ‚entsprechen der Realität‘; die zweiten aber nicht“ kann nicht vollständig befriedigen. Das gleiche gilt für die Aufklärungsvariante dieser Antwort: ‘Die ersten sind vernünftig, die zweiten nicht’. So kann sich der Historiker der Antike für die Aussage „Gott ist dreieinig“ besonders interessieren. Das Interesse kann sich legitimerweise auf den Entstehungszusammenhang dieser und ähnlicher Aussagen beziehen, auf die Verbreitungswege dieser Trinitätslehre im römischen Reiche, auf die Rolle, die sie im gesellschaftlichen Leben der Spätantike gespielt hat, usw. Ob die Aussage „wahr“ oder in einem angeblich absoluten Sinne „vernünftig“ ist, ist eine untergeordnete Frage, die man in diesem Zusammenhang, d.h. im Zusammenhang der historischen Wissenschaft, auf sich beruhen lassen kann. Man kann sagen, dass es um die historische *Konstruktion* von Vernunft oder von Wahrheiten, bzw. um die Rezeption von „Wahrheiten“, geht. Das will natürlich *nicht* besagen, dass es „keine Wahrheit“ gibt; nur dass *unser* Urteil über die „Wahrheit“ oder die Vernünftigkeit des Satzes, im Zusammenhang dieser historischen Untersuchung nicht von vorrangiger Relevanz ist. Dogmatische „Aufklärer“ die es nicht lassen können, jederzeit auf dem Steckenpferd „Vernunft“ herumzureiten, zeigen entweder, dass sie nicht verstehen um was es manchmal, etwa in den Geschichtswissenschaften, geht, oder sie legen Zeugnis von einem schwerwiegenden Charakterfehler ab: Unbeherrschte Selbstbezogenheit ist nämlich keine Tugend.

Das Ethos der Aufklärung verpflichtet auf eine kritische, selbstkritische, und möglichst vorurteilsfreie Untersuchung unserer Geschichte und unserer Geschichtswissenschaften, was aber auch eine Sensibilisierung für die typischen Fragestellungen dieser Wissenschaften impliziert. Der undogmatische Aufklärer muss seinen „historischen Sinn“ pflegen. Von der traditionellen Philosophie kann er sich, aber, wenn Nietzsche recht hat, keine Hilfe versprechen. Es sei denn, man könnte die Philosophie „historisieren“. Was hieße es aber das „Enthistorisieren“ der Philosophie rückgängig zu machen

bzw. das Denken zu „historisieren“? Als erste Annäherung möchte ich folgende drei Thesen aufstellen:

- 1) das historisierende Denken erkennt an, dass die Vergangenheit, zumindest was gewisse uns besonders interessierende Eigenschaften angeht, *anders* war als die Gegenwart;
- 2) das historisierende Denken setzt voraus, dass Anfang, Verlauf und Ende des betreffenden geschichtlichen Geschehens kontingent sind;
- 3) das historisierende Denken behandelt die Vergangenheit als gegenwartsrelevant.

Was die erste These angeht, so hat schon Homer (in diesem Sinne) „historisierend“ gedacht, wenn er beiläufig erwähnt, dass Helden früherer Generationen stärker waren als seine Zeitgenossen. Steine in der Vergangenheit waren so schwer wie Steine heute, aber der Held Diomed hebt mit leichter Hand einen Stein auf, „den heute kaum zwei Männer tragen könnten, so wie sterbliche Männer heute sind“ (οἷοι νῦν βροτοί εἰς *Iliad* V.304). Man denkt „historisierend“, wenn man etwa auf die Unterschiede zwischen der Praxis (und dem „Begriff“) der Demokratie in der Antike und im Europa des 20. Jahrhunderts hinweist, und sie zum Ausgangspunkt einer theoretischen Betrachtung macht. „Wahlen“, ein Wahrzeichen der modernen Demokratie, galten beispielsweise in der Antike als antidemokratisch, und die Bildung regelrechter „Parteien“ war verpönt. (Vgl. Dunn 2005) „Historisierend“ wäre auch der Hinweis darauf, dass das was wir retrospektiv als „Religion“ in der Antike bezeichnen, etwas ganz anderes war als die „Religion“ des christlichen (oder nachchristlichen) Zeitalters: eine „Religion“ ohne heilige Schriften, ohne Kirche, ohne einen absolut eindeutigen Sittenkodex, ohne „Glaubenssätze“.

Mit der zweiten These ist ein Abrücken vom Notwendigkeitsdenken verbunden, ob es sich um mythische, metaphysische, logische, naturwissenschaftliche oder semantische Notwendigkeiten handelt. Ein rudimentäres Wissen darum, dass nicht alles, was tatsächlich geschah, auch geschehen musste, ist bereits im Gebrauch der „*conditio irrealis*“ impliziert. Um bei der *Ilias* zu bleiben, stellt Agamemnon die Griechen am Anfang des zweiten Buchs auf die Probe, indem er den (von ihm nicht ernstgemeinten) Vorschlag macht, dass sie die Belagerung Trojas sofort aufgeben und unverrichteter Dinge wieder nach Hause fahren. Zu seiner großen Bestürzung wird seine Rede mit Jubel begrüßt, und man fängt an, die Schiffe für die Heimfahrt zu rüsten. Homer kommentiert: Wenn das so weitergegangen wäre, wäre es den Griechen gelungen, heil heimzukehren, obwohl das im Schicksalsplan gar nicht vorgesehen war, aber Hera, Erzfeindin der Tröer, hat den vorzeitigen Abzug verhindert, indem sie mit der Göttin Athena sprach und ihr die Situation erklärte. Athena ihrerseits hat den von ihr bevorzugten Helden, Odysseus, dazu animiert, durch Rede und Tat die Auflösung des Heers aufzuhalten,

was ihm auch gelang. Wenn das Hera nicht getan hätte, wären die Griechen trotz dem Schicksal ungeschoren davongekommen (II.155: (ἔνθα κεν Ἀργεῖοισιν ὑπέμμορα νόστος ἐτύχθη/ εἰ μὴ Ἀθηναίην Ἥρη πρὸς μῦθον ἔειπεν). So war es zwar in gewissem Sinne (als mythische Notwendigkeit) vorgeschrieben, dass die Griechen Troja zerstören, aber eine Abweichung von diesem Schicksalsplan ist für Hera, die in diesen Sachen Bescheid wissen müsste, offensichtlich nicht undenkbar und muss durch Intervention verhindert werden.

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Ein anderes komplexeres Beispiel findet sich bei Pindar (*Pythia* 4). Pindar berichtet wie die Argonauten auf der Rückfahrt ihres langen Beutezuges auf der Insel Thera landen und er gibt in direkter Rede (Z. 13–55) eine Weissagung der sie begleitenden (freiwillig entführten, Z. 250) Königstochter Medea wieder. Wie der Seher Kolchas in der *Ilias* (I.70), weiß auch Medea „war war, was ist, und was sein wird“: Vor der Ankunft in Thera, durchqueren die Argonauten die afrikanische Wüste – sie trugen ihr Schiff, heißt es „zwölf Tage lang“ (Z. 25–27) – und als sie die Küste erreichten und dabei waren die Anker zu lichten (Z. 24–25), kam ein Gott auf sie zu, und bot einem der Helden, einem gewissen Euphamos, die Herrschaft über Libyen an. Da Euphamos es eilig hatte nach Hause zu kommen (Z. 32–33), war er nicht in der Lage, die Herrschaft sofort zu übernehmen. Also hat ihm der gastfreundliche Gott eine magische Scholle (Z. 36 δαμῶνιος), eine Handvoll afrikanischer Erde, mitgegeben als Pfand. Leider wurde der Klumpen Erde auf der Überfahrt nach Thera über Bord gespült und ging verloren. Nun ist es nicht gerade ein Kunststück für Medea, sich an diese Vergangenheit zu erinnern, war sie doch selbst an diesen Vorgängen unmittelbar beteiligt, sie behauptet aber auch genau zu wissen, was sich in der Zukunft ereignen wird: Ein Nachkomme Euphamos werde eines Tages das Orakel von Delphi besuchen, und von dem Gott ungefragt den Auftrag bekommen, eine Siedlung in Afrika zu gründen. Auf diese Weise werde er seine Erbschaft, die seinem Vorfahren von dem Gott versprochene Herrschaft über Libyen, antreten. Pindar hat uns bereits (Z. 10) wissen lassen, dass Battos, der Gründer der Stadt Kyrene, Nachkomme des Euphamos „in der siebzehnten Generation“ ist. Archesilaos, der Sieger im Wagenrennen in Delphi, dem diese Ode gewidmet ist, steht am Ende der genealogischen Folge: Er ist ein Nachkomme Battos (in der achten Generation).

Das Interessante an dieser Pindar-Stelle ist aber, dass Medea nicht nur Aussagen über die wirkliche Zukunft macht, sondern auch Aufschluss über eine mögliche Zukunft gibt, die aber nicht verwirklicht werden wird. Sie weiß nicht nur was in naher und ferner Zukunft passieren wird, sondern darüber hinaus was, aus der späteren Perspektive der Ode, passiert wäre, wenn.... Wenn die Mannschaft aufgepasst hätte, hätten sie die göttliche Erdscholle nicht verloren. Und wenn Euphamos, nach Hause angekommen, die Scholle in den Hadesmund bei Tainaros geworfen hätte, hätte ein Nachfahre von ihm schon in der vierten Generation Libyen erobert und besiedelt.



Leicht erkennt man hier ein typisches Beispiel einer Kolonialideologie: Gott hat uns dieses Land zueignen gegeben; wenn wir also plötzlich auftauchen, das Land besiedeln und die Eingeborenen womöglich umbringen, vertreiben oder versklaven, ist das eigentlich unsere „Rückkehr“, denn unsere Vorfahren waren schon vor x (beispielsweise, 17) Generationen hier.... Der Verlauf der hier erzählten Geschichte ist kontingent: Weil die Besatzung der *Argo*, trotz Medeas wiederholter Ermahnung zur Wachsamkeit (Z. 40–41) zufällig nicht aufgepasst hat, ist der Zauberklumpen Euphamos abhandengekommen. Es hätte aber anders kommen können. Trotzdem strukturiert eine mythologische Notwendigkeit die Erzählung, weil das Ende, aber nicht der genaue Verlauf, fest vorgeschrieben ist. Eine begabte Seherin kann zwar wissen, was kommen wird, aber nur „innerhalb gewisser Grenzen“, weil die Menschen sich so oder auch anders verhalten können; was *kurzfristig* geschieht, wird zum Teil von ihrem Tun und Lassen abhängen. Auch sie hat nicht wissen können, dass die Mannschaft alle ihre Warnungen missachten würde. Langfristig sind aber die Abweichungen der Menschen vom göttlichen Plan und die dunklen Flecken im Wahrnehmungsfeld der Wahrsagerin unerheblich, denn sie weiß, dass die Götter es sich vorgenommen haben, wiederholt so lange ins Geschehen einzugreifen, bis ein bestimmtes Ergebnis eintritt, beispielsweise bis die Kindeskinde Euphamos als Herrscher in Kyrene etabliert sind.

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Da „Historisierung“ keine ontologische, sondern eine epistemisch-methodologische Kategorie ist, schließen sich mythologisierende und historisierende Betrachtungsweisen gegenseitig nicht gänzlich aus. Ein Vorgang an der Börse, etwa die Entscheidung einer Bank alle Aktien einer bestimmten Sorte zu verkaufen, kann auch aus ganz verschiedenen Perspektiven zum Gegenstand einer Untersuchung werden. So kann man fragen: warum hat die Bankdirektion diese Entscheidung getroffen? War es klug so zu handeln? War es im geltenden Rechtssystem erlaubt? War diese spezifische Entscheidung konsistent mit der offiziell ausgesprochenen allgemeinen Finanzpolitik dieser Bank? War dieser Vorgang der Auslöser des darauffolgenden großen Krachs? Das sind alles legitime Fragen, die zu ihrer Beantwortung die Anwendung jeweils ganz anderer Verfahren voraussetzen. Um herauszufinden, ob eine Entscheidung rechtlich erlaubt ist, muss man vermutlich im Gesetzbuch nachschlagen oder einen Juristen befragen. Der Jurist, der sein Gutachten über die Rechtmäßigkeit der Entscheidung abgibt, beantwortet damit noch nicht die Frage, ob diese Entscheidung auch klug ist. Andererseits können sich Fragestellungen (und Beantwortungsmethoden) in konkreten Fällen überschneiden, bzw. die eine kann die andere voraussetzen: Eine Entscheidung ist wohl nicht besonders klug, wenn sie gesetzlich verboten und es soziologisch sehr wahrscheinlich ist, dass man dabei ertappt und schwer bestraft werden wird. Also ist es nicht verwunderlich, dass Medea historisierend erzählte Details – die Mannschaft war unachtsam; die Erdscholle wurde über Bord gespült, usw. – in einen größeren Rahmen der mythischen Notwendigkeit einfügen kann, ohne diesen Rahmen zu sprengen.

Logische und naturhafte „Notwendigkeiten“ ersetzen in der modernen Welt die mythischen Zusammenhänge der Antike (und die göttliche Vorsehung des Mittelalters), aber bei der „historisierenden“ Behandlung eines Sachverhaltes steht die kontingente Prozesshaftigkeit im Mittelpunkt des Interesses, und der Prozess muss einer sein, bei dem Anfang, Verlauf und Ergebnis *nicht* als vorgeschrieben gelten, sondern auch hätten anders sein können. Also ist Platons Analyse der zyklischen Abfolge der Regierungsformen (*Politeia* VIII und IX) keine historisierende Darstellung, weil die Sequenz (angeblich) den Charakter einer quasilogischen Notwendigkeit haben soll. So sind auch die Referate über die Theorien vergangener Philosophen, die man bei Aristoteles findet, alles andere als Vorgänger einer historisierenden Denkweise. Bildet er sich doch ein, schon zu wissen, auf welchen Endpunkt sich die Theorieentwicklung hinbewegt, nämlich auf die von ihm entdeckten Unterscheidungen und Thesen. Die Positionen früherer Philosophen werden im ersten Buch der *Metaphysik* nach dem Modell der Entwicklung des Säuglings zum Erwachsenen als unbeholfene Vorformen der aristotelischen Sichtweise vorgeführt. Wenn dem so ist, hat der „geschichtliche“ Teil seiner Schrift lediglich pädagogischen oder antiquarischen Wert; allenfalls fände er seinen Platz in einer möglichen Entwicklungszoologie der menschlichen Kultur. Wer sachlich an metaphysischen Begriffen wie „Ursache“ ein Interesse hätte, könnte genauso gut direkt die Aristotelische Darstellung der vier „Ursachen“ lesen. Für Aristoteles gilt, was Marx von den bürgerlichen Ökonomen des 18. und des frühen 19. Jahrhunderts sagte: Für sie *gab* es zwar eine Geschichte, aber es gibt keine mehr. (Marx–Engels 1964: Band 4, S. 139)

Damit ist meine dritte These auch schon angeschnitten. Das historisierende Denken versteht sich als gleichzeitig konkret und gegenwartsrelevant, und unterscheidet sich in diesen zwei Hinsichten von den Abstraktionen traditioneller Denkformen.

In einer zweideutigen und unsicheren Welt hängt praktische Orientierung zum Teil von kognitiven Leistungen ab; wer besser sehen kann, hat bessere Chancen, Nahrungsmittel zu finden und somit auch bessere Überlebenschancen; wer sich daran erinnert, was passierte als das letzte Mal ein Stammesmitglied die verlockend aussehenden Tollkirschen gegessen hat, erspart sich eine sehr unangenehme Nacht. Für die Entstehung empirischen Wissens ist eine gewisse Anhäufung vergangener Erfahrungen unerlässlich, aber das traditionelle philosophische Verständnis will, dass Theorien von den zufälligen Wahrnehmungen, die zu ihrer Bildung geführt haben, abstrahiert werden können. Die (primitive) „Theorie“ „Tollkirschen sind ungenießbar“ bilde ich, womöglich, *weil* ich gesehen habe, wie meine Freunde X, Y, und Z nach dem Tollkirschenessen gefahren sind; wenn aber die Theorie brauchbar (oder „gültig“ oder „wahr“) sein soll, darf sie nicht von *diesen spezifischen* Wahrnehmungen abhängig sein. Man kann sie verstehen, ohne auf diese spezifische Erfahrungskette zurückzugreifen, und man hätte im Prinzip die

gleiche Theorie aufgrund ganz anderer Wahrnehmungen bilden und untersuchen können. Sie soll aber für *alle* Fälle gelten, und sich folglich durch *beliebige* weitere Wahrnehmungen bestätigen lassen. Die sogenannten „Positivisten“ des 20. Jahrhunderts sprachen von der Unterscheidung zwischen dem Entdeckungskontext und dem Rechtfertigungskontext.<sup>2</sup> Egal wie man faktisch dazu kam, die Theorie zu bilden, muss man sie, wenn man sie bestätigen oder widerlegen will, vollständig vom Entdeckungskontext abkoppeln. Nur wenn sie so, gleichsam nackt, allein und auf den eigenen Beinen stehend, vortritt, kann über ihre Geltung und ihren möglichen Wert befunden werden. Nicht die faktische Vergangenheit, d.h. die spezifischen zu dem und dem Zeitpunkt gemachten Erfahrungen und Wahrnehmungen, ist wichtig, sondern die Möglichkeit einer Bestätigung der durch die Theorie nahegelegten Erwartungen zu jedem beliebigen Zeitpunkt.

Eigentlich betreibt die philosophische Tradition normalerweise auch eine zweite Abstraktion. Neben dem Absehen von den spezifischen vergangenen subjektiven Erfahrungen, die zum „Entdeckungskontext“ gehören, herrscht bei ihr immer die Tendenz vor, Theorien in möglichst „zeitlosen“ Begriffen zu formulieren, die viele Eigenschaften der objektiv in Frage stehenden Situation unberücksichtigt lassen. Es wird von diesen Eigenschaften „abstrahiert“. Tollkirsche in Serbien bleibt Tollkirsche in Deutschland, also für *alle* Menschen überall und zu jeder Zeit ungenießbar. Aristoteles behauptet zwar ganz zurecht: Feuer brennt in Persien wie in Griechenland, aber die Vergangenheit sollte doch, so die These eines „historisierenden Denkens“, „anders“ sein; menschliche Gesellschaften sind keine Naturphänomene. Sie tragen ihre Vergangenheit mit: Wir (in Großbritannien) haben *diese* Regierungsform (Königin plus Parlament) als (vorläufiges) Endresultat unserer spezifischen Geschichte; die Franzosen haben ein anderes, ebenfalls historisch bedingtes, System; die Chinesen wieder ein anderes. Die Vergangenheit ist kein abgeschlossener Bereich, den man zwar aus antiquarischen Gründen erforschen kann, der uns aber ansonsten gar nicht angeht, sondern sie prägt unsere Gegenwart auf eine Weise die uns keine Wahl lässt: Wenn wir uns theoretisch und praktisch in unserer Welt orientieren wollen – und wir können nicht umhin, uns so oder so zu orientieren – müssen wir auch diese Vergangenheit substanziell berücksichtigen und in unsere Gegenwart einbeziehen.

In vollhistorisierenden Wissenschaften hat man es immer mit zwei Reihen von Vergangenheiten zu tun: Erstens, die Beobachtungen und Theoriebildungen vergangener Theoretiker, zweitens die vergangenen Gesellschaftsformationen innerhalb deren die Beobachtungen gemacht wurden. In epistemisch günstigen Fällen können wir rückblickend nicht nur erkennen *was* sie gesehen haben, sondern auch noch *von welchem Standpunkt aus* sie das gesehen haben, was sie gesehen haben. Da wir klar erkennen, dass vergangene

2 Die Unterscheidung geht ursprünglich auf Hans Reichenbach zurück.

Theoretiker auf Erfahrung innerhalb vergangener Institutionensysteme angewiesen waren, deren Beschränktheit jetzt evident ist, liegt es nahe, diese Erkenntnis auch auf uns selbst anzuwenden und keine Absolutheit der eigenen Perspektive zu beanspruchen.<sup>3</sup>

Weder der immer wiederkehrende Wechsel der Jahreszeiten noch die logische Folge der Schritte in einem geometrischen Beweis, noch das Sichentwickeln des Kleinkindes zum Erwachsenen ist ein adäquates Vorbild für historisierendes Denken. (Voll) historisierendes Denken gibt es, so könnte man es paradoxerweise formulieren, nur wo eine Geschichtsphilosophie in emphatischen Sinne *fehlt*, nur wo es *kein* Schicksal, *keine* göttliche Fügung, *keine* Teleologie, *kein* vernunft- oder naturbedingtes übergreifendes Gesetz oder Entwicklungsschema gibt, auf das man sich beziehen kann; wo historisch vergesellschaftete Menschen, sozusagen, allein unter sich sind.

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Sind „Genealogien“ gute Beispiele eines „historisierenden Denkens“, wie es Nietzsche (in der anfangs zitierten Passage) vorgeschwebt hat? Ja, vorausgesetzt, dass man „Genealogien“ (im Nietzscheschen Stil) von deren Pseudomorphosen genau unterscheidet. Es gibt nämlich drei grundverschiedene Arten „genealogischen“ Denkens. Ich werde terminologisch zwischen „Genealogie als Urstiftung“, „Genealogie als Theorie des Ausgangs aus dem Naturzustand“ und „Genealogie als Ursprungsversprengung (oder Sinnverflüchtigung)“ unterschieden; Nietzsche lehnt die ersten zwei Formen entschieden ab.

In der ersten Form der Genealogie wird vorausgesetzt, dass eine in Frage stehende Institution, Praktik, Identität, oder Bündelung von Rechten, Vollmachten und Ansprüchen auf einen einheitlichen Ursprung zurückgeht, der ihr Sinn, Geltung und Legitimität verleiht. So gilt im Katholizismus die Lehre der „Apostolischen Nachfolge“, die besagt, dass jeder rechtmäßige katholische Bischof gewisse geistliche Vollmachten besitzt, weil er ein direkter Nachfolger eines der Jünger Jesus ist. Jesus, so die Lehre, ist der absolute Anfang und legitimierende Ursprung aller wirksamen und zurecht bestehenden geistlichen Kompetenzen. Er hat einen Teil der ihm zu Gebot stehenden Kräfte an seine Jünger abgegeben; die Jünger haben sie dann an ihre Nachfolger weitergegeben. Die Übertragung geschieht durch den Vollzug einer vorgeschriebenen Reihe von Zeremonien und Ritualen. So hat ein Bischof im Jahre 2015 die entsprechenden „geistlichen Gewalten“ sofern er sie *in historisch ungebrochener Line* von einem der ursprünglichen Apostel übertragen bekommen hat. Die vielen Kompetenzen aller höheren Würdenträger der zeitgenössischen katholischen Kirche sollen also auf eine einzige, einheitliche göttliche Urstiftung in dem Palästina des frühen römischen Kaiserreichs zurückgehen. Das Bischofsamt mit seinen assoziierten Rechten,

3 Zum Philosophen-Buhman „Relativismus“ vgl. Raymond Geuss „Realism and the relativity of judgment“ in *Reality and Its Dreams* (Harvard University Press, 2016).

Befugnissen, und Zuständigkeiten bildet eine Sinneinheit, die genealogisch in einer göttlichen Urstiftung verwurzelt ist. Der Kreis schließt sich insofern *jeder* Bischof von jenem jüdischen Wunderrabbi des ersten Jahrhunderts (in seiner Eigenschaft als Sohn Gottes) seine Legitimation bezieht und einheitliche göttliche Intentionen verkörpert.

Nietzsche selbst bekämpft diese erste Art „genealogischen Denkens“, die er für verlogen und gänzlich unhistorisch hält. (Vgl. Geuss 1999; Geuss 2014) „Unhistorisch“ weil es in der Geschichte überhaupt keine „Uranfänge“ oder „absolute Ursprünge“ gibt. Seit langem wissen auch Gläubige, dass das Christentum nicht in einem stiftenden Urknall in der antiken römischen Provinz Judäa entstanden ist, sondern sich „synkretistisch“ durch das langsame Zusammenkommen, Zusammenwachsen und Zusammengezwängtsein verschiedener Elemente über Generationen (Bultmann 1949) hin gebildet hat. Jesus hat schließlich den Monotheismus nicht erfunden, sondern *vorgefunden*, denn dieser entstand schon im 6. Jahrhundert v.Chr. (und zwar anscheinend unabhängig voneinander in Griechenland<sup>4</sup> und im Zweistromland (Römer 2014)); die „griechischen“ philosophischen Spekulationen, die in der Genese des späteren „Christentums“ eine wichtige Rolle spielten, waren ihm auch fremd. Dann haben paulinische Erfindungen, verschiedene Mysterienreligionen, Elemente des römischen Rechtsdenkens, usw. jeweils ihre Beiträge zur christlichen Synthese geliefert. Je genauer man hinguckt, desto vielzähliger (und vielfältiger) die Wurzeln.

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Zweitens ist die Genealogie als Urstiftung unhistorisch, weil sie die historischen Übergänge (z.B. die Prozesse der angeblichen Übertragung der göttlichen Gnadengewalt) sinnverstellend vereinfacht. Die Rituale der Bischofsweihe waren im 2. Jahrhundert in Spanien nicht „dieselben“ wie in Afrika im 20. Jahrhundert, und auch die Vorstellungen der Beteiligten über das was übertragen wurde, werden in den hundert Jahren vor dem Konzil von Nikäa kaum die gleichen gewesen sein wie etwa in den ersten hundert Jahren nach dem Konzil.

Eine Genealogie dieser ersten Art geht also von einem vermeintlich anfänglichen Einheitspunkt in der Vergangenheit aus: Jesus überträgt bestimmte geistliche Kräfte an seine Jünger. Es entsteht auf diese Weise zwar eine Vielfalt von individuellen Machträgern, den Bischöfen, aber es wird auch angenommen, dass jeder dieser Bischöfe am Ende der bisherigen Geschichte, d.h. heute, über ein einheitliches Paket von sinngemäß zusammengehörenden Kompetenzen verfügt. Am Anfang und am Ende steht also eine Sinneinheit, die sich durchhält und historisch in allen wesentlichen Aspekten invariabel ist.

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4 Xenophanes Fragmente 10–26, Diels-Kranz *Fragmente der Vorsokratiker* (Weidmann, 1966), Band I, S. 131–135.

Die zweite Art Genealogie (als Ausgang aus dem Naturzustand)<sup>5</sup> arbeitet mit dem Begriff einer begründenden „vernünftigen“ Konvergenz. Sie hat Strukturähnlichkeiten mit dem oben analysierten prophetischen Wissen der Medea: Der Endpunkt einer Entwicklung ist so sehr durch seine übermäßige Vernünftigkeit als Lösung eines als invariant betrachteten Problems ausgezeichnet, dass die Verschiedenheit der Ausgangspunkte, und der tatsächliche, variable Verlauf der jeweiligen Entwicklungen für das Verstehen gar nicht ins Gewicht fallen. Wenn die Erfindung des Hammers wirklich die *optimale* Lösung einer in *allen* menschlichen Gesellschaften gleichmäßig wiederkehrenden problematischen Situation ist, reicht es, auf diese Rationalität hinzuweisen, und man kann sich die Mühe ersparen, den tatsächlichen Verlauf der Geschichte zur Kenntnis zu nehmen<sup>6</sup>.

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Eine Genealogie Nietzschescher Prägung ist ganz anders strukturiert als die zwei oben angegebenen Abarten; Nietzsche analysiert eine gegenwärtige Situation, in der es gewisse als selbstverständlich geltende Einheiten gibt. Gemeint sind „selbstverständlich“ geltende Wertsysteme (das Christentum: Nietzsche), Institutionen (das Strafsystem: Nietzsche und Foucault), Systeme von Praktiken, bzw. Disziplinen (Psychoanalyse: Foucault), oder „Identitäten“ (Homosexueller, frigide Frau, „onanierendes Kind“, Delinquent: Foucault), usw. Jede solche Einheit präsentiert sich auch als Sinneinheit: die Bestandteile „gehören zusammen“. Es soll eben „kein Zufall“ sein, dass der Bischof als geweihter geistlicher Hirt, sowohl predigt, Beichten abnimmt, und dem Kirchengerecht vorsteht, als auch für die Finanzen der Diözese verantwortlich ist, und gewisse Repräsentationsfunktionen ausübt. Die verschiedenen Bestandteile des Bischofsamtes, die eigentlich ganz verschiedene Ursprünge haben und nur durch einen historische höchst kontingenten Prozess zusammengelassen sind, sollen „sinngemäß zusammengehören“ und in der göttlichen Urstiftung begründet sein. Ebenfalls soll es „kein Zufall“ sein, dass ein Mann der anderen Männer liebt, einen „verweiblichten“ Charakter hat, dass er sich gern „wie eine Frau“ schmückt, usw.

Bei näherer genealogischer Betrachtung lösen sich aber diese Einheiten auf und die angebliche „Sinneinheit“ verflüchtigt sich. Es gab am Anfang keine Urstiftung, es gibt keine in Naturgesetzen der menschlichen Seele verankerte Verbrecherpersönlichkeit, und die Geschichte lässt sich nicht als kontinuierliche Folge von gleichmäßig sich wiederholenden Übertragungen verstehen. Das Zusammenkommen etwa des monotheistischen Gedankens mit einer spekulativen Lehre des individuellen Seelenheils im Rahmen einer dem römischen Reich entlehnten Kirchenstruktur war ein Zufall. Unter dem Blick des Genealogen verwandeln sich scheinbar selbstverständliche „notwendige

5 Ein Beispiel ist Edward Craigs *Knowledge and the State of Nature* (Routledge, 1990).

6 Bernard Williams *Truth and Truthfulness* [Princeton University Press, 2002] verwendet das Wort „Genealogie“ um diese zweite Abart zu bezeichnen.

Sinneinheiten“ in kontingente Ansammlungen heterogener Elemente. Der Begriff (etwa „Bischof“) wird historisiert. Zwar kann man sich auf eine „Definition“, etwa im Sinne des gegenwärtigen katholischen Kirchenrechts, versteifen. Im Kontext eines Rechtsstreits vor einem kirchlichen Gericht hätte diese Entscheidung offensichtlich ihre Berechtigung, aber hier geht es um das inhaltliche Verstehen des betreffenden Amtes und der mit ihm verbundenen Konstruktionen. Dem Forscher bleibt es zwar unbenommen, neue Begriffe zu bilden, neue strengere Definitionen bekannter Begriffe einzuführen, auf gewisse Begriffe womöglich gänzlich zu verzichten, andere umzufunktionieren, usw. Es geht aber nicht um die abstrakte Möglichkeit einer formellen Definition, sondern um deren kognitive Brauchbarkeit: Wenn man sich nicht nur geschickt in einem künstlich aufrechterhaltenen Sondergebiet wie dem Kirchenrecht bewegt, sondern auch historisch verstehen und sich in einem größeren Rahmen praktisch orientieren will, erweisen sich „Definitionen“ als ungeeignete Instrumente. Gewisse Begriffe, wie „das Christentum“, „die Demokratie“, „die Strafe“, „das Eigentum“, „die Kindheit“, „der Krieg“, „das Wirtschaftssystem“, „der Grundbesitz“, die für das Verständnis unserer Vergangenheit und unserer Gegenwart praktisch unverzichtbar sind, lassen sich sowieso nicht abstrakt definieren, sondern bekommen ihren Inhalt durch die Geschichte ihrer kontingenten Entwicklung, und das heißt selbstverständlich durch die Geschichte der Institutionen, in die sie eingebettet waren und aus denen sie jeweils entstanden.

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Die genealogische Auflösung (Kritik) impliziert nicht notwendigerweise eine Ablehnung des Bischofsamtes, nur die Zerstörung des Scheins der selbstverständlichen Einheit der Identität „Bischof“ und eine Aufklärung über die fehlende Grundlage gewisser Versuche diese Identität zu legitimieren. Es kann natürlich andere (gute) Gründe für die Beibehaltung der Institution geben; es aber käme darauf an, sie zu nennen, zu finden oder ggf. zu erfinden.

Die dogmatische Aufklärung hat spätestens am Anfang des 21. Jahrhunderts in den Zellen von Guantanamo Bay, in Abu Ghraib oder in einem der geheimen CIA-Gefängnisse in Polen, Rumänien oder Afghanistan Selbstmord begangen. Ob das Aufklärungsethos überleben wird, ist noch unklar, zumal es gar nicht gesagt ist, dass das Menschengeschlecht überhaupt die nächsten zwanzig Jahre überleben wird. Lediglich eine Durchhistorisierung unseres Denkens bietet aber auch nur die entfernteste Möglichkeit einer aufgeklärten Zukunft, falls natürlich wir überhaupt eine Zukunft haben.

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## Raymond Geuss

### Historicizing, Enlightenment, Genealogy

#### Abstract

Historicising thinking has three properties: a) it takes the past to be different from the present, b) it takes the past to have been contingent, c) it holds that the past is relevant to the present. Genealogy, as practiced by Nietzsche and Foucault, shows itself to be a useful tool for mounting a historicising critique of certain aspects of our contemporary world. As such it can contribute to a non-dogmatic form of Enlightenment.

Keywords: Historicizing, Enlightenment, Genealogy, Past, Nietzsche, Foucault

## Rejmond Gojs

### Istorizovanje, prosvetćenost, genealogija

#### Sažetak

Istorizujuće mišljenje ima tri svojstva: a) prošlost shvata kao različitu od sadašnjosti, b) prošlost shvata kao kontingentnu, c) tretira prošlost kao relevantnu za sadašnjost. Genealogija, u smislu u kom je praktikuju Niče i Fuko, pokazala se kao korisno sredstvo za istorizaciju kritike određenih aspekata savremenog sveta. Kao takva, genealogija može dati doprinos jednoj ne-dogmatskoj formi Prosvetiteljstva.

Ključne reči: istorizovanje, Prosvetiteljstvo, genealogija, prošlost, Niče, Fuko



Jovan Babić

## Svojina – filozofska analiza: argument\*

**Apstrakt** Nakon kratkog istorijskog pregleda filozofskih pogleda na svojinu u tekstu se iznosi analiza argumenta kojim se svojina opravdava na osnovi univerzalnog poštovanja svačijeg prava na upotrebu stvari za bilo koju svrhu. Mogućnost upotrebe stvari za realizaciju postavljenih ciljeva je uslov mogućnosti delanja, kao stvarnog događanja u svetu. To je ono u čemu se ispoljava kapacitet slobode kao kauzalne moći u realnom svetu. Ali bez izglednosti na završetak započetog procesa realizacije cilja ta kauzalna moć bi bila praktično obesmišljena (iako bi i dalje postojala kao realna ontološka mogućnost). Svojina je shema unutar koje ova izglednost postaje aktualna, i otuda je svojina zapravo sastojak i nužna pretpostavka slobode kao mogućnosti svrhovitog delanja. Svojina menja normativnu poziciju svih drugih, oni (više) nemaju pravo slobodnog korišćenja zaposednutih stvari (onih koje su postale predmet svojine). Kao pravo svojina povlači, prvo, dužnost poštovanja *poseda* koja, pored zabrane sprečavanja tuđeg korišćenja stvari u posedu uključuje i obavezu nesprečavanja bilo čije upotrebe i raspolaganja stvarima koje nisu već zaposednute: svačija svojina se mora poštovati, ničija svojina se može slobodno zaposesti (neki oblici svojine su opšta ili kolektivna svojina). Drugo, tek kao *vlasništvo*, u kome pravo raspolaganja više ne zavisi od faktičke moći raspolaganja u posedu, svojina dobija svoj puni normativni i praktički kapacitet. Vlasništvo je garancija budućnosti prava svojine. Za ovo je potrebno eksplicitno priznanje činjenice uspostavljenosti prava raspolaganja od strane svih drugih, priznanje koje nužno sledi (ne može da se uskrati) ukoliko niko nije povređen ovim raspolaganjem. To sledi iz prirode razlike između stvari i osoba, koje su ličnosti sa kapacitetom za slobodno delanje (korišćenje sredstava za realizaciju postavljenih ciljeva). Po svojoj prirodi stvari se mogu posedovati, a kako je upotreba sredstava za bilo koji legitimni cilj takođe legitimna to svaka neposedovana stvar može bez prepreka postati predmet svojine, bilo zaposedanjem bilo transferom.

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**Ključne reči:** svojina, posed, vlasništvo, ovlašćenje, sloboda, delatnost, relacija sredstvo-cilj, ličnosti, stvari

### 1. Uvod

Svojina je jedna od naših najvažnijih institucija, i jedna od najkomplikovanijih. To je fenomen koji nije lako ni definisati ni do kraja razumeti i objasniti. Iako svi uglavnom znamo kako svojina funkcioniše nije lako precizno odrediti kako ona nastaje, a često ni kada ona zasigurno postoji. Ali zapravo ni funkcionisanje svojine nije sasvim jasno, i u naše vreme postaje sve nejasnije.

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\* Ovaj tekst je prvi deo veće studije o svojini i odnosi se na osnovni argument u njenom zasnivanju (drugi deo se odnosi na implikacije i primene argumenta koji se razvija u ovom prvom delu). U delu koji se odnosi na istorijat ustanove svojine, delimično se oslanjam na moju knjigu *Uvod u poslovnu etiku* (Virtus, Prag 2000). Ova knjiga je dostupna na sajtu [jovanbabic.com](http://jovanbabic.com).

Vrlo često se svojina negira, bilo da se dovodi u pitanje potreba za samim njenim postojanjem bilo da se tvrdi da njeno postojanje nije opravdano, ili da je nejasno kada je ona opravdana pa čak i kada je prisutna a kada nije. Ponekad se tvrdi da bi život bio bolji, ili lakši, bez ove ustanove, slično kao što se ponekad tvrdi da bi nam bilo bolje bez države, ili bez novca. Ili se kaže da je svojina izvor neopravdanih nejednakosti i velikih nepravdi. Ima i drugih komplikacija. U savremenom svetu imamo dve suprotne tendencije, jedna da se vrednost svojine minimizuje težom o opravdanosti ili obaveznosti opšteg i besplatnog pristupa zadovoljenju svih važnih potreba, ne samo vitalnih nego i drugih koje se smatraju važnim, npr. medijima komunikacije kao što je Internet, ili javnim putevima, koji su opšta svojina. Sa druge strane međutim razvoj novih tehnologija omogućava preciznije registrovanje i zaštitu svojine, što je odvelo u iskušenje da se uvedu ili značajno prošire novi oblici svojine kao što je „intelektualna svojina“. Sve je to mnoge dovelo do ideje da reč „svojina“ i nema neko jedinstveno značenje već da se njom pokriva jedan veliki skup (npr. u Newcomb, 2001: 75; Callies, Hylton, Martinez & Mandelker: 3; Alexander & Peñalver: 3) prava i privilegija (kao različiti „prutovi u istom snopu“), obično sa zakonskom zaštitom, ili pretenzijom na takvu zaštitu, tih prava i privilegija.

Sa druge strane se tvrdi da je svojina temelj slobode, i da bez garancije prava svojine sva druga prava, a naročito pravo na privatnost, postaju manje vredna ili bezvredna. Ako bi svako imao potpuno slobodan i otvoren pristup upotrebi svih stvari onda se možda više ne bi mogla organizovati nikakva koordinacija u upotrebi stvari oko nas koje koristimo za najrazličitije svrhe. Sukob bi bio neizbežan, osim po cenu odustajanja što takođe nije moguće kao opšti način postupanja (nije moguće odustati od svega i nastaviti živeti i delati), i imali bismo hobsovska *prirodno stanje*, ili možda neko još primitivnije stanje, stanje koje nije lako ni zamisliti i koje je verovatno usto i nemoguće. U takvom stanju nikakva regulacija ne bi bila moguća, i to ne samo u planiranju budućih upotreba nego i tekućem korišćenju bilo čega. Čak ni princip da nešto pripada onome ko prvi stigne do njega ne bi zapravo mogao da se uspostavi; sve bi zavisilo od toga ko je jači, jer bi jači uvek mogao da otme od slabijeg, što se u prirodnom stanju (ili njegovim raznim skrivenim latentnim oblicima i nakon izlaska iz prirodnog stanja) neretko stvarno i dešava. Ali ako i zamislimo, kontračinjenički, da sve pripada onome ko ga prosto uzme, da drugi imaju dozvolu da upotrebe sve stvari za koje i ja imam dozvolu da ih upotrebim, i da čak ograničimo to „pravo“ na pravo prvenstva tako što bismo zabranili da bilo ko drugome otima ono što je uzeo – što bi podrazumevalo jedan sistem opšte obavezne ljubavnosti – opet bez svojine ne bi moglo biti racionalne upotrebe stvari i bilo kakvog solidnog i dugoročnog predviđanja, pa onda ni bilo kakvog planiranja. Sve bi se završavalo u sadašnjosti, jer nikakve budućnosti, osim one koja se slučajno i neplanirano desi, ne bi ni bilo. Ne bi moglo biti ni volje, odnosno volja bi funkcionisala na onaj način na koji sada funkcioniše želja,

i volja i želja se ne bi razlikovale (v. Babić 2011 (1), (2, str. 13). Slučajnost bi postala pravilo dešavanja u takvom svetu.

Obe gornje tvrdnje su tačne, i da je svojina izvor nepravdi i da bez nje ne bi bilo predvidivosti i slobode. Ali šta se sve označava kao svojina, kako svojina nastaje i kako opstaje? Da bismo odgovorili na ova pitanja potrebno je izvršiti analizu fenomena i načina funkcionisanja ustanove svojine. Uprošćeno rečeno svojina je pravo isključivog raspolaganja predmetom svojine, pravo koje može da postoji samo ako su drugi, oni koji nisu vlasnici, isključeni iz tog prava. Ako je nešto svojina onda samo vlasnik ima pravo legitimne upotrebe. Neovlašćenom upotrebom neovlasnik *povređuje* vlasnika, i najčešće mu takođe nanosi i štetu; u mogućnosti ove neopravdane povrede se zasniva moralna i pravna zaštita svojine: takva povreda ne treba da se desi. Ali to je moguće samo ako onoga što čini sadržaj svojine nema u izobilju; oskudica je uslov svojine. Drugi važan momenat je da predmet svojine mogu biti, široko definisane, *stvari* ali ne i *osobe*; osobe imaju pravo raspolaganja stvarima, i to pravo može postati trajno, svojinsko. Treći momenat je da je nešto postalo predmet svojine nekim legitimnim i važećim aktom (prvobitno zaposedanje ili transfer). Postojanje konkretne svojine, kao prava, uvek je i nužno praćeno priznanjem (svih) drugih, onih koji su isključeni iz prava (te) svojine. Četvrti značajan momenat je da je svojina jedna dobro artikulisana i, kao što ćemo videti, dobro definisana ustanova koja ima razna precizno određena ograničenja, koja se odnose na to šta se može posedovati, šta se od toga može upotrebiti za neki cilj, a šta ne može, i to ne samo u pogledu osoba (koje se ne mogu posedovati ali čija su razna svojstva i kapaciteti predmet najrazličitijih transakcija, uključujući i svojinske), nego i u pogledu stvari. Ali pre nego što pređemo na analizu svake od ovih stavki posebno mislim da je primereno dati kratak istorijski pregled načina na koji je obrazlagana i opravdavana svojina.

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## 2. Kratak istorijski pregled

Da je svojina pojava koju treba objasniti i opravdati bilo je jasno svim filozofima koji su se bavili pitanjem organizovanja zajedničkog života ljudi. Sama ustanova svojine je imala razne oblike koji su se menjali. Različiti oblici svojine su davali različit stepen sigurnosti i na različit način podsticali ili zaprećavali privrednu aktivnost i tako određivali sadržaj i kvalitet kolektivnog i ukupnog života ljudi. Na primer *zajednica polja*, oblik *kolektivne* svojine nad zemljom koji je nastao sa nastankom zemljoradnje, je čuvala zajednicu, pružala sigurnost zadovoljenja osnovnih životnih potreba i obebeđivala kontinuitet društvenih oblika koji su se uklapali u ovu svojinsku shemu, ali je istovremeno sprečavala napredak i organizovanje složenijih i jačih oblika društvene organizacije (Kulischer 1957: 41). Takav oblik svojine je obebeđivao poštovanje jednog veoma krutog koncepta pravde, obebeđivao intenzivnu participaciju u zajedničkom životu i proizvodio jak

osećaj pripadništva i jednakosti, ali isto tako očigledno nije efikasno čuvao od spoljnog napada niti davao mogućnosti onima koji su hteli više i težili boljem i raznovrsnijem da ostvare svoje ciljeve.

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Neki oblik svojine je uvek postojao, kao pravo makar privremenog isključivog raspolaganja nad resursima, npr. ulovljenim plenom, i uvek je bilo definisano kako funkcioniše institut svojine. Privatna svojina, koja je jedan specifični i jak oblik svojine, verovatno je nastala podelom zemlje pri nastanku zemljoradničkih društava, iako je moment privremenosti, kao i druga ograničenja, verovatno dugo ostao prisutan radi obezbeđenja pravde i jednakosti kao mehanizama za obezbeđenje minimalnog prava na život.<sup>1</sup> Čini se da se može reći da je neki oblik društveno priznatog, tj. faktički prihvaćenog, opravdanja bio uslov za postojanje određenog oblika svojine i da se privatna svojina izdvojila u poseban oblik kao rezultat napretka u proizvodnji koji je omogućio da se ekonomski poriv proširi na zadovoljenje želja, tj. bilo kojih preferencija, a ne samo osnovnih potreba neophodnih za održanje i nastavak života. Ako je tako onda je privatna svojina bila uslov napretka i emancipacije od pukog istrajavanja u sadašnjosti kroz zadovoljenje samo osnovnih potreba. Mogućnost civilizacije zavisi od toga da se život ne svede na zadovoljavanje osnovnih potreba, koje su uvek iste i u suštini male i lako zadovoljive. Svojina je tako postala uslov uvođenja stvarne i dugoročne (kolektivne, ili nacionalne) budućnosti za koju je potreban ekonomski rast i barem minimalna sposobnost društvenog prilagođavanja pred činjenicom složenosti sveta i stalnih promena pojma „potrebe“, što je konačni izvor ekonomske motivacije (Babić 2007 (1)). Da bi to bilo moguće bilo je neophodno da se dopuste i postanu moguće dve stvari: da se napusti ideja o primordijalnoj jednakosti (i da se iznađe novi koncept jednakosti koji će biti usaglasiv sa mogućnošću ekonomskih nejednakosti – on je nađen u pojmu ravnopravnosti koji dobro zamenjuje pojam jednakosti i istovremeno efikasno izbegava ograničenja njegovog suviše lakog doslovnog tumačenja), i, drugo, da važeće društvene norme prestanu da budu krute i dobiju izvesnu elastičnost koja načelno otvara mogućnost prilagođavanja i raznih promena (tj. da se životna sigurnost razdvoji od obezbeđenja opstanka važećih društvenih normi shvaćenih doslovno)<sup>2</sup>.

Zbog ovih kardinalno značajnih implikacija po društveni život i samu vrednost i kvalitet života svojina je oduvek bila predmet pažnje filozofa. U pokušaju da

1 Jedno ograničenje je bilo ograničenje onoga što se može zaposesti, npr. da jedna porodica može imati onoliko koliko može da obradi (ujednačeno na onoliko koliko može da se uzore ili poseje za određeno vreme). Drugo ograničenje je bilo istrajavanje na privremenosti, npr. prisilni plodored (redosled po kome se moraju sejati određene kulture), ili ponovna raspodela parcela u redovnim intervalima (po pravilu nekom vrstom žreba). V. *ibid.*, str. 33–39.

2 Primitivna, parohijalna ili idilična, društva, okamenjena u vremenu, zavise od čuvanja ove doslovnosti: svaka promena ih ugrožava. Zato su osuđena na „većitu“ stagnaciju, bez napretka.

svojину ne samo objasne nego i da je opravdaju filozofi su dolazili do različitih, ponekad radikalno suprotstavljenih, zaključaka. Filozofi nisu samo objašnjavali način na koji svojina nastaje i funkcioniše nego su iznosili i stavove o tome kako ona treba da bude artikulisana kako bi zadovoljila neke druge, po pretpostavci važne, vrednosne kriterijume kao što su pravda ili sigurnost.

Tako kod *Platona* svojina je izvor opasnosti, naročito za društveni sloj „čuvara“, jer je svojina nešto što ljude deli i odvaja jedne od drugih, a na tom društvenom sloju je da čuva državu i brine o njoj, kako bi „cela država bila srećna u najvećoj meri“ (Platon, *Država*, 420b). Zato čuvari ne treba da imaju „nikakvo imanje, ako to nije preko potrebno“ (*Ibid*, 416 d), „jedino njima je u državi zabranjeno da imaju veze i dodira sa zlatom i srebrom“ (*Ibid*, 417 a), jer „čim budu stekli sopstvenu zemlju, i kuće, i novac, postaće upravnici i zemljoradnici umesto da budu vladaoci, biće neprijateljski vladari, a ne saveznici građana, mrziće i biće omrznuti, ganjaće i biće ganjani celog veka, bojaće se više neprijatelja u državi nego onoga spolja i tako će se i oni sami i cela država sunovratiti u propast“ (*Ibid*, 417 b). Ovde dolazi do izražaja razlika, sadržana u pojmu svojine, između *posedovanja* i  *vlasništva*; budući da vladari („čuvari“ države) već *poseduju* nešto što ne poseduju i svi ostali ljudi – naime *moć* – onda ne bi bilo ništa iznenađujuće da oni koji već poseduju moć uzmu u svoj posed i sve drugo što se *može* posedovati, i razlika između *posedovanja* i *vlasništva* (koja u pojmu političke moći nije konstitutivna kao u pojmu svojine) može radikalno da se naruši ili potpuno izgubi. Može i tako da se tumači ovo Platonovo stanovište, i time bi se *komunistička implikacija* ograničila samo na „vladajući sloj“. Sa druge strane *univerzalno pravo sticanja svojine* izgleda ne samo nužno povezano sa *jednakošću* (ravnopravnošću), kao moralnom vrednošću, već i sa opštom *motivacijom* moći svojine, kao važnom ekonomskom vrednošću.

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Ukazivanje na ovaj poslednji moment nalazimo već kod Aristotela (Waldron 1988: 6 i dalje). Aristotel kritikuje Platonovo shvatanje zajedničke svojine zbog neefikasnosti: „...teško je ljudima da žive zajedno i da imaju sve stvari zajedničke, ... posed treba da bude privatn. Naime, kad je nadležnost podeljena, neće više biti mesta uzajamnim optužbama i imanje će bolje napredovati jer će se svako bolje starati o njemu kao o svom sopstvenom“ (Aristotel, *Politika*, 1263 a). Zajedničko posedovanje povlači različite probleme i teškoće; ljudi se za zajedničku svojinu brinu samo u onoj meri u kojoj su oni sami lično zainteresovani, ali „prосто se ne može ni reći koliko je zadovoljstvo koje čovek ima kada zna da je nešto njegovo“ (*Ibid.*). *Toma Akvinski* sistematizuje Aristotelove razloge u prilog privatne svojine u tri razloga: prvo, *ekonomsko-stimulativni* („svatko više brige ulaže u upravljanje onim što pripada njemu samom, negoli onim što je zajedničko“), drugo, *organizacioni* („Drugi razlog je što se ljudski poslovi obave urednije kad se svakom pojedincu dodijeli upraviteljska briga za određenu stvar; inače bi nastala zbrka kad bi se svatko bez razlike brinuo za svašta“), treće, *socijalno-moralni* („što se na taj

način može bolje sačuvati mir među ljudima, to jest kad svatko nađe zadovoljstvo u svojoj stvari. Stoga vidimo da često dolazi do svađa među onima koji nešto posjeduju zajednički i neodređeno.“ (Akvinski 1981: 272).

Ipak, za apologiju privatne svojine najčešće se asocira ime Džona Loka. Po Loku ljudi imaju prirodno pravo na svojinu koje proizlazi iz tri premise – prvo, opšte pretpostavke da je prvobitno „Bog ... dao svet ljudima kao zajedničko dobro“ (Lok 1978: 23–34) na opšte raspolaganje, drugo, da „svaki čovek ima svojinu nad svojom ličnošću; izuzev njega na tome niko drugi nema pravo“ (Lok 1978: 24), i treće, posebne, pretpostavke da se „dodavanjem“ i „mešanjem“ ljudskog rada iz te opšte svojine izdvaja posebna svojina „kojom se isključuje zajedničko pravo drugih ljudi“: „Možemo reći da su rad njegovog tela i delo njegovih ruku s pravom njegovi.<sup>3</sup> Što god tada uzme iz stanja koje je pružila i u njemu ostavila priroda, on je tome dodao svoj rad i pridodao nešto što je njegovo vlastito, čime je to učinio vlastitom svojinom“ (*Ibid.*). Ova vrsta radne teorije svojine ne zahteva konsenzus ili priznanje drugih da bi nešto bilo moje – ako sam nešto sam proizveo onda sam ga svojim radom izdvojio iz stanja prirode i ono je moje po prirodnom pravu. Pravo na prisvajanje proizlazi iz prava na samoodržanje, i iz tog prava se razvija država čija je primarna svrha obezbeđenje svojine. Svojina prethodi građanskom društvu kao ustanova prirodnog zakona i neophodan je uslov čovekovog opstanka. Država zatim treba da obezbedi da ovo sveto i neprikosnoveno prirodno pravo svojine postane civilno pravo. Ovo pravo kod Loka ima svoje jasno ograničenje na meru mogućnosti potrošnje; ali tim ograničenjem se ograničava samo rasipnost ali ne i gramzivost, jer izumevanje institucije novca omogućava akumulaciju dobara produžavajući trajnost njihove upotrebne vrednosti načelno neograničeno u budućnost. Gramzivost, za razliku od rasipnosti, ima veliku stimulativnu ekonomsku vrednost jer favorizuje vredne (razumne) i kašnjava lenje (glupe).

Slično kao i kod Loka, i kod *Hegela* je svojina zasnovana na pojmu *ličnosti* koja ima pravo nad spoljašnjim svetom stvari (Hegel 1989: §51). Ličnost,

3 To je i osnova radnog odnosa (kao specijanog oblika poslovnog odnosa): u tom odnosu radnik unapred prodaje rezultate svog rada (koji su prvobitno njegovi), ma koji da su, za naknadu koju unapred ugovara. Načelno gledano i rad i rezultati rada su, u lokovskom smislu, vlasništvo radnika, iako sama prilika da se radi nije. Ali u trenutku sklapanja ugovora samo ova prilika je stvarnost, sve ostalo je u budućnosti, i rad i njegovi rezultati kao i naknada za taj rad. Prodajući unapred svoj rad radnik sa njim prodaje i rezultate rada, tako da u trenutku i nakon realizacije ni jedno ni drugo ne pripada radniku već poslodavcu, koji je to sve unapred kupio (što se u nekom smislu uklapa u shemu „*futures market*“ gde bi „derivativ“ bio rezultat rada). Ali ako je radnik slobodno prodao svoj rad onda ovaj prenos vlasništva nad rezultatima rada sa radnika na poslodavca ne krši lokovsku shemu svojine. Ono što međutim predstavlja problem je druga pretpostavka, svojina nad svojom ličnošću i svojim telom – nije jasno kako bi se lokovski mogla sprečiti prodaja samog sebe, prodaja „svoje ličnosti“. To je, kao što ćemo videti u nastavku studije, nešto što se ne uklapa u pojam moralno opravdano svojine (jer zapostavlja razliku između ličnosti i stvari).

kao apsolutni cilj, ima pravo da prisvoji stvar, koja je sredstvo, ali to prisvajanje uvek ima oblik *privatne* svojine: privatna svojina predstavlja nužnost uma. Jer svojina nije svojina ako ne pripada *jednoj* pojedinačnoj ličnosti, mada ta „ličnost“ ne mora biti čovek kao pojedinac već to može biti i neki društveni entitet, npr. ustanova, nacija, država, ili naprosto grupa ljudi (npr. lovačko društvo).<sup>4</sup>

Kod *Hjuma*, kod koga je sigurnost svojine jedan od glavnih zadataka društva, svojina se objašnjava preko pravde, koja je artificijelna konvencija zasnovana na opštoj društvenoj koristi. Tako poreklo pravde objašnjava i poreklo svojine (Hume 2000: Bk. III, Pt. II, Sect. 2–4).

Kod *Rusoa*,<sup>5</sup> nasuprot Loku, svojina nije osobina koja potiče još iz prirodnog stanja, iako je to stanje u kome čovek ima „neograničeno pravo na sve što ga mami i što može da postigne“ (Ruso 1949: 20). Snaga i lukavstvo su jedina ograničenja prirodne slobode, ali tu slobodu treba razlikovati od „građanske slobode, koja je ograničena opštom voljom“. Samo u ovom drugom stanju moguća je svojina (za razliku od „državine“, koja je „samo posledica sile ili pravo prvog pritežaoaca“), ali se ona može „zasnivati samo na jednom pozitivnom osnovu (titulusu)“, tj. ovlašćenju (Ruso 1949: 21). Zato pravo na posedovanje (za razliku od pukog posedovanja) nije neki privatni čin, već je za konstituciju tog prava potrebno javno priznanje. Pretenzija na pravo na posedovanje nije dovoljna da obezbedi to priznanje, javna vlast je ono što ustanovljuje svojinska prava, ali time se, recipročnim priznanjem tuđe svojine, što predstavlja društveni ugovor, postiže razvoj osećanja moralne odgovornosti i poštovanja zakona, što je i svrha izlaska iz prirodnog stanja i ulaska u građansko stanje. Ruso je u ovom pogledu, kao i u nekim drugim, jedan od preteča *Kanta*.

4 Zanimljivo poređenje između Loka i Hegela pravi Voldron (Jeremy Waldron, 1988) u svojoj knjizi *The Right to Private Property*. Lokova teorija, po Voldronu, povlači pravo na privatnu svojinu kao *specijalno pravo*, koje se konstituiše slučajnim događanjem interferencije između osoba koje imaju načelno pravo na svojinu i faktičkog zaposedanja svojine („mešanjem“ „sebe“ sa delom stvarnosti koji se tako zaposeda), dok se kod Hegela radi o *opštem pravu* na privatnu svojinu koje podrazumeva mnogo jači pojam odnosa između ličnosti i činjenice posedovanja (veza između poštovanja svojine i poštovanja ličnosti povlači pravo svih da, po osnovu statusa ličnosti koji imaju, ljudi, da bi aktualizovali taj status, zapravo moraju, da bi se konstituisali kao osobe, da se pojave u ulozi posednika neke privatne svojine). Iako se i kod Loka i kod Hegela radi o *pravu* na svojinu (koje je usto načelno nezavisno od priznanja drugih, bilo da je to priznanje, kao kod *Kanta*, moralno obavezno ili ne), ipak su praktične implikacije ove razlike dalekosežne: dok kod Loka oni koji faktički ne poseduju ništa i dalje figurišu kao nosioci prava – ako se uslovi za realizaciju tog prava podese – kod Hegela je svojina uslov postojanja onih *svojstava* koja osobni život čine aktualno vrednim, što implicira da *svi* treba da budu aktualni posednici, kao uslov onoga što se podrazumeva: da se svačija personalnost zaista poštuje.

5 Kako je razvijeno u njegovim delima *Društveni ugovor* i *O poreklu i osnovama nejednakosti među ljudima*.

Drugi filozof koji se može videti kao Kantov prethodnik u za nas najzanimljivoj artikulaciji zasnivanja prava na svojinu, jeste *Hobs*. Kod Hobsa, kao i kod Kanta, *sigurnost* je ona vrednost koja je pretpostavka za svaku drugu vrednost pa i za svojinu; za sigurnost je međutim potrebno građansko stanje u kome će postojati država koja će imati pravo nasilnog „uterivanja“ zakona. Svega toga ne može biti u „prirodnom stanju“ u kome država ne postoji i evo kako Hobs opisuje to stanje: „U takvom stanju nema mesta nikakvoj radinosti, jer su plodovi njeni neizvesni, pa sledstveno tome nema ni kulture na zemlji; nema moreplovstva ni korišćenja robe koja bi preko mora mogla da se uveze; nema velikih građevina; nema sredstva za pokretanje i premeštanje predmeta koje iziskuje veliku snagu... I što je najgore od svega, postoji neprekidni strah i opasnost od nasilne smrti. A život čovekov je usamljenički, siromašan, opasan, skotski i kratak“ (Hobs 1991: 136–7). Sigurnost svojine je otuda pretpostavka one (ograničene) slobode koja može da se garantuje na osnovu zakona. A postojanje svojine će biti onda simptom i zaloga te sigurnosti.

Kod Kanta svojina ima čak još veći značaj, ona je zaloga i garancija, ali i izraz, slobode, jer je svojina zapravo proširenje ličnosti, i povreda svojine predstavlja povredu same ličnosti: „Nešto spoljašnje jeste moje ... samo ako smem pretpostaviti da tuđom upotrebom te stvari, u čijem posedu jesam upravo ja, ja takođe mogu biti povređen“ (Kant 1902: 6:245)<sup>6</sup>. Ali to povlači jednu značajnu razliku, koju Kant označava kao razliku između *čulnog* i *inteligibilnog* poseda – naime da je moja svojina nešto različito i odvojeno od mene, i da mi drugo značenje pojma poseda obezbeđuje pravo (ovlašćenje raspolaganja) svojinom i onda kad ona nije u mom neposrednom fizičkom posedu. To omogućava pravno definisanje poseda kao svojine ili vlasništva. Svaka se svojina pak zasniva na zajedničkoj svojini svih *osoba* nad svim *stvarima*, i posebno na „*zajedničkoj posedu zemaljske površine* i na tom posedu odgovorajućoj apriornoj opštoj volji koja dopušta *privatni posed* na zemlji“ (6: 250) – „jer bi inače nezaposednute stvari po sebi i prema zakonu ostale bez vlasnika“ (Ibid.), što je međutim u suprotnosti sa pojmom „inteligibilne“ ili umske svojine koja ne zavisi od empirijskih (prostorno-vremenskih) uslova već počiva na jednom „*prvobitnom opštem posedu (communio possessionis originaria)*“ (6:262), koji je zapravo uslov mogućnosti *sticanja* putem *zaposjedanja (occupatio)*. Ovo prvobitno zajedničko posedovanje „zemlje a time takođe i stvari na njoj (*communio fundi originaria*)“ jeste doduše samo jedna „ideja“, ali ona „ima objektivnu (pravno-praktičku) stvarnost“, koju ne treba pobrkati sa idejom neke stvarne „prapočetne zajednice (*communio primaeva*)“, koja predstavlja jednu „izmišljotinu (*Erdichtung*)“. Ta „objektivna pravno-praktička stvarnost“ je opšti normativni osnov mogućnosti

6 Stranice Kantovih dela se, standardno, navode prema izdanju Pruske akademije nauka, tako što se prvo navede tom (za *Metafiziku morala* je to 6, za *Zasnivanje metafizike morala* 4) a onda broj stranice u tomu.



konstituisanja svojine. Ali bez obzira što to povlači da je „površina zemlje“, kao i sve „stvari“, domen koji je svima otvoren za zaposedanje to ne znači da svojina postoji pre pravnog čina ustanovljenja, koji opet nije moguć u prirodnom stanju već samo u građanskom stanju u kome postoji konstitutivno stanje definisanih garancija za ona prava i ovlašćenja koja se validno ustanove, pa i za privatnu svojinu. „Prirodno pravo“ na privatnu slobodu ne znači nikakvo određeno pravo ili ovlašćenje, već ono može da se aktivira tek jednim društvenim ugovorom kojim se *sve volje ujedinjuju*, i tek nakon toga, u građanskom stanju, može postojati privatna svojina. Samo preko jednog takvog pojma društvenog ugovora moguće je doći do recipročnog obavezivanja na poštovanje tuđe svojine. Pre stvaranja građanskog društva nema nikakvih prava.

Neki kasniji filozofski autori (Prudon, Marks, Godvin) su međutim u privatnoj svojini videli moment neracionalnosti i glavnu prepreku u opštem društvenom progresu, izvor sukoba i nepravdi u društvu, otuđenje čoveka od njegove prave suštine (po Prudonu, svojina predstavlja oblik krađe ili pljačke), i kao rešenje predlagali *javnu* svojinu, delimičnu (nad sredstvima za proizvodnju, koja ne mogu biti „lična svojina“) ili totalnu. Ti su predlozi zatim bili predmet zamašnih, skoro globalnih, i koliko se zasad vidi katastrofalno neuspešnih, društvenih eksperimenata. Moguće je, međutim, da će budućnost dovesti do takvih oblika međuzavisnosti da neka posebna dobra budu izuzeta (bilo da se to ostvari kao opcija bilo kao obaveza) iz mogućnosti konstituisanja posebnih vlasničkih odnosa. Ali zapravo i sada su prava raspolaganja artikulisana tako da neka dobra predstavljaju opštu svojinu (a ne tek trivijalnu pretpostavku mogućnosti njihove opšte konzumacije), što se onda ponekad izražava kroz pitanja (ili probleme) u određivanju načina njihove distribucije (ili redistribucije). Tim pitanjima o određivanju prava, ovlašćenja, potreba, mogućnosti pristupa, njihovog obezbeđenja itd. bave se mnogi moderni filozofi prava i politike (Rols, Nozik, Dworkin, Gotije i mnogi drugi). Nozik je nastavljao Loka (Waldron, 1988: 254), kao u određenom smislu i utilitarista Gotije (Waldron, 1988: 215). Rols je ambivalentan, kao i Dworkin, ali oni su u suštini utilitaristi (Waldron, 1988: 13).

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### 3. Argument

Ako bismo hteli da svojinu definišemo na najkraći način mogli bismo da je uporedimo sa ugovorom: ono što ugovor obezbeđuje od ugovornih strana to svojina obezbeđuje od *svih*: pravilnost postupanja u okviru definisanog opsega postupanja koja važi za sve bez izuzetka, a ne samo za neke. Svojina predstavlja moć koju neka osoba ima u odnosu na predmet svojine tako da može da *promeni normativnu situaciju svih drugih* u pogledu prava raspolaganja tim predmetom (Ripstein 2009: 147). To je neobična i velika moć. To je moć da se drugi *isključuje* iz mogućnosti da ono što ja posedujem slobodno i po svojoj volji *upotrebe* za ciljeve koje oni postave. Da bi to mogli moraju prvo od mene za to dobiti dozvolu. Svojina je tako komplikovani relacioni

pojam – to je odnos između vlasnika svojine i drugih potencijalnih korisnika u pogledu upotrebe neke stvari.

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Svojina nije odnos između vlasnika i predmeta svojine. Ovaj drugi odnos je odnos upotrebe, ili potencijalne upotrebe, i za taj odnos nisu neophodni drugi; i direktna upotreba i trajno raspolaganje nekom stvari (posed) mogu postojati i bez drugih i njihovog odobrenja. Specifičnost odnosa koji se konstituiše u svojini je međutim da je to upravo odnos prema drugima, i to veoma jak odnos. Snaga tog odnosa se dobro vidi kada se uporedi sa snagom ugovornog odnosa, koji je takođe veoma jak odnos ali ipak znatno slabiji. Ugovorom se obezbeđuje pravilnost postupanja ugovornih strana, i ugovor obavezuje samo ugovorne strane. Pritom kod ugovora uvek postoji jedan broj ograničavajućih faktora među kojima je možda najjača klauzula po kojoj se ugovor može trenutno opozvati jednostranom voljom bilo koje strane (ugovor obavezuje ali nije neraskidiv, i važi samo dok se ne raskine prema nekoj ugovorom predviđenoj proceduri). Ova klauzula zapravo ne postoji kod svojine, njen sadržaj se ni u kakvom obliku ne odnosi na „druge“ (koji su po definiciji isključeni), a kod samog vlasnika je sadržaj ove klauzule, kao mogućnost odricanja od imovine, zapravo sadržan u klauzuli slobodnog raspolaganja svojinom (odricanje je vrsta upotrebe). Možemo zaključiti da je svojinski odnos jedan odnos ekstremno velike snage, jedan od normativno najjačih među onima koji postoje. Konstitutivno pravilo svojine kaže da su, ako je nešto predmet svojine, svi drugi osim vlasnika su potpuno i nepovratno isključeni iz prava raspolaganja predmetom svojine. Raspolaganje predmetom svojine je isključivo pravo vlasnika i kada je svojina uspostavljena to pravo je neporecivo i neopovrgljivo.

Kako nastaje tako jak odnos, i tako jako pravo? Videli smo na početku da neki misle da svojina označava skup različitih odnosa koji su samo labavo povezani jedan sa drugim. Čak i tako moralo bi se pretpostaviti da postoji neko zajedničko svojstvo pripadnosti tom skupu. Ali zapravo svojina je jedinstven i veoma precizan pojam. Čini se da je upravo ova preciznost svojstvo ili čak uslov ovako velike snage njenog konstitutivnog pravila – što labavo pripadanje nekom skupu sličnih odnosa ne bi moglo da pruži. Ja ću ovde poći od jednog kantovskog tumačenja svojine, koje će sačuvati preciznost i snagu konstitutivnog pravila svojine u obrazloženju koje polazi od veoma bazičnih pretpostavki o prirodi i načinu funkcionisanja ljudske delatnosti. Ta delatnost je zasnovana na *moćnosti svrhovitog postupanja*, dakle na *slobodi* kao moći da se postupi drugačije nego što bi se inače desilo. Ova moć pripada svim subjektima moguće delatnosti koje možemo označiti terminom „osoba“. Osoba je onda nosilac moći slobode koja se sastoji u mogućnosti postavljanja svrha (ciljeva) i iznalaženju sredstava koja, kada se upotrebe, treba da ispostave te svrhe kao posledice – u kontekstu da svega toga ne bi bilo da nema te moći i da ona nije stvarno upotrebljena. Sredstva su dakle uzroci ciljeva, a ciljevi su posledice sredstava (up. Babić 2007: (1), str. 141).

*Upotreba sredstava* je dakle ključni deo procesa slobodnog delanja i „pravo“ na takvu upotrebu je „prirodno pravo“ jer ne zahteva nikakvo prethodno opravdanje pošto je to deo „prirode“ takvih procesa. U ovoj shemi „sredstva“ su objekti, „stvari“, i ona *nisu* slobodna kao što su to *osobe*, ličnosti, koje stvari koriste kao sredstva za realizaciju ciljeva koje postave. Zapravo se svrhovitost i ne može zamisliti izvan ove sheme upotrebe sredstava za realizaciju postavljenih ciljeva. Ali da bi neki predmet mogao da se efektivno upotrebi kao sredstvo potrebno je preuzeti kontrolu nad mogućnošću te upotrebe ili, drugim rečima, potrebno je da korisnik sredstva *raspoláže* predmetom koji treba da se upotrebi kao sredstvo. Na prvi pogled ovo izgleda jednostavno, i kada bi se svet sastojao od samo jednog delatnika sve stvari bi mu bile stalno na raspolaganju. Ali svet sadrži više osoba i nije moguće da sve stvari budu svakome stalno na raspolaganju niti je pak moguće da jedna stvar bude, simultano i/li sukcesivno, upotrebljena kao sredstvo za realizaciju svih ciljeva za koje bi ona mogla biti sredstvo. Instrumentalna vrednost stvari je ograničena i troši se.<sup>7</sup> To je ono što povlači *oskudicu*, na koju ćemo se još vratiti (u pogledu konstitucije vrednosti i njene cene).

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Distinkcija između osoba i stvari je u osnovi svake normativnosti: delanje ne bi bilo moguće bez te distinkcije (bilo bi puko događanje). Delanje, koje se sastoji iz postavljanja ciljeva i pokušaja njihove realizacije, nužno uključuje upotrebu stvari kao sredstava, ako bilo šta treba da se učini.<sup>8</sup> Zamišljanje

7 Ponekad je ova simultanost pa i sukcesivnost „upotrebe“ mnogo dostupnija, ali obično nije. Npr. vrednost uživanja u gledanju neke slike se ne umanjuje ni brojem gledalaca ni brojem gledanja – instrumentalna (estetska) vrednost slike se ne umanjuje ni simultanošću ni sukcesivnošću „upotrebe“ i zavisi samo od drugih fizičkih uslova (veličine platna, fizičke blizine, kvaliteta očiju gledalaca, itd.) Ali instrumentalna vrednost stvari je u principu ograničena i to je ono što nužno proizvodi *oskudicu* kada je u pitanju opseg mogućeg raspolaganja stvarima kao sredstava za postizanje ciljeva i, sledstveno, *cenu* instrumentalne *vrednosti* sredstava za najrazličitije ciljeve. Većina sredstava su jednokratna, i mada je takođe tačno da se svako sredstvo može upotrebiti za više ciljeva (barem za više sličnih ciljeva) ona se upotrebom troše i nestaju.

8 Osobe su takođe *i stvari*: naša tela su neka vrsta nosača naših ličnosti. Ipak jasno je da nije telo to koje donosi odluke, kao i da je ono stvar sa kojom se može raspolagati. Ali pošto je telo *nosač osobe* na njega se prenosi ona vrednost koju ima osoba, i onaj odnos koji imamo prema osobama. Osobe su, i u delu u kome su one fizički predmeti, predmet posebnog vrednovanja koje ih isključuje iz domena stvari kojima se može slobodno raspolagati. Raspolaganje osobama zahteva usklađenost njihovih sloboda, jednako kada je u pitanju njihova ličnost i kada je u pitanju njihova telesna stvarnost. U svetu u kome *bi sve* stvari bile osobe delatnost bi bila veoma skućena: na planu svojine u takvom svetu ne bi moglo biti bespogovornosti raspolaganja i saglasnost „drugih“ bi izgubila svoje permanentno svojstvo. Svojine zapravo ne bi moglo ni biti jer ne bi bilo stalnog slobodnog (bez pitanja drugih) raspolaganja: iako bi se i u takvom svetu moglo raspolagati stvarima takvo raspolaganje *bi uvek* bilo podložno opovrgavanju (kao što je ugovor u našem svetu) i ne bi nikada *automatski* podrazumevalo saglasnost drugih kada nešto uzmem da ga upotrebim kao sredstvo za neki cilj koji sam postavio. *Uvek* bi bio neophodan *dogovor*. Da bih pojeo krušku prvo bih morao da se sa njom dogovorim o tome! Kada bi to bio slučaj

sredstava i njihove upotrebe svakako neće proizvesti nikakav stvaran učinak, čak i ako se realizovani cilj zamisli kao ostvareni učinak. Delanje nije *creatio ex nihilo* (Westphal 2002: 98).

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Otuda postoji „prirodno pravo“ na slobodno delanje (na slobodno postavljanje ciljeva i pokušaj njihove realizacije) – ništa u svetu ne stoji tome na putu, osim dve stvari: prirodnih zakona i volje drugih. Prirodni zakoni definišu demarkacionu liniju između zamišljanja (i željenja), sa jedne, i htenja (i delanja), sa druge strane, a svojina uklanja volju drugih iz domena moje legitimne delatnosti. Tako da se svojina može definisati i kao ovlašćenje na delanje, odnosno (važan) deo obezbeđenja ovlašćenja na delanje: obezbeđenje izglednosti za uspešnost delanja kroz obezbeđenje kontinuiranog raspolaganja sredstvima potrebnim za realizovanje ciljeva *koji se budu postavili*. To će obezbeđenje biti efektivno uspešno samo ako se sredstvima za realizaciju postavljenih ciljeva raspolaže *pre* nego što se ti ciljevi uopšte postave. Tu se vidi jasna veza između svojine i slobode kao moći da se ciljevi uopšte postave i pokušaju realizovati. Taj odnos se uspostavlja kao pravilo kako se ciljevi mogu postavljati u kontekstu ne samo postojanja više slobodnih aktera („drugih“) nego i neizbežnosti da se sa njima susretnemo u bilo čemu što radimo. Bilo koja stvar koju upotrebim bi mogla biti upotrebljena i od strane bilo koga drugoga, i to za mnoge druge ciljeve a ne nužno za onaj cilj zbog koga sam ja posegnuo za tom stvari kao sredstvom. *Moja upotreba* bilo koje stvari (za bilo koji cilj) mora da se suoči sa mogućnošću upotrebe te iste stvari od strane *bilo kog drugog* (za bilo koji cilj).<sup>9</sup> Bez *neko*g instituta poput svojine to suočenje se ne može zamisliti.

Zašto? Zato što je delatnost nešto što se dešava u vremenu. Kao što zahteva neko sredstvo za postavljeni cilj, svaka delatnost zahteva i *neko* vreme za svoju realizaciju, i u *toku tog vremena* bi mogla biti prekinuta od strane bilo koga drugoga ko bi posegnuo za tim sredstvom za neki svoj cilj, i rezultat bi bio ili sukob ili odustajanje od delatnosti. Sukob bi povlačio visoku verovatnoću

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moja sloboda bi se stalno i u svemu nužno sukobljavala sa tuđom slobodom i ne bi bilo nikakvog prostora za „neutralnu slobodu“ kakvu sada imamo u svom odnosu prema stvarima – da ih koristimo sasvim slobodno, *što se njih tiče* a da se naša sloboda da ih koristimo može ograničavati samo slobodom drugih ličnosti, koje, kao i mi, imaju isto načelno neograničeno pravo korišćenja stvari za svoje ciljeve. („Načelno neograničeno“ ne povlači doslovno neograničeno pravo raspolaganja: pored pomenute nemogućnosti totalne simultanosti i sukcesije i nepotrebno uništenje stvari, čak i kada nije *štetno* za druge u ovom trenutku, tj. kada taj postupak ne povređuje druge ličnosti, nije predmet ovog prava: čak i ako nije zabranjen takav postupak može biti neispravan jer ukida mogućnost buduće upotrebe koja, kao svaka upotreba, može biti legitimna: takvim postupkom se nepoznate buduće ličnosti *lišavaju* svog potencijalnog prava na raspolaganje i korišćenje te stvari.)

9 „Bilo koji“ je veoma jak kvalifikativ: on uključuje *sve* ljude (pa čak, u izvesnom smislu, i sva druga racionalna bića, ako ta bića postoje), sadašnje i *buduće* (pa u izvesnom smislu i prošle, ako je trag njihove volje ostao na nekoj stvari).

onemogućavanja delatnosti, dovoljno visoku da potpuno razori svaku predvidivost ostvarenja cilja (jedna strana u sukobu mora da izgubi). Zato je distinkcija između osoba i stvari, po kojoj osobe mogu da koriste – „imaju pravo“ da koriste – stvari kao sredstva za ostvarenje ciljeva koje sebi postavljaju, potrebno proširiti jednom stavkom o međusobnom odnosu osoba upravo na ovoj tački na kojoj se *mogućnost* korišćenja stvari pretvara u *pravo* korišćenja stvari: osobe imaju pravo, a ne samo mogućnost, da stvari koriste samo ako imaju valjan razlog („imaju pravo“) da očekuju da ih u procesu tog korišćenja druge osobe neće u tome sprečavati. Zapravo bez ovog prava, koje se zasniva na *uspostavljenom očekivanju*, nema ni mogućnosti pravilne i sigurne upotrebe stvari, jer se taj proces bez ovako shvaćenog prava ne može uredno završiti. To još uvek nije svojina, naravno. Ako uzmem neku stvar da se njome poslužim, upotrebim je i odmah odbacim, svojina se neće uspostaviti, iako privremeni posed hoće. Taj privremeni posed *prima facie* povlači da drugi neće pokušati da mi tu stvar otmu ili da me spreče u njenom korišćenju. Da bi na to imali pravo ta stvar mora biti *već* u nečijoj tuđoj svojini, ili barem u nečijem tuđem posedu. Ali ako pre nego što sam posegnuo za njenom upotrebom neka stvar nije bila ničija korišćenje te stvari će biti dovoljno legitimno da spreči bilo koga drugoga da me u tome ometa. Zašto?

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Jer bi to bilo nasilje i povreda moje ličnosti, ometanje ili sprečavanje moje legitimne slobode da kao osoba sam postavljam svoje ciljeve i koristim sredstva koja su mi na raspolaganju za njihovu realizaciju. Ali kako stvar koja još nije moja može da mi bude na raspolaganju? Može, i jeste, jer svaka osoba ima načelno pravo da upotrebi bilo koju stvar koja joj je potrebna kao sredstvo za ostvarenje njenog cilja osim jedino ako je ta stvar već zaposednuta od strane nekog drugog. Ako neka stvar ne pripada nikome i ako je moj cilj legitiman ja načelno imam univerzalno pravo upotrebe i svako narušavanje tog prava je povreda moje ličnosti.

To se može lepo objasniti primerom koji daje Ripstin (up. Ripstein 2009: 105). Ako u šetnji planinskom stazom uzmem štap koji leži pored staze da bolje balansiram svoje kretanje, bez ikakve namere da ga prisvojim, bila bi povreda moje ličnosti ako mi neko otme taj štap zato što on hoće da ga upotrebi za istu ili neku drugu svrhu, ili prosto hoće da me spreči da koristim taj štap, ili čak da me spreči da bolje balansiram svoje kretanje. Da to uradi može biti njegova legitimna *želja*,<sup>10</sup> ali od trenutka kada sam ga ja uzeo ne može više biti njegova legitimna *volja* – ta volja bi bila namera da mi ga *otme*. Ipak, štap nije postao moja svojina, sve dok, kako kaže Ripstin, nisam „dao

10 U primeru sa uzimanjem štapa nečija želja da taj štap upotrebi za neku svoju svrhu, ili i da ga ima jer mu se dopada, je legitimna, i pre i nakon što je ta želja mojim uzimanjem štapa postala legitimno neostvariva. Želja da mi štap otme već nije legitimna, ali je to praktički irelevantno jer želje nisu predmet ni moralnog ni pravnog ocenjivanja ili bilo kakve normativne zaštite (iako mogu biti predmet nekog drugog ocenjivanja, estetskog, religioznog, itd.).

znak“ da imam nameru da ga zadržim a ne da ga odbacim posle upotrebe (npr. da na neki način pokažem nameru da ga ponesem kući – to mogu uraditi tako što ću ga staviti u prtljažnik svog auta nakon šetnje, ili prosto da kažem da nameravam da ga uzmem). Ali svejedno, i ako nisam pokazao nameru da ga trajno prisvojim niko nema pravo da mi ga otima. Imao bi to pravo da sam uzeo štap koji je tuđe vlasništvo, ili da sam zgrabio štap koji neko drugi upravo koristi ali ga je na trenutak pometnuo da bi npr. pritegao uzice ranca. Ali ako sam ga ja *prvi uzeo* onda je on moj sve dok ga *držim u svom posedu*. Da ga je on prvi uzeo bio bi „njegov“, ne nužno njegovo vlasništvo ali svakako njegov posed, i onda ja ne bih imao ono pravo koje sada on nema. Naravno, i ta činjenica, činjenica zaposedanja, mora biti prepoznatljiva, što znači da čin „prvobitne akvizicije“ mora da bude javan, da bude prepoznatljivo očigledan.

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Dakle, imamo dva stepena svojine, posed i vlasništvo. Posed podrazumeva efektivnu kontrolu upotrebe neke stvari (zato je lopov u posedu ukradene stvari iako ona krađom nije postala njegova svojina). Posed nastaje zaposedanjem, kao i transferom svojine (kupovinom ili nekim drugim prenosom vlasništva, kao što je nasledstvo ili poklon). Ali transfer svojine je samo relokacija već uspostavljenog poseda, koji istinski nastaje samo zaposedanjem (akvizicijom). Zaposedanje je prelazak iz stanja u kome je nešto na raspolaganju svima u stanje u kome je to nešto predmet nečijeg isključivog prava.<sup>11</sup> Zaposedanje se razlikuje od jednokratne upotrebe jer predstavlja uspostavljanje kontrole nad *budućom upotrebom* neke stvari, uspostavljanje moći raspolaganja tom stvari kao sredstva za *bilo koji* cilj.

Da bi zaposedanje bilo legitimno, i pravovaljano, ničije pravo u tom prelazu ne sme biti povređeno. Videli smo da ljudi kao osobe imaju pravo da upotrebe svako legitimno sredstvo za ostvarenje svojih legitimnih ciljeva (ciljevi su legitimni ako njihovo realizovanje ne povređuje ničije pravo, sredstva su legitimna ako njihova upotreba to ne čini). Ako nešto nije ni u čijem posedu onda ničije pravo neće biti narušeno njegovim uzimanjem. To znači da se mogu zaposedati samo stvari koje zaista nisu ničije, koje nisu ničija svojina. One stvari koje su *definisane kao opšta svojina* (putevi, teritorija države, vazduh i sl.) ne mogu legitimno da se zaposednu i postanu privatno vlasništvo (osim uz saglasnost „vlasnika“ tih stvari, isto kao i u svakoj drugoj svojini).

Ali one stvari koje zaista nisu ničije *čekaju* ne samo da budu upotrebljene već takođe i da postanu nečija svojina. One čekaju ne samo da budu upotrebljene za realizaciju nekog, nečijeg, cilja, već i da postanu predmet kontrole

<sup>11</sup> Može se reći i da privatna svojina primarno, iako u suštini implicitno (prostom uzimanjem), nastaje prvobitnim zaposedanjem, i da sekundarno, i tada nužno eksplicitno, nastaje transferom. Za detaljnu analizu različitih vidova zaposedanja (otkriće, prvo zaposedanje, hvatanje, stvaranje, etc.); cf. J. Dukeminier, J. Krier, G. Alexander, M. Schill, 2010, Ch. I.

u okviru obezbeđivanja zahteva normativne strukture svrhovitosti: da budu sredstva i da kao sredstva budu na raspolaganju pre nego što se ikakav cilj postavi. Metafizički govoreći tako se ispunjava „priroda“, ili „svrha“, stvari – da *čekaju* da budu upotrebljene, strpljivo i bez otpora,<sup>12</sup> kao što bez otpora „dopuštaju“ da budu upotrebljene. Ovo „strpljenje“, ili pasivnost stvari, je zapravo metafizička osnova jednog nužnog aspekta svojine: da predmet svojine može validno da se poseduje, da nema prepreke da se svojinska relacija uspostavi. Stvari mogu da se poseduju, kao što mogu i da se upotrebljavaju. Rezultat je da imam pravo da uzmem (zaposednem, kupim) bilo šta ako time nikoga ne povređujem.

Suprotno Loku, koji svojinu izvodi iz vlasništva nad sopstvenom ličnošću i sopstvenim telom, ovde se, kantovski, pokazuje da se pravo pridržavanja legitimnog prvobitnog zaposedanja zasniva na pravu da se poštuje vlasnikova ličnost (pravu da mu se ne nanese povreda, oduzimanjem upotrebe zaposednute stvari). Poštovanje ličnosti je poštovanje slobode u njoj, a sloboda se ispoljava kroz delanje, koje je svrhovito i za koje je potrebno raspolaganje sredstvima za njegovu realizaciju, kao i pravo da se taj proces, ako je delanje legitimno, završi a ne da se prekida. Poštovanje ličnosti međutim nije svojinski odnos. Moj odnos prema sopstvenoj ličnosti nije svojinski (up. Ripstein 2009 93)<sup>13</sup> – inače bih mogao *sebe* prodati kao što prodajem ono što meni *pripada* (uključujući svoje vreme i svoje sposobnosti). Ali poštovanje moje, kao i svačije tuđe, ličnosti je moralni zakon, i zato imam pravo da moja svojina bude obezbeđena od drugih kao što sam i sam dužan da poštuju tuđu svojinu. Poštovanje uslova svojine ima moralno pokriće, krađa je nemoralna u istom onom smislu u kome je laž nemoralna.

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Svojina neće biti obezbeđena pukom činjenicom kontrole nad posedom. Da bi bila stvarno obezbeđena potrebna je takva pouzdanost koja će osigurati predvidivost budućeg raspolaganja, što zahteva da raspolaganje ne zavisi od faktičke kontrole moguće upotrebe posedovane stvari. Svojina treba da postoji i onda kada je vlasnik ne koristi, kada je odsutan, kada je upotreba te svojine kao sredstva potrebna nekome drugome (ili čak i potrebija!). Ako nismo sigurni da će kuća u kojoj živim biti tu i kada se vratim i da je neće zauzeti neko drugi onda je nećemo moći napustiti čak ni da odemo na posao. Zapravo, posedovanje stvari može da funkcioniše efikasno samo ako je stvarno priznato od drugih, što znači da puki posed nije dovoljan za obezbeđenje efikasne svrhovitosti delanja i pouzdano funkcionisanje delatnosti, i da je za koordinaciju delanja i izbegavanje sukoba potrebna svojina kao

12 Ali ovog strpljenja ima samo dok se poštuje priroda stvari izražena u prirodnim zakonima – onog trenutka kada se pokuša povreda prirodnih zakona stvari se žestoko bune! Up. Babić, 2007 (3), str. 8.

13 Up. Ripstein 2009: 93: „Niko drugi nije obavezan mojim odnosom prema samom sebi. Tvoje pravo svojine je pravo da ograničiš ponašanje drugih u odnosu na posebne stvari“.

vlasništvo a ne samo kao puki posed, koji zavisi od stvarne kontrole posedovane stvari.

Vlasništvo je složeniji pojam od poseda, ono podrazumeva javnu legitimaciju (a ne samo moralnu zaštitu raspolaganja za neku svrhu uzete stvari, zaštitu koja dolazi iz svetosti osobe koja, kao slobodno biće, ima pravo da koristi stvari). Vlasništvo je legitimacija poseda, društvena i pravna. Upotreba poseda je moja stvar, stvar moje slobode i mog odlučivanja, a legitimacija poseda je opšta stvar. Posed je legitimno raspolaganje, legitimno korišćenje; vlasništvo je garancija ove legitimnosti u budućnosti, nezavisno od korišćenja i bez potrebe za ponovnim zaposedanjem.<sup>14</sup> Time se svojina odvaja od neposrednosti korišćenja sredstava za postavljene ciljeve, i značajno proširuje opseg mogućih sredstava uspostavljanjem mogućnosti da se ona akumuliraju i budu na raspolaganju pre nego što se bilo kakvi ciljevi stvarno postave, otvarajući tako mogućnost da se i opseg mogućih ciljeva znatno proširi i tako sloboda, kao moć proizvodnje života<sup>15</sup>, uveća. U principu domen mogućih ciljeva ovim postaje virtuelno neograničen: iako ciljevi i dalje zavise od sredstava kojih nikada ne može biti neograničeno mnogo (moment oskudice, koji ispostavlja potrebu da se vrednost sredstava meri tržišnom merom, *cenom*)<sup>16</sup>, dimenzija budućnosti omogućava akumulaciju i *imovinu* sredstava koja će čekati dok se cilj ne postavi, tj. dok se ne skupe ili proizvedu sredstva dovoljna da se on može postaviti. Ova dimenzija budućnosti je svojstvo racionalnog i moralnog života, koji se može definisati kao delatnost usmerena ka budućnosti: delatnost postavljanja ciljeva i pokušaja da se oni ostvare. Pravilnost i pouzdanost u mogućoj upotrebi sredstava je uslov ovakvog života.

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14 Ili kako Kant kaže: „Nešto spoljašnje je moje ako bih bio povređen sprečavanjem njegovog korišćenja, čak i ako ga ne držim u direktnom posedu.“ Up. 6:249.

15 Život se sastoji u aktualizaciji moći slobode, moći da se postavljaju ciljevi i pokušaju realizovati: život je delatnost postavljanja ciljeva i napora da se oni realizuju – život je realizacija one moći koja je potencijalno sadržana u slobodi (up. Babić, 2007(2)).

16 Cena uspostavlja ravnotežu između raspoloživosti sredstava i ambicije u postavljanju ciljeva. Cena konstitutivno zavisi od oskudice – čim se nešto označi terminom „oskudica“ ono je postalo predmet potražnje, a cena onda uspostavlja ravnotežu: cena određuje da onoga što je u oskudici bude dovoljno, tako što oni koji mogu da priušte dobiju to što je u oskudici. Cena znači da nečega što je u oskudici ipak ima, i to da ga ima taman toliko koliko je dovoljno za one koji mogu da plate. Ova dijalektika može međutim proizvesti moralno sumnjive postupke, i moralno sumnjiva tumačenja svojine. Npr. kada se kaže da su organi za transplantaciju u oskudici oni su već na putu da dobiju svoju cenu koja će odrediti meru priuštivosti i proizvesti tržište u kome će ti organi biti svojina kojom se slobodno raspolaže, tj. koji se mogu (slobodno?!) prodavati i, sledstveno, kupovati. Ali da bi sve ovo uopšte bilo moguće potrebno je ne samo da postoji *potreba* za takvim organima (potreba izražena u ceni koja može da se plati) već, pre toga, prihvatanje da se radi o nečemu što je mogući predmet svojine, kao da su organi nešto čime se raspolaže – na osnovu nekakvog prvobitnog zaposedanja ili transfera (kupovine). A cena samo određuje da nečemu ima dovoljno za sve koji mogu da plate tu cenu. Šta će se pak pojaviti na tržištu zavisi od toga kako je definisana svojina.



Kako se to dešava? Kako se legitimacija poseda uspostavlja i kako posed postaje vlasništvo, autorizovano *društvenim priznanjem* i efikasno obezbeđeno sankcijama? Kako prvobitno zaposedanje postaje socijalna i, konačno, institucionalna činjenica? Šta treba da uradim da bi nešto postalo *moje*? Da bi onaj štap postao moja *svojina* ja moram, kako kaže Ripstin, da „dam znak“ da nameravam da ga posvojim, da hoću da bude moj, a ne samo da ga uzmem, upotrebim, i bacim. Šta se tada dešava?

Dešava se zapravo nešto neobično – uspostavlja se, postepeno, svojinsko pravo kao neprikosnoveno pravo. Pretpostavka je da je štap samo parče drveta koje tu stoji, pored staze, i nikome ne pripada. Ako već pripada nekome onda je svojina, tuđa ili moja već uspostavljena, ali to ovde nije slučaj. Ja ga uzimam da sebi olakšam hodanje, i odbacujem ga nakon upotrebe. Niko se ne buni, i *normaliter* nema ni prava da se buni, što smo videli u opisu pokušaja otimanja tog štapa koje bi bilo povreda poštovanja moje ličnosti, i nasilje. Nasilje funkcioniše, naravno, ali veoma loše jer nepoštovanje moje ličnosti mene razrešava obaveze da poštujem druge (ili bar te koji mene ne poštuju pokušavajući da mi otmu štap). Ali niko se neće buniti ni ako ga ponesem kući i prisvojim, a ne samo upotrebim. Zašto neće? Pa zato što sam ga uzeo, i što sam bio prvi koji je to učinio. Uzimanjem na stalno raspolaganje učinio sam ga svojim posedom, a odsustvom negiranja te činjenice posed se, postepeno kao što sam rekao, pretvara u vlasništvo – pa se neće desiti da nakon nekog vremena neko dođe u moju kuću i zahteva taj štap za sebe, na primer sa obrazloženjem da je dovoljno dugo bio kod mene i da bi sada mogao da bude malo kod njega. Ako bi takvo obrazloženje uspešno funkcionisalo vlasništvo ne bi moglo da se konstituiše. Ako bi bilo ko mogao da podnese validan prigovor na moj posed on možda ne bi mogao da mi ga uzme ali bi svakako sprečio uspostavljanje vlasništva koje ne samo faktički nego i zakonski menja normativnu poziciju svih drugih dajući vlasniku neprikosnoveno pravo raspolaganja i kada svoju imovinu ne koristi ili je nema u faktičkom posedu. Onog trenutka kada se vlasništvo konstituiše stupa na scenu jedan oblik obezbeđenja koji, iako ima moralno pokriće, više nije striktno moralne već pravne prirode – svojina postaje zaštićena zaprećenošću sankcijama koje su deo javne artikulacije svojine kao privatnog prava koje ima javno pokriće i javnu zaštitu. Lopovu se ukradena (tuđa) imovina oduzima, njegov posed, iako faktički uspostavljen kao kontrola moguće upotrebe (a ne samo tek kao puka upotreba) je drastično sužen na van-javnu, skrivenu, upotrebu, bez ikakve garancije osim da bude oduzeta ako se pojavi njen pravi vlasnik.

Moguće je, naravno, postati vlasnik i stvari koje su već u nečijem tuđem vlasništvu, ali da bi se to desilo neophodno je da se ostvari transfer koji će po svojoj normativnoj snazi biti jednak snazi prvobitnog zaposedanja. Za to je potrebna samo jedna stvar – da prethodni vlasnik *preda* svojinu novom vlasniku, i da taj postupak bude slobodan, tj. da *slobodno* preda ono što je njegovo nekome drugom. I ovde, kao i kod prvobitnog zaposedanja u ovom

procesu učestvuju svi, iako većina uglavnom pasivno. Naime, svakim novim uspostavljanjem nove svojine menja se normativna pozicija *svih* ljudi, ne samo vlasnika. U tome se sastoji logika legitimacije vlasništva, u procesu u kome se ponavlja univerzalni zahvat iz procesa uspostavljanja legitimnog poseda, ili čak samo upotrebe. Ovaj univerzalni zahvat povlači priznanje svih kao novo stanje stvari, što podrazumeva javnost, i zatim državu, kao svedoke i garante svojinskog prava.

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To je složen zahvat koji, u kontekstu recipročnog obavezivanja, počinje prvobitnim zaposedanjem, pod univerzalnom pretpostavkom da svako ima pravo da za svoje ciljeve upotrebi bilo koje sredstvo koje neće povrediti nikoga a da niko nije povređen upotrebom, ili zadržavanjem za buduću upotrebu, nečega što nije već u nečijem posedu (dok bi sa druge strane remećenje ili pokušaj remećenja upotrebe ili poseda bila povreda ličnosti delatnika koji koristi ili namerava da upotrebi neku stvar koja nije zaštićena tuđim vlasništvom). I prvobitno zaposedanje i bilo koji transfer svojine nakon toga su otuda legitimni *samo ako* ničije pravo u tim procesima nije povređeno – u *istom* onom smislu u kome bi neovlašćeno tuđe raspolaganje mojom imovinom bilo *povreda* mene i mog svojinskog prava. I kao što kod *upotrebe* nekog sredstva koje koristim za ostvarenje svog cilja oni koji su prisutni i koji su u prilici *nemaju pravo* da me sprečavaju u tome (jer bi time povredili autonomiju moje ličnosti koja mi daje pravo da sam postavljam svoje ciljeve i odlučujem o sredstvima za njihovu realizaciju) – osim ako ta upotreba nije legitimna jer krši neko prethodno konstituisano pravo – tako i kod vlasništva *svi*, i prisutni i odsutni, nemaju pravo da naruše moja vlasnička prava, bilo da sam prisutan ili odsutan.

Da bi to funkcionisalo potrebna je *javna legitimacija* svojine vlasništva i opšte priznanje (priznanje *svih*) da je u određenom slučaju takva legitimacija postala prihvaćena socijalna činjenica (da je postala, govoreći pravničkim jezikom, pravosnažna). To izgleda glomazno i zahtevno, ali zapravo nije. Ova legitimacija, govoreći kantovskim jezikom, sleduje automatski iz onih istih principa iz kojih proizlaze bilo koja prava: da svako ima pravo da živi, tj. da slobodno dela (a za delanje je potrebno da ima na raspolaganju i da upotrebi potrebna sredstva za ostvarenje ciljeva koje je postavio)<sup>17</sup>, da ono što se radi treba da bude u saglasnosti sa tuđom legitimnom slobodom, i da niko nema pravo da drugome ograničava njegovu slobodu osim kada su njegovim postupkom narušena neka prava. Tako da nema nikakve „javnosti“, ili „države“ koja bi odlučivala o tome da li da nešto nekome *pripadne*: jedino o čemu drugi mogu odlučivati je da li da nešto nekome *ne pripadne*. Drugi nemaju nikakvu osnovu da „daju“ bilo kakvu dozvolu (jer je ona već unapred normativno nužno

17 Što je, po Kantu, čak nužno: „Svako ko hoće neki cilj takođe hoće (nužno u skladu sa umom) ono sredstvo koje je potrebno za ostvarenje tog cilja a u njegovoj je moći“; cf. Kant, 4:417–18. To je princip racionalnosti: Nemoguće je nešto hteti a ne hteti za to neophodno sredstvo.

„data“ – ova nužnost proizlazi iz činjenice da aktualno postoje<sup>18</sup> delatna bića, ličnosti, i da ona delaju: ništa drugo ovde nije potrebno, niti moguće). Drugi ne mogu da uskrate priznanje „za svaki slučaj“, i zapravo uopšte ne mogu da ga uskrate.<sup>19</sup> Radi se o univerzalnom i apriornom pristanku: ni ja ni bilo ko drugi *nema pravo da ne pristane*, osim kada su povređena nečija prava. Ova univerzalnost pristanka ukazuje na postojanje jedne vrste *veta* u institutu svojine: ako je povređeno bilo čije *pravo* saglasnosti ni pristanka svih nema; ali ako takve povrede nema onda ovo pravo *veta* ne postoji.

Ali isto tako nema ni utilitarističke računice koja bi svojinu uslovlila korišću: npr. da ako je moja svojina drugome *potrebnija*, ili ako bi je drugi *bolje upotrebio* da onda svojina treba da *pripadne* njemu. To bi potpuno razorilo konstitutivnu logiku institucije svojine i onemogućilo dugoročno (privatno, slobodno) planiranje i sve što bi od svojine ostalo bilo bi neko *privremeno kvazipravo* (pravo upotrebe ograničeno činjenicom faktičkog korišćenja – dok je „korisno“ – poput nama dobro poznatog „stanarskog prava“ kojim je bilo delimično, i privremeno, zamenjeno svojinsko pravo na stanovima i kućama). I kao što pravilo da drugi može, bez moje dozvole, da uzme i koristi moju imovinu razara pravilnost i pouzdanost efektivne upotrebe, i na kraju razara racionalnost delanja tako i pravilo ograničenja svojine na puki posed radikalno umanjuje tu racionalnost.

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Da bi se normativna situacija svih drugih stvarno promenila zaposedanjem ono mora da bude priznato od strane drugih kao jedna socijalna činjenica. Ključni socijalni sastojak te činjenice je uspostavljeno očekivanje da će se ukupna normativna situacija, vlasnika na jedan a svih drugih na drugi način, stvarno poštovati. Deo ovog obezbeđivanja je i zaprečenost sankcijama za nepoštovanje svojine, što je nužan sastavni deo instituta *uspostavljenosti* ovog očekivanja (ne i deo procesa *uspostavljanja*, gde sankcije opet ne mogu da se pojave jer je taj proces u potpunosti slobodan, tako da se sankcije mogu

18 Oni koji bi da „izdaju dozvole“ moraju da smatraju da na onome *mestu* na kome se nalazi onaj kome se dozvola izdaje nije *slobodno* ljudsko biće, već neko biće koje nije u stanju da odlučuje, koje je nekompetentno i nedoraslo. Izdavanje *dozvola* za slobodno delanje, delanje koje ne ugrožava nikoga, je paternalističko i nasilničko. Druga je stvar obaveza, ako se ona uspostavi, *registracije* nekih namera ili odluka, jer one povlače dalje obaveze prema društvu i prema drugima (npr. poreske obaveze). Nešto što liči na obaveze jesu porcije u racionisanoj подели u nekom vanrednom stanju, npr. dozvola da se kupi samo ograničena količina nečega čega nema dovoljno, i sl. Iako se i ovde radi o ograničenju slobode to je ograničenje u skladu sa slobodom svih. Celokupna distributivna pravda mora da stane u ovaj okvir.

19 Ni država ne daje nikakve svojinske licence, ona se samo brine da svojina, moja, bude obezbeđena – tj. da je drugi poštuju, kao što i treba da čine. Kao što će mene sprečiti da neovlašćeno uzmem tuđe tako će i druge sprečiti da neovlašćeno (tj. bez moje dozvole) uzmu moje. (Kao artifičijalna ličnost država je stvarni vlasnik državne teritorije, omeđene državnim granicama, ali to je poseban tip svojine, koji međutim podleže istoj normativnoj logici kao i svaka druga svojina). Država samo brine da moja svojina bude obezbeđena, ona mi je ni na koji način ne daje – sam je uzimam!

pojavit će tek naknadno, nakon što se svojina konstituiše u opštoj prihvaćenosti), i ova činjenica opšte prihvaćenosti jeste jedna socijalna *činjenica* koja funkcioniše kao svršena činjenica uspostavljenog očekivanja da će se svaka svojina poštovati. Korist koju daje ova činjenica je očigledan: da će se tuđa svojina poštovati, kao deo očekivanja da će drugi poštovati moju svojinu.<sup>20</sup>

Sankcije su deo pojma prava jer, kako kaže Kant (6:232–3) nijedno pravo (pa ni svojina kao pravo) ne može postojati bez prisile (za razliku od moralnih dužnosti koje, kao i interesi, to mogu). Pravo se sastoji u javnom priznanju postojanja ili poželjnosti nekog budućeg stanja stvari. Ali da bi to priznanje funkcionisalo potrebna je javna regulacija, u vidu države koja će biti u stanju i spremna da sprovodi zakone u kojima se to priznanje sadrži.

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U zaključku obrazloženja načina nastanka i funkcionisanja svojine, kao i njenog normativnog statusa, može se reći da je to ustanova bez koje zapravo nema slobode delanja i to zato što posed (to lopovi dobro znaju)<sup>21</sup> ne vredi mnogo ako nema onu legitimaciju koja ga čini svojinom. Tek vlasništvo, javna društvena legitimacija poseda, čini posed stvarno i kvalitetno funkcionalnim i vrednim. Mogućnost upotrebe, pa i poseda, postoji i u prirodnom stanju, ali videli smo opis života u takvom stanju. Ako imamo na umu definiciju racionalnog života kao delatnosti postavljanja i realizacije postavljenih ciljeva, jasno je da je redovnost i sigurnost u raspolaganju sredstvima nešto što svojina može obezbediti, a da bez svojine, kao i bez države, život mora biti upravo onakav kako ga opisuje Hobs: „usamljenički, siromašan, opasan, skotski i kratak“ (Hobs, 1991, str. 136–7). I država i svojina su ustanove ljudske slobode. I jedna i druga ustanova se mogu zloupotrebiti. Ali bez njih nema pouzdane predvidivosti, a to, predvidivost, je ključni sastojak svrhovitosti, što je opet ono na osnovu čega sloboda postoji i zbog čega ima vrednost. Ta vrednost je prevashodno u tome da se može „savladati“ vreme kao medijum u kome se živi, i da život nije nešto što se odvija samo u sadašnjosti, već da uključuje i budućnost, kroz planove i projekte koji se mogu realizovati, kao i prošlost, kroz akumulaciju postignuća uspeha u realizaciji prošlih planova i projekata. Ni akumulacije ni mogućnosti planiranja ne bi moglo biti bez raspolaganja sredstvima još pre nego što se ikakvi ciljevi uopšte i postave, a to je ono što čini svojinu kao instrument života. Možemo reći da svojine ne može biti bez poseda (bez realnosti raspolaganja), ali da ni posed bez vlasništva nije sasvim realan (nego je privremen, nesiguran i potencijalno fiktivan). To je tako zato što je svojina, na mnogo jači način nego posed, instrument kontrole budućnosti. Njom se obezbeđuje prediktabilnost u

20 Sankcije pretvaraju posed u vlasništvo, kaže Ruso. Poštovanje tuđe svojine je obezbeđeno pretnjom sankcijama.

21 Isključenje iz *prava* raspolaganja ne povlači nužno isključenje iz *mogućnosti* raspolaganja, samo kaže da je bilo koje raspolaganje tuđom svojinom bez odobrenja vlasnika bespravno. Upravo ova mogućnost raspolaganja tuđom imovinom zorno predočava razliku između poseda i vlasništva.

otvorenom i neizvesnom prostoru budućeg vremena. Ona je tako osnova mogućnosti brige za budućnost. Otuda njen veliki značaj za najznačajnije regije života, npr. ekonomiju ili ekologiju.

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Jovan Babić

Property – A Philosophical Analysis: Argument

### Abstract

After a short historical survey of philosophical views on property, the article contains an analysis of the argument which justifies property by referring to the universal respect due to anyone's right to use any thing for any purpose. Usage

of things for the realization of set ends (or goals) is among the conditions of action/agency. The capacity of freedom as a specific causal power in real world is dependent on the possibility of using things as means. However, without a real prospect to finish the process of realization of set goals, this causal power would not be real. Property is a scheme within which this prospect becomes a real possibility. Property is thus a condition of effective successful purposeful agency. In property the normative position of all others, besides the owner, has been changed, as they do not have the right to use things possessed for their ends, although they have a right to use any non-possessed thing as a means for whichever end they might set. As a right, property entails, first, the obligation to respect the fact of any established *possession*, and, second, an obligation to accept and recognize the established possession as *ownership*, which does not depend on the fact of factual physical control of the property. Ownership is therefore a guarantee of future possession. For this to be established there is a need for an explicit recognition from all others; however this recognition is normatively necessary for everybody, as no-one has a right to withdraw the recognition of a legitimate right to property. This comes from the ontological and axiological difference between persons and things: persons have a right to use and possess unpossessed things as means for realization of ends they set.

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**Keywords:** property, possession, ownership, entitlement, freedom, agency, means-ends relation, persons, things

Dragan Prole

## Pasivnost i niveliranje Huserl, Hajdeger i Hugo Bal

**Sažetak** Prvi deo rada ispituje srodnost u dijagnozama savremenosti kod Huga Bala i Martina Hajdegera. Oba mislioca prepoznaju *niveliranje* kao važnu osobenost svoga vremena. Niveliranje o kojem govori Bal poistovećeno je sa apokaliptičnim ukidanjem ljudskosti. Do njega dolazi tako što se sve ljudske tvorevine ispostavljaju kao jednako vredne, što postaje moguće tek nakon što najpre biva ukinuta vrednosna vertikalna, zahvaljujući kojoj se nekada vrhunsko delo razlikovalo od prosečnog. Kod Hajdegera je niveliranje poistovećeno sa pervertiranim oblicima radoznalosti. Za razliku od nekadašnjih oblika radoznalosti, kojima je bila zajednička volja za dubljim uvidom, savremena radoznalost je krajnje površna, prepuštena bez ograda svim utiscima za koje se ispostavi da nadilaze očekivano i već viđeno. U drugom delu rada ispituje se Huserlov pojam pasivne sinteze da bi se intervencija fenomenologije posmatrala iz perspektive dekonstrukcije učinaka *niveliranja*. Autor zaključuje da ona za rezultat ima upozorenje da se posredstvom prirodne subjektivnosti i konvencionalnih oblika znanja ne možemo zaštititi od sveta kojem smo izloženi, na osnovu čega je nužan povratak izvornoj subjektivnosti, što je zajednička ideja avangardista i fenomenologa.

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**Ključne reči:** pasivnost, niveliranje, klasično, avangarde, fenomenologija

### Otpor niveliranju

Poklonicima filozofije 1927. je znana kao godina objavljivanja Hajdegerovog *Bivstvovanja i vremena*.<sup>1</sup> Malo ko među njima, međutim, ima u vidu da je svetlost dana iste godine ugledala i knjiga neobičnog naslova *Beg iz vremena*. Njen sadržaj sačinjavaju posthumno objavljene beleške jednog od osnivača i „kuma“ dadaističkog pokreta Huga Bala. Nesvakidašnji uspeh i iznenađujuća popularnost teško prohodne, složenim, neobičnim jezikom pisane, ali možda i najčitnije filozofske knjige dvadesetog veka, podudara se sa publikovanjem životnog i intelektualnog rezimea umetnika kojeg je rana smrt dočekala daleko od očiju javnosti.

Motivi za entuzijastično upisivanje pojma vremena u naslov obe knjige zaslužuju posebnu pažnju. S jedne strane, vreme stoji u direktnoj vezi s ključnim pojmom ontologije, dok se s druge vodi nevidljiva borba protiv neumitnosti vremena, čime se oglašava tipičan posleratni krik. Njegova dramatičnost se ogleda u potrebi da se po svaku cenu izbegnu kobna lica savremenosti.

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1 Rad na ovom tekstu omogućen je zahvaljujući finansijskoj podršci Ministarstva prosvete, nauke i tehnološkog razvoja RS na projektu 179007.

Pojam vremena se u oba slučaja tesno vezuje uz strukture egzistencije koja je bila radikalno suprotstavljena svakidašnjim, konvencionalnim pogledima evropskog čoveka. Dok Hajdeger poziva u pomoć iscrpnu, produbljenu refleksiju vremena radi hvatanja u koštac s najtežim i najapstraktnijim filozofskim problemima, Bal radije preporučuje bezuslovnu distancu, razvijanje svesti o ugroženom sopstvu i neuhvatljivoj prirodi vremena koje izmiče samom sebi.

U ničeanskom duhu, i jedan i drugi svoj osnovni fokus usmeravaju na pružanje otpora ključnim osobenostima vremena kojem Hajdeger pripisuje neprijatni atribut neautentičnosti. Radikalno drugačije, alternativno vreme filozof razvija zahvaljujući kritici apstraktne, krajnje posredovane, ali dokučive sprege između temeljnih stavova evropske metafizike i dominacije tehničke civilizacije koja bez njih ne bi bila zamisliva. Advent drugačijeg doba umetnik je nastojao da isprovocira sugerišući „orgijastičko predavanje“, tj. beskompromisno i načelno iracionalno suprotstavljanje dominantnoj pragmatičnosti i lukrativnosti. Vodeći Balov *credo* pri tom glasi da je teže ne baviti se vlastitim vremenom, nego pružiti mu otpor. Nešto neodoljivo je pripisano duhu savremenosti, kao da nije moguće otrgnuti se od nje, niti ostati imun na njene izazove. Uspešno razračunavanje s duhom kalkulacije, koristi i grabljenja materijalnih dobara, za Huga Bala je bilo moguće tek ukoliko razumske procedure izgube svoju nedodirljivu i tradicionalno nezamenljivu ulogu u orijentisanju ljudskog egzistiranja.

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Pretpostavke za vaskrs Dionisa usred naizgled nezaustavljivog uspona tehnološke civilizacije za dadaistu se mogu steći tek ukoliko se pronađe lek za fragmentiranost savremene egzistencije i na planu svakidašnjice neizbežan i neumoljiv „privredni fatalizam“. Odgovarajući lek dadaista nije očekivao od filozofskih uvida. Naprotiv, njihov oblikotvorni učinak on pripisuje pređašnjim vremenima, jer tekstura sadašnjosti navodno nalaže da se inovativni potencijali za kreiranje nove duhovne stvarnosti prepoznaju isključivo kod umetnika: „Moglo bi se činiti kao da je filozofija prešla kod umetnika; kao da od njih dolaze novi impulsi. Kao da su oni proroci novog rođenja. Kada kažemo Kandinski i Pikaso, ne mislimo na slikare, nego na sveštenike, ne na zanatlje, nego na stvaraoce novih svetova, novih rajeva“ (Ball 1927: 10).

Idejne pretpostavke koje stoje iza krajnje ambicioznog projekta umetničke transformacije stvarnosti, čiju mogućnost u uslovima modernog života je Hegel odbacio pre više od stoleća, mogu biti donekle razjašnjene nakon što uočimo šta nam poručuju kako umetnikove, tako i filozofove dijagnoze koje se odnose na savremeni trenutak. Dadaista će pre Velikog rata lakonski zabeležiti „Niveliranje je kraj sveta“ (Ball 1927: 6), dok će fundamentalni ontolog ustrojstvo savremene subjektivnosti dovesti u vezu sa dominacijom pervertirane radoznalosti: „Ona traži Novo samo zato da bi od njega iznova odskočila ka Novom. Za brigu takvog viđenja se ne radi o tome da shvati i da znalački bude u istini, nego o mogućnostima da se prepusti svetu ... Ona otuda traga za nemirom i uzbuđenjem posredstvom uvek Novog i izmenom



onoga što susreće“ (Heidegger 1993: 172). Niveliranje o kojem govori Bal poistovećeno je sa apokaliptičnim ukidanjem ljudskosti. Do njega dolazi tako što se sve ljudske tvorevine ispostavljaju kao jednako vredne, što postaje moguće tek nakon što najpre biva ukinuta vrednosna vertikala, zahvaljujući kojoj je nekada konstituisan pojam klasičnog.

Osnovna teza Balovog uvida glasi da savremenost ne dozvoljava da nešto iskoči kao značajnije, vrednije i dragocenije, što drugim rečima znači da vreme u kojem živimo raspolaže mehanizmima koji onemogućavaju nastanak klasičnog. Štaviše, dadaista spretno poistovećuje niveliranje sa *krajem sveta*, jer uviđa da tamo gde je sve jednako važno zapravo ništa nije važno. Proizvoljnost i frivolnost kao posledice ukidanja vrednosne vertikale ispostavljaju se kao naročito kobne kada shvatimo da one zapravo *ukidaju pravo jednog vremena da nekom drugom vremenu važi kao tradicija*. Postupak niveliranja ukida svet, ali ne tako što ga doslovno uništava, nego tako što njegovu produkciju isporučuje vrednosnom vakuumu, čime mu onemogućava da bilo šta predstavi u svetlu koje je značajno drugačije od već viđenog. Zahvaljujući niveliranju, ljudski *poiesis* je dugoročno prepušten ništavilu, u čemu Bal vidi kraj jednog sveta u kojem su umetnički i svi drugi stvaralački produkti imali drugačiji status i značaj.

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## Dve vrste radoznalosti

S druge strane, Hajdegeru je prevashodno stalo da demistifikuje specifičnosti savremene subjektivnosti bez kojih niveliranje ne bi bilo zamislivo. Neobično je da mu je pri tome naročito pomogao fokus zadobijen ontološki motivisanim istraživanjima. Bačenost u biće, kao osobenost konačnosti ljudskog saznanja, nagnala ga je da u horizontu savremenosti ponovo ispita vreme kao princip individuacije, odnosno medij uobličavanja ličnosti. Polazeći od toga da tubivstvovanje egzistira vremenito, Hajdeger iznosi tezu da svako razumevanje bivstvovanja biva razumljivo tek na pozadini vremena (Luckner 2001: 21). Ispitamo li pozadinu vremena u kojem funkcioniše savremena radoznalost, uočićemo da se ona sastoji u nizu trenutaka koji su lišeni bilo kakve međusobne povezanosti. Za razliku od nekadašnjih oblika radoznalosti, kojima je bila zajednička volja za dubinom, savremena radoznalost je krajnje površna, prepuštena bez ograda svim utiscima za koje se ispostavi da nadilaze očekivano i već viđeno. Time se karakter savremene radoznalosti iskazuje kao pseudo-romantičarski. Dok se romantičarski umetnik trudio da samostalno proizvede efekat oneobičavanja, da u samom sebi stvori duševni pokret i uzbuđenje, pseudo-romantičarska subjektivnost nemir i uzbuđenje očekuje spolja. Umesto da estetički doživljaj kreira u ispunjenju vlastite intencije, ona ga traži izvan sebe, čime neminovno dospeva u konzumerski odnos prema stvarnosti. Masovna žeđ za uzbuđenjem i nemirom stvorila je ogromnu potražnju, a samim tim je podstakla i porast ponude. Bez dominacije ovog pseudo-romantičarskog ugođaja teško bismo mogli da se osvedočimo u globalnu rasprostranjenost i enormne prilode industrije zabave.

Budući da joj preostaje tek prepuštenost uzbuđljivim segmentima svakidašnjeg sveta, radoznalost je oblikovana vremenom koje nije prikladno za osmišljavanje egzistiranja. Štaviše, nestrpljivo prelaženje sa novog na još novije ima za cilj da sa sebe strgne teret koji nosi povezivanje sadašnjosti u jedinstvenu smislenu celinu sa prošlošću i sa budućnošću. Svedena na nizanje međusobno nepovezanih trenutaka, ljudska egzistencija neminovno biva obezličena. Radoznalost koja sebe ostvaruje tako što neumorno traga za spoljnim nadražajima neminovno izjednačava nejednako. Ona nivelira jer nema nameru da se trajno zadrži pri bilo kojoj „novini“ na koju naiđe. Umesto da sebe uobliči u koliko-toliko smislenu celinu, radoznala savremena egzistencija se neprekidno izlaže međusobno nepovezanim utiscima, nastojeći pri tom da od sebe odagna vremensku određenost vlastitog egzistiranja.

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Perpetuiranje takve radoznalosti svoj alibi traži u klišeima koji ne žele da prihvate konačni i prolazni karakter ljudskog egzistiranja. To biva najvidljivije u različitim varijacijama na temu neprolazne mladosti. Iza nametljive, ali i na prvi pogled ipak privlačne devize poput „zauvek mlad“, ne krije se ništa drugo do emfaza radikalne pojedinačnosti, prepuštanje heterogenim nemirima i hotimičnim uzbuđenjima kojima je zajedničko samo to da ne žele da budu vreme. Avanture savremene radoznalosti se nužno završavaju u kandžama nesrećne svesti. Budući da joj je stalo da napusti vreme, da umakne njegovoj determinaciji, radoznalost se naposljetku suočava s hroničnim deficitom vremena koje nije u stanju da obuzda, jer joj nekontrolisano izmiče iz ruku. Radoznali beg iz vremena ne može imati srećni završetak jer umesto osvajanja neke vanvremenske dimenzije, ili bolje rečeno klasične svevremenitosti, nužno okončava vlastitim ukidanjem. Balov i Hajdegerov protest protiv niveliranja u svojoj srži su imali upozorenje da umesto nekadašnjih, vremenski neoročenih važenja na savremenu scenu stupa ukidanje svakog važenja.

### Dejstvo modernog u iskradanju iz vremena

Još interesantniji čini se momenat u kojem se Hajdegerova analitika radoznalosti približava dadaističkom motivu *bekstva iz vremena* Huga Bala. Njeno polazište sugerise da ako je nekadašnja projekcija večnosti za hrišćanskog vernika predstavljala prauzor spram kojeg se ogledao i utešno odmeravao svaki trenutak prolaznog, konačnog postojanja, „prirodna“ putanja neautentične egzistencije uporno zaobilazi i ignoriše konačnost. Time ona simulira večnost bez evokacije bilo kakve transcendentne instance. Rečju, Hajdegerova kritika neautentičnog egzistiranja obesmišljava nastojanje da se večnost prećutno nastani tamo gde bi trebalo da bude vreme. Sekularizaciji zasigurno treba da zahvalimo napuštanje hrišćanskih snova o večnosti, ali ona ipak nije mogla da spreči savremenog subjekta da se neprestano „iskrada“ iz vremena, kako bi umakao njegovim oblikovnim silama. Naime, upravo motiv iskradanja iz vlastitog vremena Hajdeger ponavlja u kontekstu egzistencijalne

izgubljenosti u savremenosti. Prema njemu tubivstvovanje „i poslednji ostatak svoje vremenitosti mora da iskoristi kako bi se u potpunosti išunjalo iz vremena, tubivstvovanja“ (Heidegger 1995: 25).

Međutim, ono što je lako razumljivo na planu pojedinačnog egzistiranja, Hajdeger uopštava ispostavljajući sasvim sličnu dijagnozu i kada je reč o opštim osobenostima moderne produkcije: „Sve moderno je prepoznatljivo po tome što se veštački išunja iz svog vlastitog vremena i samo u tom obliku je u stanju da sebi obezbedi ‘dejstvo’“ (Heidegger 1988: 18–19). Karakteristično je da se u oba slučaja uvodi motiv šunjanja. Onaj ko se šunja, želi da promeni mesto, a da pri tom ne bude opažen. Neopažena i neočekivana promena mesta biva naročito efektna kada joj pođe za rukom da kreira umetnosti blizak efekat oneobičavanja. Ono što očekujemo na jednom mestu, iznenada se pojavljuje na drugom, proizvodi utisak već samim tim što ga tako nismo očekivali, aktivirajući ujedno i igru prisustva i odsustva.

Ipak, ovde je ključno pitanje o kakvom pojmu modernosti govori Hajdeger? Ukoliko nije sporno da se dobar deo modernih patologija sastoji u simuliranoj neprolaznosti koja se bez ostatka „prepušta svetu“, a pri tom neprekidno obnavlja potragu za njegovom zavodljivom i nepredvidljivom estetičkom ponudom, zbog čega je problematičan pokušaj da se bude „nesavremen“, da se nekim vidom umetničkog delanja iskorači iz jednostranosti vlastitog vremena? Hajdeger jednoznačno insistira na „veštačkom“ karakteru nastojanja da se zameni vremenska pozicija.

Drugim rečima, moderno stvaralaštvo o kojem on indirektno govori, karakteristično je po tome što poput neautentičnog pojedinca ignoriše vlastito vreme. Međutim, za razliku od njega ono ne simulira vlastitu večnost, nego pokušava da se neprimetno nastani i rasprostire u nekom drugom vremenu. Moderno o kojem govori Hajdeger neće da bude svezremeno, ono ne igra na kartu klasičnog. Ukoliko je pojedinac koji se šunja nekuda van svoga vremena zbog toga nužno izgubljen u savremenosti, za produkciju se to svakako ne može reći, jer ona njome vešto barata i uspeva da je zameni nekim drugim vremenom. Možemo tek da naslutimo da Hajdeger nju ne odbacuje zbog oneobičavajuće rokade vremenskih dimenzija, nego zbog posledica koje ona ostavlja na pojedinca. Ako je svrha onoga što Hajdeger zove modernim da deluje, da ostvari neki učinak na svoju publiku tako što će potajno, mimo ustaljenog vidokruga, baratati vremenom, onda je sasvim jasno da ovaj filozofski promoter ekstatičke vremenitosti takav vid stravalastva ne bi mogao pozitivno da oceni. Možemo lako da zamislimo Hajdegerovo negodovanje koje bi verovatno ukazalo da kao da nije dovoljan masovni nedostatak osvešćenja o vlastitoj temporalnosti usled kojeg se generiše izgubljenost savremenog pojedinca, nego joj dodatno doprinosi i umetnička produkcija sa kojom se taj pojedinac susreće u svojoj svakidašnjici. U svakom slučaju, Hajdegerova implicitna i nedovoljno razvijena osuda ne pogađa klasičnu

svevremenost, nego sklonost savremene produkcije da kod svoje publike kreira efekat čiji cilj je da se diktat vremena barem na trenutak napusti zahvaljujući imaginarnoj seobi u neko drugo vreme.

### Huserlova fenomenologija i izloženost pojedinca

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Iz perspektive egzistencijalne analitike takva seoba nužno unosi dodatnu konfuziju u popriličnu „izloženost“ savremenog pojedinca. Međutim, sličan efekat na pojedinca ostavlja i susret s klasičnim, koji Hajdeger ne pominje. Naime, za klasična dela takođe ne važi primat budućnosti. Slutnja da sutra može biti značajno drugačije od danas, za njih ne znači mnogo. Ravnodušnost spram temporalnosti upisana je u tkivo klasičnog dela, pošto ono implicira pravo na važenje i priznanje nezavisno od promenljivih likova asocijativne sinteze sadašnjosti, prošlosti i budućnosti. Dokle god postoji vera u mogućnost stvaranja koje nadmašuje diktat vremena u kojem se rađa, trajaće i predstava o klasičnom. Klasična dela iznad svega svedoče o postojanoj snazi tradicije. Nasuprot duhu avangardi, koji glasno najavljuje rascep i beskompromisno svedoči o diskontinuitetu, klasičnom je prevashodno stalo do ponavljanja. Za razliku od Hajdegerove vizije ponavljanja koje proističe iz lične povesnosti pojedinca i predstavlja izraz odlučnosti i izbora vlastitih egzistencijalnih mogućnosti, klasična verzija ponavljanja pre ima izgled samopotvrđivanja. Iz perspektive klasičnog, povest nije ništa drugo do proces u kojem ono nadvremeno igra glavnu reč, jer mu uvek iznova biva odata počast i poštovanje. Umesto obećanja promene, u kojoj valja prepoznati prvu kategoriju povesnog vremena, u horizontu klasičnog razaznaje se tek niz varijacija, tek različiti valeri i odjeci njegovih vlastitih pouka.

Nasuprot Arnoldu Gelenu, koji u savremenom svetu umetnosti vidi tek kristalizovani sistem u kojem su sve mogućnosti već isprobane (Gehlen 1971: 273), klasično delo uvek računa na nove mogućnosti recepcije. Nema kraja mogućnostima tumačenja klasičnog, u tome se i sastoji njegova neiscrpnost. Dominacija klasika se uvek obnavlja, ona traje bez obzira na domašaje aktuelne duhovne produkcije. Ono što je klasično nastalo je jednom za svagda, odlučno istrajavajući u svojoj jedinstvenosti i neponovljivosti, uprkos značajnim razlikama u načinu na koji biva iskušeno i doživljeno.

Imamo li sve to u vidu, nužno ćemo se zapitati o poreklu iritacije koju savremena filozofija, a iznad svega fenomenologija, oseća u odnosu na fenomen klasičnog. Ima li razloga da fenomenologija zaobilazi klasično i tamo gde se njena pažnja ne usmerava na mnogobrojne i raznovrsne fenomene zbog kojih je pojedincu neobično teško da se u savremenim okolnostima izbori za autentičnost? Savremena nelagoda začinje se s uvidom da tvrdokorno poverenje u trajnost klasičnog ignoriše dela posvećena prolaznom ili kontingentnom, koji počevši od Bodlera stoje u fokusu modernista. Takva dela su u potpunosti predana savremenom trenutku, pa stoga ili namerno ne žele da budu

klasična, ili pak usled svog neklasičnog usmerenja prosto nisu u stanju da se okite tim uzvišenim epitetom. Kao da dominacija klasičnog ukusa podrazumeva da on ostaje u potpunosti imun na tvorevine duha koje se, u skladu s nalogom Paula Klea, iscrpljuju u „posuštinjenju slučajnog“ (Kle 1998: 39), da ih tretira kao niže vredne i hronično nedovoljne, zbog čega ravnodušno „prolazi“ mimo njih kao da se nikada nisu ni dogodile.

Istini za volju, pored momenata koji su savremenom filozofskom senzibilitetu tuđi i neprihvatljivi, valja ponovo istaći i zavidan stepen srodnosti fenomenološkog pojma filozofije s klasičnim idealima. Za početak je dovoljno podsetiti da vremenitost *idealnih predmeta* i kod Huserla ima formu *svremenitosti*. Ako je tako, onda se postavlja pitanje da li transcendentalna Mi-dimenzija, kao principijelno promenljiva struktura, zapravo „intimno“ teži ovekovečenju, tj. trajnom iskoraku iz promenljivih istorijskih strujanja? Zar Huserlov pojam idealnosti ne cilja na jedinstvo smisla koje se u najrazličitijim zamislivim kontekstima može ponavljati i pri svemu tome ostati isto? Jasno je da je svako delo koje zovemo klasičnim dostojno takvog pojma idealnosti.

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### Klasično kao trag kolektivnog pamćenja

Huserlovo učenje o pasivnoj sintezi počiva na uvidu da tok retencija, tj. svega onoga što je u svesti zadržano od prošlih iskustava i doživljaja, pod uslovom da nije praćen aktivnim učešćem subjekta, neprekidno motiviše intencije očekivanja „i time čini da su one slično određene u smislu svog stila“ (Husserl 1966: 323). Pasivno odvijanje „struje“ naše svesti nužno implicira i da će naša očekivanja ostati nepromenjena, a njeno vremenovanje prema Huserlu omogućava konstituciju jedinstvenog, „univerzalnog“ vremena za koje je karakteristično da svi osvešćeni sadržaji imaju svoje stabilno, čvrsto utvrđeno mesto.

Izostanak aktivnog učešća Ja podrazumeva inerciju svesnog života, a dokle god ona gospodari očekivanja su uvek ista, pošto je sadržaj očekivanog trajno određen iskustvima koja su ostavila najdublji trag u samosvesti. Nasuprot Kantovom pojmu iskustva koje nastaje posredstvom sinteze čulne raznovrsnosti, apriornih intuicija i kategorija, „Huserl ukazuje na sloj našeg iskustva koji je doduše organizovan u skladu sa čvrstim zakonima, ali se ne uspostavlja tek posredstvom aktivnog pojmovnog oblikovanja“ (Costa 2010: 226). Posmatramo li ga u širem horizontu istorije filozofije, fenomenološko učenje o pasivnosti pre svega cilja na ukidanje kantovske disjunkcije receptivnost/spontanost.

Nasuprot pretpostavci da smo uvek *ili* aktivni *ili* pasivni, Huserl uočava nivo konstitucije koji se odvija pasivno, što znači bez svesnog učešća našeg ja, ali uprkos tome iza sebe ostavlja znatan učinak, tj. ima formativni značaj za aktivni svesni život. Polazeći od pretpostavke da svesni život ima različite slojeve, Huserl upućuje na niz procedura koje se odvijaju u svesti mimo našeg direktnog učešća. Premda odbija pojam nesvesnog, tvrdeći da je svest uvek svest u svim svojim fazama, osnivač fenomenologije bez daljnjeg ostavlja

mesto za svesne procedure koje se odvijaju s one strane samosvesti. Svest vremena, osećajnost, sećanje, svi ti nivoi funkcionišu zahvaljujući učincima koji su se dogodili, a da pri tom sa naše strane nisu ni vođeni niti su neposredno osvešćeni. Tek zahvaljujući dubljem nivou fenomenološke redukcije možemo reflektivno da analiziramo, primera radi, način na koji se u našoj svesti uspostavlja asocijativna sinteza retencije (onog zadržanog iz prošlosti, što deluje u sadašnjem trenutku), protencije (momenata anticipacije i očekivanja) i prezencije (svesti sadašnjeg trenutka). Otuda zahvaljujući Huserlu možemo da formulišemo jedan od paradoksa svesnog života: *strukture pasivnosti prethode i iz osnova oblikuju aktivnost*.

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Pre nego što postavimo pitanje o svojim aktivnostima, prema Huserlu treba da postanemo svesni da svaki naš opažaj, uvid ili osećaj biva ustrojen u skladu s izvesnom *tipologijom* koju nismo sami ustanovili, jer ona nipošto ne predstavlja posledicu našeg svesnog odabira. Tek zahvaljujući konstitutivnoj snazi pasivnosti postaje jasno zbog čega su naše intencije „slične u pogledu svog stila“. Ono što opažamo registrujemo na određeni način. Taj način je vođen imanencijom naše vremenske svesti, a ne svesnim izborom u skladu s prethodno utvrđenim preferencijama. Ako opažaj važi kao osnov čovekove orijentacije u okolnom svetu, onda je veoma važno znati da habitus našeg opažanja nije nastao isključivo kao posledica naših osvešćenih aktivnosti i dobrovoljno donesenih odluka.

Dakako, konkretni habitus u svakom trenutku može biti detaljno analiziran i razmatran, ali takva razmatranja uvek nužno zapinju čim se suoče sa zadatkom da detaljno polože računa o njegovom racionalnom ustrojstvu. Osnova naših iskustava i svega onoga što je za nas važno na svetu, u sebi krije nešto strano, nešto što prosto izmiče pokušaju da ga potpuno obuhvatimo i iscrpno razumemo. Ono što nije nastalo blagodareći našem svesnom vođenju nego zahvaljujući habitusu koji smo stekli posredstvom specifičnog načina „vremenovanja“ svog svesnog života, predstavlja sloj koji nosi celokupnu racionalnost i stoga joj ne može ni biti pristupačan poput nekog spoljašnjeg objekta. Prihvatimo li ovu sugestiju na ličnom planu, onda ćemo nužno morati da se zamislimo kako stoje stvari kada je reč o kontinuiranom, kolektivnom Mi?

Sva je prilika da se po pitanju konstitutivne uloge pasivnosti „logika“ pojedinačnog egzistiranja ne razlikuje drastično od dinamike kulturnog života zajednice. Kao da pasivno stanje svesti anonimno izgrađuje svoj stabilni, „klasični“ svet u kojem sve zauzima svoje unapred određeno mesto, dok, s druge strane, kulturna stvarnost takođe s dugoročnim ambicijama oblikuje postojanu, zaokruženu sferu „u kojoj sve već ima svoje ime“ (Waldenfels 2008: 199). Da li je onda opravdano pomisliti da postoji i intersubjektivni, kolektivni nivo pasivnosti koji određuje našu recepciju aktuelne umetničke produkcije, a koji je ustanovljen zahvaljujući merama i aršinima klasičnih dela? Može li odvažna teza Georga Zimela da pored individualnog postoji i *sećanje roda*, da pronađe svoju prikladnu primenu upravo na terenu recepcije umetnosti?

Za razmatranje ovog pitanja dragocena je Zimelova ideja da *a priori* zapravo ne predstavlja preiskustvene datosti niti zakonitosti, nego iskustveno stečeni i prilagođeni način organizovanja iskustva, koji usled njegove konstantnosti i pouzdanosti doživljavamo kao nešto nezavisno od empirije. Povežemo li njegov stav da „Apriori ima za posledicu izvesno oblikovanje, tj. spajanje zatečenih predstava“ (Zimel 1994: 16), sa Halbvahsovom pojmom kolektivnog sećanja, ispostaviće se zanimljiv zaključak. Naime, Levinasov i Blansoov strazburški profesor doprineo je uvidu u pasivne strukture svesnog života tezom da čak i individualno viđenje predmeta pretpostavlja izvesan vid kolektivnog iskustva jer, ako ništa drugo, prilikom usamljeničkog čina posmatranja nužno napuštamo ličnu perspektivu „ne da bismo se pomešali sa predmetima, već da bismo ih sagledali sa stanovišta drugih“ (Halbvahs 2013: 295). Ako u pozadini načina na koji oblikujemo svoj svesni život i organizujemo svoje utiske o stvarnosti stoje tragovi kolektivnih iskustava, onda dospevamo nadomak mogućnosti da klasike sagledamo kao *kolektivni apriori*, kao pasivno, nereflektovano polazište koje itekako oblikuje strukture estetskog iskustva.

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Ukoliko pojedinačni život pasivno vode njegova presudna iskustva, onda se izmicanje izvan rutine i aktivna sintetička izgradnja smisla preporučuju kao jedini izlaz iz konstelacije prema kojoj tragovi pređašnjih kolektivnih iskustava uvek prete da postanu „sudbinski“ i „kobni“. Posmatrana iz perspektive kolektiva, moć pasivnosti se ispoljava gde god dominira jezik usmerenosti koja je zadobijena zahvaljujući kolektivnom sećanju, ali je itekako prisutna i tamo gde vlada predstava o unapred odlučanim ishodima.

Primeru radi, kada je reč o izgradnji kolektiva u znaku pasivnosti – realnost deklarativno aktivne postrevolucionarne izgradnje se rukovodila jedinstvenim i neprikosnovenim diktatom, čime se čak i na retoričkom planu neočekivano približavala strukturama zajednice koje snažno veruju u sudbinu. Diskurs pasivnosti zavladao je tamo gde su najavljene promene kakve ljudska istorija nije zabeležila: „Staljinistička kultura se nije orijentisala na deautomatizaciju već na automatizaciju svesti, na njeno sistematsko formiranje u potrebnom pravcu putem njenog upravljanja sredinom, bazom, njenim nesvesnim [...]“ (Grojs 2009: 67). Tome nasuprot, uprkos svom revolucionarnom raspoloženju duh avangardi izričito je insistirao na otrežnjenju i suočavanju s uvidom da se jedinstvo, kao takvo, više ne može pronaći (Däubler 1988; 37). To konkretno znači da jedinstvo, tamo gde postoji, nastaje jedino tako što biva nasilno konstruisano. Sledstveno tome, kulturni život može biti naglašeno predvidljiv, što predstavlja pouzdan znak da je zapravo „umrtvljen“ sebi svojstvenom pasivnošću, što ga suprotstavlja specifičnom vremenskom ustrojstvu umetničkog dela. Dok habitus kulturne stvarnosti odlikuje pasivnost, tj. „jednaki stil“ u intencionalnim očekivanjima, istinska temporalnost umetničkog dela, sa svoje strane, upućuje na „zaustavljanje vremena“ (Levinas 1994: 119). Izraženo u terminima filozofije egzistencije,

takvo vreme je nužno vreme teskobe, vreme za koje bi se pre moglo reći da je „prazno“ (Blanchot 1955: 260), nego da je određeno tragovima odlučnosti ili nekadašnjih orijentacija, odnosno vremenskih perspektiva kojima su „ponovljena“ pređašnja iskustva. Utoliko se nasuprot trajanju, kao središnjoj osobenosti klasičnog, avangardno ispostavlja kao prekid, rez, zasezanje u inertnoj, tromoj pasivnosti kulturnog života.

Ipak, nije li ovaj paralelizam pasivnog strujanja svesti i inercije kulturnog života u kojem vladaju klasici prestrog i neodrživ? Nije li nam upravo fenomenologija pokazala da smisao može postati povesan tek nakon što je najpre postao idealan, budući da označava „idealno identični momenat svih saglasnih svesnih doživljaja“ (Husserl 1966: 321)? Ukazuje li iz fenomenološke perspektive fenomen klasičnog na nešto drugo, a ne da je određenom jedinstvu smisla pošlo za rukom da trajno iskorači izvan svoje uronjenosti u promenljivo tkivo empirijskog povesnog toka? Napokon, nije li sasvim opravdano istaći da se fenomenološki pojam smisla iskazao kao neobično srodan sa kontekstom u kojem se javlja klasična sjevremenitost?

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U tom kontekstu postaje naročito zanimljivo može li se Huserlov pojam pasivne sinteze posmatrati kao svojevrsna reakcija fenomenologije usmerena na dekonstrukciju savremenih učinaka *niveliranja*? Ukršten s učenjem o pasivnosti, zahtev za imanentnim poreklom svih istina, odnosno umetničkih postignuća, predočava nam u kojoj meri stvaralački potencijal svesti počiva u proizvođenju ideja koje ipak nisu karakteristične tek za našu intimnu, autonomnu proizvodnu delatnost, nego su načelno meta-subjektivne, što onda znači i da su pomenute ideje imune na svoju „istorijski prvu aktivnu konstituciju u konkretnoj svesti“ (Rombach 2004: 38). Motivacija za napuštanje izvornog Huserlovog projekta *čiste fenomenologije* postaje jasnija nakon uvida da su u našem odnosu prema klasičnom fenomenolozi prepoznali visok stepen podudarnosti sa niveliranjem, sa savremenim mehanizmom čija pretnja se sastoji u onemogućavanju umetničkih, kulturnih ili filozofskih iskoraka.

Intervencija fenomenologije započinje nedovoljno spominjanom intuicijom da ukoliko sagledavanje učinaka *niveliranja* ima za rezultat upozorenje da se posredstvom prirodne subjektivnosti i konvencionalnih oblika znanja ne možemo zaštititi od sveta kojem smo izloženi, onda nam ne preostaje ništa drugo do da nađemo način da se vratimo natrag „originarnoj“, „izvornoj“, „primitivnoj“ subjektivnosti. U tome se teško može prevideti njihova srodnost sa vodećim nastojanjima avangardista. Nema sumnje da su se za okret prema izvorima subjektivnost listom opredeljivali i avangardni umetnici. Funkcionalnost povratka izvornom svetu Teodor Dojbler video je tek kao medijum umetničke strategije zahvaljujući kojoj posrednim putem iz savremene izopačenosti, preko dodira s drevnom, netaknutom i nepromenjenom tradicijom afričke umetnosti, dospevamo nadomak neuslovljenog, što je



vekovima važno kao svrha filozofske aktivnosti: „Na taj način se približavamo apsolutnom, ne tek primitivnom“ (Däubler 1988: 131). Napokon, vanredno je zanimljiva i istovremenost, prema kojoj se prvo izlaganje Pikasovih *Gospođica iz Avinjona*, naslikanih zahvaljujući umetnikovoj inspirisanosti afričkim maskama dogodilo iste 1907. godine u kojoj je Huserl držao kurs predavanja pod naslovom *Ideja fenomenologije*.

Rezultati insistiranja na izvornoj, ili „primitivnoj“ subjektivnosti nisu mogli da mimođu ni karakter iskustava s kojima se ona suočava. Jedno je odmah jasno: takva subjektivnost više nije orijentisana u skladu s pravilima perspektive. Avangardni pokreti će u shvatanju subjektivnosti na sebi svojstven način anticipirati logiku Patočkine *asubjektivne fenomenologije*. Prema njoj, u Ja nema ničega, budući da ego postaje vidljiv tek zahvaljujući onome čime je okupiran u fenomenalnoj sferi (Patočka 1988: 122). Sledstveno tome, svet umetničkih iskustava nije oblikovan ni apriornim strukturama samih umetnika, niti je pak diktiran spoljašnjim merama predmetnog sveta.

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Napuštanje perspektive ipak ne znači i raskid s principima individuacije. Naprotiv, individuiranje se sada začinje u mediju samosvojnih umetničkih susreta sa stvarima. Njihova inventivnost biva moguća tek kada umetniku pođe za rukom da iskorači iz samog sebe, da napusti rutine, usvojene obrasce i naučene forme. Umetničko iskustvo iziskuje napuštanje vlastitosti i izlaženje u susret stvarima na način koji ne zadovoljava ni teorijske interese, ni praktičke svrhe. Pitanja o istini umetničkog dela, kao i o njegovoj svrsi, iz osnova su tuđa osobenosti umetničkog iskustva. Njegovoj prirodi daleko je bliže pitanje o prelazu, prekoračenju, pomeranju iskustvenih granica, ili o njihovoj transgresiji. Zbog toga i fenomenologe možemo lako da zamislimo kako posmatraju afričku masku, te u njoj uviđaju duboku srodnost sa svetom svakidašnjih iskustava, poput Huga Bala: „ono što nas na maskama sve fascinira je da one ne otelovljuju ljudske, nego natprirodne karaktere i strasti. Postaje vidljiv užas ovog vremena, parališuća pozadina stvari“ (Ball 1927: 97). Time se Bal naizgled pozicionira kontrarno Hajdegeru, ali zapravo iznosi komplementarnu dopunu njegove kritike modernosti. Rečju, ako se Hajdegerov osvrt ticao „neautentične“ strategije modernog *poiesis*, Balova reakcija se ticala mogućnosti „autentičnog“ umetničkog izraza. Dok se za fundamentalnog ontologa kob modernosti sastojala u neprimetnom iskoračku u neko drugo vreme, za dadaistu pretnja savremenosti postaje vidljiva u artefaktima koji potiču iz davnih vremena i kultura. Autentični umetnički gest bi za njega predstavljao preokretanje pomenutog iskradanja iz vlastitog vremena. Umesto da bežimo iz savremenosti tako što ćemo evocirati neka druga vremena, mnogo je bolje da razvijamo sposobnost da u najsnažnijim izrazima minulih vremena vidimo otelovljenja koja dodiruju središte savremenosti. Utoliko i fascinacija umetničkim nasleđem prevashodno ima smisla posredstvom evokacije nevidljivog, tj. transgresije posredstvom koje smo u prilici da uočimo nevidljivu pozadinu našeg životnog sveta.

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## Dragan Prole

### Passivity and Leveling

### Husserl, Heidegger and Hugo Ball

#### Abstract

The first part of this paper explores the kinship in diagnosis of contemporaneity of Hugo Ball and Martin Heidegger. Both thinkers recognize leveling as an important trait of their age. In Ball's terms, leveling is identified with the apocalyptic abolishment of humanity. That happens by equalizing all of human creation, which becomes possible only after the abolishment of the hierarchy of values, thanks to which it was previously possible to distinguish a work of art from an average work. With Heidegger, leveling is equated with the perverted forms of curiosity. Unlike the former forms of curiosity, coupled by the common desire for deeper insight, modern curiosity is fairly superficial, let loose with no boundaries to all the impressions which supersede the expected and already seen. In the second part of the paper, Husserl's term of passive synthesis is examined, so we can observe the intervention of phenomenology from the perspective of deconstruction of the effects of leveling. I conclude with a warning that we cannot protect ourselves from the world to which we are exposed by natural subjectivity and conventional forms of knowledge. Which insight leads us to revert to the sources of subjectivity, the idea common to both the avant-garde and the phenomenologists.

**Keywords:** passivity, leveling, classical, avant-garde, phenomenology

Ivan Mladenović

## Od javnog uma do deliberativne demokratije

**Apstrakt** U ovom članku bavimo se odnosom između javnog uma i deliberativne demokratije polazeći od Rolsove kasnije političke teorije. Nasuprot kritičarima koji smatraju da Rols nema teoriju deliberativne demokratije, zastupamo stanovište da Rols ima kompleksno viđenje javne deliberacije koje sadrži čitav niz formalnih i supstantivnih zahteva izvedenih iz ideje javnog uma. Naša namera u ovom radu je upravo da ponudimo argumente i dodatno obrazložimo zašto je Rolsovo političko učenje važno za koncepciju deliberativne demokratije. Pored toga, nastojaćemo da u svetlu novijih istraživanja u oblasti deliberativne demokratije razmotrimo u kojoj meri je Rolsovo učenje relevantno za suočavanje sa nekim aktuelnim problemima, ali i koja su ograničenja perspektive javnog uma.

**Ključne reči:** javni um, deliberativna demokratija, razložnost, konsenzus, većinsko glasanje

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U ovom radu bavićemo se odnosom između javnog uma i deliberativne demokratije polazeći od Rolsove (J. Rawls) kasnije političke teorije.<sup>1</sup> Kada je reč o Rolsovom odnosu prema deliberativnoj demokratiji stavovi autora se po tom pitanju razilaze. S jedne strane, pojedini autori tvrde da je Rolsova politička teorija irelevantna za koncepciju deliberativne demokratije. Tako Simon Čembers (S. Chambers) kaže da, „iako Rols podržava deliberativnu demokratiju i njegova koncepcija javnog uma ima centralan značaj za takvo razumevanje demokratije... njega ne smatram teoretičarem deliberativne demokratije“ (Chambers 2003: 308). Slično tome, Majkl Sovard (M. Saward) ističe da, „uprkos Rolsovim tvrdnjama i tvrdnjama komentatora, Rols nije i ne može biti deliberativni demokrata“ (Saward 2002: 112). S druge strane, autori koji su više naklonjeni Rolsu tvrde da koncepcija deliberativne demokratije ima značajnu ulogu u okviru njegove teorije. Čarls Larmor (C. Larmore) u tom pogledu iznosi stav da, „Rolsovi skorašnji spisi o javnom umu pružaju nacrt kompleksnog modela deliberativne demokratije“ (Larmore 2003: 368). S tim se slaže i Džonatan Kvong (J. Quong) tvrdeći da „javni um zahteva određenu formu deliberativne demokratije“ (Quong 2014: 265). Semjuel Frimen (S. Freeman) takođe ističe da je „ideja javnog uma od centralnog značaja za stanovište deliberativne demokratije“, smatrajući pritom da, „Rols uviđa posebnu potrebu za tim da javni um reguliše argumente i deliberaciju u političkom životu demokratije“ (Freeman 2000: 396, 399).

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1 Tekst je nastao kao rezultat rada na projektu Instituta za filozofiju i društvenu teoriju, Univerziteta u Beogradu, br. 43007, koji finansira Ministarstvo prosvete, nauke i tehnološkog razvoja Republike Srbije.

Naš prvi cilj u ovom radu biće da pokažemo zašto je pogrešno stanovište autora koji smatraju da je Rolsovo učenje irelevantno za deliberativnu demokratiju. Ovo ćemo nastojati da uradimo pre svega razmatrajući odnos između ideje javnog uma i koncepcije deliberativne demokratije. Uprkos tome što se slažemo sa autorima koji tvrde da je Rolsova zamisao o javnom umu relevantna za teoriju deliberativne demokratije, smatramo da u literaturi koja se dotiče ovog pitanja nedostaju argumenti i detaljnije obrazloženje zašto je to tako. Naša namera u ovom radu je upravo da ponudimo takve argumente i dodatno obrazložimo zašto je Rolsovo političko učenje važno za koncepciju deliberativne demokratije. Toliko o prvom cilju ovog rada. Drugi cilj je da u svetlu kasnijih istraživanja u oblasti deliberativne demokratije razmotrimo u kojoj meri je Rolsovo učenje relevantno za neke aktuelne probleme, ali i koja su ograničenja Rolsovog stanovišta u vezi sa deliberativnom demokratijom. U tom pogledu, branićemo koncepciju deliberativne demokratije za koju smatramo da je u velikoj meri u skladu sa Rolsovim pretpostavkama, ali koja istovremeno ide dalje od tih pretpostavki i suočava se sa nekim pitanjima koja su kod Rolsa ostala otvorena. Drugim rečima, nastojaćemo da polazeći od nekih rolsovskih premisa dođemo do svojih zaključaka u vezi sa deliberativnom demokratijom.

Ideja javnog uma, kako je Rols shvata, pre svega se odnosi na ideal dobro uređenog demokratskog društva. Moglo bi se reći da ova ideja ima svoju liberalnu i svoju demokratsku dimenziju. U osnovi liberalnog shvatanja legitimnosti nalazi se zamisao da je za opravdanje osnovnih principa političke zajednice, kao i mehanizama prinude koji ih podržavaju, nužno da se sa njima saglase sve slobodne i jednake individue. Liberalna dimenzija ideje javnog uma sastoji se u tome da bi građani dobro uređenog demokratskog društva, upravo kao slobodni i jednaki, ali i kao racionalni i razložni, mogli da prihvate određene principe kojima bi bila regulisana osnovna ustavna pitanja, kao i upotreba političke moći. Zato Rols smatra da se u osnovi ideje o javnom umu nalazi ono što naziva principom liberalne legitimnosti. Ovaj princip glasi da je „vršenje političke moći... pravilno i stoga opravdano samo kada je u skladu sa ustavom, ako je razložno da očekujemo da će njegove osnovne elemente potvrditi svi građani u svetlu principa i ideala koji su im prihvatljivi kao razložni i racionalni“ (Rols 1998: 258).

Za demokratsku dimenziju ideje o javnom umu je karakteristično da u dobro uređenom demokratskom društvu građani, kao kolektivno telo, donose odluke koje su od ključne važnosti za političku zajednicu. Rols kaže da, „demokratski ustav predstavlja principijelno izražen u višem pravu politički ideal naroda da sobom vlada na određeni način“ i dodaje da je „cilj javnog uma da artikuliše taj ideal“ (Rols 1998: 273). Osnovna zamisao u vezi sa Rolsovom idejom javnog uma jeste da je u meri u kojoj se sledi moguće donošenje kolektivnih odluka koje bi istovremeno bile prihvatljive svim slobodnim i jednakim građanima. Ali da bi liberalna i demokratska strana

ideje javnog uma bile u ravnoteži, nužna je, bar tako misli Rols, pretpostavka o građanima koji su ne samo racionalni, već i razložni. To znači da ideja javnog uma podrazumeva spremnost da se javne debate i glasanje o temeljnim političkim pitanjima, u dobro uređenom demokratskom društvu, rukovode razlozima koje bi svi mogli da prihvate.

S obzirom da Rolsovo viđenje javnog uma u velikoj meri počiva na pretpostavci o razložnim građanima, nužno je najpre videti šta se pod time podrazumeva. Razložnost je pojam koji Rols određuje u kontrastu spram pojma racionalnog. Pojednostavljujući stvari, mogli bismo reći da je racionalna ona osoba koja sledi neku svoju koncepciju dobra ili koja postupa u skladu sa ličnim interesom. Za razliku od toga, razložna osoba je ona koja postupa rukovodeći se osećajem za pravdu ili ona koja dela u skladu sa principima koji mogu biti prihvatljivi i drugim osobama. Polazeći od ovakvog viđenja razložnosti, Rols određuje razložne građane kao one koji su, „sagledavajući jedni druge kao slobodne i jednake u sistemu društvene saradnje kroz generacije, spremni da jedan drugom ponude nepristrasne uslove saradnje u skladu sa onim što smatraju najrazložnijom koncepcijom političke pravde; i takvi su ako se saglašavaju da postupaju u skladu sa tim uslovima, čak i na uštrb vlastitih interesa u određenim situacijama, ukoliko te uslove prihvate i drugi građani“ (Rols 2003: 175–176). Rols, u svojim kasnijim radovima, pretpostavku o razložnosti građana uglavnom dodatno razjašnjava pozivanjem na kriterijum reciprociteta. Za ovaj kriterijum, Rols kaže da, „kada se... uslovi predlože kao najrazložniji uslovi nepristrasne saradnje, oni koji ih predlažu moraju misliti da je u najmanju ruku razložno da ih prihvate i drugi, kao slobodni i jednaki građani, a ne zato što su potčinjeni ili izmanipulisani ili pod pritiskom inferiornog političkog ili socijalnog položaja“ (Rols 2003: 176). Pretpostavka razložnosti podrazumeva, dakle, da građani jedni drugima nude nepristrasne uslove saradnje u formi razloga koje bi svi mogli da prihvate. Idejom reciprociteta dodatno se specifikuje da ova prihvatljivost mora da počiva na uzajamnom tretiranju osoba kao slobodnih i jednakih.

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Postavlja se, međutim, pitanje zašto je nužno, kada je o javnom umu reč, da građane posmatramo kao razložne, a ne samo kao racionalne? Očigledno, radi se o prilično idealizovanoj verziji građana. Pitanje je, dakle, šta je to što opravdava tako visok stepen idealizacije. Prirodna reakcija je da se tvrdi kako je pretpostavka o razložnim građanima irelevantna za demokratska društva onakva kakva ih poznajemo. Zbog toga treba istaći da je Rols u prvom redu zainteresovan za normativnu koncepciju demokratskog društva kojoj bi bila odgovarajuća određena normativna koncepcija građana. On za javni um kaže da, „kao idealna koncepcija građanstva za ustavni demokratski režim, on pokazuje kako bi stvari mogle da izgledaju, shvatajući ljude onakvima kakvima ih pravedno i dobro uređeno društvo podstiče da budu“ (Rols 1998: 254). Drugim rečima, ideja javnog uma ne odnosi se na to kako se u realno postojećim demokratskim društvima odlučuje, već kako bi trebalo da

se donose odluke u idealizovanoj verziji dobro uređene demokratije. Međutim, problem visokog stepena idealizacije u vezi sa razložnim građanima i dalje ostaje. Moguće je, naime, formulisati normativnu političku teoriju uzimajući u obzir institucije onakve kakve bi mogle da budu, a građane onakve kakvi jesu. Ili barem, imati neko manje idealizovano viđenje građana. S obzirom da se Rolsova teorija izlaže riziku ovakvih prigovora, problem koji ona treba da reši morao bi da bude nerešiv drugačijim sredstvima, da bi stepen idealizacije bio opravdan. Ali o kom problemu je reč?

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Rols polazi od činjenice razložnog pluralizma koja je karakteristična za demokratsko društvo. Ako je činjenica u vezi sa demokratskim društvom da će se građani razlikovati s obzirom na mnoštvo razložnih religijskih, moralnih i drugih sveobuhvatnih doktrina, onda se javlja problem kako je uopšte moguće doći do neke zajedničke koncepcije pravde i zajedničke osnove na kojoj bi bila rešavana pitanja osnovnih ustavnih elemenata. Rolsov odgovor na ovaj izazov je dvostruk. Prvo, on smatra da je moguće postići preklapajući konsenzus oko koncepcije pravde samo ako je ona formulisana kao politička koncepcija, nezavisno od bilo koje sveobuhvatne doktrine i upravo kao takva prihvatljiva za skup svih razložnih sveobuhvatnih doktrina.<sup>2</sup> Drugo, on smatra da je jednom kada postoji zajednička osnova opravdanja u političkoj koncepciji pravde, ili barem ograničeni domen porodice liberalnih političkih koncepcija, na osnovu javnog uma moguće definisati sva ključna pitanja ustavnih elemenata. Preklapajući konsenzus definiše političku osnovu koja bi mogla da bude zajednička svim građanima, dok zahvaljujući javnom umu ono što je zajedničko za sve građane biva pretočeno u ustavna određenja.

Ali ono što leži u osnovi oba ova odgovora jeste da se u političkom domenu umesto oslanjanja na celu istinu kako je vidi svaki građanin iz perspektive svoje sveobuhvatne doktrine, moramo osloniti isključivo na razložnost.<sup>3</sup> Insistiranje na sopstvenom sveobuhvatnom gledištu kao istinitom, kao i izvođenju koncepcije pravde na tim osnovama jeste put koji vodi u međusobne sukobe i suprotstavljanja, a ne ka stabilnosti demokratskog poretka. Po Rolsu, stabilnost demokratskog društva treba da počiva upravo na javnom umu i preklapajućem konsenzusu razložnih sveobuhvatnih doktrina. Tek u tom slučaju može se govoriti o dobro uređenom demokratskom društvu. Kao što se do preklapajućeg konsenzusa ne može doći ako se insistira na čitavoj istini svog sveobuhvatnog gledišta, već na razložnom prihvatanju određenih političkih vrednosti, pa otud i političke koncepcije pravde koja se na njima zasniva, slično stoji stvar i sa javnim umom. Ograničenja javnog

2 Rols kao razložnu sveobuhvatnu doktrinu određuje onu koja, „prihvata ustavni demokratski režim i ideju legitimnog zakona koja je prati“ (Rols 2003: 170). Za Rolsova dalja određenja u vezi sa razložnim sveobuhvatnim doktrinama, videti: Rols 1998: 93–100.

3 Ovu zamisao Rols formuliše na sledeći način: „Predlažem da u javnom umu sveobuhvatne doktrine istine i prava budu zamenjene idejom politički razložnog koja se obraća građanima kao građanima.“ Navedeno prema: Rols 2003: 170.

uma podrazumevaju da se prilikom odlučivanja o temeljnim političkim pitanjima, građani ne pozivaju na čitavu istinu onako kako je vide iz perspektive sveobuhvatne doktrine, već navodeći razloge koje bi i drugi građani mogli razložno da prihvate. To takođe znači da diskusija o temeljnim političkim pitanjima treba da bude rukovođena pozivanjem na političke vrednosti i političku koncepciju pravde. Zbog svega toga se može reći da su razložni građani oni koji poštuju ograničenja javnog uma. Time smo odgovorili na pitanje zašto je nužno da se građani posmatraju kao razložni a ne samo kao racionalni. Takođe, stepen idealizacije u vezi sa razložnim građanima je adekvatan jer upravo pretpostavka razložnosti omogućava da se ponudi odgovor na pitanje kako je moguće postići konsenzus u vezi sa temeljnim političkim pitanjima ako se uzme u obzir činjenica da se ljudi u demokratskom društvu razlikuju u pogledu mnoštva sveobuhvatnih doktrina.

Iako smo pretpostavku o razložnim građanima razmatrali u direktnoj relaciji sa idejom javnog uma, ona ima svoje nezavisno važenje. Kao što smo videli, na njenim osnovama je moguće objasniti postizanje preklapajućeg konsenzusa. Za razliku od toga, Rols smatra da sam javni um generiše određenu moralnu dužnost koju naziva dužnošću građanske uljudnosti (*the duty of civility*). Njome se određuje kako bi građani jedni prema drugima trebalo da se odnose prilikom odlučivanja o temeljnim političkim pitanjima. S obzirom da je za ideju javnog uma od odlučujuće važnosti politička koncepcija pravde, dužnost građanske uljudnosti nalaže da se debata o temeljnim pitanjima odvija isključivo oslanjanjem na političke vrednosti. Uz to, Rols pretpostavlja da ova dužnost nalaže da se saslušaju šta drugi građani imaju da kažu, kao i spremnost za pravljenje kompromisa na razložnim osnovama (Rols 1998: 258, 295). Rols naglašava da je reč o moralnoj dužnosti, a ne o nekoj vrsti obaveze koja bi se mogla nametnuti zakonima. Kao razlog za to navodi da bi nametanje takve obaveze putem zakona bilo u suprotnosti sa slobodom govora (Rols 2003: 175). Ali čini se da bi tako nešto pre signaliziralo problem u vezi sa mogućnošću da građani jedni druge tretiraju na uljudan način. Ovime smo zapravo zaokružili opis građana koji je, po Rolsu, adekvatan za dobro uređeno demokratsko društvo. Građani se posmatraju kao slobodni i jednaki, racionalni i razložni, i tako da imaju moralnu dužnost građanske uljudnosti. Sada ćemo razmotriti na koja pitanja i na kojim mestima se ograničenja javnog uma u prvom redu primenjuju.

Kao što smo već naglasili, Rols smatra da se ograničenja javnog uma pre svega odnose na temeljna politička pitanja. Pod temeljnim političkim pitanjima, Rols podrazumeva suštinske ustavne elemente i osnovna pitanja pravde (Rols 1998: 255; Rols 2003: 171). Međutim, zašto bi važenje zahteva javnog uma bilo ograničeno samo na ova pitanja? Rols ne odbacuje u potpunosti mogućnost da se odlučivanje u skladu sa javnim umom može dalje proširiti, recimo, na donošenje ostalih zakona. Ipak, on smatra da je, barem inicijalno, nužno pokazati da ograničenja javnog uma važe za navedena

temeljna pitanja, jer ako to ne bi bilo moguće onda nema smisla ni pretpostavka o daljoj primeni zahteva javnog uma (Rols 1998: 256). Dakle, iako nije isključeno proširenje, recimo, na pitanja svakodnevnog zakonodavstva, postoji izvestan prioritet u primeni javnog uma koji se odnosi na više zakonodavstvo, odnosno ustavne elemente i osnovna pitanja pravde. Upravo zbog toga, ovu ulogu javnog uma koja se odnosi na temeljna politička pitanja nazvaćemo osnovnom funkcijom javnog uma, što ne isključuje mogućnost njegovih drugih funkcija.

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Kada je reč o mestima na kojima je adekvatno postupanje u skladu sa ograničenjima javnog uma, Rols smatra da ta ograničenja važe u onome što naziva javnim političkim forumima (Rols 1998: 256; 2003: 172). To znači da se ograničenja javnog uma ne primenjuju u privatnim diskusijama, ali ni u raspravama u okviru onoga što se naziva građanskim društvom. Rols pravi dodatnu razliku između javnog i nejavnog uma, koja podseća na Kantovo razlikovanje između javne i privatne upotrebe uma.<sup>4</sup> Nejavni um jeste način rasuđivanja i odlučivanja koji je karakterističan za profesionalna udruženja, crkve, univerzitete. U tim organizacijama način odlučivanja jeste javan, ali odluke koje se donose ne odnose se na sve građane jedne političke zajednice. Zbog toga se ograničenja javnog uma ne primenjuju. Rolsovo stanovište moglo bi se sumirati tako što bi se reklo da se ograničenja javnog uma primenjuju u institucionalizovanim formama političkog odlučivanja i to pre svega kada je reč o odlukama koje se odnose na suštinske ustavne elemente i osnovna pitanja pravde. S obzirom da postoji više različitih vrsta javnih političkih foruma, različite su i osobe, kao i funkcioneri, na koje se zahtevi javnog uma primenjuju. Oni važe za političare koji govore u parlamentu ili u svojim kampanjama u vezi sa temeljnim političkim pitanjima. Zatim, na predstavnike izvršne vlasti. Takođe i na sudije, a u slučaju, za koji Rols kaže da je egzemplaran, ograničenja javnog uma se primenjuju na sudije ustavnog suda.<sup>5</sup> Na kraju, mada ne i najmanje bitno, ograničenja javnog uma se primenjuju na građane kada u javnom političkom forumu odlučuju u vezi sa temeljnim političkim pitanjima. Sada se upravo okrećemo razmatranju uloge građana u okviru ideala javnog uma.

Do sada smo se bavili idejom javnog uma, kako je određuje Džon Rols. Međutim, Rols pravi razliku između ideje javnog uma i ideala javnog uma (Rols 2003: 173). Ideal javnog uma se ostvaruje onda kada građani, ali i svi političari i sudije, u javnim forumima postupaju u skladu sa idejom javnog uma. Kao što smo već naglasili, nas prvenstveno interesuje kako taj ideal ostvaruju

4 Rols sam naglašava da je za korišćenje izraza „javni um“ bio podstaknut Kantovim razlikovanjem između javne i privatne upotrebe uma (Rols 1998: 254). Za Kantovo stanovište o javnoj upotrebi uma, videti: O'Neill 1986. Za kritiku Rolsovog shvatanja javnog uma iz perspektive Kantovog određenja javne upotrebe uma, videti: O'Neill 1997: 422–428.

5 Za ovu tvrdnju, videti: Rols 1998: 257. Rols detaljnije raspravlja ulogu sudija ustavnog suda s obzirom na ideal javnog uma u: Rols 1998: 274–281.



građani. Rols, naime, kaže da, „ideal javnog uma reguliše ne samo javni diskurs o izborima u onoj meri u kojoj se raspravlja o fundamentalnim pitanjima, već takođe i to kako građani treba da glasaju o tim pitanjima“ (Rols 1998: 256). Ograničenja javnog uma primenjuju se na građane kada u javnom forumu debatuju, ali i kada glasaju u vezi sa suštinskim ustavnim elementima, bilo da je reč o donošenju ili menjanju ustava putem amandmana. Ideal javnog uma ostvaruje se kada građani u svojim debatama i prilikom glasanja u vezi sa temeljnim političkim pitanjima poštuju ta ograničenja. S obzirom da smo usredsređenost na suštinske ustavne elemente i osnovna pitanja pravde nazvali osnovnom funkcijom javnog uma, po analogiji, debate i glasanje povodom tih pitanja nazvaćemo osnovnom ulogom građana u dobro uređenoj demokratiji. Ova osnovna uloga, takođe, ne isključuje mogućnost da građani imaju čitav niz drugih uloga u dobro uređenom demokratskom društvu. Na primer, da učestvuju u donošenju zakona, bilo lično, bilo iznoseći svoje stavove u javnoj debati povodom zakona koje donose njihovi predstavnici, da glasaju za svoje predstavnike, obraćaju se predstavnicima vlasti, pišu peticije itd. Međutim, da bi videli u kojoj meri se zahtevi javnog uma primenjuju u ovim daljim slučajevima, neophodno je prvo videti kako građani uz pomoć javnog uma mogu da obave svoju osnovnu ulogu definisanja temeljnih ustavnih principa, kao i principa pravde za političku zajednicu.

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Na koji način građani u svojim javnim debatama i prilikom glasanja postupaju u skladu sa zahtevima javnog uma? S jedne strane, ograničenja javnog uma nam kažu šta ne treba da radimo. Na primer, da se u debatama o temeljnim pitanjima, pozivamo na naša sveobuhvatna gledišta kao jedino istinita. Ili da se prilikom glasanja o istim tim pitanjima oslanjamo samo na ono što smatramo celom istinom koja proizlazi iz sveobuhvatnog gledišta. S druge strane, javni um nam preko dužnosti građanske uljudnosti nalaže šta treba da radimo. Za Rolsa, dužnost građanske uljudnosti je od odlučujuće važnosti upravo u pogledu javnih debata i glasanja. Ona nalaže da se prilikom javnih debata i glasanja povodom temeljnih političkih pitanja oslanjamo samo na političke vrednosti.

U vezi sa javnim debatama, Rols kaže da, „dužnost da se pozivamo na političke vrednosti prihvatamo kao dužnost da usvojimo određenu formu javnog diskursa“ (Rols 1998: 283). Rols anticipira mogući prigovor da zato što ne zahvata duboko u sveobuhvatne doktrine ova vrsta diskursa ima plitke osnove. Drugačije rečeno, ova forma javnog diskursa oslanja se na površinske zajedničke elemente, uprkos dubinskim neslaganjima. Postavlja se, dakle, pitanje da li je cena prihvatanja takve forme javnog diskursa previsoka. Rols smatra da nije. On na ovaj mogući prigovor odgovara da je upravo usvajanje takve vrste diskursa put ka rešenjima koja bi svima bila prihvatljiva na razložnim osnovama. On kaže da, „imamo jake razloge da ga sledimo s obzirom na našu dužnost uljudnog ophođenja prema drugim građanima. U svakom

slučaju, oni sa nama dele isti osećaj njegove nesavršenosti, iako iz drugih razloga, jer afirmišu druge sveobuhvatne doktrine i veruju da su u opisu izostavljene druge osnove. Ali samo na ovaj način i prihvatanjem činjenice da politika u demokratskom društvu nikada ne može da se rukovodi onim što mi sagledavamo kao celu istinu, možemo da ostvarimo ideal izražen u principu legitimnosti: da živimo politički s drugima u svetlu razloga za koje se razložno može očekivati da će ih drugi prihvatiti“ (Rols 1998: 284). Ideal javnog uma građani, dakle, ostvaruju poštujući u svojim javnim debatama povodom suštinskih ustavnih elemenata i osnovnih pitanja pravde, dužnost građanske uljudnosti.<sup>6</sup> Upravo poštujući ovu dužnost, građani se na razložnim osnovama približavaju saglasnosti u vezi sa temeljnim političkim pitanjima.

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Rols takođe smatra da dužnost građanske uljudnosti nameće određeni način glasanja u vezi suštinskim ustavnim elementima i osnovnim pitanjima koje se odnose na pravdu. U savremenim teorijama demokratije uobičajeno je gledište da ljudi glasanjem izražavaju svoje preferencije. Većinsko glasanje nije ništa drugo do mehanizam za sabiranje preferencija. Ono što većina građana želi smatra se preferencijom čitavog društva. Alternativa varijanta ovog stanovišta jeste da se kaže kako građani glasaju za ono što je u njihovom interesu, a da demokratski proces uzima u obzir interese u jednakoj meri. Rezultat glasanja je ono šta izražava interes većine građana. Drugi način gledanja na glasanje, koji Rols ističe, jeste da građani glasaju za ono što smatraju ispravnim iz perspektive svog sveobuhvatnog gledišta. Drugim rečima, građani glasaju u skladu sa vrednostima koje se zasnivaju na sveobuhvatnoj doktrini koju afirmišu. Ono što je zajedničko za oba ova gledišta jeste da se na čin glasanja gleda kao da je „privatna, pa čak i lična stvar“ (Rols 1998: 260). Ali za njih je, smatra Rols, takođe zajedničko to što se ogrešuju o zahteve javnog uma. Javni um nalaže, barem kada je o temeljnim političkim pitanjima reč, da se glasa u skladu sa onim što je javno dobro, a ne dobro sagledano iz naše lične perspektive. Rols zato kaže da, „javni um sa svojom dužnošću građanske uljudnosti smatra da glasanje o fundamentalnim pitanjima na neki način podseća na Rusoov *društveni ugovor*. On je smatrao da glasanje idealno izražava naše mišljenje o tome koja alternativa najbolje doprinosi zajedničkom dobru“ (Rols 1998: 260–261). Zanimljivo je, međutim, da Rols ističe kako dužnost da se glasa na ovakav način prestaje ukoliko se ne odlučuje o temeljnim političkim pitanjima (Rols 1998: 277). Iako Rols to eksplicitno ne kaže, moglo bi se reći da je u takvim situacijama

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6 Rols kaže da se, „ovaj ideal sastoji se u tome da građani vode svoje javne političke diskusije u vezi sa suštinskim ustavnim elementima i pitanjima osnovne pravde, u okviru onoga što svako od njih iskreno vidi kao razložnu političku koncepciju pravde, a koja izražava političke vrednosti za koje se razložno može očekivati da će drugi slobodni i jednaki građani moći razložno da ih prihvate.“ Navedeno prema: Rawls 2005: xlviii.

takođe u redu da građani glasaju u skladu sa svojim ličnim preferencijama ili interesima. To otvara pitanje da li se zahtevi javnog uma odnose samo na osnovnu ulogu građana u dobro uređenom demokratskom društvu, ili oni važe i za druge uloge koje građani imaju, na primer, prilikom glasanja za predstavnike. Tom pitanju ćemo se vratiti kasnije.

Do sada smo se bavili osnovnom funkcijom javnog uma i osnovnom ulogom građana u dobro uređenom demokratskom društvu. Međutim, Rols za dobro uređenu ustavnu demokratiju kaže da je takođe shvata i kao neku vrstu deliberativne demokratije (Rols 2003: 178). S obzirom da smo se bavili javnim umom kao delom dobro uređenog društva, odmah se postavlja pitanje kakav je odnos između javnog uma i deliberativne demokratije. Da li se ideja i ideal javnog uma nalaze u osnovama koncepcije deliberativne demokratije? Da li javni um treba da usmerava i sve druge debate u javnom političkom forumu koje se ne odnose na temeljna politička pitanja? Čini se, da je Rolsov odgovor na prvo pitanje pozitivan. Rols, naime, smatra da su i ideja i ideal javnog uma implicitno sadržani u koncepciji deliberativne demokratije. On kaže da, „ideal javnog uma sadrži određenu formu javne političke deliberacije“ (Rawls 2005: lxii). Odgovor na drugo pitanje takođe je pozitivan. Rols na deliberativnu demokratiju gleda kao na proširenje domena upotrebe javnog uma. Videli smo da je osnovna funkcija javnog uma bavljenje temeljnim političkim pitanjima vezanim za suštinske ustavne elemente i osnovnu pravdu. Očigledno, Rols smatra da javna deliberacija koja se ne odnosi isključivo na ova pitanja takođe treba da bude rukovođena zahtevima javnog uma. Zato u vezi sa deliberativnom demokratijom kaže da ona ukazuje na „šire mesto i ulogu javnog uma“ (Rols 2003: 178). Imajući sve navedeno u vidu, Rols navodi sledeća tri suštinska elementa deliberativne demokratije:

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Prvi je ideja javnog uma, iako sve takve ideje nisu iste. Druga je okvir ustavnih demokratskih institucija koji određuje milje za deliberativna zakonodavna tela. Treći čine znanje i želja građana uopšte da se pridržavaju javnog uma i da u svom političkom ponašanju ostvare njegov ideal. (Rols 2003: 178)

Prvi i treći suštinski element deliberativne demokratije, kako je Rols shvata, potvrđuju da se u njenim osnovama nalaze ideja i ideal javnog uma. To onda znači da se i u okviru deliberativne demokratije na građane mora gledati kao slobodne i jednake, racionalne i razložne. Zatim, da su upravo zbog toga oni u mogućnosti da jedni drugima ponude uslove saradnje u skladu sa razlozima koji bi bili prihvatljivi za sve. Takođe važi i kriterijum reciprociteta koji nalaže da ti razlozi budu prihvatljivi za građane koji se uzajamno uvažavaju kao slobodni i jednaki. I u okviru deliberativne demokratije primenjuju se, dakle, ograničenja javnog uma koja nalažu da se tokom diskusija ne poziva na istinu sopstvene sveobuhvatne doktrine, već na političke vrednosti i političku koncepciju pravde. A primenjuje se i dužnost građanske uljudnosti koja nalaže da se javna rasprava odvija samo uz pozivanje na političke vrednosti.

Uz to, da građani treba da saslušaju šta druge osobe imaju da kažu i na razložnim osnovama budu spremni za pravljenje kompromisa. Sve ovo, uzeto zajedno, znači da deliberativna demokratija, po Rolsu, podrazumeva spremnost građana da se pridržavaju ideje javnog uma. Konačno, poštujući dužnost građanske uljudnosti prilikom javnih deliberacija građani ostvaruju ideal javnog uma. Iako Rols to eksplicitno ne kaže, sva je prilika da se u meri u kojoj su u okviru deliberativne demokratije sadržani ideja i ideal javnog uma, kolektivne odluke donose konsenzusom. Zato bi se Rolsovo stanovište moglo sumirati rečima da ideja i ideal javnog uma nalažu da procedura javne deliberacije treba da uvaži slobodu, jednakost, racionalnost i razložnost svakog građanina, da uvaži kriterijum reciprociteta i dužnost građanske uljudnosti, kao i da vodi ka odlučivanju konsenzusom.

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Drugim suštinskim elementom koji navodi Rols zapravo se ukazuje koji je to domen na koji se prvenstveno proširuju zahtevi javnog uma. Rols se u tom kontekstu eksplicitno poziva na „deliberativna zakonodavna tela“, sugerišući time dve stvari. Prvo, da bi proces svakodnevnog zakonodavstva, a ne samo donošenja ustava, kao višeg zakona, trebalo da se odvija u skladu sa zahtevima javnog uma. I drugo, da time građani ostvaruju svoju širu ulogu u okviru dobro uređenog demokratskog društva. Ako se osnovna funkcija javnog uma i osnovna uloga građana u dobro uređenom demokratskom društvu odnose na ustavna pitanja i osnovnu pravdu, šira funkcija javnog uma i šira uloga građana prvenstveno se odnose na učešće u javnoj deliberaciji povodom donošenja zakona. S obzirom na to, moglo bi se postaviti pitanje da li je možda primerenije da se izraz „osnovna uloga građana u dobro uređenom demokratskom društvu“, pre odnosi na ovaj „svakodnevni“ način učešća u demokratskom životu, nego na trenutke donošenja ustava, ili amandmana na ustav, koji su relativno retki. Iako koncepcija deliberativne demokratije sugerise kako bi proces donošenja svakodnevnog zakonodavstva bila pretežna uloga građana u dobro uređenom demokratskom društvu, ne treba, ipak, izgubiti iz vida da Rols kaže kako „okvir ustavnih demokratskih institucija“ ima prioritet i usmerava ono što se odvija u deliberativnim zakonodavnim telima. Upravo s obzirom na ovaj prioritet ustavnog okvira može se govoriti o osnovnoj ulozi građana u demokratskom društvu koja se odnosi na definisanje temeljnih političkih pitanja, a njihovom širom ulogom nazvati javnu deliberaciju povodom svakodnevnih zakona i drugih pitanja koja se ne odnose isključivo na suštinske ustavne elemente i osnovna pitanja pravde. Dakle, građani u dobro uređenoj demokratiji uglavnom učestvuju u javnoj deliberaciji povodom zakona, ali se pretpostavlja da je osnovna funkcija javnog uma već ispunjena i da su građani obavili svoju osnovnu ulogu u vezi sa ustavnim okvirom koji usmerava sve dalje rasprave. Zato se na deliberativnu demokratiju može gledati kao na širu funkciju javnog uma, a na građane koji učestvuju u javnoj deliberaciji povodom zakona kao na širu ulogu građana u dobro uređenoj ustavnoj demokratiji.

Na osnovu prethodno rečenog, moglo bi se, ipak, postaviti pitanje nije li pozivanje na deliberativnu demokratiju u Rolsovoj političkoj teoriji sasvim suvišno. Naime, ako se na deliberativnu demokratiju gleda samo kao na proširenje upotrebe javnog uma, onda se ne vidi šta je to što bi bilo specifično za samu javnu deliberaciju u vezi sa zakonima. Ako se zahtevi javnog uma jednako primenjuju u njegovoj osnovnoj i široj funkciji, onda je pozivanje na deliberativnu demokratiju redundantno. Rols bi se mogao odbraniti od ovakve vrste prigovora, ako bi smatrao da javna deliberacija, uprkos tome što joj se ideja javnog uma nalazi u osnovi, ima i neke svoje specifičnosti koje se ne mogu u potpunosti redukovati na zahteve javnog uma. Evo kako Rols gleda na ideju deliberacije:

Određujuća ideja za deliberativnu demokratiju je sama ideja deliberacije. Građani koji vode političke rasprave razmenjuju mišljenja i razmatraju razloge iznete u vezi sa pitanjima javne politike. Oni pretpostavljaju da se njihova politička mišljenja mogu promeniti kroz raspravu sa drugim građanima; zato ta mišljenja nisu samo nepromenljiv ishod njihovih privatnih ili nepolitičkih interesa. (Rols 2003: 178)

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U vezi sa Rolsovim shvatanjem ideje deliberacije trebalo bi naglasiti dve stvari. Prvo, da jednako kao i ideja javnog uma, javna deliberacija usmerava građane ka opštem dobru. S obzirom da Rols smatra kako je opšte dobro osnovni predmet javnog uma, sva je prilika da ovo važi i za deliberativnu demokratiju s obzirom da kaže kako mišljenja građana koja proizlaze iz rasprave, nisu rezultat „privatnih ili nepolitičkih interesa“.<sup>7</sup> Zato ne čudi što Rols već u sledećoj rečenici dodaje kako, „javni um dobija ključni značaj upravo u ovoj tački“ (Rols 2003: 178). Dakle, prva stvar u vezi sa idejom deliberacije potvrđuje raniji stav da se ideja javnog uma nalazi u osnovi koncepcije deliberativne demokratije. Međutim, to može biti opravdanje za prigovor u vezi sa suvišnošću deliberativne demokratije. Prigovor bi se mogao formulisati na sledeći način.<sup>8</sup> Ako razložni građani mogu da uvide koji su to razlozi koje bi svi mogli da prihvate ili šta unapređuje opšte dobro, čini se da javna rasprava o temeljnim političkim pitanjima uopšte nije nužna. Čak i ako postoji javna rasprava, ako važi pretpostavka o razložnim građanima, formulisanje razloga koje bi svi mogli da prihvate ne ostavlja puno prostora za debatu i promenu mišljenja. Ako, argumenta

7 Za Rolsovo određenje javnog dobra kao predmeta javnog uma, videti: Rols 1998: 254; Rols 2003: 171. Semjuel Frimen ovaj deo Rolsovog shvatanja javnog uma objašnjava na sledeći način: „Predmet javnog uma su dobro javnosti i temeljna pitanja u vezi sa pravdom. Dobro javnosti i temeljna pitanja u vezi sa pravdom su ono o čemu građani prosuđuju kada se bave upotrebom javnog uma, a ne ono što vide kao svoje sopstveno dobro, ili dobro neke grupe sa kojom se identifikuju, ili dobro i pravdu kako ih određuju sveobuhvatne doktrine. Kako možemo znati šta je dobro javnosti? Čini se, da ga Rols definiše u terminima političkih vrednosti koje su neophodne za uviđanje opšteg interesa koji je zajednički za sve građane.“ Navedeno prema: Freeman 2007: 222.

8 Ovaj prigovor je detaljno razvijen u: Saward 2002.

radi, pretpostavimo da je ovakvo gledanje na javni um ispravno, s obzirom da se ideja javnog uma nalazi u osnovi koncepcije deliberativne demokratije, sledila bi apsurdna posledica da za deliberativnu demokratiju nije nužna bilo kakva vrsta javne rasprave.

Druga stvar na koju želimo da ukažemo u vezi sa Rolsovim određenjem ideje deliberacije jeste da ona upravo podrazumeva razmenu mišljenja i razloga u javnoj raspravi, kao i spremnost građana da svoja stanovišta promene ukoliko su suočeni sa boljim razlozima. Na osnovu toga, moglo bi se reći da javna deliberacija ima neke svoje specifične karakteristike koje se ne mogu u potpunosti svesti na zahteve javnog uma. Iz čega sledi da pozivanje na deliberativnu demokratiju nije redundantno. Ali da li to onda znači da je Rolsovo stanovište nekoherentno kada smatra da se ideja javnog uma nalazi u osnovi deliberativne demokratije? Jedan krak ove dileme podrazumevao bi da se zahtevi javnog uma jednako primenjuju u vezi sa višim zakonodavstvom i deliberativnim zakonodavnim skupštinama. Videli smo da taj put može voditi ka apsurdnoj posledici da je deliberativna demokratija po svojoj prirodi monološka, a ne dijaloška. Drugi krak dileme podrazumevao bi da deliberativna demokratija ima svoje specifične karakteristike, nezavisne od ideje javnog uma, te da one važe isključivo u deliberativnim zakonodavnim telima. Neugodna posledica ovakvog shvatanja jeste da se Rolsovo stanovište pokazuje kao nekoherentno jer istovremeno tvrdi jedinstvenu upotrebu javnog uma kako u vezi sa višim zakonodavstvom, tako i u vezi sa deliberativnim zakonodavnim telima. U čemu bi se sastojalo rešenje ove dileme? Činjenica je da Rols ne daje nikakve smernice kako bi se ovaj problem mogao rešiti. Zato ćemo predložiti naše rešenje za koje smatramo da se zasniva na rolsovskim pretpostavkama.

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Smatramo da je ovaj problem moguće rešiti ako uzmemo u obzir da se građani pored toga što se posmatraju kao razložni, tretiraju i kao racionalni. To je u skladu sa onim što Rols tvrdi. Međutim, čini se, da uprkos tome, na pojedinim mestima Rols kao da pretpostavlja da bi građani nužno postupali kao razložni u javnim političkim forumima, bilo u vezi sa temeljnim političkim pitanjima, bilo u vezi sa svakodnevnim zakonodavstvom. Tu verovatno leži i glavni problem za njegovu koncepciju deliberativne demokratije. Smatramo da nema nikakve nužnosti u pogledu toga da građani postupaju isključivo razložno kako prilikom javnih debata, tako i u pogledu glasanja (pretpostavljamo u ovom trenutku da je reč o široj ulozi građana u dobro uređenom demokratskom društvu). Ali ako dopustimo da građani mogu takođe da iznose svoja stanovišta i glasaju ne samo na razložnim, već i na racionalnim osnovama otvara se prostor za javnu raspravu. One koji debatuju ili nameravaju da glasaju iz perspektive svojih ličnih interesa ili iz perspektive svoje sveobuhvatne doktrine, drugi građani bi mogli podsetiti u skladu sa dužnošću građanske uljudnosti kako ti razlozi njima nisu prihvatljivi, što znači da nisu prihvatljivi za sve. Ali isto tako onima koji iznose

razloge za koje tvrde da su prihvatljivi za sve, neki drugi građani bi mogli da ukažu kako bi to ugrozilo bilo njihove lične interese, bilo interese grupe koju pripadaju. Kako nam ovi stavovi o međusobnom odnosu razložnog i racionalnog u javnoj deliberaciji mogu pomoći da razrešimo dilemu u vezi sa Rolsovim učenjem?

Prisetimo se, dilema se pre svega odnosila na odnos između ideje javnog uma i koncepcije deliberativne demokratije. Smatramo, s jedne strane, da međusobni odnos racionalnog i razložnog ukazuje na potrebu za javnom deliberacijom, kao i na značaj deliberativne demokratije. Videli smo da za Rolsa javna deliberacija ima odlučujući značaj za transformaciju i promenu preferencija i mišljenja u pravcu opšteg dobra. S druge strane, za ovo usmerenje ka opštem dobru nužna je ideja javnog uma. Ako ne bismo pretpostavili mogućnost da su građani, ne samo racionalni, već i razložni, i da mogu debatovati i odlučivati u skladu sa dužnošću građanske uljudnosti bilo kakvo očekivanje o transformaciji preferencija i mišljenja u pravcu opšteg dobra bilo bi iluzorno. Time ideja javnog uma biva sve vreme očuvana. Smatramo da smo time barem ukazali na put kojim dilema u vezi sa odnosom između javnog uma i deliberativne demokratije može da bude razrešena. Ideja javnog uma nalazi se u osnovi deliberativne demokratije jer usmerava javnu deliberaciju građana u pravcu opšteg dobra. Javna deliberacija kroz koju se izražava šira uloga građana u dobro uređenom demokratskom društvu ima svoje specifične karakteristike koje se ne mogu u potpunosti svesti na zahteve javnog uma, ili barem na sve zahteve javnog uma, što smo pokušali da objasnimo odnosom između racionalnog i razložnog u političkim raspravama građana. Ovim rešenjem blokirane su i obe neugodne posledice u vezi sa kracima dileme. Uviđanjem posebnog značaja javne deliberacije otklanja se apsurdna posledica o monološkom karakteru deliberativne demokratije. Štaviše, Rolsovo insistiranje na javnim raspravama u vezi sa temeljnim političkim pitanjima u velikoj meri dovodi u pitanje i interpretaciju o monološkom karakteru osnovne funkcije javnog uma i osnovne uloge građana u dobro uređenoj demokratiji. Na kraju, ostaje da utvrdimo da je rešenjem koje smo predložili blokirana i druga neugodna posledica koja se odnosi na nekoherentnost Rolsovog učenja. Ideja javnog uma i koncepcija deliberativne demokratije nisu inkonzistentne. Ili smo barem mi to tako dokazivali.

Istakli smo ranije da ideja javnog uma nameće određene uslove u pogledu procedure javne deliberacije koji nalažu da se građani tretiraju kao slobodni i jednaki, racionalni i razložni itd. Oni bi se, s obzirom da se odnose isključivo na proceduru odlučivanja mogli nazvati formalnim uslovima. Međutim, Rols smatra da je za koncepciju deliberativne demokratije od odlučujućeg značaja i čitav niz supstantivnih uslova. Ovi supstantivni uslovi mogli bi se svrstati u dve kategorije. U prvu kategoriju spadali bi supstantivni principi koji su sadržani u ustavnim odredbama vezanim za osnovna prava i slobode građana, poput slobode govora, okupljanja, prava na učešće u političkom

životu, slobode veroispovesti. Ovo je jasno iz činjenice da Rols smatra kako ustavni okvir ima prioritet u odnosu na deliberativna zakonodavna tela. Ipak, Rols primećuje da ovi principi sami po sebi nisu dovoljni za obezbeđivanje političke jednakosti koja je neophodna za funkcionisanje deliberativnih foruma. Zbog toga, Rols takođe predlaže skup supstantivnih uslova koji su nužni za obezbeđivanje političke jednakosti. On kaže da je „verovanje u važnost javne deliberacije od suštinskog značaja za razložni ustavni režim i specifične institucije i aranžmani trebalo bi da budu obezbeđeni da bi se ona podržala i ohrabrila“ (Rawls 2005: lvii). O kojim institucijama, ili kako smo ih mi nazvali „supstantivnim uslovima“ je reč?

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Rols navodi pet takvih uslova (Rawls 2005: lvi–lvii). Prvo, da bi javna deliberacija mogla nesmetano da se odvija, Rols smatra da je nužno javno finansiranje političkih kampanja i široka dostupnost informacija. On posebno naglašava da javna deliberacija mora biti „oslobođena prokletstva novca“ i dodaje da će „u protivnom, politikom... dominirati korporativni i drugi organizovani interesi, koji kroz velike doprinose za vođenje kampanja deformišu, ako ne i potpuno onemogućavaju, javnu raspravu i dogovaranje“ (Rols 2003: 179). Isto tako, bez široke dostupnosti informacija ne može se očekivati smisao odvijanje javne deliberacije. Drugo, moraju biti obezbeđene jednake šanse u pogledu pristupa obrazovnim institucijama, a važan deo obrazovanja u tim institucijama treba da čini građansko vaspitanje. Treće, ekonomske nejednakosti ne bi smele da budu preterane i svakoj osobi mora biti garantovan socijalni minimum koji je neophodan za korišćenje osnovnih prava i sloboda. Četvrto, država treba da bude poslodavac u krajnjoj nuždi, čime se izbegava dugotrajna nezaposlenost i podstiče samopoštovanje svih građana. Peto, svima mora biti obezbeđena zdravstvena zaštita. Rols ističe da su „ove institucije, a posebno prve tri, nužne kako bi deliberacija bila moguća i uspešna“ (Rawls 2005: lvii). Na kraju možemo istaći kako sve prethodno rečeno sugerise da je uprkos tome što Rols nije puno toga napisao o deliberativnoj demokratiji i što su neke stvari date tek u naznakama, njegovo viđenje deliberativne demokratije u priličnoj meri kompleksno, jer se mora razumeti u odnosu sa idejom javnog uma i uzimajući u obzir čitav niz formalnih i supstantivnih uslova koji su nužni za javnu deliberaciju.

Smatramo da prethodna razmatranja pokazuju zašto stanovišta autora koje smo naveli na početku ovog rada, a koji tvrde irelevantnost Rolsove političke teorije za deliberativnu demokratiju, moraju biti pogrešna. Do sada smo nastojali da ukažemo na opravdanost tvrdnji da Rols ima određenu teoriju deliberativne demokratije i da se u njenim osnovama nalazi ideja o javnom umu. U ostatku rada ukazaćemo na neke probleme u vezi sa Rolsovom koncepcijom deliberativne demokratije uzimajući u obzir dalji razvoj u teoriji demokratije u vezi sa ovom temom. Drugim rečima, nastojaćemo da pokažemo u kojoj meri je Rolsovo viđenje deliberativne demokratije i dalje važno, ali i u kojoj meri se može kritikovati iz aktuelne perspektive u teoriji



demokratije. Pretpostavićemo, argumenta radi, da je ono što Rols kaže o osnovnoj funkciji javnog uma i osnovnoj ulozi građana u dobro uređenoj demokratiji ispravno i razmotrićemo kako se to odražava na koncepciju deliberativne demokratije. Naša pažnja posebno će biti usmerena na sledeće tri stvari: 1. razložnost građana i kriterijum reciprociteta, 2. konsenzus, i 3. glasanje i javnu deliberaciju.

1. *Razložnost građana i kriterijum reciprociteta*. Imali smo prilike da vidimo da je za koncepciju deliberativne demokratije od suštinske važnosti odnos između racionalnog i razložnog. Međutim, mogla bi se uputiti primedba kako to umesto što rešava problem u vezi sa Rolsovom teorijom samo ukazuje na dublji diskontinuitet između njegovog shvatanja javnog uma i deliberativne demokratije. Ako pretpostavimo ispravnost Rolsovog shvatanja u vezi sa idejom javnog uma, moramo takođe prihvatiti da razložno ima primat i da je nadređeno racionalnom. S druge strane, utvrdili smo da iz perspektive deliberativne demokratije nema takve nužnosti. Nužno je jedino pretpostaviti da građani pored toga što mogu da donose racionalne odluke, odluke mogu donositi i na razložnim osnovama. Procedura javne deliberacije pruža im priliku da u dijalogu sa drugim građanima testiraju, promene ili eventualno učvrste svoja uverenja u vezi sa političkim pitanjima. Ako je to tako, onda se postavlja pitanje da li rešenje u pogledu konzistentnosti ideje o javnom umu i deliberativnoj demokratiji koje smo predložili samo prikriva dublju nekonzistentnost u vezi sa Rolsovim viđenjem razložnih građana. Naš odgovor na navedenu primedbu je sledeći. Jedino od čega se odustaje jeste da će građani nužno odlučivati na razložnim osnovama, odnosno u skladu sa razlozima koji su prihvatljivi za sve. U tom slučaju, odnos između racionalnog i razložnog o kome smo govorili u kontekstu deliberativne demokratije, važio bi jednako i za osnovnu funkciju javnog uma i osnovnu ulogu građana u dobro uređenom demokratskom društvu. Razlika bi jedino bila u tome da povodom temeljnih političkih pitanja koja se odnose na suštinske ustavne elemente i osnovna pitanja pravde građani imaju veći podsticaj da osiguraju neke temeljne principe i norme koji bi bili zajednički za sve u okviru političke zajednice, dok u pogledu svakodnevnih zakona imaju veći podsticaj da zaštite svoje lične interese ili interese grupe kojoj pripadaju. Samim tim za očekivati je da u prvom slučaju razložno ima primat nad racionalnim, a u drugom racionalno nad razložnim. Osnovna uloga javnog uma bila bi zato da se dođe do konsenzusa oko ustavnih pitanja na razložnim osnovama, a osnovna uloga javne deliberacije bila bi da se pronađe optimalna ravnoteža između racionalnih i razložnih očekivanja građana u pogledu svakodnevnih zakona. Dakle, nema nikakve protivrečnosti u gledanju na odnos između racionalnog i razložnog u oba navedena konteksta.

Ovakvo stanovište nužno se odražava i na kriterijum reciprociteta. U skladu sa prethodnim razlikovanjem, napravićemo razliku između jakog i slabog

reciprociteta.<sup>9</sup> Rolsovo viđenje kriterijuma reciprociteta koje kaže da građani nude jedni drugima uslove saradnje koje bi svi mogli na razložnim osnovama da prihvate kao slobodni i jednaki može se nazvati jakim reciprocitetom. Za razliku od toga, slabim reciprocitetom nazvaćemo kriterijum po kome građani svoje predloge u javnoj debati treba da podrže razlozima i argumentima, kao i to da treba da budu spremni da uvažavaju snagu razloga i argumenata koje iznose drugi građani. Očigledno kriterijum jakog reciprociteta pre bi se primenjivao u debatama vezanim za temeljna politička pitanja, dok bi za svakodnevno funkcionisanje deliberativne demokratije pre bio prikladan slab reciprocitet. Tako Koen (J. Cohen), jedan od glavnih zastupnika deliberativne demokratije, kaže da „se deliberacija zasniva na razlozima kada se od učesnika zahteva da iznesu svoje razloge za određene predloge, bilo da ih podržavaju ili kritikuju. Oni daju razloge sa očekivanjem da će ti razlozi, a ne, na primer, moć rešiti sudbinu njihovih predloga“ (Cohen 1997: 74). Upravo ovo smo nazvali kriterijumom slabog reciprociteta. Naši argumenti u vezi sa razložnim građanima i kriterijumom reciprociteta mogla bi se sumirati tako što bi se reklo da zahtevi javnog uma imaju svoje važenje kako prilikom debata u vezi sa temeljnim političkim pitanjima, tako i u vezi sa svakodnevnim zakonodavstvom. Jedina razlika je u tome što se u prvom slučaju striktnije primenjuju. Primat koji se daje razložnom i kriterijum jakog reciprociteta imaju veću težinu kada je reč o temeljnim političkim pitanjima. Ali to, s druge strane, ne znači da se u deliberativnim forumima u potpunosti odustaje od zahteva javnog uma.

2. *Konsenzus*. Jedna od implikacija Rolsovog viđenja razložnih građana jeste da takvi građani mogu da postignu preklapajući konsenzus oko političke koncepcije pravde, ali i oko temeljnih ustavnih pitanja. Videli smo da se osnovna funkcija javnog uma odnosi upravo na takvu vrstu pitanja. Inicijalno je u okviru teorije o deliberativnoj demokratiji bilo prihvaćeno stanovište da i procedura javne deliberacije, barem u idealnom slučaju, treba da vodi odlukama koje se postižu konsenzusom (Cohen 1997: 75). Naime, ako je svaka osoba spremna da uvažava snagu boljih razloga i argumenta to bi značilo da se na kraju svi slažu oko toga koji je predlog najprihvatljiviji. Međutim, mogućnost da se u deliberativnoj areni dođe do konsenzusa bio je predmet snažne kritike i to upravo od strane autora koji su naklonjeni deliberativnoj demokratiji (Bohman and Richardson 2009, Knight and Johnson 2011, Mansbridge et al. 2010). Videli smo da Rols ništa eksplicitno ne kaže u vezi sa odlučivanjem konsenzusom u pogledu deliberativne demokratije. Ali smo isto tako istakli da njegovo shvatanje ideje javnog uma koja vodi ka konsenzusu u vezi sa temeljnim političkim pitanjima, u meri u kojoj se nalazi u

9 Iako su termini preuzeti iz sociobiologije, pa čak postoji i određeno preklapanje u načinu na koji ih upotrebljavamo, termine jakog i slabog reciprociteta koristimo potpuno nezavisno od ove teorije. Za određenje jakog reciprociteta u kontekstu pravde, vidi: Gintis et al. 2008.

osnovi koncepcije deliberativne demokratije implicira odlučivanje konsenzusom u deliberativnim zakonodavnim telima. Smatramo da su razlozi koje su naveli drugi zastupnici deliberativne demokratije, a koji ukazuju na nerealističnost odlučivanja konsenzusom u demokratskom društvu, kao i na to da konsenzus ne mora uvek biti normativno poželjan, u velikoj meri ispravni. Međutim, naša viđenja da za deliberativnu demokratiju ne važi nužno prioritet razložnog nad racionalnim, kao i da važi kriterijum slabog reciprociteta ukazuju na to da je za očekivati da rezultat javne deliberacije bude razložno neslaganje. U tom slučaju, jedino što preostaje jeste da se većinskim glasanjem odluči o sudbini predloga iznetih tokom javne debate. Drugim rečima, umesto odlučivanja konsenzusom, odlučivanje građana u dobro uređenom demokratskom društvu zasniva se na proceduri koja predstavlja kombinaciju javne deliberacije i većinskog glasanja.

3. *Javna deliberacija i većinsko glasanje.* Iako smo tvrdili da je odlučivanje konsenzusom implikacija koja proizlazi iz Rolsove tvrdnje da ideja javnog uma sadrži određenu formu deliberativne demokratije, činjenica je da sam Rols, čak i u vezi sa temeljnim političkim pitanjima, govori o procesu odlučivanja koji se zasniva kako na javnoj raspravi, tako i na glasanju. Prisetićemo se da Rols kaže kako se dužnost građanske uljudnosti odnosi kako na javne debate, tako i na glasanje građana u pogledu temeljnih političkih pitanja. Iako je inicijalno bio uveren da se na osnovama javnog uma može postići konsenzus, Rols je kasnije revidirao ovo svoje stanovište smatrajući da je moguće razložno neslaganje čak i kada je reč o temeljnim političkim pitanjima. On sada kaže da, „ideal javnog uma često ne vodi do opšte saglasnosti, niti bi trebalo tome da vodi“ (Rawls 2005: 1v). Dakle, čak i u pogledu temeljnih političkih pitanja moguće je razložno neslaganje. Postavlja se onda u pitanje da li to dovodi u pitanje ideju i ideal javnog uma kako ih je Rols prezentovao. Rols rešenje za problem razložnog neslaganja vidi u tome što se, pored javne rasprave, o temeljnim političkim pitanjima može takođe glasati. Ideal javnog uma je, po Rolsovom shvatanju očuvan zato što dužnost građanske uljudnosti nalaže glasanje u skladu sa idejom javnog uma. Ovo rešenje ne čini nam se sasvim ubedljivim. Nije jasno kako građani koji ne mogu da postignu saglasnost oko opšteg dobra kroz javnu debatu, mogu da glasaju upravo u skladu sa koncepcijom opšteg dobra. Ostavimo, ipak, ovaj problem po strani jer nas prvenstveno interesuju pitanja vezana za koncepciju deliberativne demokratije.

Smatramo da je bez obzira da li se radi o Rolsovom ranijem ili revidiranom gledištu, očigledno da se proces odlučivanja u vezi sa temeljnim političkim pitanjima sastoji kako od javne diskusije, tako i od glasanja. Ako je to tako, onda to znači da bi i za deliberativnu demokratiju bila najprimerenija procedura odlučivanja koja se sastoji od javne deliberacije i glasanja. Kako bi onda trebalo razumeti našu prethodnu tvrdnju u vezi s tim da je implikacija ideje javnog uma da bi u deliberativnim forumima odluke trebalo donositi

konsenzusom. Čini se da je njen smisao sledeći. U idealnom slučaju, građani kroz javnu diskusiju postižu konsenzus na razložnim osnovama. Otud kriterijum konsenzusa nije unapred isključen prilikom odlučivanja u deliberativnim zakonodavnim telima. Međutim, u slučaju da iz bilo kog razloga konsenzus nije moguće postići, mora da postoji način za donošenje odluka. Zato je nužno da se procedura demokratskog odlučivanja pored javne deliberacije, sastoji i od većinskog glasanja.<sup>10</sup>

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To otvara pitanje u vezi sa glasanjem u kontekstu šire uloge građana u dobro uređenom demokratskom društvu. Govoreći o izboru predstavnika za parlament, Rols kaže da bi građani trebalo da glasaju u skladu sa idejom javnog uma. Način na koji oni ostvaruju ideal javnog uma jeste da prilikom glasanja oni na sebe gledaju kao na idealne zakonodavce i procene koji bi kandidati donosili najrazložnije zakone. On kaže da, „u idealnom slučaju građani sebe posmatraju kao zakonodavce i pitaju se koje zakone bi po njihovom mišljenju bilo najrazložnije doneti i koji su razlozi koji ih podržavaju, a zadovoljavaju kriterijum reciprociteta. Kada je ustaljeno i rašireno, raspoloženje građana da se posmatraju kao idealni zakonodavci i odbacuju funkcionere vlade i kandidate za javne položaje koji zloupotrebljavaju javni um, predstavlja jedan od političkih i socijalnih korena demokratije i ima životni značaj za njenu trajnu čvrstinu i snagu“ (Rols 2003: 174). S druge strane, Rols eksplicitno tvrdi da kada se ne radi o temeljnim političkim pitanjima ne važi ni zahtev da se glasa u skladu sa zahtevima javnog uma. To je očigledno iz njegove tvrdnje da, „građani i zakonodavci mogu da glasaju za svoja sveobuhvatna gledišta kako hoće kada se ne radi o bitnim ustavnim elementima i pitanjima osnovne pravde“ (Rols 1998: 277). Kako razumeti ovu ambivalentnost u vezi sa glasanjem? Da li prilikom šire uloge građana u dobro uređenoj demokratiji važe ili ne važe zahtevi javnog uma? Smatramo da odgovor na ova pitanja leži u našem ranijem pozivanjem na odnos razložnog i racionalnog, kao i načinu na koji važe zahtevi javnog uma u vezi sa njegovom širom funkcijom i širom ulogom građana u demokratskom društvu. Javna deliberacija koja prethodi glasanju može podstaći građane da odlučuju u skladu sa zahtevima javnog uma, ali u tome nema nikakve nužnosti. Građani mogu prilikom glasanja isto tako da se oslone na svoje interese i preferencije ili istinu sveobuhvatne doktrine koju afirmišu. Dakle, nema protivrečnosti u Rolsovim različitim pogledima na glasanje. Jedino očekivanje u vezi sa javnom deliberacijom jeste da podstakne građane da o svojim stavovima i preferencijama razmisle u svetlu razloga koje u diskusiji iznose drugi ljudi. Čak i ako se ti stavovi i preferencije ne promene, glasanje više

<sup>10</sup> Tako, na primer, Koen objašnjava da za idealnu proceduru deliberativne demokratije važi kriterijum konsenzusa, ali i većinsko pravilo koje se koristi u krajnjoj nuždi. Videti: Cohen 1997: 75. On, međutim, dodaje da će se, „rezultati glasanja među onima koji su posvećeni traganju za razlozima koji su svima ubedljivi verovatno razlikovati od rezultata zbraranja glasova kome takvo traganje nije prethodilo“ (Cohen 1997: 75).

nije samo „privatna, pa čak i lična stvar“, već zasnovano na razlozima koji su prošli test javnog preispitivanja.

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### Ivan Mladenović

#### From Public Reason to Deliberative Democracy

##### Summary

In this paper I shall investigate the relationship between public reason and deliberative democracy, mainly as it is presented in Rawls’s later political theory. Against the critics who claim that Rawls has no deliberative democratic theory,

I shall argue that he presented a complex view of public deliberation that contains a set of formal and substantive requirements derived from the idea of public reason. My main aim in this paper is to defend and further elaborate the thesis that Rawls's later political theory is crucially important for deliberative democracy. Furthermore, in light of the recent literature on deliberative democracy, I examine the relevance of Rawls's view for addressing some current problems, but also look at some limits of the public reason perspective.

**Keywords:** public reason, deliberative democracy, reasonableness, consensus, majority rule

REVIEWS v  
PRIKAZI





*Kant-Lexikon*, herausgegeben  
von Marcus Willaschek, Jürgen  
Stolzenberg, Georg Mohr, Stefano  
Bacin, Walter de Gruyter, Berlin,  
Boston 2015.

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Die Terminologie, die Immanuel Kant mit der *Kritik der reinen Vernunft* eingeführt hat, ist nicht immer eindeutig und im generellen wurden die Begriffe, die die Konstruktion der Kritik ausmachen, oft in unterschiedlichen Zusammenhängen verwendet, so dass sie durchaus auch unterschiedliche philosophische Funktionen erfüllen können. Wie Hegel bemerkte: „Erschwert wird ihr [der Philosophie Kants (Anm. d. Verf.)] *Studium durch die Breite, Weitläufigkeit und eigentümliche Terminologie, in der sie vorgestellt ist.*“ (Hegel, *Vorlesungen über Geschichte der Philosophie*, Suhrkamp, Frankfurt am Main, 1971, S. 335.) Und es handelt sich nicht um die einzige Stelle, an der Hegel der Terminologie Kants, die er *barbarisch* nannte, die *psychologische Aussicht und empirische Manieren* vorwarf. (Ibid. 337). Ein ganz anderer Standpunkt wird in der sog. *Grave-Rezension* vertreten und zwar unter der Einbeziehung der Metapher, dass die Terminologie der Kantschen Philosophie der Ariadnefaden ist, ohne den man sich im Labyrinth der Spekulationen verlaufen würde. „*Wenn dieser (der Terminologie (Anm. d. Verf.)) nicht immer deutlich sieht, so fühlt er [der Leser (Anm. d. Verf.)] doch zu seiner Beruhigung, daß er den Faden noch immer in seiner Hand hält, und hofft auf einen Ausgang*“ (*Die Grave Rezension*, S. 220, in Kant, I. *Prolegomena zu einer jeden künftigen Metaphysik, die als Wissenschaft wird auftreten können*, Philipp Reclam, Stuttgart, 1989.). Unabhängig davon, ob man mit der Auffassung von Hegel oder mit dem bildhaften Ausdruck von Grave einverstanden ist, läßt sich nicht übersehen, dass die Diskussion über die Bedeutung und Anwendbarkeit der Kantschen Begriffe bis in die heutige Zeit andauert.

Diese Tatsache schränkt die genuine Lektüre des Kantschen Werks ein und verschlägt uns oft in die falsche Richtung, weitweg von einer vollständigen Analyse sowohl der Bedeutung als auch des Inhalts grundlegender Begriffsbestimmungen. Deshalb sind die Versuche der Beschreibung und Bestimmung der Bedeutungen sämtlicher Termini innerhalb der Philosophie Kants sehr mühsam und anstrengend, dennoch sehr wichtig. Davon, dass es seit der Zeit der *Kritik der reinen Vernunft* nicht am Bewusstsein der Wichtigkeit dieser Arbeit gefehlt hat, zeugen zahlreiche Wörterbücher und Lexika, die sich mit dem Thema des richtigen Gebrauchs der Kantschen Begriffen beschäftigen. Die Aufgabe, Bedeutungsrelationen zwischen den Termini systematisch zu erfassen, eine vollständige Analyse zu jedem Terminus zu geben, den jeweiligen philosophischen Hintergrund unter den semantischen Gesichtspunkten zu beleuchten und auf der Höhe des aktuellen Stands der

Kant-Forschungen zu sein, wurde jedoch nie erfüllt. Das Licht in das angesprochene Verständnis der Begriffsbedeutungen der Philosophie Kants bringt das vom Verlag *Werner de Gruyter* herausgegebene *Kant-Lexikon*, das sowohl im Hinblick auf seinen Umfang als auch in Bezug auf seinen Inhalt als ein Meisterwerk unter den philosophischen Lexika angesehen werden kann.

Beim vorliegenden *Kant-Lexikon* handelt es sich um eine umfassende und vollständige Darstellung des Kantschen Werkes, die sowohl dem Forscher in den Fächern des Deutschen Idealismus und der Transzendentalen Philosophie als auch den weiteren Leserschaften, die sich für die Kantsche Philosophie interessieren, behilflich sein soll. Das Lexikon, das auf der Grundlage der aktuellen und relevanten Forschungsstudien zusammengesetzt wurde, besteht aus insgesamt 2395 Artikeln und enthält die einschlägigen Begriffe und Namen, bei denen Kant im Hinblick auf ihre philosophische Funktion bestimmte Unterscheidungen vorgenommen hat. Eine in Stichwörter aufgegliederte Bestandsaufnahme der Terminologie bezieht sich nicht nur auf sein Werk, sondern auch auf die Terminologie, die sich in den folgenden Jahrhunderten aus Kants Philosophie entwickelt hat. Andererseits bedeutet das keineswegs, dass das Lexikon das Studium von Kants Werk ersetzt, sondern dass es einem philosophisch gebildeten Leser als Hilfsmittel dienen und zur weiteren Forschungen anregen sollte.

Die Stichwortauswahl des Lexikons beruht auf der Akademie-Ausgabe der Schriften Kants (*Kants gesammelte Schriften*, herausgegeben von Berlin-Brandenburgischen Akademie der Wissenschaften, Walter de Gruyter Verlag, Berlin, 1900ff.). Aus diesem Grund orientiert sich diese Auswahl der Kantschen Termini auf die aktuellen Ausgaben sowohl der Werke, die von Kant selbst veröffentlicht wurden, als auch auf Kants *Opus postumum* sowie seine Rezeption in den immer noch relevanten und repräsentativen Beiträgen zur Kant-Forschung. Mit der vorliegenden Stichwortauswahl hat sich der Verfasser die Aufgabe gestellt, zu der lexikalischen Richtigkeit und der semantischen Korrektheit der Ausdrücke beim Gebrauch der Kantschen Begriffe beizutragen, um auf diese Weise die philosophischen Implikationen, die dieser Gebrauch mit sich bringt, zum Vorschein zu bringen und sie zu klären.

Die Struktur des Lexikons selbst könnte mit der Hilfe eines Querschnitts des darin zu findenden methodischen Zugangs dargestellt werden. Im Allgemeinen geht es darum, dass es im Lexikon

drei verschiedene Klassen von Stichworten gibt: eine Stichwortart, die tatsächlich als ein philosophischer Terminus fungiert, dann eine weitere, die durch die Verknüpfung zu einem bestimmten Thema charakterisiert wird, und eine dritte, die sich auf die jeweiligen für die Philosophie Kants relevanten Personennamen bezieht.

Die erste Klasse der Artikel zu den Kantschen Termini wird durch eine Definition bestimmt, die den genuin philosophischen Prinzipien folgt. Eine um die Bedeutungsentfaltung und –präzisierung bemühte Erklärung geht mit der Analyse des Begriffsursprungs einher. Verschiedene Bedeutungen des Begriffs werden durch die einschlägigen Stellen in Kants Werk präsentiert und zeigen uns, zu welchem Umkreis ein Terminus zugerechnet werden soll, z. B. ob er innerhalb der Philosophie Kants in moralisch-praktischer oder eher in der theoretischen Hinsicht seine Verwendung findet. Dabei können die einzelnen Zitate, in denen der Terminus in Kants Schriften vorkommt, durch die Angabe der Seitenzahl in der Akademie-Ausgabe nachgeschlagen werden. Darüber hinaus wird auf die *verwandten Begriffe* hingewiesen, um somit auch das begriffliche Umfeld jedes einzelnen Begriffs zu klären. Den Hauptabschnitt jedes einzelnen Begriffsartikels stellt die sogenannte *Philosophische Funktion* dar, in der oft die Erläuterungen mehrerer Funktionen eines Terminus zu finden sind. Wegen der immer wieder vorkommenden Interpretationsschwierigkeiten werden verschiedene Fragen, die die Terminologie Kants betreffen, auf die relevanten Forschungsbeiträge bezogen. Bei jedem Stichwort versucht der Verfasser, verschiedene philosophische Implikationen durch die Herstellung der Verbindung zwischen einer reichen Begriffsgeschichte und der bereits weit fortgeschrittenen Interpretation des Kantschen Denkens sichtbar zu machen. Aus diesem Grund wird am Schluss des Artikels *Weiterführende Literatur* ein Hinweis für den an den weiteren Forschungen interessierten und um ein tieferes Verständnis der Probleme der Kantschen Terminologie bemühten Leser gebracht.

Da das Hauptinteresse des Verfassers sich nicht auf Sachthemen richtet und der Schwerpunkt der Lexikonstruktur auf die Klärung der Kantschen Begriffsapparats gelegt wird (*Vorwort*, in *Kant-Lexikon*.), wird die Klasse der rein themenbezogenen Artikel nicht immer eindeutig gekennzeichnet. Deshalb folgen die im Lexikon hervorgehobenen Themen der Philosophie Kants der oben bereits gezeigten Struktur der Artikelbegriffe, jedoch mit mehr Inhalt in ihrem zentralen Abschnitt. Zu einem bestimmten Themenbereich gehören nicht nur

die besonders relevanten Themen, sondern auch jene unter den verwandten Begriffen bestehende Verbindungen, so dass sich ein bestimmtes Thema durch verschiedene Artikel hindurch verfolgen läßt. Die ständige Auseinandersetzung mit den oben genannten philosophischen Voraussetzungen hilft bei der vollständigen und systematischen semantischen Erfassung der zwischen den Begriffen, Themen und Personennamen bestehenden Bedeutungsrelationen.

Die dritte Klasse der Artikel enthält die relevanten Personennamen sowohl in Bezug auf die Philosophie Kants als auch auf einen breiten Kontext der gesamten Kantschen Epoche. Diese Artikel fangen mit den biografischen Angaben einer Person an und durch einen historischen Überblick wird der Bezug zu der Philosophie Kants hergestellt. Das Vorkommen einer Person im Kants Werk wird im Lexikon nicht nur durch die Angabe der Seitenzahl in der Akademie-Ausgabe dokumentiert, sondern es wird auch analysiert, in welchem Kontext und aus welchem Grund Kant diesen

peronellen Bezug vorgenommen hat. Der Schwerpunkt bei diesem Ansatz wird auf den Einfluss gelegt, den die betreffende Person auf die Philosophie Kants hatte.

Außerdem enthält das vorliegende *Kant-Lexikon* eine vollständige Darstellung des Kantschen Werks mit noch nie dagewesenen semantischen Gesichtspunkten, philosophischen begriffsgeschichtlichen Implikationen und der Verwendung der Bedeutungsrelationen zwischen den Kantschen Termini (*Vorwort*, in *Kant-Lexikon*). Aufgrund der aktuellen Forschungen kann das *Kant-Lexikon* bei einem Kenner der Philosophie Kants zu einer Vertiefung des Verständnisses seiner Begrifflichkeit beitragen, denn es handelt es sich nicht um eine neue, dem Kants Wörterbuch nachgebildete Edition, sondern um eine systematische, ausführliche und philosophiegeschichtlich relevante Klärung der Terminologie der Kantschen Philosophie. Das vorliegende *Kant-Lexikon* kann somit auch als ein Beitrag zur Förderung und Entstehung künftiger seriösen Kant-Forschung verstanden werden.

Miriam Leonard, *Tragic Modernities*,  
Harvard University Press,  
Cambridge, London 2015

Petra Bjelica

*Tragic Modernities* by Miriam Leonard is a comprehensive and incisive study that focuses on issues of tragedy and modernity, as well as their indelible correlations throughout the history of philosophy and culture. The main objective of the book is to revitalise and revalue tragedy and the tragic in contemporary thought in all their different and disparate guises. In order to do so, Leonard emphasises the crucial role of ancient tragedy in history of political discourse and raises issues about its ample power in shaping modern political theory. Considering the notion of the universal humanist truths that reside in tragedy, ones that are deeply questioned in recent scholarships, Leonard examines these truths in a contemporary post-humanist context and highlights new possibilities given by tragedy. As Miriam Leonard remarks, *Tragic Modernities* examines a dual process; on one hand, the ways tragedy influenced the shaping of modernist ideas and preoccupations, and on the other, the ways modernity interpreted and vitalized classical texts in new philosophical contexts. Miriam Leonard points out one of the central claims of the book to be the idea that modernity forges a link between tragedy and revolution; she tries to trace that link and to follow its varied and disparate torrents throughout the history of philosophy, literature and modern thought.

The study begins with the famous debate between George Steiner (*The Death of Tragedy*) and Raymond Williams (*Modern tragedy*) in the 1960's. While Steiner claims that tragic art is culturally specific and part of a particular western and Greek tradition, therefore impossible in modernity, Williams argues that modernity is itself tragic. These two arguments build the main scope of *Tragic Modernities* and we can assume, as the title entails, that Miriam Leonard's opinion corresponds with Raymond's and that the tragic modernity should be untangled from contemporary discourses. The second key argument of the monograph is the revelation of the new political power that resides as a possibility in classical tragic texts and their different interpretative guises.

*Tragic Modernities* consists of five chapters in which tragedy is confronted with the following themes: revolution, metaphysics, history, gender and subjectivity. We may query whether this partition and consequences of its research are the best solution for examining tragedy and the tragic. Namely, since the study lacks a more comprehensive and exact evaluation and determination of concepts of tragedy and the tragic, shifting from different

historical or philosophical contexts leaves a lot of space for questions. Also, it could be seen as a lack of precise methodological procedure. All three concepts of modernity, tragedy and the tragic are changeable, fluctuating and depending on different contexts from which they originated. Therefore, this book should primarily be seen as an attempt of mapping these relations and an inspiration for further examination and study.

Leonard follows a specific tradition in this book: to be a modern subject is to be a tragic subject, regardless of whether it is in our experience of gender, our relation to history or our idea of political agency. Leonard traces the philosophy of the tragic in Schelling, Hegel, Hölderlin, Nietzsche, Marx, Freud, Benjamin, Heidegger, Schmitt, and Arendt. „*Tragic Modernities* purposefully juxtaposes these different historical moments as its aim is to emphasize the continuities in the preoccupation with tragedy across disparate philosophies of European modernity.“(26). Philosophical methods and approaches to tragedy may offer unexploited spaces and alternatives for political readings. One of Leonard’s principal objectives is to use theoretical texts she explores to invite us to read tragedy otherwise; to push us to read tragedy politically, as she claims.

In the section *Tragedy and Revolution*, Miriam Leonard questions the relations between tragedy and modern political theory, ending the section with the dialogue between tragedy and the leftist thought and practice. According to Hannah Arendt, revolution, as a specific political concept, is a distinctive modern quality which has an ambivalent relationship to tragedy. „There is no revolution without tragedy, Arendt seems to imply, but the revolutionary power of tragedy also lies in its association with action, in its ability to move beyond the nihilism of Silenus“ (42). Leonard argues that even though Marx eschews both tragic content and form from his concept of revolution, at the same time addresses its ability to transform the modernity. At the end of the chapter, following Raymond Williams, Leonard offers an alternative leftist reading of tragedy that is seen as an essential condition for self-critical leftist practice: by recognizing tragedy in both life and revolution, Williams unveils tragedy as an important lived experience.

Chapter *Tragedy and Metaphysics* contributes significantly to the organization of the political argument of the book by demonstrating „how the conception of the tragic gave new voice to the metaphysical paradox of freedom and necessity,

and gave this ontological problem a decidedly political inflection“ (42). Besides, Leonard points out that using tragic in the critique of metaphysics does not indicate the end of the political but instead produces possibilities for different politics. She follows these arguments from *The earliest System-Programme of German Idealism* (manifesto that is believed to be written by Schelling, Hegel and Hölderlin), and work of Schelling, Hegel, Nietzsche and Heidegger. While Schelling sees Oedipus as an autonomous subject that depicts the contradictions between Greek reason and tragic point of view (the conflict between freedom and necessity), Hegel makes him a synonym of the origin of philosophy (the coming into being of consciousness is the birth of philosophy). But both these reflections incorporate the awareness of the limits of subjectivity which is in Hegel crucially linked to political freedom. Nietzsche, on the other hand, unveils the metaphysical truth of tragedy in Dionysiac disintegration and dissolution of the subject. Nevertheless, Leonard shows that in *Birth of Tragedy* Nietzsche remains in the metaphysical realm and his reading acts both as the ultimate challenge and the closing of the idealist interpretation of ancient tragedy. Martin Heidegger continues with the questioning of the idea of metaphysics itself, proclaiming that experience of the beings in their Being is tragic. „For Schelling and for Hegel just as for Nietzsche and Heidegger, tragedy would need to enter the vocabulary of existence before it could become the vehicle for an exploration and ultimately a critique of metaphysics“ (70).

The problem with metaphysics and its possible culmination in aestheticization is the danger of depoliticisation. In section *Tragedy and History*, Leonard offers an insight about the profound link between tragedy and history, analyzing and confronting Schmitt’s, Benjamin’s, Hölderlin’s and Hegel’s means of resolving historical and philosophical aspects of the tragic. By doing this, she implicitly answers to both questions: is tragedy possible in modernity, as well as how that possibility contours modernity. By comparing Carl Schmitt’s and Walter Benjamin’s claims on history, tragedy and *Trauerspiel*, this book gives credit to historical impact on tragedy and confronts the autonomous realm of (tragic) art. This is the first and only time that the author takes into account tragedy that isn’t an ancient tragedy (Shakespeare’s Hamlet), which can be seen as a weak or poorly articulated methodological aspect of the book, mainly because she leaves the procedure without justification. Hölderlin’s ideas are taken into consideration because he formulates one of the

most important questions about the possibility of writing a modern tragedy. „How can tragedy be written in an era in which the prerequisites for tragedy are missing?“ (90). His quest ends in his translation of Sophocles since modernity lacks an authentic sense. Leonard continues with Hegel, demonstrating the ways in which we can see the tragedy becoming a mechanism that reveals the history, his philosophy a tragic philosophy and the famous Preface to *Phenomenology of Spirit* a specific manifesto of the tragic. She therefore concludes that it is tragedy that has produced a new philosophy of history.

Chapter *Tragedy and Gender* brings us to psycho-analytical revisions of tragedy and its further interpretations in the later feminist critique of Freud regarding the problem of gender and putting it in tragic terms. As Leonard addresses, in this section she explores the dialogue between universal tendencies of humanism and antihumanism in the contemporary theory. Leonard argues that the nineteenth-century philosophical reading of tragedy provided the conceptual tool for Freud's reconciliation between universalism and subjectivity in his interpretation of Oedipus. But that construct isn't a simple model of identity or identification. Again, through Freud and Nietzsche, Oedipus is the main character, yet this time in a form of mockery which reveals the limitations of self-knowledge that were the basis of universal humanism. „Both Freud and Nietzsche present us with an antihumanist Oedipus, but both nevertheless resist a nihilistic interpretation of tragedy“ (122). Still, Freud's Oedipus has its own gender limitations. That is why Judith Butler, amongst other feminist writers, in her work *Precarious Life: The Powers of Mourning and Violence*, following Lacan offers a new reading of *Antigone* and delivers a new kind of humanism in which the tragic is seen as an universal condition (based on mortality and vulnerability) which marks a shift from politics to ethics. Miriam Leonard calls this new specific configuration of tragedy, humanism and universalism insurmountable in feminist post-Freudian interpretations and emphasizes that it is the same configuration Freud inherited from the above mentioned philosophy of tragic.

Miriam Leonard finishes her book with the section *Tragedy and Subjectivity* in which she analyses the links between contemporary experience of subjectivity and the tragic. „The conditions of isolation and fragmentation we experience in late capitalism are key to understanding the renewed significance of tragedy in modernity“ (131).

In her analysis, she relates the discourse of tragic individualism with the tradition of Aristotelian individualistic reading of tragedy that didn't give enough weight to the role of chorus. Yet, as Leonard argues German idealist readings could and should be seen as a site for exploring the paradoxes of individualism and further on as a site for politization of these questions. For example, Hegel depicts Greek tragedy as the sacrifice of individual freedom for the stability of the state but in his arguments tragedy nevertheless functions „as the aesthetic manifestation of the metaphysics of the subject“ (144). Nietzsche, as mentioned, explores the paradoxes of the dissolution and reconstruction of the subject, but Dionysiac he defines is always expressed as collective. He sees the essence of tragedy in self-annihilation of the individual and this idea, Leonard notes, has its clear political, even post-political utopian aspect. Further on, Leonard illuminates the nexus of ideas from Nietzsche's Dionysiac to Freud's death drive and Lacan's interpretation of *Oedipus at Colonus* (where Freud's unconscious becomes the misapprehended, unknown and opaque aspect of the subject to the ego). In Lacan's reading, Leonard highlights the identity of a subject through its own negation. „Far from investing in tragedy as a celebration of individualism, modern thinkers have turned to ancient drama to explore the problems of individuation. „Rather than finding a prototype for liberal individualism, modernity uncovered a model of radical intersubjectivity“ (159). One of the most important issues raised the question that transcends the realms of literature and scholar examinations of these topics and is related to the conclusion of this chapter. The question is not whether Lacan, Butler, Nietzsche and Freud presented the tragic identity as a divided identity, but rather did they not do so at the expense of the political self. Leonard quotes Bonnie Honig when she asks if action is „not the price modernity pays for its critique of sovereignty“ (159). Miriam Leonard offers an answer to this question regarding the problem of tragedy and takes us back to the beginning of her book: to the idea of collective revolutionary action. She convinces us that tragedy is a stage on which the paradoxes of the political are repeatedly reenacted.

In the *Epilogue* of the study Leonard encourages us to view the tragic as an explanatory structure and framework for the paradoxes of action and the modern philosophy for the fate of a subject immersed in collectivity. However, she is well aware of the arguments given by Nietzsche, Marx, Vernan and Honig about how tragic can become

an obstacle for thought and action and for that reason Leonard highlights how important it is that the tragic conversely questions tragedy. She ends the book with important, perspicacious (engaged) and pressing questions and claims. „Tragedy maps these revolving temporalities in which we make history but not in circumstances of our own choosing. Although today we are not in the French, nor the Industrial revolution, we are in some kind of unspecified global revolution that dares not speak its name. Perhaps it is because our present revolution does not claim its revolutionariness that we find ourselves turning repeatedly to tragedy and the philosophy of tragic?“(167).

Classicist scholars that are already acquainted with modern interpretations of tragedy will

become familiar with radical intersubjectivity and post-political utopia that can be rendered from it. This acknowledgment goes the other way around as well. Modern political theory and contemporary philosophy have a lot to gain in dialogue with tragedy and the tragic. Arguments of the book are clear, understandable and well-organized, and they make a lot of contribution on the topic. One of the best aspects of *Tragic Modernities* is a thorough and well-researched study that creates a fruitful dialogue between all major ideas about the tragic and contemporary scholarships and literature on this subject. *Tragic Modernities* is a big recommendation for both classicist and philosophers, and everybody interested in the relations between tragedy and modernity.

Georg Cavallar, *Kant's Embedded Cosmopolitanism*, Kantstudien-Ergänzungshefte, Band 138, De Gruyter, Berlin/Boston 2015.

Janos Robert Kun

The ethical and political connotations of cosmopolitanism have seen an upheaval in the philosophical thinking of the 20th and 21st century, promoted by such thinkers as Jacques Derrida (*On Cosmopolitanism and Forgiveness*, 1992; *Force of Law*, 1989–1990), Julia Kristeva (*Strangers to ourselves*, 1991), or Hannah Arendt (*The Origins of Totalitarianism*, 1951).

The reformulation and the refusal of a symptomatic binary thinking that created a categorical opposition of the friend and of the enemy (see: Carl Schmitt, *Theory of the Partisan*, 1962; and Jacques Derrida, *Politics of Friendship*, 1994) led to a new cosmopolitanism that forged a novel understanding of pardon, law and hospitality. This epistemological alteration could be seen as a rather optimistic answer to the events that define a democracy to come, the globalisation and the deterritorialisation of violence (see: Jacques Derrida, *Philosophy in a Time of Terror*, 2003), and inscribe the work of Kant into the current of new cosmopolitanism. Georg Cavallar, Professor of University of Vienna takes on a meticulous and unparalleled research by dismantling the discourses of cosmopolitanism before and after Kant, in order to determine his historical and philosophical status. The importance of this analysis is exemplary, given that Kantian philosophy, and particularly his 1795 discourse on *Perpetual Peace* became during the last century one of the most quoted texts that was ostensibly and anachronistically used to advocate for the new cosmopolitanism of a new era. This discourse, however, represents only one facet of the manifold cosmopolitanism of Kant: „Nowadays many interpreters pick out some of its elements as if they were independent from this system, and this is problematic. [...] This makes Kant attractive for contemporary philosophies, although a Kantian from the camp of system thinkers might argue that the result is a truncated Kant and an interpretation which follows neither the letter nor the spirit of his philosophy“ (p. 47).

Georg Cavallar prepares a systematic inquiry of Kantian thought, analysing its religious, moral, historical and educational aspects in order to reinstate the structure of cosmopolitan discourse in its contemporary, factual context. Therefore, the author carries out an epistemological work, and reveals areas of cosmopolitanism that seemed to be forged together beforehand, e. g. moral, commercial and juridical cosmopolitanism, the ethical commonwealth and secularized, rather plane idea of a „super-state“.



The historical interpretation of Kant's cosmopolitanism is followed by a review of his – contextualized – educational theory (p. 76–146). The cross reading of Kant with Rousseau and Basedow helps us reveal the influence of Enlightenment thinkers on the fabrication of new discourses targeting students and educators of their time. The need for critical thinking („Dare to think for yourself“) is indeed a key notion of the 18<sup>th</sup> century (and of Kant), but remains unravelled and truncated without its moral and civic implications that culminate in the notion of the *Bildung*. Again, the epistemological approach to the educational theory of Kant and to the moral disposition that it presupposes sheds a light on the complexity of cosmopolitanism („How one becomes a cosmopolitan?“). The historical interpretation, again, arrives to dissolve a familiar cliché that opposes cosmopolitanism and nationalism. Was the Enlightenment truly cosmopolitan? Did the 19<sup>th</sup>

century reject all cosmopolitan philosophy in favour of a nationalistic view of the communities? Was Rousseau promoting national-patriotic education, denouncing the impossibility of world-citizenry? By challenging these received ideas, the book reconstructs the history of a cosmopolitan thought that still maintained that civic patriotism is compatible with cosmopolitanism, and that did not promote the new, „shifting“ identities, we encounter in modern philosophy, but rather asserted that „the final destiny of human race is moral perfection“ (p. 174).

Instead of an uprooted cosmopolitanism, characteristic of our age with new forms of identities, vagabonds and strangers, Kant elaborated what Georg Cavallar labels „embedded cosmopolitanism“. A political and juridical form of cosmopolitan thought that is rooted in the Kantian approach to morality, religion, ethics and education.

Uz nekoliko prethodnih izvanrednih izdanja edicije „Istorijsko sećanje“, Zavod za udžbenike, zajedno sa Institutom za filozofiju i društvenu teoriju, obradovao nas je još jednom knjigom vrednom pažnje. Priređivači (ujedno i redakcija prevoda) Michal Sladeček, Jelena Vasiljević i Tamara Petrović Trifunović, načinili su pažljiv izbor tekstova dvadeset vrsnih autora, razvrstavši ih u četiri poglavlja, odnosno devetnaest podpoglavlja zbornika *Kolektivno sećanje i politike pamćenja*. Reč je o prevodilačko-uredničkom poduhvatu koji, prema rečima samih priređivača, „ima za cilj da na jednom mestu objedini i sistematski izloži neke od najrelevantnijih tekstova iz oblasti kolektivnog sećanja i pamćenja“. Zbornik zaista i uspeva ne samo da omogući pristup temeljnoj literaturi iz tog polja na našem jeziku, nego i da odgovori na uočeni značaj teme ponudom širokog spektra istraživačkih pristupa.

*Kolektivno sećanje i politike pamćenja*, priredili Michal Sladeček, Jelena Vasiljević, Tamara Petrović Trifunović, Zavod za udžbenike, Institut za filozofiju i društvenu teoriju, Beograd 2015.

Nada Banjanin Đuričić

U zgusnutom i inspirativnom Predgovoru Michal Sladeček i Jelena Vasiljević upućuju čitaoca u razuđenu sadržinu knjige, te na pregledan i jasan način predočavaju tematiku poglavlja. Prvo poglavlje „Kolektivno sećanje: društveni, kulturni i politički fenomen“ uvodi nas u ključne pojmove sećanja, zajednice, politike i kulture, ukazujući na neraskidivu povezanost ličnog, individualnog sećanja, sa grupnim i istorijskim sećanjem. Ovim kolektivnim, konstituisanim sećanjem, kao problemom sociologije, studija kulture i političke nauke, posebno se bavi Moris Albvaš, francuski sociolog, čiji se konačno na srpski preveden rad smatra fundamentalnim za izučavanje „kolektivnog“ sećanja.

U drugom poglavlju „Sećanje kao filozofsko-etički problem“ susrećemo se sa razmatranjima „korisnosti zaboravljanja“ i moralne dužnosti praštanja. Ovde će sećanje kao moralni imperativ biti propitano sa aspekta plemenitosti zaboravljanja. I ne samo to. Cvetan Todorov ukazuje na jedan zanimljiv moment: u negovanju kulture sećanja „dostojanstvenije je i časnije preći sa sopstvene nesreće ili nesreće bliskih, na tuđu nesreću“. Kako je to slikovito pojasnio Andre Švarc-Bart – objašnjavajući zašto se nakon bavljenja temom genocida nad Jevrejima okrenuo nesreći crnih robova – roda se na hebrejskom naziva „Hassida (privržen) jer voli svoje bližnje, iako je pritom svrstana među nečiste ptice. Zašto? Zato što ima ljubavi samo za svoje bližnje“. Jan Haking, s druge strane, ispituje vezu zajedničkog i ličnog sećanja. Jedna od očiglednih veza među njima jeste trauma. „Nauka o traumatičnom stresu kaže da pojedinci koji su preživeli boravak u koncentracionim

logorima, a zatim i njihovi potomci, pate od psiholoških posledica traume slične onima od kojih pate žrtve zlostavljanja dece. Veza sa upamćenom traumom je svakako drugačija, ali iza svake od njih nalazi se sećanje na traumu, ili možemo reći, kako se Frojd dosetio, 'pacijenti koji boluju od histerije, zapravo boluju od sećanja'.

U trećem poglavlju „Istorija, nacija i sećanje“ razmatra se uloga sećanja u procesu konstituisanja nacionalnih istorija i tradicija. Kako na jednom mestu piše Pjer Nora, „U zemljama Trećeg sveta obnavljanje prošlosti, poništene kolonijalnim porobljavanjem, jeste prvi korak u formiranju nacionalnog identiteta. Komunističke zemlje koje su doživele državnu zabranu prošlosti primoravaju istoriju da postane potpuno militantna, i da pamćenje bude potkazivačko. Čak su i Sjedinjene Američke Države, što zbog kratkoće svoje istorije ali i specifičnosti svog akta nastajanja, opterećene diskursom porekla“.

Tekstovi četvrtog poglavlja „Ideološki i politički kontekst pomame za sećanjem“ bave se razmatranjem istorijskih i ideoloških aspekata preispitivanja značaja sećanja i novih okvira u kojima će se ispisivati narativi o sopstvenoj prošlosti. U isprepletenosti sećanja, mržnje i praštanja ne iscrpljuje se naš odnos prema prošlosti. Kako kažu priređivači, to su i politički performansi koji odlučujuće utiču na put kojim ćemo ići u budućnosti. Tako, Barbara A. Mištal uočava povezanost „potrage za dušom“ s potragom za identitetom: „U mnogim oblastima koje se mogu smatrati izvorom duhovnosti, pojam duše razmatra se u kombinaciji s pojmom sećanja“.

Kolektivno sećanje se ogleda u sposobnosti društva da „aktivira“ ili „reaktualizuje“ pojedine događaje iz prošlosti. Priređivači primećuju da „u većim grupama poput nacije ili crkve sećanje se 'konstruiše' posredstvom simboličkih formi – znakova, tekstova, rituala, ceremonija, spomenika, memorijalnih centara, sletova, obreda, priredbi, pri

čemu se transmisija sećanja oslanja na muzeje, biblioteke, nastavne programe, arhive itd. Kroz ove simboličke prezentacije odražava se i klasifikacija prošlosti na značajnu, manje vrednu i suvišnu, na korisnu i beskorisnu, na vrednu pomena i osuđenu na zaborav“.

Knjiga *Kolektivno sećanje i politike pamćenja*, nije naodmet reći, preko je potrebna na ovim prostorima. Savremena društva, pa i naše – makar se po mnogo čemu ne bi mogla svrstati u savremena – često se opisuju kao „neizlečivo obolela od amnezije“. Koliko smo puta čuli rečenicu, gotovo izreku, da je „istorija učiteljica života“ i, ne razmisliši, ponovili tu besmislicu, tek naknadno uvidevši da mnogo više istine leži u drugoj, možda manje poznatoj, rečenici da „iz istorije možemo naučiti samo jednu stvar – a to je da iz istorije ne možemo ništa naučiti“. Sadržaj kolektivnog sećanja može biti samo konstrukt, projekcija, kultura ili – politika.

Da li deluje proročanski, da li nas boli, opominje ili tek podseća Santajanina formulacija: „Onaj ko zaboravlja ili prezire istoriju, osuđen je da je ponovo preživeti“. Ili, možda, Azra poznatije zvuči: „ko ne pamti, iznova proživljava“. I, kako, na kraju ovog prikaza, zaobići pesmu „Sećanje“ izraelskog pesnika Jehude Amihaja kad, ponekad, poezija može biti rečitija od teorije u zastupanju i kultivisanju nezaborava:

*Neka se brdo uspomena seća umesto mene. / To je razlog zašto postoji. Neka se „park u-znak-sećanja“ seća, / neka se ulica „nazvana-po“ seća, / neka se „dobro-poznata“ zgrada seća, / neka se sinagoga, po Bogu nazvana, seća, / Neka se zamotani svitak Tore seća. Neka se zastave sećaju, / ti raznobojni velovi istorije: tela koja su u njih umotana / odavno su postala prašina. Neka se prašina seća. / Neka se prljavština pred kapijom seća. Neka se novorođeni sećaju. / Zveri u polju i ptice na nebesima / neka se hrane i neka se sećaju. / Neka se svi oni sećaju tako da ja mogu da se odmorim.*

*Figura neprijatelja: preosmišljavanje srpsko-albanskih odnosa.*

Prir. Aleksandar Pavlović,  
Rigels Halili, Adriana Zaharijević,  
Gazela Pudar Draško,  
Beograd: Beton 2015.

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Zbornik radova *Figura neprijatelja: preosmišljavanje srpsko-albanskih odnosa* okupio je autore iz raznih disciplina iz Albanije, Kosova<sup>1</sup> i Srbije oko zadatka da se – upotrebom kritičke analize dominantnih istorijskih narativa od XIX veka do kraja XX – ostvari sistematičan i studiozan uvid u srpsko-albanske odnose na Balkanu.

Ovakav relativno dubok istorijski zahvat predstavlja prvu ključnu razliku u odnosu na konvencionalne pristupe ovoj problematici. Tako je, na primer, u onim sferama civilnog društva koje se na prostorima Srbije, Kosova i u Albanije bave ovom problematikom primetna izrazita usmerenost na budućnost, sadašnjost ili blisku prošlost međusobnih odnosa. Ovo je svakako razumljivo ako se ima u vidu širi kontekst koji se prevashodno ogleda u činjenici da je srpsko-albanska saradnja danas „uokvirena“ i gotovo u potpunosti definisana procesom EU integracija. Ipak, ostaje utisak da velika većina organizacija i pojedinaca koji se bave srpsko-albanskim odnosima ne preispituju (u dovoljnoj meri) diskurs srpsko-albanskog neprijateljstva nego ga uzimaju kao istorijsku datost. Tim pre se može tvrditi da prvi deo zbornika pored akademskog poseduje i širi javni značaj, budući da se u njemu analiziraju istorijske okolnosti u kojima je diskurs prijateljstva postepeno transformisan u diskurs neprijateljstva.

Pored istorijske analize, naročito je značajna činjenica da zbornik nudi i jednako dugoročne analize medijskih predstava o Albancima u srpskoj štampi. Čitalac će tako moći da otkrije da su se identični, rasistički narativi, uz kraći prekid, održali čitav jedan vek. Stereotipi o Albancima kao divljim, iracionalnim, necivilizovanim, inherentno nesposobnim za razvoj, o Albancima kao plemenu kojim neko drugi mora da vlada, pojavljuju se u istom obliku kod srpskih intelektualaca sa početka 20. i sa početka 21. veka. Kao ilustraciju ovde možemo navesti kratak odlomak iz srpske štampe koji je citiran u zborniku: „To plemensko društvo bez spomenika materijalne kulture robuje svojim atavizmima i nagonima. Albanci se moraju osloboditi tog usuda jer im niko neće dozvoliti da naprave plemensku državu bez zakona i veza sa Beogradom“ (str. 343). Naizgled bi nam se moglo učiniti da je posredi citat sa kraja 19. ili početka 20. veka, međutim ovo je napisano 2004. godine. Upravo na ovaj način autori razotkrivaju zastrašujući apsurd u kome savremeni srpski intelektualci, političari i ostale javne ličnosti koji

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<sup>1</sup> Ova odrednica je u skladu sa Rezolucijom 1244 i neutralna je u pogledu statusnog rešenja kosovskog pitanja.

govore o navodnoj nesposobnosti Albanaca za civilizaciju i razvoj, ostaju potpuno nesvesni sopstvene nesposobnosti da se razvijaju – njihova misao je i dalje u istom mestu gde je bila pre sto godina.

S obzirom da je zbornik suviše obiman da bi se u ovom formatu komentarisali svi tekstovi, pa čak i sve celine, osvrnula bih se detaljnije na tekstove „Zajednica rasposedovanih: Ženska mirovna kolicija“ i tekst „Srpsko-albanski odnosi u socijalističkoj Jugoslaviji: protesti na Kosovu i teret sistemske legitimizacije.“ Razlog za ovakvo fokusiranje prikaza vidim u tome što sam u pomenutim tekstovima prepoznala u izvesnom smislu *ključ* za čitanje mnogih drugih radova na temu srpsko-albanskih odnosa, ali i ključ za tumačenje nacionalističkih politika uopšte. Ova dva teksta ukazuju na dve dihotomije, ili možda bolje rečeno uspostavljaju dve ose. Jedna je osa ljudi – teritorija, a druga nacionalno, s jedne strane, i socijalno-klasno, s druge.

Što se tiče ose ljudi – teritorija, tekst Adrijane Zaharijević suprotstavlja pojmu zajednice definisane teritorijom odnosno posedovanjem, zajednicu ‘rasposedovanih’ koju definiše „radikalna ljudskost“. Više je nego očigledno, tvrdi Zaharijević, da su zvanične politike, kada je reč o pitanjima srpsko-albanskih odnosa, utemeljene u principu teritorijalnosti i obeležene sakralizacijom teritorije kao poseda. Dakle, teritorija, i to ne samo ona definisana administrativnim linijama, već prvenstveno ona „natopljena našom krvlju i obeležena našim znakovima pamćenja“ (str. 454) služi kao osnov za formulisanje i vođenje politike, i osnov za definisanje identiteta. Ovakva politika vođena logikom poseda, kako ističe autorka, nužno vodi „diferencijalnoj alokaciji ljudskosti“ (str. 453). Ovaj koncept diferencijalne alokacije ljudskosti vrlo precizno reflektuje isuviše dobro poznatu politiku dehumanizacije Drugog. Tekst Adrijane Zaharijević je važan zbog toga što ukazuje na potrebu stvaranja alternativnih zajednica, i dozvoljava mogućnost da i država sama postane takva vrsta zajednice – egalitarnija, inkluzivnija i bolja za građanke i građane. Drugim rečima, da se država odvoji od onog kraja ose na kome je teritorija zamišljena kao sveti posed, i pomeri ka ljudima.

Što se tiče druge ose, nacionalno vs. socijalno-klasno, autori teksta o protestima na Kosovu za vreme SFRJ (Ivković, Petrović Trifunović i Prodanović) analiziraju diskurzivnu redukciju socijalnih protesta na njihovu nacionalno-identitetsku dimenziju, koju je jugoslovenska politička elita sprovođila od 1968. do kraja 80-ih godina. Ta

diskurzivna redukcija se sastojala u tome što su društveno-ekonomski zahtevi protesta ignorisani kao takvi, dok su u prvi plan isticani identitetski odnosno nacionalni, i ta redukcija je bila posledica nesposobnosti elita da reše strukturne ekonomske probleme. Dakle, iskustvo nepravde, kao uzrok protesta na Kosovu, kroz medije je formulisano u nacionalnom ključu, i protesti su predstavljani kao pobuna albanskih nacionalista. Kako ukazuju autori teksta, alternativa je bila da se nezadovoljstvo formuliše progresivnim rečnikom solidarnosti i socijalne pravde, odnosno da se o protestima govori kao o pobuni ekonomski obespravljenih. Ovaj tekst se pokazuje važnim zbog toga što osvetljava način na koji nacionalističke elite stiču podršku ekonomski i socijalno ugroženih slojeva stanovništva. Naime, privilegovane grupe putem diskurzivnih strategija preusmeravaju nezadovoljstvo sa stvarnog krivca (odnosno sa samih elita) na etnički Drugog. Takođe, važnost teksta se ogleda i u tome što, istina indirektno ali veoma jasno, ukazuje na to da definisanje u etničkom ključu nije nikakva prirodna nužnost već društveni konstrukt ili, još bolje rečeno, ideologija na delu. Naravno, ovo nije jedini tekst u zborniku koji ukazuje na ulogu elita u proizvodnji neprijateljstva, ali njegova bitnost leži u činjenici da ne govori samo o diskurzivnoj konstrukciji etnički Drugog, nego i o diskurzivnoj *redukciji* antagonizma, odnosno ignorisanju socijalno-klasne dimenzije konflikta.

Na to ignorisanje socijalno-klasnih aspekata ukazuje još nekoliko tekstova u ovom zborniku, poput teksta Saše Čirića o savremenoj kosovskoj i albanskoj književnosti i o konstruisanju politički i etnički Drugog. Autor kaže: „Najmanje je prisutan socijalni drugi, odnosno narativ ili lirski diskurs o siromaštvu, klasnim sukobima ili o tranzicionom kapitalizmu“ (str. 370). Takođe, tekst Ane Birešev koji govori o medijskim diskursima o srpsko-albanskoj kulturnoj saradnji pokazuje da ovim poljem dominiraju diskursi koji su ili elitistički, ili teže ka tome da umetnost predstave kao apolitičnu odnosno autonomnu u odnosu na društveno-političku stvarnost, ili su fokusirani isključivo na simboličko polje, pre svega na dekonstrukciju mitova. Tek jedan diskurs, koji autorka navodi kao četvrti, političku elitu proizvodi u primarnog Drugog i naglašava antagonizam na liniji „običan“ narod – političari.

Na kraju, vredi se vratiti na prvi tekst zbornika *Figura neprijatelja* autora Aleksandra Pavlovića koji ističe dva odgovora na pitanje kako afirmisati odnosno re-afirmisati politiku srpsko-albanskog prijateljstva, ili, preciznije, na kojim vrednostima

graditi politiku prijateljstva. Ta dva odgovora koja se navode u tekstu su sa početka 20. veka, ali se oni mogu razmatrati i u savremenom kontekstu. Jedan odgovor je izgradnja prijateljstva na zajedničkim tradicionalnim vrednostima srpskog i albanskog naroda, kao što su junaštvo, čast i hrabrost, dok je drugi odgovor povezivanje i saradnja na temelju socijaldemokratskih i drugih

levih načela. Kako je koncept zajedničkih tradicionalnih vrednosti nedovoljno inkluzivan i nedovoljno egalitarian da bi poslužio kao osnov politike prijateljstva, čini se da odgovor treba tražiti u insistiranju na zajedničkim socijalnim i ekonomskim interesima pripadnika različitih nacija i, pre svega, u dekonstrukciji ideje o prirodnosti etničkih podela.

*The Ways of Byzantine Philosophy*,  
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Nedavno je iz štampe izašao zbornik radova na engleskom jeziku, ilustrativnog ali i intrigantnog naslova, *Putevi vizantijske filozofije* (*The Ways of Byzantine Philosophy*) kao trideset druga sveska značajne edicije *Contemporary Christian Thought Series* koju je u saradnji sa Filozofskim fakultetom u Kosovskoj Mitrovici objavila Zapadnoamerička eparhija Srpske pravoslavne Crkve. Zbornik je priredio naš priznati i vrsni poznavalac vizantijske filozofije dr Mikonja Knežević kome je pošlo za rukom da na ovom projektu okupi autore iz čak dvanaest zemalja (Srbija, Rusija, Crna Gora, Velika Britanija, Norveška, Grčka, Italija, Slovenija, Bugarska, Nemačka, Argentina i Makedonija). Na 476 strana, uz uvodni tekst urednika, u dvadeset četiri originalna naučna rada, razmatraju se filozofske ideje većine značajnih mislilaca epohe. Kako je to obično slučaj u ovakvim i sličnim zbornicima, interpretativne matrice koje su primenjene nisu uniformne, a dijapazon filozofskih problema kreće se od onih logičkih, antropoloških, ontološko-teoloških pa sve do filozofije ideja i istorije umetnosti. Iako je urednik odustao od namere da eksplicitno, putem poglavlja, razvrsta i grupiše radove, redosled po kome su štampani u potpunosti odgovara hronologiji, s tim što uređivačka intervencija, izražena u poretku radova, krije i određenu podrazumevanu shemu koja, iako netendenciozno, dotiče žive probleme koji su skupčani sa i oko vizantijske filozofije, kao i one koji su razmatrani u patristici, ranoj i poznoj fazi razvoja ove filozofske epohe srednjovekovlja. Tako, na najupornije pitanje čiji intenzitet, čini se, ni danas ne jenjava i oko kojeg je nažalost utrošeno isuviše intelektualne energije, a tiče se toga da li se opravdano može govoriti o vizantijskoj *filozofiji* ili je primerenije zauzeti blažu poziciju i govoriti o filozofiji ili filozofijama u Vizantiji, odgovor daju „Introduction“ (str. v–x) Mikonje Kneževića i tekst Georgija Kaprieva „Philosophy in Byzantium and Byzantine Philosophy“ (str. 1–8).

Iako sažet po formi, spomenuti „Introduction“ urednika zbornika treba tretirati kao integralni prilog, zato što se u njemu, pored podataka koji opisuju i objašnjavaju trenutno stanje u oblasti istraživanja, kao i motive koji su zaslužni za ovakav jedan projekat, posebno potcrtava da je razumevanje vizantijske filozofije, koje je prisutno u radovima, „poliprizmatičnog karaktera“, što zapravo znači da se ona ne razume kao monolitna i u sebe kruto zatvorena, već da više lica ove filozofije opravdavaju raznovrsnost pristupa i predmeta kojima su posvećeni radovi u zborniku. Drugačije, ali ne i u suprotnosti sa istaknutim manirom *Uvoda*, Georgij Kapriev ističe da se mora voditi

računa o terminološkoj razlici između „filozofije u Vizantiji“, pod kojom on misli na skup raznorodnih filozofija prisutnih u vizantijskoj kulturi, i „vizantijske filozofije“, koju određuje u opoziciji prema Zapadnom srednjovekovlju, iznalazeći u *dinamizmu bića*, s jedne strane princip inkluzije, pa tako i ujedno i princip ekskluzije.

Nakon dva uvodna rada, prvi deo, i to radovi 2–11, razmatraju probleme koji su svojstveni patristici i ranoj vizantijskoj filozofiji. Tako, Dušan Krcunović u svom prilogu iz istorije ideja „Hexaemeral Anthropology of St. Gregory of Nyssa: ‘Unarmed Man’ (ἄοπλος ὁ ἄθροπος)“ (str. 9–24) uspostavlja vezu između antropoloških uvida Grigorija Niskog i antropologije Arnolda Gelena i Maksa Šelera, pokazujući da ključni problem filozofske antropologije oivičen u frazi „nedovršenost ljudske prirode“ ima svoju istoriju koja seže do Platona, da bi upravo u filozofiji Grigorija Niskog zadoobili punu artikulaciju, čime njegovi uvidi nisu postali samo jedna etapa u razvoju ideje već i obavezujuća referentna tačka za savremena antropološka istraživanja. Torstejn Teodor Tolefsen u tekstu „St. Gregory the Theologian on Divine Energeia in Trinitarian Generation“ (str. 25–36) razmatra *pojam* energije kod Grigorija Bogoslova u nameri da objasni doktrinu unutrašnje božanske aktivnosti kojom se ono struktuiralo kao trojstvo. Ilarija Rameli u tekstu „Proclus and Christian Neoplatonism: Two Case Studies“ (str. 37–70) ukazuje na tematsku i terminološku sličnost između Prokla i hrišćanskog neoplatonizma, posebno apostrofirajući učenje o apokatastazi ili „sveopštoj vaspostavi“ i učenje o utelovljenju duše, a sve sa namerom da se putem analize nedovoljno istaknutih elemenata u Proklovoj filozofiji unapredi izučavanje vizantijskog platonizma. Ispitivanju hijerarhije bića u patristici, posebno u učenju Grigorija Niskog, kao i razmatranju geneze ideje o participaciji u božanskoj prirodi kroz tri perioda razvoja vizantijske filozofije kao i promeni koja se, pod uticajem Proklovog neoplatonističkog modela, desila u interpretaciji Dionisija Areopagita posvećen je rad Dmitri Birjukova, „Hierarchies of Beings in the Patristic Thought: Gregory of Nyssa and Dionysius the Areopagite“ (str. 71–88). Johan Zahhuber u tekstu iz istorije ideja „Christology after Chalcedon and the Transformation of the Philosophical Tradition. Reflections on a neglected topic“ (str. 89–110) razmatra filozofske implikacije Halkidonskog sabora, ističući da one ne samo da upotpunjuju prazninu u našem razumevanju teološkog i filozofskog razvoja, već i da poseduju potencijal da transformišu naše razumevanje načina na koji je hrišćanska

teologija promenila neke od bazičnih modela grčke filozofske tradicije, čime je, preko uspona hrišćanske teologije, okončan period dominacije antičke metafizike i kapadokijske tradicije filozofskog partikularizma. Dionisiju Areopagiti posvećeni su radovi Hoze Marija Nieve i Filipa Ivanovića. Nieva pokušava, mimo ustaljenih shvaćanja, da pokaže da je, polazeći od ideje *epistrophe*, onako kako je ona određena u IV knjizi Dionisijevog spisa *O božanskim imenima*, moguće zasnovati dionisijevsku antropologiju preobraćenja kako to sugeriše i naslov rada „Anthropology of Conversion in Dionysius the Areopagite“ (str. 111–122), dok Filip Ivanović svoj prilog „Eros as a Divine Name According to Dionysius the Areopagite“ (str. 123–142) posvećuje interpretaciji erosa kao Božijeg imena, pri čemu zaključuje da Dionisijeva erotologija manifestuje način na koji je antička filozofija percipirana i inkorporisana unutar hrišćanskih učenja, a posebno onaj na koji su Platonovi, Plotinovi i Proklovi uvidi o ljubavi postali deo hrišćanske misaone zaostavštine, dok kod Dionisija Areopagite jedan ovako preuzet termin bila doznačen samom Bogu. Vasilije Lurje u izuzetno zanimljivom tekstu „Leontius of Byzantium and His ‘Theory of Graphs’ against John Philoponus“ (str. 143–170) interpretira nedovoljno istraženu teoriju Leontija Vizantskog o partikularnoj prirodi i primećuje da je njegovo određenje numeričke razlike identično onom koje danas susrećemo u teoriji grafova. U radu „The Transformation of Neoplatonic Philosophical Notions of Procession (proodos) and Conversion (epistrophe) in the Thought of St. Maximus the Confessor“ (str. 171–184) Vladimir Cvetković ispituje način na koji je Maksim Ispovednik adaptirao neoplatoničarske pojmove *proodos* i *epistrophe* kako bi artikulirao centralnu temu vlastitog mišljenja – ovaploćenje Boga u ljudskom obličju, dok Gorazd Kocijančič u radu „Mystagogy – Today“ (str. 185–196) ispituje da li se razumevanje *simbola* u vizantijskom mišljenju može okarakterisati kao „hristijanizovani platonizam“ ili je po sredi nešto bitno drugačije u igri, i ističe da sa zarad odgovora na ovo fundamentalno hermeneutičko pitanje treba obratiti Maksimu Ispovedniku i to posebno njegovoj *Mistagogiji*. Uslovno govoreći prvi deo zbornika zatvara rad Uroša T. Todorovića „Transcendental Byzantine Body. Reading Dionysius the Pseudo-Areopagite, Gregory of Nyssa and Plotinus in the Unfolded Marble Panels of Hagia Sophia“ (str. 197–226). U ovom radu, koji se tiče istorije umetnosti i koji je opremljen izuzetnim ilustracijama i fotografijama, autor ispituje vezu između mističkog učenja Dionisija Areopagite, Grigorija Niskog i Plotina i



načina na koji su postavljeni mermerni paneli u Aji Sofiji u Istanbulu.

Srednjem periodu vizantijske filozofije i posebno idejama Jovana Damaskina i Fotija posvećeni su radovi Slobodana Žunjića, Skota Ejblsa i Ivana Hristova. Žunjić u radu „John Damascene’s ‘Dialectic’ as a Bond between Philosophical Tradition and Theology“ (str. 227–270) pristupa detaljnoj analizi Damaskinove *Dijalektike* s namerom da pokaže na koji je način Aristotelova logika upotrebljavana za odbranu hrišćanskog učenja od pogrešnih interpretacija, zaključujući potom da je pojmovna aparatúra antičke filozofije unutar vizantijskog intelektualnog konteksta, znatno ranije nego što je to usledilo na Zapadu, učestvovala u „hristijanizaciji“ Aristotela, dok Skot Ejbls u tekstu „John of Damascus on Genus and Species“ (str. 271–288) takođe razmatra logičke aspekte Damaskinovog učenja, analizirajući posebno njegovo određenje roda i vrste. Rad Ivana Hristova „Neoplatonic Elements in the Writings of Patriarch Photius“ (str. 289–310) za predmet ima analizu, u dobroj meri, paradoksalnog i svakako intrigantnog Fotijevo određenja Boga u duhu hristijanizovanog Aristotela kao *actus purus*-a, koje se pod uticajem neoplatonizma pojavilo u vizantijskom intelektualnom kontekstu mnogo pre nego što identično određenje susrećemo na Zapadu, i to posebno u delima Tome Akvinskog. Poslednji rad, uslovno govoreći *drugog* dela zbornika, rad Smilena Markova koji nosi naslov „Relation’ as Marker of Historicity in Byzantine Philosophy“ (str. 311–324) pokazuje kako je Aristotelova logička kategorija relacije (πρός τι) u delima vizantijskih mislilaca zadobila „istorijsko“ pa tako i antropološko značenje, što je pogodovalo da se i istorija ne shvati kao produkt subjektivnih i spontanih činova volje, već tako da ona predstavlja ostvarenje Božijeg programa.

Sa radom Nikole Ludovikosa „The Neoplatonic Root of Angst and the Theology of the Real. On Being, Existence and Contemplation. Plotinus – Aquinas – Palamas“ (str. 325–340) ulazimo u poslednju trećinu zbornika, u kojoj su mahom svi prilozima posvećeni pitanjima relevantnim za pozni period. Konkretno, Ludovikov ispitujući Plotinove, Tomine i Palamine interpretacije temeljnih ontoloških kategorija (egzistencija, esencija, biće, realnost, Jedno, strepnja...) želi da pokaže, koliko god to delovalo neobično, da kontinuum između dve misaone tradicije, one antičke i one hrišćanske, zapravo boravi u oblasti ontologije, u smislu da hrišćanska ontologija aktualizuje temeljnu težnju antičke filozofije za stabilin i koherentnim Jednim, kome neće biti žrtvovana

individua. Istorijsko-filozofskim opservacijama o mišljenju i pamćenju u vizantijskoj filozofiji trinaestog i četrnaestog veka posvećen je rad Dmitri Makarova „The First Origin, Thinking and Memory in the Byzantine Philosophy of the Late 13th and 14th Centuries: Some Historico-Philosophical Observations“ (str. 341–352). Rad Joanisa Polemisa, „Manuel II Palaiologos between Gregory Palamas and Thomas Aquinas“ (str. 353–360), posvećen je analizi nedovoljno istraženog uticaja ideja Grigorija Palame i Tome Akvinskog na teorijsku poziciju Manojla Paleologa, koja je izložena u *Dijalogu sa muslimanom*. Konstantin Atanasopoulos u radu „Demonstration (ἀπόδειξις) and its Problems for St. Gregory Palamas: Some neglected Aristotelian Aspects of St. Gregory Palamas’ Philosophy and Theology“ (str. 361–374) ispituje Palamin doprinos teoriji dokaza (demonstraciji) koju je utemeljio Aristotel, i, za razliku od prevladajućeg stanovišta, po kome Palama nije razumeo Aristotelovu logiku, analizirajući debatu između Varlaama Kalabrijskog i Grigorija Palame, zaključuje da Palamine opservacije predstavljaju verni prikaz Aristotelovih uvida tako da su i negativni stavovi po tom pitanju Roberta Sinkeviča i Katarine Jerodiakonu neopravdani i neutemeljeni. Tekst pod nazivom „Authority and Tradition. The Case of Dionysius Pseudo-Areopagite in the Writing ‘On Divine Unity and Distinction’ by Gregory Palamas“ (str. 375–390) Mikonja Knežević posvećuje ispitivanju Palaminog odnosa prema autoritetu Dionisija Areopagite i *Corpus Areopagiticum*-a, usredsređujući pažnju na 33 i 34. poglavlje spisa *O Božijem jedinstvu i razlikovanju*, zaključujući odatle da bezuslovno prihvatanje epistemičkog kriterijuma upodobljenog u autoritetu Dionisija Areopagite Palamu dovodi u interpretativne lagume onog trenutka kada treba da odgovori na pitanje: „Zašto oci prvih hrišćanskih vekova ni na jednom mestu u svojim delima poimence ne navode Dionisija Areopagitu?“, čime je, prema Kneževićevom mišljenju, Grigorije Palama propustio šansu da se kritički osvrne na „slučaj Dionisije“ i tako raskrinka kvaziapostolski autoritet ovog i danas nepoznatog pisca. Milan Đorđević u tekstu „Nicholas Cabasilas and His Sacramental Synthesis“ (str. 391–400) pokušava da ukaže na one razloge koji su doprineli da Nikola Kavasila, i pored zanemarljive uloge u razvoju vizantijske filozofije, a koju mu je dodelila recepcija, bude u tolikoj meri pogodna figura čije su ideje mogle da se primene u raznoraznim, a često i u različitim, kontekstima, ističući da se odgovor krije u originalnom razumevanju *sinteze* Nikole Kavasile koja mu je omogućila da u sakramentima vere oiviči kontekst unutar koga svaki

filozofski pojam zadobija vlastitu diskurzivnu funkciju. Panajotis Atanasopoulos u tekstu „Scholarios vs. Pletho on Philosophy vs. Myth“ (str. 401–428) razmatra dobro poznati spor u poznoj vizantijskoj filozofiji oko toga koji je od dvojice antičkih autoriteta kompatibilniji sa hrišćanskom doktrinom i to na primeru debate Sholarija i Plitona, usresređujući posebno pažnju na stavove u vezi mitova i njihovoj saznanjnoj funkciji kao i na ulogu koju je aristotelizam Tome Akvinskog imao za ovu debatu. Ne slučajno, zbornik zatvara rad Jorga Arabazisa, „Byzantine Thinking and Iconicity: Post-structural Optics“ (str. 429–448), u kome se vizantijska ikoničnost razmatra iz poststrukturalističke perspektive, pri čemu termin „vizantijski“ ne referiše samo na određeni istorijski kontekst, već pretpostavlja opštije kulturološke dispozicije, što autoru omogućava da ovaj pojam razmotri unutar književnog i filozofskog područja, u nameri da oiviči interpretativnu mrežu relacija koja danas može ponuditi jedno drugačije čitanje vizantijske baštine.

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Na kraju valja istaći da radove u ovom zborniku karakteriše prisustvo svih onih parametara koji treba da krasi originalne naučne radove, a što će sve doprineti tome da ovaj zbornik postane neizostavna referenca u daljim istraživanjima. Čak i ukoliko bi se ostalo na ovde ponuđenom letimičnom i fragmentarnom prikazu radova u zborniku *The Ways of Byzantine Philosophy* nedvosmisleno

bismo mogli zaključiti da se radi o ostvarenju od izuzetnog značaja ne samo za našu filozofsku zajednicu, već i za filozofsku zajednicu u međunarodnim okvirima, a posebno zato što se, iako je u poslednjih nekoliko decenija istraživački angažman znatno intenziviran, pa tako imamo sve više radova koji se bave vizantijskom filozofijom, i dalje oseća nedostatak ovakve vrste zbornika u kojima zajedno, autoriteti u oblasti, ali i mlađi istraživači, razmatraju vizantijsku filozofsku zaostavštinu. Ovakav susret je uvek dobrodošao zato što omogućava ne konzerviranje tradicije, već njeno unapređivanje i obogaćivanje, i to pre svega entuzijazmom mlađih teoretičara koji u težnji za osvajanjem vlastite interpretativne pozicije kroz jedno novo čitanje onoga što vizantijska filozofija ima da ponudi, pomalo paradoksalno, razvijaju ono što na prvi pogled deluje monolitno i nepromenljivo. Zbog toga je izuzetno važno doslovno shvatiti navedenu frazu urednika zbornika sa početka ovog prikaza u vezi „poliprizmatičnog“ razumevanja vizantijske filozofije, upravo zato što će promenjena perspektiva uroditi, a to svakako treba očekivati u budućnosti, pojavom novih projekata i drugačijih čitanja zaostavštine. U krajnjoj liniji, i jedini mogući način egzistencije prošlosti je ovaj sadašnji, pa se tako ovde ni ne radi o jednosmernim putevima, već o dvosmernim, od kojih je jedan smer sigurno i onaj koji nas može nanovo uvesti u vizantijsku filozofiju.

## Studiozno kazivanje o značaju Platonovih mitova u njegovoj filozofiji

(Osvrt na knjigu Irine Deretić, *Platonova filozofska mitologija: Studija o Platonovim mitovima*, Zavod za izdavanje udžbenika, Beograd 2014)

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Studija Irine Deretić o Platonovim mitovima, kao i o njegovom projektu „nove“ filozofske mitologije napisana je sa pretenzijom da istraži glavne aspekte Platonovog mitotvorstva, kao i da iznese pravilne procene njegove uspelosti, verodostojnosti i filozofske relevantnosti. Već na početku svoje studije o Platonovoj filozofskoj mitologiji, Irina Deretić je naglasila da se ulazi u istraživanje istinonosne, obrazovne i saznavne uloge mitova u njegovom misaonom korpusu. Platon je kritikovao tradicionalne mitove kao obmanjujuće i etički neprihvatljive, ali je sam pisao mitove koje je smatrao istinitim, ili kako Irina kaže: „njegovi mitovi su, doduše, filozofskog karaktera“ (str. 15), dodajući da se to vidi i po sadržaju, kao i po tome što uglavnom slede pravila njegovog vlastitog nacrtu „nove filozofske mitologije“. Ona dobro primećuje kako je tradicionalne mitove on smatrao proizvodom fantazije, a njegov pristup razumnim i rukovođenim učenjem o idejama, sa dijalektičkom utemeljenošću kroz postepeno sprovođenje mišljenja, takođe izvestan tradicionalni: „način da se razumeju brojni fenomeni koji se ne mogu drugačije objasniti, poput pitanja o tome kako je postala vasseljena, čovek ili pak Troja. Mitovi, takođe, propovedaju o različitim formama funkcionisanja psihičkog, erotskog, kao i sudbine duša posle smrti.“ (str. 16). U tom smislu studija obuhvata – „etiološke, erotske i eshatološke mitove, a završava sa njegovom čuvenom pričom o pećini, isprva kao poređenje, koje prerasta u alegoriju, a iz nje u mit o pećini“ (str. 18).

Tako se značenja pojma mita u njegovim dijalozima kreću u višeslojnim funkcijama prema kriterijumima istinitosti, lažnosti ili verodostojnosti koju poseduju, pa da uobičajeno shvatanje kako Platon slovi za rodonačelnika kritike mitologije nije neispravno. Postavljeno pitanje o tome, da li on primenjuje iste kriterijume kada procenjuje mitove drugih i kada procenjuje vlastite mitove, svoj odgovor nalazi na liniji njihove istine i dvostruke laži. Mit laže ukoliko božansku prirodu iskrivljeno prikazuje, tj. onakvom kakva ona nije, te ukoliko pripoveda da bog/bogovi menjaju oblike i transformišu se u razna stvorenja, jer bi to bila negacija njihove savršene prirode koja je nepromenljiva i jednostavna.

Etiološki mitovi bave se poreklom čoveka i živih bića (dijalog *Protagora*), stvaranja sveta (*Timaj*) i kosmičkim ciklusima s obzirom na ljudska društva (*Državnik*), smeštajući sve u neodređeno prošlo vreme. U dijalogu *Protagora* titan Epimetej je ovlašćen da smrtnicima dodeli sposobnosti, a Prometej treba pravilnost dodele da preispita.

Epimetej oprema životinje sredstvima za opstanak, ali mu ponestaju ideje kada dolazi do čoveka i ostavlja ga biološki najnemoćnijim. Tada Prometej krade tehnička znanja (tj. inteligenciju) od Atine, predajući ih čoveku, što će mu pružiti nadmoć nad ostalim biološkim bićima. Opasnost od međusobnog istrebljenja otklanja Zevs učeći ih političkim vrlinama umerenosti i pravednosti, kojima se nadvladava njihova agresivnost. U mit u *Državniku* o kosmičkim ciklusima pripoveda se da bog ne može da zaustavi snažne destruktivne tendencije unutar kosmosa kojim upravlja, jer je on „telesan“. Kronovi ljudi, iz zemlje rođene, žive neistorijski i nepolitički, potpuno različito od ljudi iz naše Zevsove epohe. Erotski mitovi su narativno višeznačni, od Aristofanove komične situacije raspolućenosti čoveka, gde se traže podeljene polovine sve do erotološkog diskursa u Diotiminom razgovoru sa Sokratom o potrebi za opštenjem sa mnoštvom lepih tela, kako bi se shvatilo da je ono za čime se traga netelesno, tj. lepota ispoljiva u duševnom skladu, a to traganje vrhuni u sagledavanju lepote same.

Eshatološki mitovi pripovedaju o suđenju dušama nakon smrti, o idealnoj zemlji, kao o čudesnom biranju „životnih obrazaca“ u Erovom mitu. Posebnu pažnju Deretićeve je posvetila raspravljanju o mita *Gorgiji*, narativno naizgled jednostavnoj priči o suđenju dušama nakon smrti. Za razliku od Đulije Anas, po kojoj mit redundantan u odnosu na Sokratovu argumentaciju da je bolje trpeti, nego pričenjivati nepravu, Deretićeve suprotstavlja mišljenje da mit iznosi u odnosu na argumentaciju nova uverenja o smislu etičkog prosuđivanja, kažnjavanja, iskustva smrti (str. 152). Platon, po autorki, ne saopštava samo da pravda uvek pobeđuje, nego pokazuje i šta pravda uvek jeste u suštini, prema pretpostavkama ispravnog prosuđivanja u primeni na naš život u ovom svetu. Na taj način, nameće se ispravnija teza za tumačenje, da verovanje u to, da će se preminulim dušama suditi nakon okončanja ovozemaljskog života, ima svoje „pročišćavajuće“ dejstvo, koje bi valjalo da sadrži i suđenje i kažnjavanje na ovom svetu. Dalji korak je uvid da se sa alegorijskom interpretacijom ovog mita može dospeti do otkrivanja statusa božanskog, poimanja prirode duše i iz odnosa prema smrti, otkrivanja smisla kažnjavanja. U tom kontekstu naša autorka hermeneutički posreduje i usmerava pitanje: „U pozadini svih ovih važnih tema koje otvara mit u *Gorgiji* leži suštinska dilema kako dijaloga u celini, tako i samog mita: zašto je život filozofa bolji od onog koji propisuje retotička ideologija?“ (str. 153) Odgovor može da se

dobije prodorom u simboliku mita, sa čime se razotkriva smisao kažnjavanja u primarnim etičkim rasuđivanjima. Ona stanovište Sokratovog sagovornika Kalikla, koji smatra da treba da vladaju jači nad slabijima, te da su zakoni obične neprirodne konvencije, koju s pravom pobija Sokrat argumentacijom da stalna težnja ka ispunjenju koje nikako ne može da nastupi, nanosi ogromnu bol toj istoj duši. Istančanim sluhom ona povezuje i drugi Kaliklov stav, da „filosof ne može sam sebe da brani od neprijateljskog okruženja, koje može da mu nanese nepravdu lažnim optužbama“, sa aluzijama na osudu Sokrata na smrt, u kome mit o zagrobnom životu nije tek kompenzatorski, kao „pravedan sud koji nastupa posle smrti“, nego i retroaktivan, u smislu vraćanja na preispitivanje smisla tako donete presude, kako bi se sugrađani u daljim razgovorima i savetima učinili ubuduće boljim. Ovo poslednje je Irini Deretić, i glavna poruka koja usleđuje iz dijaloga: „... pravednost filozofsko-pedagoškog nastojanja usmerenog na to da se građani učine vrljima i u svakom pogledu boljima u odnosu na sredstva i ciljeve retora.“ (str. 155) Ona se ovde smelno upušta i u razlaganje tog značaja, tako da činjenje stvari uverljivim, kroz govore koji ubeđuju na sudskim procesima, gde svaka loša stvar može da se učini prividno boljom, vodi samo jačanju „instrumentalne racionalnosti“, ali ne i pravičnosti i svrhe suštinskih i opštih težnji. Kada Sokratov logos (kazivanje) Kalikle oslovljava kao mit (priču), implikujući nešto lažno i neverodostojno, autorka skreće pažnju da ga Sokrat izlaže kao „pravu istinu“, jer se od starih mitova razlikuje iznošenjem istinskog uvida prema etičkoj strukturi vrljeg života, otkrivajući stvari onakvim kakve jesu (str. 155).

U sudskoj praksi suđenja umrlima u Kronovo doba, u *Tartar*, dospevali su i pravednici, a na *Ostrvo blaženih*, i nepravedni, jer su, ističe autorka: „sudije često bile zavaravane spoljašnjim“ odlikama i položajem umirućih, kao i njihovom mimikrijom. Povrh toga i „telesnost živih sudija“ ometala je njihove kognitivne kompetencije uvida. Zevsova „radikalna juridička reforma“ uvela je maksime da niko ne zna kada će da umre, te da mrtvima i nagim dušama sude mrtve i nage sudije, postavljene po svome autoritetu kao nepogrešive i nesmenjive zasvagda. „Juridički sistem“ Zevsove vlasti je bolji i pravedniji, kako ističe autorka, zato što počiva na nepristrasnom rasuđivanju u donošenju odluka što počiva iz samog uma, pa bi trebalo da: „predstavlja paradigmu svakoj sudskoj praksi.“ (str. 161). Hermeneutički momenat koji Irina ovde uključuje, veoma je ubedljiv – ljudi Kronove epohe nisu osećali strah

od smrti, nego strah od toga kako će im biti sudeno, pa su želeli da se osiguraju lažnim svedočenjima i obmanama, kako bi zavarali sudije, a od Zevsove vladavine bivaju primorani da postanu svesni konačnosti, kao i dela koja ostavljaju iza sebe. Kako smrt nema miljenike, nemoguće je bogatstvom ili uticajnim položajem na vlasti menjati sudbinu. Sudije procenjuju razliku „prirodnih dispozicija“ i „karakternih crta“, gledajući na promene koje je čovek sačinio svojom delatnošću, usađujući ih u dušu i time osvetljavajući „etičku akraziju“ ili slabost volje u posustajanjima samosavladvanja. Nije neodmereno da se u tome vidi sukob sa prevlađujućim pogledom na svet retora i sofista, kao konglomeratom – „imoralizma, hedonizma i instrumentalističkog shvatanja politike kao isključivog sredstva za ostvarivanje moći“ (str. 171). Kažnjavanje je otud shvaćeno na korektan način, kao „mera pročišćavanja od krivice“, jer se njome menjaju navike, način ponašanja i osobine, te duše „leči od zla“ (str. 174).

U dijalogu *Fedon* Sokrat stvara utisak kako se sa smrću sve konačno ne završava, nego da se stupa u početak filozofsko-naučnog putovanja u novi, neistraženi svet, kao tvorevine Platonove imaginacije i naučnih verovanja. *Fedon* time povezuje kosmo-geografsku i eshatološku problematiku, prožetu pričom o životnom putovanju i prebivanju na zemlji, sa onom u onostranosti koja je ispod zemlje, u *Tartaru*. Postoji pak i put što vodi u „gornji svet“ tzv. „istinske zemlje“ koja je isto kao naša materijalna, ali se na njoj udiše etar, a ne vazduh, koristi vazduh, a ne voda, tj. sastojci koji su od lakše i profinjenije materije, a tu nema ni bolesti i kontakt sa bogovima je neposredan. Tu obitavaju ljudi sa razvijenijim opažanjima i mislima od naših, sa većom moći saznavanja, i sa sposobnošću da izdrže posmatranje prave zemlje (tj. neba), dok bi mi od toga oslepeli. Ona se konstruiše „matematičkom ravnotežom“ i bez pomoći četiri osnovne stihije, a podzemni svet *Tartar* se nalazi u središtu bez dna i vuče okrećući rečne tokove, pa vrtložnim promenama nikada ne dopušta duši da se zaustavi i otpočine, nego sačinjava njen stalni nemir ili pakao. Irina u tome iščitava neku vrstu eksternalizacije zločina iz unutrašnjosti, kojeg nosimo u sebi, i ne možemo da ga se oslobodimo. U Erovom mitu u *Platonovoj filozofskoj mitologiji*, iz poslednje knjige Platonove *Države* (614b-617d) filozofski se preispituje odnos kosmičke nužnosti, slobode izbora i interalistički shvaćenog pravednosti. Platon apostrofira temu slobode izbora, pokazujući kako ona na suštinski način određuje ljudsku prirodu prema njenom ishodištu (617e5). Pravednost je dobro

po sebi, koje u operativnoj upotrebi nosi i dobre posledice, te tako po autorki Epov mit nije ispravno smeštati u fatalističke i determinističke okvire, te Deretićeva u tom kontekstu otvara i dilemu oko velike teme slobode izbora.

Sa ovim stižemo do završnog poglavlja *Platonove filozofske mitologije*, gde autorka analizira čuveni „mit o pećini“ iz sedme knjige Platonove *Države* (514a-521b), u kojoj, po njenom razumevanju, dominira simbolička argumentacija, koja kao dopuna racionalnom diskursu, razotkriva tim jedinstvenim pristupom, dubinske istine, kroz suštinske odnose bivstvovanja. Tako ovaj mit kao fiktivna priča koja nema pandan u nekom faktičkom tradicionalnom izvoru, opisuje prirodu „duhovnog ropstva“ kao mučnu situaciju čoveka na naturalnom horizontu egzistencije, a koju prema dobroj opservaciji Deretićeve, zajedno sa statusom pojma božanskog, on preuzima iz Empedoklove filozofije. To je mišljenje, koje se ogleda u traganju za suštinom na posredan način, kroz težnju da se učini približnijim dublji smisao ljudske egzistencije. „Zatečeno stanje“, kao prirodno držanje ljudi u pećini, oslikano je kao žalosna situacija robovanja ljudskog duha prividu i obmanama, za koje sami žitelji podzemne pećine ne znaju. Ljudi u tom obitavalištu su zatvorenici, sa okovima oko vrata, a oni sami to stanje prihvataju kao prirodno, premda im ono sputava prave mogućnosti i sužava horizonte, do stapanja sa jednodimenzionalnim, uniformišućim gledištima. Između vatre koja gori iza njihovih leđa, i zida pećine na kojima igraju senke pronosilaca artefakata, ili kako naša autorka kaže „madioničara koji izvode trikove obmanjujući publiku“ (str. 236), nalaze se ta nesrećna bića kao čist objekat manipulacije. „Igra senki“ i čini tu ropsku egzistenciju „prirodnom“, budući da osnov tumačenja sveta počiva na njoj, kada isključivo pruža izvesnost senki kao „jedino realne“ entitete (str. 236). Platon ne opisuje povode ni uzroke kako neko može da počne da pomera glavu oslobađajući se od vratnih okova, ali kada to učini, on ugleda „gornju svetlost“ i zatim izlazi kroz „gornji otvor na pećini“, iz kog ne sija stvarstveno svetlo zapaljene vatre, nego prava samostalna kosmička svetlost, i kreće ka pravoj realnosti, ne želeći više da živi životom kakvim se živi u pećini. Ako bi se taj vratio u pećinu i pokušavao da ubedi ljude u zatečenom stanju „prirodnosti“, u istinitost ideje Dobra, koja je vidljiva tek iznad horizonata pećine, našao bi se u situaciji ugroženosti i vlastite „subjektivne sreće“ i samog života (str. 231), jer bi poljuljao uverenje o „prirodnosti“ prirode, nastalo na osnovu postojanja objekata pomoću veštačkog svetla

zapaljene vatre i igre senki kao odraza instrumentalizacije artefakata na zidu pećine, ili pak izvesne matematizacije znanja slikovitog predstavljanja čulno opažljivih stvari, kada oslobođenik iz okova iziđe iz pećine.

U samoj podzemnoj pećini, za ljudsku egzistenciju sve je artifičijelno, namešteno i podešeno prema demagoškim tvorcima lažnih mnjenja, koji takav ambijent dekoriraju opisanim okolnostima, radi efikasnosti držanja sužanja u ropstvu, jer javna mnjenja se iskrivljavaju i sa njima manipuliše zbog uspešne vladavine. Irina Deretić smatra da je to uporedivo i sa današnjim učestalim medijskim manipulacijama, napominjući: „Kao da je Platon imao pred sobom naše globalizovano i digitalizovano društvo, u kome većina misli da sve zna, premda o tome ima samo iskrivljenu, nepotpunu i pristrasno prikazanu sliku – onda kada je opisivao odnos između zaglupljenih i nesposobnih pojedinaca i onih koji njima vladaju, stvarajući im lažna i iskrivljena verovanja.“ (str. 251). Autorka je sasvim u pravu, kada Platonovo verovanje u „mitu o pećini“ ocenjuje kao prosvetiteljsko, u smislu nade u mogućnost „nadvisivanja samog sebe“ i ovladavanja „najvišom naukom“ saznavanja samog Dobra.

Zaključak ovako izvedenog studioznog rada Irine Deretić je u tom smislu i sasvim transparentan, izveden jednim, ne samo opštim, nego i korektnim logosom. U preplitanju narativnog entuzijazma i naučnih dokaza, Platonovi mitovi grade stvaralačke predstave u maštovitim i refleksivnim tvorevinama, koje su nadopunjavane razumsko-umskim razlozima, u cilju otvaranja onih strana istine, kojima se u dijalektičkim razmatranjima teži, a ne mogu tim pristupom neposredno da se dokuče. Jasno, veoma precizno i pedantno, ona je istražujući miske elemente u Platonovoj filosofiji, uspela da prikaže njihove racionalne momente razudivanjem same ideje racionalnosti, gde se u nadilaženju doskurzivnog govora otvarala i mogućnost jednog logosa ideje sveta, ili subjekt-supstantivnog sagledavanja stvari po sebi i za sebe. U tom smislu, knjigu krasi i visoka filozofska samosvest bivstvovanja u blizini i udaljenosti od istine svega što jeste i biva, kada se u aktima zahvatanja refleksija stapa sa predmetom (deleći većinu, što je danas manje uobičajeno, Platonovih uverenja), a to i jesu one razgraničavajuće potrage, koje izlažu suštinu i podrazumevaju i odavanje priznanja koja mogu da budu samo dika i na čast ove naše, u svetskim razmerama astenične kulture, za koju se ne može reći da obiluje ovakvim delima.

Loran Asun, *Lakan*,  
Karpos, Loznica 2012.

Novak Malešević

Knjiga Pola-Lorana Asuna „Lakan“ bavi se pregledom bitnijih teorijskih (terminoloških) pitanja kojima se francuski psihoanalitičar Žak Lakan (Jacques Lacan) bavio u svome radu. To ne znači da se „Lakan“ može čitati kao „uvod“ u Lakanovu psihoanalizu ili pak kao „problematizacija“ određenih premisa kojima se Lakan služi. Asunova knjiga nije baza na kojoj treba da se temelji lakše razumijevanje Lakana (što je u didaktičkom smislu udaljava od bilo kakve prelogomene u „mišljenje Lakan“), niti, dakle, smjernica za tumačenje (sporenje) lakanovske psihoanalize.

Asunovak knjiga je pregled. Cilj joj je da ukaže na razvojni put Lakanove psihoanalize i da mapira ključna mjesta u Lakanovom mišljenju koja će profilisati njegov rad. Otud je strukturno gledano Asunova knjiga jako značajna. Pored toga što nam daje hronološki prikaz Lakanovih tekstova (38–44), Asun nam obezbjeđuje uvid u razvoj pojedinih segmenata njegove psihoanalize kroz dijahronijsku perspektivu (dakle, hronološki), citirajući naporedo Lakanova mišljenja o istom predmetu data u različitim vremenskim periodima. Na taj način, moguće je pratiti razvojne tragove određenih pojmova u Lakanovom filozofiji psihoanalize. Asunov stil je „lakanovski“. On se koristi Lakanovim diskurzivnim aparatom, ostajući dakle u domenu *jezičke igre* koju je Lakan proizvodivao, da bi objasnio date Lakanove pojmove. Ipak, objašnjavati Lakana lakanovski ne mora nužno biti uspješno. Tim prije ukoliko čitalac nije upoznat sa stepenom hermetičnosti tog stila.<sup>1</sup> O Lakanovom stilu Asun, između ostalog, kaže: „On izmišnja termine koji postoje samo u lakanovskom jeziku, koji potcenjuje analitički jezik: kao što su „hainamoration“, „sinthome“. Nekim poznatim terminima nameće posebnu grafiju, koja od njih pravi kovanice kao što su „dit-mension“, „disque-ourcourant“. Na to se dodaje pribegavanje idiomatskim naučnim jezicima, od topologije do fregeovske logike što, čine se, zahteva vladanje ovim „meta-jezicima“, koji to nisu...“ (17–18)

Asunova knjiga o Lakanu podijeljena je na tri dijela. Svaki od dijelova predstavlja po jednu problemsku cjelinu Lakanovog mišljenja. Dijelovi su dalje izdijeljeni na poglavlja. Na početku knjige nalazi se Uvod.

### Uvod – Žak Lakan ili „povratak Frojdu“

U Uvodu Asun želi da odredi Lakanov status između Frojda i postfrojdovaca. Lakan je frojdovac,

<sup>1</sup> Što znači da je i za razumijevanje Asunove knjige o Lakanu potrebno znanje o samim Lakanovim tekstovima.

to znači da se vraća njegovim djelima iznova ih čitajući. Asun kaže: „Povratak Frojdu, u stvari znači usvajanje analitičkog čina u sadašnjosti. To pretpostavlja da se Frojd iznova pročita i učini da blesne, pomoću delovanja duha ponavljanja, njegova „vatrena strela“, koja će ponovo raspaliti žeravicu njegovih tekstova“ (16). Neophodno je vratiti se Frojdu, koji je „sasvim sam, uspeo da pokaže izvestan broj pojava koje nikada ranije nisu bile izdvojene i da ih uvede u jednu organizovanu mrežu, izmislišvi u isti mah, nauku i oblast primene te nauke.“ (14). U tom smislu, svako buduće bavljenje psihoanalizom ima u svom središtu Frojda kao referentnu tačku. To je razlog zbog čega Frojd treba biti do kraja pročitani. I ispravno pročitani. „Trebalo li, onda, način na koji se Lakan 1966. predstavio Pjeru Deu smatrati kao skromnost ili kao uobraženost: „Ja sam onaj koji je čitao Frojda“ (15). Vraćanje Frojdu je zahtjev za iščitavanje njegovih tekstova. U tim tekstovima je baza za buduća teorijska usmjerenja. Otud je izučavanje Frojda zapravo vraćanje na probleme psihoanalize u formi u kojoj su ti problemi začeti, a ne u kakvoj su ih postfrojdovci shvatili.

Asun, dalje, posvećuje pažnju Lakanovom stilu. „Precioznost, nejasnost, besmislice, antifraze i oksimoroni, kovanice ili spojenice: zar to nije cena koju je trebalo platiti, kao što je učionio Luis Gongora...“ (17) Čak je i Lakan za sebe govorio da je „Gongora psihoanalize“. Ipak, hermetičnošću Lakan kao da je htio da zaštiti psihoanalizu od „vulgarizacije“. Jezik je osnova na kojoj će Lakan zasnovati neke od svojih bitnijih stavova, otud u pitanje jezičke kompleksnosti mora da se uđe preko kompleksnog jezika. Kako Asun ističe „treba naučiti govoriti lakanovski“ (17).

Asun dalje govori o dihotomiji govor/pismo u Lakanovoj psihoanalizi. Ističe da predavač (dakle onaj koji govori) dovodi sebe u stanje analizanda, gdje se sam govor posmatra kao simptom. Ipak, potpora tog govora pismom, daje, zaključuje Asun, premoć pismu u odnosu na govor kod Lakana.

## Prolog – Lakan Život i delo

U Prologu Asun se bavi Lakanovim životom i stvaralaštvom. Saznajemo da je bio zainteresovan za filozofiju. Zanimao se za autore poput Spinoze, Ničea, Hajdegera, kasnije se povezuje sa grupom „Filozofska istraživanja“. Zanimao se za književnost (posebno za Džojasa, slušao je predavanja na fakultetu o književnosti, čak je objavio i pjesmu). Saznajemo da je svoju disertaciju poslao Frojdu, na čemu mu se ovaj hladno zahvalio – „Hvala vam što ste mi poslali vašu tezu“ – tada je

prvi i posljednji put ostvario kontakt sa Frojdom. Asun nam dalje predstavlja značajne godine u Lakanovom životu – godine koje su za njega značile bitna dešavanja u intelektualnom i egzistencijalnom smislu (objavljivanje značajnih radova, društveno angažovanje i sl.).

Asun dalje izdvaja tri etape u Lakanovom mišljenju bazirane na vrsti recepijenata za svoje tekste. „I etapa, od početka (1951–1953) do prekinutog seminarara (1963). Lakan se, po vlastitom izboru, obraća analitičarima; II etapa, od 1964. do 1968–1969. Od tog doba Lakan se obraća „svima“; III etapa, od 1970. do 1979. Moguće je da se Lakan od tada obraća onima „koji razumeju“ ... ili „Drugom“.. (35). Na kraju poglavlja Asun nam daje podatke o Lakanovim radovima (o seminarima i spisima) onako kako su hronološki izlazili u štampu.

## I dio: Temelji – imaginarno, simboličko, realno

Teorija o imaginarnom, simboličkom i realnom je prvi veliki prodor Lakana u psihoanalizu. Imaginarno se vezuje za stadijum ogledala. Riječ je naime o razvoju djeteta (od 6. do 18. mjeseca), gdje se dijete prvi put susreće sa svojom slikom u ogledalu. Na taj način, dijete se identifikuje sa slikom stičući predstavu o sopstvenoj jedinstvenosti. (Prije tog stadijuma dijete nije moglo da razgraniči sopstvo od majke – oni su bili jedno). Kasnije se ovaj odnos sa slikom, „dvojnikom“ razvija u agresiju. Osnov te agresivnosti nalazi se u narcističkom odnosu (između „ja“ i ogledalnog alter ega).

Asun nam dalje prikazuje značaj simboličkog u Lakanovoj teoriji. Ovdje se nalazi čvorna tačka ukrštanja lingvistike i psihoanalize. Lakan pozajmljuje od De Sosira model strukture jezičkog znaka (oznaku i označeno) inkorporirajući ga u psihoanalizu. Veza između oznake i označenog je proizvoljna, kaže De Sosir, jezički sistem moguće je uspostaviti samo zahvaljujući razlici između elemenata znaka, a ne nekoj metajezičkoj referentnoj shemi. Lakan da bi zaustavio taj protok označitelja uvodi termin prošivak (*Le point de copition*). Po Lakanu označitelj je ono što uslovljava djelovanje subjekata.<sup>2</sup> Subjekt uvijek ostaje u domenu označiteljskog lanca koji ga determiniše.

Za Lakana „nesvjesno je strukturisano kao jezik“. To znači da je mehanizme funkcionisanja nesvjesnog moguće otkriti („dešifrovati“) preko jezičkih

<sup>2</sup> O ovome se detaljna analiza može pronaći u Lakanovom tekstu o Poovoj pripovijeci „Ukradeno pismo“



(lingvističkih) struktura. „To dešifrovanje dopušta da se od želje napravi više no objekt tumačenja, recimo, njegovo operativno načelo.“ (61). Asun dalje govori o poziciji Drugog kao mjesta govora. Na taj način, Asun ocrta neke od glavnih pojmova Lakanove psihoanalize: imaginarno, simboličko, jezik i Drugi.

Naredno veliko pitanje kojem Asun posvećuje pažnju je pitanje Imena Oca u Lakanovoj psihoanalizi. Za Frojda, Ime Oca predstavljalo je Zakon, simbolički prikaz zabrane i norme koji se otelovljavao u funkciji (mrtvog) oca. Za Lakana Ime Oca ima simboličku vrijednost. On je označitelj koji pravi strukture (koje su takođe označiteljske) koje uslovljavaju djelanje subjekta. Ukoliko se Ime Oca ne nalazi na mjestu Drugog – nastaje psihoza. „Videćemo tu važnost psihoze za lakanovsku teoriju koja, a contrario, pokazuje ulogu označitelja „biti otac“ – koji strukturira poput „autoputa“ (psihički) pejzaž“ (70). Simboličko je datost koja se ne stvara – ona je stvorena prije nego što je subjekat postao svjestan. Mi smo uvučeni u ove označiteljske igre. Asun citira Lakana: „Frojdovo otkriće je otkriće polja upada, u ljudskoj prirodi, ovih odnosa u simbolički poredak“ (71). Asun dalje razmatra ulogu Oca u različitim registrima – u domenu simboličkog, zatim imaginarnog i na kraju realnog.

Peto poglavlje prvog dijela „Lakana“ posvećeno je realnom. Asun pokazuje nadogradnju Lakanovih stavova o realnom od 1962. do 1975. godine Lakan prvobitno definiše realno kao *vraćanje na isto mjesto*. Realno je uvijek tu, ono nije rascijepljeno niti može da bude odsutno. Riječju, realno predstavlja „odsutnost odsutnosti.“ (78). Asun dalje naglašava vezu između realnog i nemogućeg, realnog i označitelja i realnog i privida. Na kraju poglavlja funkcija realnog izjednačava se sa simbolom.

## Drugi dio: Lakanovska matezis. Drugi, objekt, subjekt

Drugi dio Asun započinje predstavljanjem Drugog kod Lakana. Šta je Drugi? Kakva mu je funkcija? Drugi je mjesto govora. Ne radi se o transcedenciji, nego o mjestu produkcije označitelja. Drugi postaje mjesto tvorenja označiteljske strukture i ujedno osnov za svaku buduću podijeljenost subjekta. „Takođe shvatimo da se „susret“ sa Drugim dešava u različitim prilikama, u kojim subjekt doživljava destabilizovanje svoje „istosti“. Problematika Drugog je povezana sa problematikom označitelja. Uvesti Drugog, dakle, znači odbaciti autonomiju čistog imaginarnog, ili, drugim rečima,

podsetiti na simboličko određenje imaginarnog: Drugi je mesto porekla označitelja, bez čega bi slika tela ostala bez značenja“ (86–87). Imaginaro se zamjenjuje simboličkim, što znači da se identifikacijska funkcija jedinstvenosti slike zamjenjuje kompleksnom simboličkom strukturom uslovljenom snagom označitelja. Oznaka za Velikog Drugog je veliko slovo A.

Drugi je takođe mjesto subjektive želje. Drugi nameće želju subjektu, ofurmljujući mu označiteljsku strukturu koju je ovaj jedino u stanju da misli (želi). Lakan kaže: „U jeziku nam naša poruka dolazi od Drugog... u izokrenutom obliku.“ (92). Asun dalje predstavlja Lakanov pojam „objekt želje“ (malo a). Prikazuje odnos između između objekta želje sa jedne strane i frustracije i kastracije sa druge. Želja je povezana sa odsutnošću. (Stoga ona ne može da bude u realnom koje pretpostavlja odsutnost odsutnosti). Želja je uvijek produkt simboličkog i kao takva uslovljena je Drugim. Dijalektika želje počiva na odsutnosti. Na kraju šestog poglavlja, Asun opisuje odnose između želje i uživanja. Lakan, uživanje shvata dvojako (ovu tipologiju Lakan preuzima od Hegela): kao a) uživanje tijela i b) uživanje u govoru. Ujedno ova dihotomija stoji kao osnov za dalju razradu između „uživanja života“ i „falusnog uživanja“.

Sedmo poglavlje (poslednje poglavlje drugog dijela) rezervirano je za objašnjenje funkcije subjekta. Subjekt po Lakanu predstavlja „označitelj za drugi označitelj“ (105)., to znači da je konstituisanje subjekta moguće jedino u domenu jezika. Jezik je ono što određuje subjekt, a ne obratno. „Subjekt iskazivanja je otuđen u registru označitelja i neprekidno je upućivan na dugi označitelj, tako da ga jezik održava.“ (105) Podijeljenost subjekta omogućena je upravo kroz perspektivu sagledanja onog što subjekt jeste kroz teoriju označitelja. Asun sedmo poglavlje posvećuje upravo ovom cijepanju subjekta zahvaljujući dijalektici želje.

## Treći dio: Analitički čin i matema. Struktura i simptom

Sistem označitelja je strukturalan – označitelj uvijek upućuje na drugi označitelj – veza između njih podrazumijeva, zahvaljujući tome što se oznaka i označeno u lingvistici posmatraju kao dijelovi znaka, postojanje strukture. Međutim, kako Asun upozorava: „Trebalo dobro promisliti konsekvencije simptom se odnosi na poredak označitelja, a ovaj nameće pozivanje na strukturu.“ (113). Asun citira Lakana: „U tom smislu, simptom se potpuno

rastvara u analizi jezika, on je jezik čiji govor treba osloboditi“ (116). No, kako se dalje navodi, simptom „nije značenje“, on je samo „odnos“ složene igre označitelja. Osmo poglavlje se završava ispitivanjem odnosa između neuroze, psihoze i histerije sa jedne strane i dijalektike želje (koja se u ovim slučajevima očituje kroz Drugog).

Deveto poglavlje Asun posvećuje odnosu analitičara i analizanda. Prvo se naglašava uloga jezika u psihoanalitičkom činu. „temelj prave psihoanalize nalazi se u odnosu čoveka sa njegovim govorom...“ (124). Ovim Asun ponovo naglašava ranije postavljenu tezu o značaju jezika. Ujedno to je i uvod kojim se locira uloga psihoanalitičara u sprovođenju čina psihoanalize. Analitičar postaje „subjekt za koga se pretpostavlja da zna“, on postaje Drugi u ovom odnosu. „Subjekt za koga se pretpostavlja da zna“, više od analitičara, iako on zauzima to mesto – on je pre tu transferno ogledalo, slika za pacijenta – ono je što održava samu analitičku situaciju, inscenacija u odnosu i kroz odnos analitičar/analizand“ (127). Ipak, to ogledalo ne referiše na imaginarno, nego na simboličko. Analitičar, za *analizanda*, postaje Drugi, postaje mjesto „koje govori“ i kome se vjeruje, „jer se pretpostavlja da zna“. Ipak, to mjesto je samo inscenacija, režirana preko novog označitelja – psihoanalitičkog „čina“ samog. Što nas dovodi do pitanja etike psihoanalize i želje psihoanalitičarve da bude psihoanalitičar. Na kraju poglavlja Asun se posvećuje Lakanovim pitanjima kako proizvoditi „psihoanalitičara“, odnosno šta to čini psihoanalitičara, a da nije bazirano na njegovoj želji i inscenaciji psihoanalitičkog čina.

Deseto poglavlje „Lakana“ posvećeno je jeziku psihoanalize kod Lakana. Asun govori o uticaju matematike na lakanovski diskurs (pored uticaja lingvistike i antropologije) što uslovljava pojavu grafikona i topologija u njegovom pisanju. Vrlo bitna promjena koju zapaža Asun, u ovoj fazi Lakanovog mišljenja, jeste da Drugi (Autre) „nije više subjekt, nego mesto koda i trezor označitelja“ (137). To znači da Drugi čvrno mjesto produkcije označitelja, te da kao takav ne može biti sveden na subjekta, tačnije „subjekat“ je samo jedna od označiteljskih instanci Drugog. Lakanov diskurs se, dakle, matematizuje. Uvode se mateme: formule

koje treba (pored dokazivanja egzaktnosti psihoanalize) da izraze jedinstvene psihoanalitičke konstante. Iz toga Lakan izvodi Četiri vrste diskursa: diskurs Gospodara, diskurs Univerziteta, diskurs Histerika, diskurs Analitičara.

Na kraju Asun nam predstavlja sintezu svog djela o Lakanu kroz pitanja koja afirmišu intelektualnu i humanističku (u enciklopedijkom smislu – „mišljenje Lakan“) poziciju Lakanovu. Otud, Asun se još jednom dotiče Lakanovog odnosa prema Frojdu, prema savremenom mišljenju i na kraju prema (budućnosti) psihoanalize. A budućnost psihoanalize jeste u odbijanju psihoanalize – što, poštujući lakanovski odnos analitičar/analizand, znači uspjelost psihoanalize same, tj. psihoanalitičkog čina. Lakan kaže: „Videćete da će se čovečanstvo izležiti od psihoanalize“ (153).

Asunov „Lakan“ je kako smo naznačili na samom početku – pregled. Shodno tome, ova knjiga nema polemički ton, niti interpretativnu snagu koja bi nas bliže upoznala sa specifičnim problemima Lakanove (filozofije) psihoanalize. Štaviše, stiče se utisak da je Asun namjerno izbjegavao detaljniju analizu pojedinih Lakanovih stavova, čak i kada bismo mogli prepoznati potrebu za tim<sup>3</sup>. Razlozi za to mogu biti metodološke prirode – detaljnija analiza narušila bi balans samog teksta, tj. njegov pregledni katakter, jer bi nužno za sobom povukla otvaranje novih pojmovnih čvorišta (lakanovski govoreći, pokrenuo bi se nezaustavljivi lanac označitelja), kojima bismo morali da potpomognemo objašnjenje početnog stava. Na taj način, tekst bi ostao osuđen na konstantno interpretativno dopunjavanje, čime bi se izgubio glavni kvalitet ovog Asunovog rada – jasan (pregledan) uvid u etape lakanovog stvaralaštva i mapiranje glavnih pojmovnih odredišta njegove psihoanalize. Otud, ova knjiga treba da se čita *nakon* usvajanja osnovnih principa Lakanove psihoanalize. „Lakan“ nije tu da dopuni, niti da pojasni Lakanova psihoanalitička gledišta, on je tu da (kao i svaki označitelj) odredi domene jednog mišljenja i postavi smjernice (druge označitelje) za određivanje kretanja u tom domenu. „Lakan“ dakle ocrtava strukturu Lakanovog mišljenja, omogućavajući nam uvid u kretanje te strukture i dajući nam privid njene zaokruženosti.

3 Mogli bismo kao primjere istaći nepotpuna razjašnjenja „formula seksuacije“, zatim Četiri vrste diskursa itd.

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## Legat Vladimira Vukićevića

Institut za filozofiju i društvenu teoriju dobio je vredan poklon u vidu lične biblioteke filozofa Vladimira Vukićevića (1947–2012). Zaslugom članova njegove porodice, pre svih Jelene Krivokapić, ugovorom je napravljen legat koji će značajno upotpuniti postojeći fond biblioteke Instituta.

Posle završenih studija na Filozofskom fakultetu Univerziteta u Beogradu, Vladimir Vukićević doktorirao je filozofiju i diplomirao istoriju umetnosti na Univerzitetu Rur u Bohumu ocenama *magna cum laude* kod mentora Ota Pegelera i Maksa Imdala. Radio je kao naučni istraživač u Hegelovom Arhivu u Bohumu, bio je profesor na Akademiji umetnosti na Cetinju i dekan Univerziteta Donja Gorica u Podgorici. Pored prevodilačkog i priređivačkog rada, autor je knjiga *Logik und Zeit in der phänomenologischen Philosophie Martin Heideggers (1925–1928)* (Hildesheim/Zürich/New York: Olms, 1988), *Cézannes Realisation. Die Malerei und die Aufgabe des Denkens* (München: Fink, 1992) i *Sophokles und Heidegger* (Stuttgart: Metzler, 2003).

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Razgovor o knjizi Željka Radinkovića *Narativna modifikacija Hajdegerove fenomenologije*. Govore: Klaus Wienerling, Andreas Kaminski, Časlav Koprivica, Rastko Jovanov, utorak, 17. mart;

Bojan Vranić, „Smrt političke filozofije: Raskršće discipline“, sreda, 18. mart;

Ivan Nišavić, „Epikur o opažanju“, sreda, 18. mart;

Razgovor o knjizi Aleksandra Nikitovića *Filosofija nasleđa*. Govore: Jovan Babić, Petar Bojanić, Miša Đurković, Aleksandar Fatić, Slobodan Kanjevac, Bojan Kovačević, Boris Milosavljević, Đorđe Pavićević, Slobodan Samardžić, Ilija Vujačić, Aleksandar Nikitović kao autor, moderator Márk Losoncz, ponedjeljak, 23. mart;

Sanja Srećković, „Isečak filozofiranja o muzici: od umetničke igre tonova do muzičke igre emocija“, sreda, 25. mart;

Razgovor o knjizi Michala Sládečka *Pravila i kontekst upotrebe. Teme i tumačenja Vitgenštajnovе filozofije*. Govore: Aleksandar Dobrijević, Andrej Jandrić, Aleksandar Fatić, Michal Sládeček kao autor, četvrtak, 26. mart;

## Pregled tribinâ i konferencijâ u Institutu za filozofiju i društvenu teoriju 2015.

Dušan Bošković

Patrick Baert, „The Existentialist Moment: Sartre's Rise as a Public Intellectual“, Friday, March 27;

#### april

Bogoljub Šijaković, „Lica i naličja rata“, sreda, 1. april;

Miljana Milojević, „Uloga modela u kognitivnoj nauci“, sreda, 1. april;

Jana Bačević, „Uloga intelektualaca i javni angažman u 'ekonomiji znanja'“, utorak, 7. april;

Mladen Lazić, „Delatni potencijal društvenih grupa u Srbiji“, sreda, 8. april;

Maja Solar, „Rusoovo mesto u debati o luksuzu“, sreda, 8. april;

Premijera dokumentarnog filma *Slučaj „Psovanje“*, utorak, 14. april (projekcija je održana u Dvorani Kulturnog centra Beograda);

Goran Korunović, „Politika lirске subjektivnosti u savremenoj srpskoj književnosti“, sreda, 15. april;

Razgovor o zborniku *Razlozi i normativnost*. Govore: Aleksandar Dobrijević, Ivan Mladenović, Nenad Cekić, četvrtak, 16. april;

Aleksandar Fatić, „Pojam zadovoljstva u hrišćanskoj etici i soteriologiji“, sreda, 22. april;

Nenad Smokrović, „Temelj istraživanja socijalne stvarnosti: radnja ili institucija“, sreda, 29. april;

#### maj

Razgovor o knjizi Ane Birešev *Orionov vodič: otkrivanje dominacije u sociologiji Pjera Burdijea*. Govore: Božidar Filipović, Dejan Petrović, Tamara Petrović Trifunović, Ana Birešev kao autorka, sreda, 6. maj;

Milena Stefanović, „Žena u Hegelovoj filozofiji“, četvrtak, 7. maj;

Slaven Crnić, „Draga Tanja: Položaj sestara Šuht u teorijsko-biografskim spisima o Antoniju Gramšiju“, sreda, 13. maj;

Franko Dota, „Bio jednom 'protuprirodni blud': Homoseksualnost u jugoslavenskom socijalističkom krivičnom pravu“, sreda, 13. maj;

Rastko Jovanov, „Hajdegerove metapolitike“, petak, 22. maj;

Aleksandar Fatić, „Pravoslavna ličnost i autoritet komandanta u ratu“, petak, 22. maj;

Razgovor o knjizi Davora Džalta *The Human Work of Art: A Theological Appraisal of Creativity and the Death of the Artist*. Govore: Divna Vuksanović, episkop Irinej Dobrijević, Davor Džalto kao autor, moderatorica Željka Mrđa, utorak,

26. maj (razgovor održan u Zadružbini Ilije M. Kolarca);

Ljiljana Radenović, „Šta je autizam? Kartezijanske pretpostavke u teorijama autizma i kako da ih prevaziđemo“, sreda, 27. maj;

#### jun

Monika Milosavljević, „Duga tradicija biologizacije identiteta na Balkanu“, četvrtak, 4. jun;

Sonja Žakula, „Studije ljudsko-životinjskih odnosa u antropologiji“, četvrtak, 4. jun;

Nenad Ilić, „Duhovne dimenzije ratovanja“, petak, 5. jun;

Discussion about the book Jodi Dean *The Communist Horizon* (serbian edition *Komunistički horizont*). Participants: Adriana Zaharijević, Aleksandar Matković, Jodi Dean, Monday, June 8 (promotion of the Serbian Edition of her book *The Communist Horizon* – Komunistički horizont – at the House of Culture, The Faculty of Media and Communications in Belgrade; Lecture introduced to Conference *Reflections On Capitalism*);

Mladen Ivanić, „Izazovi i šanse Bosne i Hercegovine“, utorak, 9. jun;

Vladimir Gvozden, „Kako misliti zajednicu?“, sreda, 10. jun;

Ivica Mladenović, „Francuski pogled na raspad SFRJ: Slučaj 'ekstremne levice'“, sreda, 10. jun;

Andrea Jovanović, „*With (from) all due respect*: pitanje o pokretaču morala u Kantovoj praktičnoj filozofiji“, četvrtak, 11. jun;

Saša Hrnjez, „(Po)ništenje vremena i mogućnost filozofije istorije“, četvrtak, 11. jun;

Igor Cvejić, „Kant o osećaju“, četvrtak, 11. jun;

Aleksandar Stevanović, „Srpski pravoslavni etos i ratno stanje“, petak, 12. jun;

Andrej Kubiček, „O upotrebljivosti pojma 'rasa' u sociologiji“, sreda, 17. jun;

#### jul

Aleksandar Pavković, „Secesionizam i nomos u sistemu država danas“, sreda, 1. jul;

Migel Angel Kintana-Paz, „Is It Possible to Teach Freedom? Paradoxes in the Education about Civic Values. A Spanish Case Study“, Friday, July 3;

#### septembar

Željko Radinković, „Tehnika kao medij“, sreda, 30. septembar;

**oktobar**

Michal Sládeček, „Politička i moralna nepristranost“, sreda, 7. oktobar;

Vladimir Dimitrijević, „Iz istorije polemika o pravoslavlju i ratu“, četvrtak, 8. oktobar;

Božidar Filipović, „Nasleđe republikanizma u delima Emila Dirkema“, sreda, 14. oktobar;

Marijana Milosavljević Vujošević, „Kantovo shvaćanje moralne samokontrole“, četvrtak, 15. oktobar;

Razgovor o knjizi Irine Deretić *Platonova filozofska mitologija*. Govore: Aleksandar Petrović, Milo Lompar, Časlav Koprivica, Boris Bratina, Srđan Damjanović, Nikola Tanasić, Aleksandar Kandić, autorka knjige Irina Deretić, sreda, 21. oktobar;

Razgovor o knjizi intervju *Konture horizonta* Aleksandra Čukovića. Govore: Ratko Božović, Aleksandar Prnjat, Predrag Milidrag, autor intervju Aleksandar Čuković, utorak, 27. oktobar;

Bojana Simeunović, „*Jus ex Bello*: Prilog istoriji pravednog rata“, sreda, 28. oktobar;

Ignjatije Šestakov, „Ruska pravoslavna crkva i rat u 20. i 21. veku“, petak, 30. oktobar;

**novembar**

Jovo Bakić, „Radikalna desnica Evrope – ideološki, društveno-strukturni i personalni kontinuitet ili diskontinuitet?“, sreda, 4. novembar;

Davor Džalto, „Da li je moguć 'pravedan rat'? (Ne)pravoslavna 'teologija rata'“, petak, 6. novembar;

Ibrahim Sirkeci, „The Three Deficits of Migration, Conflict and Syrians“, Monday, November 9;

Razgovor o knjizi Pjera Lasla *Naučna komunikacija: praktični vodič*. Govore: Nemanja Đorđević, Marija Novaković, Rastko Jovanov, Bojana Radovanović, Igor Cvejić, Ivan Umeljčić, 10. novembar;

George Enache, „Saint and Heroes, War and Peace. A Romanian Orthodox Historical Perspective“, Friday, November 13;

Siniša Malešević, „Civilizacija i surovost: Ka istorijskoj sociologiji nasilja“, petak, 13. novembar;

Deset godina kolektiva *Gerusija* i predstavljanje časopisa *Stvar*. Govore: Ivan Radenković, Đorđe Hristov, Aleksandar Matković, Márk Losoncz, utorak, 24. novembar;

Đorđe Pavićević, „Politički mesijanizam i demokratija: o mogućnostima političke samotransformacije demokratije“, sreda, 25. novembar;

Vasilios Julcis, „Rat i mir – dijalektika budućnosti, očekivanja istinskog mira“ (predavanje na grčkom jeziku, sa prevodom), petak, 27. novembar;

Predstavljanje zbornika *Figura neprijatelja: preosmišljanje srpsko-albanskih odnosa*. U IFDT-u govore: Gazela Pudar Draško, Isidora Stakić, Rastislav Dinić, Piro Rexhepi, Jelena Lončar. U Centru za kulturnu dekontaminaciju govore: Rigels Halili, Anton Berishaj, Danilo Šarenac, Aleksandar Pavlović, moderator Saša Ćirić, petak, 27. novembar;

Zorica Mršević, „Medijsko predstavljanje nasilja nad ženama“, ponedeljak, 30. novembar;

**decembar**

Ceyhan Işık, „Die Logik der Anerkennung“, Mittwoch, 2. Dezember;

Dragoljub Mićunović, „Sećanja na rad Instituta“, sreda, 2. decembar;

Jean-Luc Marion, „Les limites de la phénoménalité“, Vendredi, 4 Décembre (predavanje održano u Zadružbini Ilije M. Kolarca);

Saša Bosančić, Radionica *Doing Discourse Research – Analyzing Discourse with the Sociology of Knowledge Approach to Discourse*, sreda, 9. decembar;

Vukašin Milićević, „Pravoslavlje i rat: O kojem pravoslavlju je reč?“, četvrtak, 10. decembar;

Vesna Pešić, „U traganju za srpskom državom – ima li kraja?“, petak, 11. decembar;

Jasmina Jovanović, „Uvod u filozofsko delo Anrija Maldinea“, utorak, 15. decembar;

Ali Türünz, „Music as a Cultural Resource in the Turkish Migratory Context“, Wednesday, December 16;

Aleksandar Dobrijević, „Autonomija i dualizam praktičkog uma“, sreda, 16. decembar;

Nevena Jevtić, „Um i kritika u Hegelovoj *Fenomenologiji duha*“, petak, 18. decembar;

Stefan Slavković, „Svetska književnost u globalizovanom svetu“, sreda, 23. decembar;

Nikola Đurković, „Relevantnost akademske filozofije za savremeno društvo“, sreda, 23. decembar;

Smiljka Tomanović, „Postajanje roditeljem iza ideološkog ogledala. Nacrt za jedno sociološko istraživanje tranzicije u roditeljstvo u Srbiji“, ponedeljak, 28. decembar.



## KONFERENCIJE I SEMINARI

5. mart, četvrtak

### MILE SAVIĆ – NASLEDE

Uvodna izlaganja: Saša Radojčić, Dejan Vuk Stanković.

Učesnici skupa: Zoran Avramović, Jovan Babić, Petar Bojanić, Vladimir Cvetković, Časlav Koprić, Mirjana Radojčić, Mićo Savić, Milan Subotić, Milenko Bodin, moderator Predrag Krstić

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March 27, Friday

Seminar „*The Public Engagement of Intellectuals through the Prism of Positioning Theory – Discussion of Patrick Baert’s sociology of intellectuals*“

Participants: Marcus Morgan, Ivana Spasić, Srđan Prodanović, Marjan Ivković

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3. jun, sreda

### TEORIJA I FANTASTIKA: FAKTI I FIKCIJE

Povodom knjige Predraga Krstića *Kud plovi ovaj brod: Teorijske staze Enterprajza*

Učestvuju: Aleksandar Dobrijević, Ivan Đorđević, Ljiljana Gavrilović, Ištvan Kaić, Predrag Krstić, Veselin Mitrović, Olivera Nušić Terzić, Tamara Petrović Trifunović, Željko Radinković, Milan Tomašević, Adriana Zaharijević, Bojan Žikić. Kao gosti, govorili su Danilo Trbojević i Nađa Duhaček.

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June 22–27

### REFLECTIONS ON CAPITALISM

Monday, June 8

Jodi Dean, *The Communist Horizon*. Discussion about the book *The Communist Horizon* (Serbian Edition). Discussants: Adriana Zaharijević, Aleksandar Matković (House of Culture, FMK, Belgrade)

Monday, June 22

Kristen Ghodsee, „The Left Side of History: Remembering the Victims of Communism After the Crises of Capitalism“

*Round Table – Politics of History in Eastern Europe*. Chair: Adriana Zaharijević; participants: Kristen

Ghodsee, Chiara Bonfiglioli, Danijela Majstorović, Tanja Petrović, Ljubica Spaskovska (Cultural Centre of Belgrade)

Tuesday, June 23

Zoran Janković, „Emmanuel Lévinas – Money and Community, Measuring the Unmeasurable – Money as Justice, Time and Usury“

*Round table – Des crises du capitalisme aux critiques du capitalisme*. Chair: Igor Krtolica; participants: Laurence Fontaine, Anselm Jappe, G. M. Tamás, Rastko Močnik (Institut français de Serbie, Belgrade)

Wednesday, June 24

*Thinking Beyond Capitalism*

Welcome Address: Petar Bojanić, Jean-Luc Goester Gérard Duménil, „Neoliberal Managerial Capitalism: Its Class Foundations and Economic and Political Prospects after the Crisis“

Wolfgang Merkel, „Is Capitalism Compatible with Democracy?“

*Struggles in Late Capitalism*

Rastko Močnik, „Class Composition and Ideological Struggles“

Mariana Teixeira, „Social Pathologies of Capitalism“  
Veselin Mitrović, „Apathy and Capitalism“

*Day After Tomorrow: Configurations of Post-Capitalism*

Damian Winczewski, „Beyond Capitalist Mode of Production. Planning and Market Socialism Re-thought“

Tomislav Medak, „Technological Development, Post-Capitalist Transition and Underdevelopment“

Božidar Filipović, „Socialism, Communism, Capitalism – Sociological Classic as a Signifier and Critic“

*Post-Yugoslav Challenges*

Danijela Majstorović and Anđela Pepić, „Post-2014 Economic Restructuring as Europeanization. Discourse/Practice in Bosnia and Herzegovina (BiH)“

Jelena Pešić, „Privatization Processes in the Perception of Serbia’s Citizens“

Jasmina Husanović, „Alienation Galore – or How to Read the Symptoms: the Politics of Emotions and Social Protests in Bosnia and Herzegovina“

*Keynote Lectures*

Laurence Fontaine, „Are Markets and Democracy Compatible?“

Rainer Kuhlen, „Commons-Based Information Markets as a Means both for Innovation in the Economy and for Progress in Science“

*Round table: How (not) to Own: from Commons to Property*

Participants: Toni Prug, Giuseppe Mastruzzo, Mladen Lazić, Jovan Babić

Presentations held at the Kolarac Foundation, Belgrade

Thursday, June 25

Ugo Mattei, „Beyond Capitalist Law and toward the Ecology of Law“

G. M. Tamás, „Capitalism and Democracy: Is Capitalist Democracy An Oxymoron?“

*Limits of Capitalism*

Toni Prug, „Social forms of wealth and production beyond commodities and markets“

Martin O’Neill, „Predistribution and the Path Beyond Capitalism“

Aleksandar Mijatović and Aneli Dragojević Mijatović, „Change is The Only Thing That Matters (?): On the Impossibility to Overcome Neoliberal Capitalism“

Aleksandar Stojanović, „Exploitation and Value-Form Conception of Capitalism“

Haldun Gulalp, „Modes of Accumulation and the Limits of Capitalism“

*European (Semi-) Periphery and its Discontents*

Tamás Gerócs, „Re-industrialization in Europe’s Eastern Periphery“

Ágnes Gagy, „Capitalism, Crisis and Counter-movements in Contemporary Hungary“

Márton Szarvas, „Cultural Politics as Class Politics: Trajectories of the Cultural Institutional System Through Socialist and Post-Socialist Semiperipheral Integration: the Case of Hungary“

Jana Tsoneva, „‘Onshore’ Finance and Workers’ Subjectivities: the Case of Malta“

Iskra Krstić, „Thinking Beyond the Commercialization of Public Space in Post-Socialist Cities“

*Re-conceptualizing International Relations*

Sarrah Kassem, „International Relations as Bourgeois Ideology: A Historical-Materialist Analysis“

Miloš Šumonja, „The Habermas-Streeck Debate: The Left and the European Union“

*Panel: Crisis of the Capitalist and Imperialist International Order*

Tolgahan Akdan, „Faultlines of the Revisionist Analysis of the Cold War“

Mustafa Türkeş, „Unsustainability of the Current Capitalist-imperialist International Order and the Regional Wars“

Tetsuya Sahara, „A Challenge to the existing International Order: Shanghai Cooperation Organization and Eurasian Geopolitics“

*Keynote Lectures*

Alex Demirovic, „On the Edge: the Question of the End of Capitalism“

Catherine Samary, „The Apolitical Veil of Ordoliberal Capitalism and the Strategic Recomposition of Europe“

*State, Authoritarianism and State Control*

Djordje Hristov, „Debt, Control and the Nation-State“

Vedran Džihic, „Democracy, Authoritarianism and Capitalism – Reflecting the Protracted Triangle and its South East European Paradoxes“

Stefan Aleksić, „Border Crossings“

Lazar Atanasković, „State Politics’ or ‘Politics of State“

Michael Hauser, „The Capitalist Revolution: The Left-Wing Restoration“

*Anti-Capitalist and Feminist and Queer?*

Carina Klugbauer, „And Who Cares for Marx? An Actualization of Materialist Feminism“

Andrea Jovanović, „Gender Relations in the 21st Century: Marxist Feminist Perspective“

Andrew Ryder, „Italian Autonomist Feminism and Social Reproduction Theory“

*New Perspectives on Debt and Economy*

Marcello Barison, „Money as Debt“

Marco Bresciani, „Two Historians in Front of the Economic Crisis of 2007–2008: E. Hobsbawm and T. Judt Between Marxism and the Legacies of the 20th Century“

Tamara Caraus, „Debt Resistance – Beyond or Within Capitalism?“

Mariagrazia Portera, „Is Capitalism in Our Genes? Competition, Cooperation and the Idea of Homo Oeconomicus from an Evolutionary Perspective“

Aaron Schuster, „From Death Drive to Debt Drive“

The presentations took place at the House of Culture, FMK, Belgrade

**Friday, June 26**

Anselm Jappe, „End of a Family Quarrel: Overcoming Capital and Labour“

Peter Klepec, „The Discourse on Crisis Analysis and its Outcomes“

*Thinking Beyond Capitalism in Philosophy*

Felipe Lagos, „Against a Dead Present: Marx, Whitehead and the Production of Living Alternatives“

Sebastian Neubauer, „On the Foundations of Louis Althusser's Life-Long Attempt to Think Beyond Capitalism in Early Modern Political Thought“

Cristian Lo Iacono, „Interstatality: Towards a Post-Althusserian Idea of Transition“

Stevan Salatić, „The Incentives and the Difference Principle – Rawls-Cohen Dilemma“

*Thinking Within and Beyond Capitalism*

Dorđe Pavićević and Ivana Spasić, „Toward the Critique of the Project-Form, or, why is it Impossible to Think Capitalism“

Robert Pfüezner, „Contradictions of Education“

Tia Glavočić, „Derationalization as Opposition to Capitalism: Is it Possible?“

*Ecological Perspectives in Late Capitalism*

Chris Saltmarsh, „International Inaction on Climate Change“

Hrvoje Jurić, „Biocapitalism“

Jelena Đurić, „Toward the Ecological Economy“

*Keynote Lectures*

Simon Susen, „Reflections on the 'Postmodern Turn' in the Social Sciences“

Maeve Cooke, „The Perils of Social Critique“

*Beyond „Traditional“ Reflections: a Critical-Theoretic Perspective*

Sergio Mas, „Critical Theory and Transdisciplinary Science – a Meta-Theoretical Analysis“

Matthias István Köhler, „Reconstructing Georg Lukács' Critique of Romantic Anti-Capitalism“

Sami Khatib, „Undead Labor: Marx, Benjamin and the 'Time of Hell'“

*Discourse, Media and the Cultural Logic of Contemporary Capitalism*

Katarina Peović Vuković, „Dialectical Materialism at the Gates of Technology“

Goran Kaulzarić, „New Age: a Modus of Hegemony“

David Adler, „Office Architecture as Capitalist Phantasmagoria“

*Reflections on Crises*

Kevin W. Gray, „Explaining Neoliberalism's Stability“

Florian Geislerand and Alex Struwe, „The Idea of 'Crisis' and the Devolution of Theory“

Nevena Jevtić, „Still Defending Right of Extreme Need?“

The previous presentations took place at the House of Culture, FMK, Belgrade

*Seminar: Wolfgang Merkel (WZB, Berlin Social Science Center) in dialogue with CAS SEE Fellows*

„Capitalism and Democracy – Debating various Dimensions and Variations of an Uneasy Marriage“

Chair: Gazela Pudar Draško and Vedran Džihic.  
Participants: Đorđe Pavićević, Gëzim Krasniqi, Marco Abram, Marcello Barison, Marco Bresciani, Tamara Caraus, Jan Muš, Mariagrazia Portera, Aron Schuster

The seminar was held at the Goethe Institute, Belgrade

**Saturday, June 27***Seminar with Maeve Cooke**Politics, Freedom and Truth: on the Relationship between Political Authority and Autonomy*

Chair: Marjan Ivković. Participants: Adriana Zaharjević, Srđan Prodanović, Igor Cvejić, Sergio Mas, Artur Bueno, Ivana Kronja, Igor Krtolica, Biljana Đorđević, Simon Susen.

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**October 8-10****LIBERALISMS AND ANTILIBERALISMS – CHALLENGES AND ALTERNATIVES****Thursday, 8 October***Round Table in Novi Sad: „Magyarország negyed évszázada – a rendszerváltástól máig“ (Hungary in the Last Quarter-Century – From the End of „Socialism“ until Today), in Hungarian*

Chair: Márk Losoncz. Participants: Ádám Takács, Zoltán Miklósi, György Vári

**Friday, October 9**

Nenad Dimitrijević, „Liberal Autonomy in a Troubled Context: towards Second-Personal Thinking“

Andres Moles, „Liberalism, Paternalism and the Distribution of Autonomy“

Adriana Zaharijević, „Individual as a Non-Neutral, Non-Universal State of the Affairs“

Marjan Ivković, „Liberalism and the Strongly Intersubjectivist Conception of Autonomy“

Zoltán Miklósi, „Liberalism and Immigration“

Aleksandar Matković, „The Twin Berlins of Europe: on the Parallel Tendencies of Liberalism and Fascism“

Márk Losonc, „The Aporias of Secret in a Liberal Democracy“

*Round Table in Cultural Centre of Belgrade: What's Left of Liberalism in Eastern Europe?*

294 Chair: Marjan Ivković. Participants: Zoltán Pogátsa, Nenad Dimitrijević, Andres Moles, Biljana Đorđević, Đorđe Trikoš

**Saturday, October 10**

Zoltán Pogátsa, „How Economic Liberalism has Destroyed Post-Soviet Democracies“

Alpar Losonc, „Is Neo-Liberalism the Tragical, but Non-Intentional Consequence of Liberalism?“

Ádám Takács, „Lukács's Criticism of Liberal Democracy“

Jovo Bakić, „Liberal and/or Radical Democracy“

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**November 19–21****HOW TO ACT TOGETHER: FROM COLLECTIVE ENGAGEMENT TO PROTEST****Thursday, November 19***Acting and Resisting Together*

Guisi Strummiello, „We Have Nothing in Common'. On the Mechanisms of Constructing a Sense of Belonging“

Ciprian Bogdan, „The Sublime Gesture of Ideology. Adorno on Resistance and (Future) Politics“

Marianne Fougere, „Acting Together as a Co-practice of Political Judgment: The Case of Jury Nullification“

*Freedom of Assembly and Civil Disobedience*

Biljana Đorđević, „From the Right to Assembly to Constituent Power“

Zorica Mršević, „Public Assemblies as a Necessary Means for Acting Together“

Eraldo Santos, „Could Civil Disobedience Be Institutionalized?“

*Protests in Focus: South-East Europe and Beyond (I)*

Ilina Jakimovska, „If you are a girl, stay at home' – An Ethnographic Examination of Female Social Engagement from the Rural 19th Century to Contemporary Political Protests in Macedonia“

Erëmirë Krasniqi, „Transnational Imaginary: Nonlinear Time as Feminist Temporality“

Magdalena Sztandara, „Dramatization Beyond the Place – Protests in „White and Black“ in the Public Space“

*Protests in Focus: South-East Europe and Beyond (II)*

Randall Puljek-Shank and Felix Fritsch, „New Activism in Bosnia and Hercegovina: Re-inventing Civil Society as Civic Agency“

Dimitar Nikolovski, „From the 'Architectonic Uprising' to 'I Love GTC': The Skopje 2014 Resistance“

Kire Babanoski, „Security Dimensions of Protests: Changing the Government Politics by Violent Actions“

*Urban Politics*

Nicholas Anastasopoulos, „Peer to Peer Practices on Metropolitan Commons“

Srđan Atanasovski, „Against the Policescape; or, How to Fight the Invisible Windmills“

Atdhe Hetemi, „Social Movements Between Demands for Social Change, Justice and Nationalism“

*Citizens, Nation-States and the Challenge of Immigration*

Aleksandar Stojanović, „The Need of the Immigrant“  
Stefan Aleksić, „Desired Belongings and (B)order Crossings: How Capitalism Acts Together“

Nikola Petković, „Immigrants Between Marine Biology and Ecology of a River“

*Plenary presentations*

Mario de Caro, „Action and Freedom“

Pim Haselager, „From a Plurality of Agents to Collective Engagement“

*Action, Agency, Joint Agency, Group Agency*

Christian List, „What is it Like to Be a Group Agent?“

Nenad Smokrović, „Reasoning, Argumentation, Deliberation: Groups do it Better“  
 Petar Bojanić, „Negative Social Acts“  
 Bojan Borstner, „How to Come to a Wise Society?“  
 Slobodan Perović, „Epistemic and Social Networks in Big Science“

#### *Art, Dramaturgy and Protests (I)*

Bojana Matejić, „What is it to Live Artistically?“  
 Camille Louis, „Dramaturgy of Occupa(c)tions“  
 Konstantina Georgelou, „Working on Actions – Materialisations of Artistic and Social Imaginings“  
 Nela Milić, „Materialising Site“

The presentations took place at the House of Culture, FMK, Belgrade

#### Friday, November 20

##### *LGBT Rights and Protests*

Danica Igrutinović, „Engendering Nations, Gendering Space: The ‘Ins’ and ‘Outs’ of the 2014 Belgrade Pride Parade in Media Discourse“  
 Nadia Chushak, „LGBT Collective Action in Post-Maidan Ukraine“  
 Sarah Kiani, „How to Organize in a Repressive State? Homosexualities and Protest in the GDR (1970–1990)“

##### *Precarious and Vulnerable Subjects*

Elena Tzelepis, „Precarity and Solidarity Action in Contemporary Greek Crisis“  
 Ivana Zagorac, „Vulnerability and Human Agency“  
 Tina Fritschy, „Rethinking the Public: The Exposure of Ecstatic Life

##### *The Individual and the Community. Leaders, Groups and Contexts*

Karolina Thel, „Collective Engagement in Conflicts on Urban Development in Warsaw“  
 Chaslav D. Koprivitsa, „Being of Community: Between the Projections of the Leaders and the Creative Experience of Spiritual Generation“  
 Gazela Pudar Draško, „(Re)acting Together: Grexit as Revival of Intellectuals“

##### *Art, Dramaturgy and Protests (II)*

Biljana Kašić, „Acts of Resistance: ‘Liberating Gesture’ or (Re)Configuring the Political“  
 Sonja Vilč, „(Humboldt University Berlin): Acting Together: The Art of Collective Improvisation in Theatre and Politics“

Sapir Huberman, „‘5 Broken Cameras’. Photography as a Tool for Urban and Socio-Political Engagement Following the Concepts of Ariella Azoulay’s ‘The Civil Contract of Photography’ and Henri Lefebvre’s ‘Right to the City’“

##### *Changing Paradigms and Discourses*

Florian Grosse, „The Right Words at the Right Time’. Political Speech and Action Between Stuckness and Subversion“

Kathryn McNeilly, „Acting Together in a Radical Politics of Human Rights: Human Rights To Come“

Aleksandra Savanović, „And... Action“

##### *Protests in Focus: South-East Europe and Beyond (III)*

Danijela Majstorović, „Articulating Direct Democracy on the European Periphery: Politics of Taking Space in the Post-Socialist Economy of Affect“

Alexandra Goujon, „The Ukrainian Agora: Opposition leaders and Protesters in Maïdan“

Miloš Šumonja, „Troubles with Left Populism: Lesson of Syriza“

##### *Plenary presentation*

Athena Athanasiou, „As if It Were Possible’: Performing the Institution in the Un/Common Space of the Polis“

##### *Rethinking the Collective*

Borislav Prodanović, „Being As Event of Bleeding: I bleed into you“

Luis De Miranda, „Esprit de Corps: the Secret of Collective Action?“

Kristof Vanhoutte, „ἄρεσις. An Archaeology of ‘Heresy/Sects’“

##### *Acting With and Within*

Nebojša Zelić, „Liberal Legitimacy and Civic Friendship“

Thomas Telios, „Hegel Revisited – Against a Normative Understanding of Collective Agency“

Niccolo Milanese, „An Audience With... the Public, the Representative, the Sovereign“

##### *Constraining the Action: Strategies of Coercion and Cooption*

Jana Bačević, „Beyond Resistance: Academia, Knowledge Production and Limits of Agency in Neoliberal Times“

Frank Karioris, „An Ethics of Collaboration: Re-imagining Interaction amidst the Neoliberal Academy“

Andrej Pezelj, „Critique of Alternative Centre Metelkova“

*Keynote lecture*

Judith Butler, „Vulnerability/Resistance“

Lectures and presentations held at the Kolarac Foundation, Belgrade

**Saturday, November 21**

*Identities and Bodies*

Iva Nenić, „Loose Collectivities, Powerful Discourses: A Power to Act With(out) Identity“

Jennifer Ramme, „How to Think Differently About the Political and Escape the Categories?“

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Lina Álvarez, „From Wilhelm Reich's Materialist Psychology to Frantz Fanon's Sociogeny: Understanding How Ideology Contributes to the (Re)production of Coloniality and Racism“

Jennifer Vilchez, „Baring it all for the Cause: The Use of the Nude Body in Recent Protests and Demonstrations“

*Emotions and Affects in Protests*

Lada Stevanović, „Laugh and Engage!“

Tanja Petrović, „Political Humor, Social Critique and the (Im)possibility of Change“

Igor Cvejić, „The Role of Emotions in Actions. Dynamical Intentionality to the Material Object of Action or/and to Others“

Kasper Kristensen, „Affects and Collective Action: Spinoza and the Precarious Agency“

*Fragile Infrastructures of Togetherness (The Center for Advanced Study – Southeastern Europe Fellows)*

Aleksandra Djurasovic, „‘Oh, we could be together, if only the things weren't so complicated’: Complexity Factor in the Late Post-Socialist Transition in Bosnia and Herzegovina“

Giulia Carabelli, „Affects That Bond and Disband: On the Production of Spaces for Being Together with and -against in Bosnia Herzegovina During the 2014 Protests“

Piro Rexhepi, „After Ankara: Hierarchies of Togetherness and Humanitarian Violence“

Francesco Marone, „The Body as a Weapon: The Logic of Self-Sacrifice in Suicide Bombing“

Julija Sardelic, „Acts of Citizenship from the Margins: Romani Minorities and Social Movements in Southeastern Europe“

Vera Tripodi, „The Role of the Body in Politics, Epistemic Injustice, and Prejudice“

Jeremy F. Walton, „Merely Political: Agonistic Rhetorics of Unity and Anxieties of Proximity in Ankara“

*Plenary presentation*

Éric Fassin, „Mobilizing Publics. Intellectuals, Activists, and the Political Work of Representation“

Presentations held at the Kolarac Foundation, Belgrade

*Round table in the Cultural Centre of Belgrade: Seminar on the Judith Butler's Notes Toward a Performative Theory of Assembly*

Introductory notes: Sanja Milutinović Bojanić, Judith Butler

Participants: Athena Athanasiou, Adriana Zaharijević, Biljana Kašić, Brigita Miloš, Daša Duhaček, Eric Fassin, Erzsebet Barat, Jasmina Husanović, Jelena Vasiljević, Katarina Lončarević, Petar Bojanić, Vedran Džihić, Nikola Petković

\* \* \*

**Samedi, 5 Décembre**

**UN SÉMINAIRE DÉDIÉ AU LIVRE  
JEAN-LUC MARION EROTSKI FENOMEN  
(Akademska knjiga, 2015)**

Introduction: Claudia Serban. Participants: Časlav Koprivica, Dragan Prole, Igor Cvejić, Igor Krtolica, Mark Lošonc, Nikola Tanasić, Petar Bojanić, Predrag Krstić, Predrag Milić, Rastko Jovanov, Una Popović i Željko Radinković

\* \* \* \* \*

Osmi *Otvoreni razgovori* (skupovi mladih) održani su 11. februara 2015, pod temom *Siriza – mogućnosti i granice*

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Up to two double sheets (60.000 characters including spaces), abstracts, key words, without comments.

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Between 100 and 250 words.

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Up to 10.

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In the bibliography: last and first name of editor, abbreviation ‘ed.’ in parentheses, year of publication in parentheses, title of collection in italic, place of publication, publisher and page number if needed.

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