

## Proposal for a Humanities Institute for Fall 2008

### *States of Exception: Sovereignty, Security, Secrecy*

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1. Increasingly, it seems, we live in a state of emergency no one has declared but to which everyone subscribes. Guantanamo, Abu Ghraib, New Orleans, Paris, Lampedusa, Iraq, Afghanistan, Sudan, Rwanda, Bosnia, Florida: Contemporary politics has rediscovered the lawless zones — those literal and metaphorical states of exception — to where the darker practices and fantasies of civilization are outsourced. Sovereignty, once embodied in the ostentatious pomp of majesty, now gives way to more anonymous sovereign powers (police, military, security bureaucracies) whose practices, though muted by comparison, are no less devastating. Moreover, these states of exception have come to hit home. Have-nots, *sans-papiers*, refugees across the globe suffer from expulsion, exploitation, social injustice, genocide, state terrorism, racism, and war. Spectral and rootless, bereft of formal protections, they import the states of exception into the wealthy fortresses of the Western world. Meanwhile, the leading statesmen of the First World, resistant as usual to the transformative potential of the political, have not much more on their minds than security, order, and secrecy. In the place of democratic participation or civic debate, we instead get National Security initiatives, so-called “super-police forces,” intelligence agencies, and invocations of a “unary executive”. We may have thought that the figure of the sovereign — the ruler who arbitrarily suspends the law — had disappeared from the West’s political landscape, driven into exile by scrutiny and revulsion. But we were wrong. The sovereign exception, aided and abetted by the twin spectres of police intervention and military action, has managed to obtain a global reach that recently has been called a new imperial power.

The directors of this Institute firmly believe that such grave matters deserve our keenest attention, not only as scholars and teachers, but also as political beings. We ask ourselves: Has academia kept up with the rapid political, legal, cultural and social changes that have taken place in the aftermath of the Cold War? Have the humanities and social sciences honed their analytical tools to fathom the causes and effects of contemporary modes of sovereignty, security, and secrecy? Has the complete breakdown of our political vocabulary, traditionally organized around a binary logic, been interrogated to the extent necessary? If sovereignty can no longer be understood as the single point of command above the social field, and if the bodies of the sovereign are ever more difficult to localize, what new forms and theories of sovereignty must we develop? What are the differences between legally defined states of exception and factual states of emergency (for example the state of siege, civil war, famine, and disaster); have the boundaries between questions of law (*quaestio juris*) and questions of fact (*quaestio facti*) been hopelessly blurred? What happens to democracy and political participation when the states of exception become permanent and citizens define themselves primarily as potential victims or as mere objects of security measures? How do we explain the

emergence of a publicly declared policy of secrecy? And is democracy at all compatible with an executive power operating in secret? It is no accident that political theorists from various provenances have, particularly recently, risen from an analytical slumber in order to present new visions for political engagement. Habermas, Rancière, Nancy, Laclau, Butler, Nussbaum, Negri and Hardt, Agamben, Derrida, Balibar, Badiou, Žižek, Bourdieu: The work of each bespeaks the significance of this topic. The problem, then, is certainly not a lack of awareness or concern. Rather, the challenge is deciding how to pause, stay calm, and reflect critically on what has happened to the established parameters of a longstanding political edifice.

One might remain detached when it concerns legal, historical, or metaphysical figures of sovereignty. Those, after all, are critical abstractions. But can and should we demand the same cool distance in cases where the power of sovereignty is felt by the individual? If our answer is a resounding No, it is because the history of the sovereign exception is also, simultaneously, the history of its passionate critique. Arguably the most groundbreaking discourse on modern forms of sovereignty begins with a secret dialogue between Carl Schmitt and Walter Benjamin in 1922 and ends with Benjamin's suicide on the border of Spain in 1940. Schmitt writes of the sovereign exception in 1922: "The norm proves nothing, the exception proves everything. The exception thinks the rule with energetic passion." Benjamin, on the other hand, thinks political passion not from the standpoint of the resolute sovereign decision, but from below: the suffering of its victims, the suppressed histories of minorities. In his "Theses on the Philosophy of History," shortly before his death, Benjamin writes that the "tradition of the oppressed teaches us that the 'state of exception' in which we live is not the exception but the rule." Benjamin then confronts the *status quo* of a Europe thrust in war and emergency provisions with the vision of a "true state of exception." He then urges: "The current amazement that the things we are experiencing are 'still' possible in the twentieth century is *not* philosophical. This amazement is not the beginning of knowledge — unless it is the knowledge that the view of history which gives rise to it is untenable." There could be no better motto for our Humanities Institute: (1) historiography must continue to rethink its historicist premises and (2) analysis ought neither begin nor end with an awestruck amazement or political outrage. To adopt such a motto signals, we hope, that we are concerned with more than just the shifts and events in contemporary history. On the contrary, we believe that it is as necessary to learn from past events for a conception of the present as it is critical to rewrite the past in light of present concerns. Our aim, then, is to construct a thorough genealogy of the sovereign exception — tracing the concept from its appearance in antiquity and the Middle Ages to its anatomization in the eighteenth century to its violent reassertion in the twentieth century — as a means of interrogating its more diffuse and faceless manifestation today. We believe that our current worldwide state of exception is neither an anomaly nor a regression. The state of exception, like sovereignty, security, and secrecy, is inscribed in a powerful history that holds the potential to mobilize our thinking, acting, and feeling today. This is one reason why we cannot subscribe to anything so grotesquely ironic as a sovereign theory of sovereignty. There can be no particular critical framework or set of terms, nor any geographic or historic limitation. The best way of coming to grips with a worldwide state of exception

is to embrace the plurality of scholarly perspectives that help us develop a new understanding and a better vocabulary for politics in our time.

2. Our working premise is that states of exception thrive wherever there is a call for “sovereignty,” “security,” “secrecy” (or even “torture”). These concepts thus assume a crucial importance, and yet they remain among the most understudied, if overused, words of our time. This Humanities Institute aims to shed light on this intricate nexus by more clearly defining the practices, mentalities, ideas, hopes, desires, and theories that enable the analysis of states of exception as they pertain to sovereignty, security, and secrecy. We view this Institute as an ideal meeting place for scholars from all walks of life and from all stages in their respective careers, although junior faculty with backgrounds in history, political theory, government, philosophy, law, religion, literature, film, art history, and cultural studies are particularly welcome. Indeed, we have gained a strong indication that this topic generates a lot of enthusiasm and interest among younger scholars not only inside the College but also in the academy at large. We therefore see this Institute as a unique chance to build a long-lasting network of scholars, not only in the U.S., but also in Europe. As junior faculty, we furthermore perceive this to be a great opportunity to become acquainted with other scholars from across campus currently working on similar or related questions.

We envision our Institute having the following structure:

(1) We will hold a total of ten meetings. Seven of these meetings will be run like seminars at which participants gather for approximately three hours to discuss a set text or group of texts. Ideally, each of these “seminars” will be run by a different leader with expertise in the assigned reading. The other three meetings will combine a morning seminar run by a visiting scholar and a public lecture, given by that same scholar, in the afternoon. Our wish list for these visiting lecturers includes Giorgio Agamben, Jacques Rancière, Slavoj Žižek, Alenka Zupančič, Joan Copjec, Judith Butler, Michael Hardt, Elaine Scarry, Alain Badiou, Ernesto Laclau, and our presumptive Senior Fellow Eric Santner.

(2) Toward the end of the term, we plan to finish with a two-day conference, open to the public, at which morning and afternoon panels will address the central questions raised by the Institute, and the Senior Fellow, and perhaps also a visiting speaker, will give keynote speeches. Each participant of the institute will present her/his own research on the institute’s topic and, so we hope, shed light on this pressing issue from a variety of theoretical perspectives, historical periods, and geographic areas. The conference would also include a dinner, to be held the evening of the first day.

(3) Finally, for spring 2009 we plan to complete a draft of an edited collection of essays with the tentative title *The Rule of Exception: Sovereignty, Security, Secrecy*. This book will include the expanded and revised versions of the conference papers and a few solicited articles from outside scholars. The institute will hold a final meeting in June 2007 where we will give each other suggestions for the final revision of the articles. We

think that Dartmouth College at this juncture has the unique opportunity to take on this emerging field as a frontrunner among peer institutions.

Although we expect the Institute to generate its own conversational dynamic, we will initially structure our exchanges around the following cluster of questions:

- a) What constitutes a state of exception? What is the role of police and military in the state of exception? Who do we account for the worldwide withdrawal of law and the reemergence of torture? Does Benjamin's "true state of exception" allow for a different vision of politics and democracy?
- b) What is the genealogy of the sovereign exception in a time of more anonymous manifestations of power?
- c) How can we most effectively scrutinize increased demands for security and the attendant proliferation of secrecy?
- d) What would a vocabulary of governance look like freed from such binarisms as friend versus enemy, peace versus war, public versus private etc.