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TIME AND PRESENCE IN AGAMBEN'S CRITIQUE OF DECONSTRUCTION

Jenny Doussan

ABSTRACT: Enmeshed with Agamben's critique of metaphysics is his critique of deconstruction. Following the sentiment he first outlined in *Language and Death: The Place of Negativity* (1982), deconstruction's alleged attempt to displace the privileging of speech with that of writing to thereby dispel the negativity at the core of Western metaphysics, to the contrary has the effect of reifying this problem by expressing its terms most perfectly. Agamben takes this criticism further in the *Homo Sacer* series by suggesting that not only does deconstruction reiterate the problem of metaphysics, it mimics the conditions of the state of exception as rule in the temporal suspension of its infinite deferral of signification. As a counter to deconstruction's "thwarted messianism," in *The Time That Remains: A Commentary on the Letter to the Romans* (2001), Agamben posits a messianic time immanent to every instant, likening it to both the speech act and the very structure of thought itself. Implicit in this critique is an ongoing concern with temporality and presence that resonates across his corpus, and has grave consequences for his professed fidelity to Walter Benjamin.

KEYWORDS: Philosophy; Politics; History; Critical Theory

In his essay "Giorgio Agamben's Franciscan Ontology," Lorenzo Chiesa argues that implicit to Agamben's philosophy of the coming politics is a transformation of the figure of bare life that corresponds to metaphysical nihilism into the positive figure of the contemporary *homo sacer*. This transformation, which may subvert "the *form* in which the relation between bare life and political existence has been so far thought and lived in the West,"¹ must occur as a consequence of an emancipatory messianic event. Chiesa, therefore, determines Agamben's biopolitics to be a bio-*theo*-politics.

¹ Lorenzo Chiesa, 'Giorgio Agamben's Franciscan Ontology', *Cosmos and History: The Journal of Natural and Social Philosophy*, vol. 5, no. 1, 2009, p. 108.

Two significant moves are at work here. Firstly, there is a division of bare life into negative and positive polarities organized as a sequence—either through the capture of *homo sacer* in the sovereign ban or the liberation of bare life through its undoing of the binding of life and law. The second is the consequent conclusion that Agamben’s formulation of messianic time as kairological rather than chronological does not entirely succeed in that the relation between the two figures is an evental one, in which messianic nihilism confronts imperfect nihilism in a vital inversion of their sequence, this event arguably corresponding to the resurrection of Christ.

While Chiesa’s foremost point of contention here is this latent Christianity, which, following Agamben’s own suggestion in *The Time That Remains: A Commentary on the Letter to the Romans* (2001) and further attested to by more recent publications such as *The Highest Poverty: Monastic Rules and Form-of-Life* (2011), he labels as Franciscan,² his challenge to the validity of messianic time is significant. For temporality is crucial in the linguistic undercurrents of Agamben’s ontology and, indeed, his philosophy in general. However, Chiesa’s re-inscription of messianic time into chronological time through the messianic event runs the risk of losing sight of Agamben’s own re-inscription of messianic time into the chronological instant with his Benveniste-inflected conception of language. Time does mark the distinction between the annihilative and the emancipatory in Agamben’s thought; but, beyond the time of the messianic event, Christian or not, is a more complex construction of the evental time of enunciation that is bound up with negativity and presence.

The structure of this linguistic temporality is evident in Agamben’s ongoing critique of deconstruction, which he describes in *Time That Remains* as a “thwarted messianism,”³ in which can be discerned the far-reaching consequences of this ontological structure that underpins his philosophy. Agamben’s contentious relationship with Derrida begins in the margins of his text *Stanzas* (1977),⁴ but we shall begin here with his interweaving of deconstruction with the sovereign ban and the

² See also Agamben’s discussion of the Franciscans in the chapter ‘In Praise of Profanation’ in Giorgio Agamben, *Profanations*, trans. Jeff Fort, Cambridge, MA and London, MIT Press, 2007, pp. 82-83. The Christian tendency in Agamben’s work has been interpreted to varying effect. Jeffrey Librett has commented on Agamben’s latent Christianity in the context of an anti-nominal anti-Semitism whereas Colby Dickinson has recently argued that it founds a divine materialism beyond the human/animal division. See Colby Dickinson, ‘Beyond Objects, Beyond Subjects: Giorgio Agamben on Animality, Particularity and the End of Onto-theology’, *Cosmos and History: The Journal of Natural and Social Philosophy*, vol. 7, no. 1, 2011, pp. 87-103; Jeffrey S. Librett, ‘From the Sacrifice of the Letter to the Voice of Testimony: Giorgio Agamben’s Fulfillment of Metaphysics’, *Diacritics* 37, no. 2/3, Fall, 2007, pp. 11-33.

³ Giorgio Agamben, *The Time That Remains: A Commentary on the Letter to the Romans*, trans. Patricia Dailey, Stanford, Stanford University Press, p. 103.

⁴ See Kevin Attell for a discussion of the Saussurian dimension of this critique. Kevin Attell, ‘An Esoteric Dossier: Agamben and Derrida Read Saussure’, *ELH* 76, no. 4, Winter, 2009, pp. 821-846.

state of exception as articulated in *Homo Sacer: Sovereign Power and Bare Life* (1995), the text that is also Chiesa's starting point for his critique of Agamben's Franciscan ontology.

Drawing upon a series of personal letters exchanged between Gershom Scholem and Walter Benjamin regarding his essay on Franz Kafka published in 1934,⁵ Agamben takes up Scholem's formulation of "the nothing of revelation" as the expression of language's sovereign command over humanity. Originally an idea advanced in Scholem's poetic commentary upon Kafka's *The Trial* (1925), Agamben asserts that the nothing of revelation describes the status of the law that does not signify anything yet remains in force. The law in this case is not absent, but appears in the form of unrealizability, in Agamben's words, as a *being in force without significance*. While Scholem doubts the prospect of a revelation that continues to appear as such, even reduced to the zero point of its own content such that it can no longer be fulfilled,⁶ Agamben states that "nothing better describes the ban that our age cannot master,"⁷ and rehabilitates Scholem's concept of the "nothingness of revelation" as a *being in force without significance* to support his critique of deconstruction. He writes,

The experience of being in force without significance lies at the basis of a current of contemporary thought that is not irrelevant here. The prestige of deconstruction in our time lies precisely in its having conceived of the entire text of tradition as being in force without significance, a being in force whose strength lies essentially in its undecidability and in having shown that such a being in force is, like the door of the Law in Kafka's parable, absolutely impassable.⁸

This consignment of deconstruction to the nihilistic apex of the Western metaphysical tradition very much follows his accusation fifteen years earlier in *Language and Death: The Place of Negativity* (1982) of Derrida's thought simply reiterating the fundamental metaphysical problem of an originary temporality that it claims to surpass. This problem is expressed in terms of a self-reflexive will to signify that is

⁵ See Gershom Scholem, *The Correspondence of Walter Benjamin and Gershom Scholem: 1932-1940*, trans. Gary Smith and Andre Lefevere, New York, Schocken Books, 1989, pp. 119-145, 220-226; and Walter Benjamin, 'Franz Kafka: On the Tenth Anniversary of His Death' and 'Some Reflections on Kafka' in *Illuminations: Essays and Reflections*, ed. Hannah Arendt, trans. Harry Zohn, New York, Schocken Books, 1968, pp. 111-140 and 141-145.

⁶ Scholem, *Correspondence*, p. 142.

⁷ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen, Stanford, CA, Stanford University Press, 1998, p. 51.

⁸ Agamben, *Homo Sacer*, p. 54. This is a notion that he will later peculiarly liken to the thought of Schmitt; see Giorgio Agamben, *State of Exception*, trans. Kevin Attell, Chicago and London, University of Chicago Press, 2003, p. 64.

manifest in the transition from the “sonorous flux emitted by the phonic apparatus” to a *Voice* that “articulates the split between signification and demonstration constitutive of the originary structure of transcendence.”⁹ As an animal cry, the human voice may be the agent of sound and can even refer to the individual making it, but it requires the *will to signify*—the *Voice*—for the *event* of language itself to take place, the absolute present of the deictic instant in which the enunciative act refers only to itself.¹⁰ In the *Voice*, the indecipherable babble of the animal voice must thus be effaced as meaning occurs in the passage from signification to indication, the purely self-reflexive *taking place of language*. In the violent and self-perpetuating will-to-signify of the *Voice*, which is thus ultimately a *will-to-will-to-signify*, is manifest the quest of metaphysics to secure a link between nature and culture as the “pure temporality” of the *arthron* that “articulates voice and language and thus discloses being and meaning,” a removal that is also a preservation.¹¹

Key to this formulation is the influence of linguist Émile Benveniste upon Agamben’s thought as it pertains to temporality and enunciation. Following his elaboration of Benveniste’s theory of the double signification of language as the split between language and discourse indicated by our infantile will to speech in *Infancy and History: The Destruction of Experience* (1978),¹² Agamben again cites Benveniste to substantiate his argument on the fundamental negativity of language as exemplary of the metaphysical problem. Arguing that temporality itself is generated in and through the enunciative act, he quotes the linguist:

The formal present does nothing else but explicate the present inherent in the utterance [*énonciation*], which is renewed with each production of discourse, and which, beginning with this present that is continuous and coexistent with our own presence, engraves in consciousness the feeling of a continuity that we call ‘time’; continuity and temporality that are generated in this incessant present of the utterance, that is the present of being itself, and they are delimited through

⁹ Giorgio Agamben, *Language and Death: The Place of Negativity*, trans. Karen E. Pinkus with Michael Hardt, Minneapolis, University of Minnesota Press, 1991, pp. 35-36.

¹⁰ Agamben cites the *pronoun*, which is itself inherently meaningless except when in actual use in linguistic demonstration, as paradigmatic of this self-reflexive function. That is, the pronoun is actuated in the specific instance of discourse when the glyph *I* comes to signify my flesh and blood, thereby illuminating apart from any actual signification the very power of language to signify. See Agamben, *Language and Death*, 19-26.

¹¹ Agamben, *Language and Death*, pp. 39, 85. Agamben hyper-extends this formula to implicate not only philosophy, but “every science.” See Agamben, *Language and Death*, 18.

¹² Giorgio Agamben, *Infancy and History: The Destruction of Experience*, trans. Liz Heron, London and New York, Verso, 1993, pp. 63-64. This division founds the concept of infancy as the linguistic experience of man that renders him an historic being.

an internal reference between what will become present and what is no longer present.¹³

As the domain of the Voice in the taking place of language, Agamben reads this illusory “incessant present of the utterance” as the negative ground of time and being in the Western metaphysical tradition.¹⁴ Following his reading of Benveniste, the specificity produced by the Voice in the event of language demands an absolute temporal present, but this incessant present is only ever an artifice, a synthetic continuity that, with the violent foundational gesture of the exclusion of the animal voice, grounds itself in—and is thus wholly dependent upon—a universal and pure negativity.

Given the all-pervasive nature of the structure of the Voice which philosophy itself is not equipped to think through, the problem of negativity is not so easy to rid ourselves of. As Agamben states, “Metaphysics is the thought and will of being, that is, the thought and will of the Voice (or thought and will of death); but this ‘thought’ and this ‘will’ must necessarily remain unthematized, because they can only be thematized in terms of the most extreme negativity.”¹⁵ While the arthron’s false conjoining of nature and culture in the articulative event of language only reifies the problem, so too does displacing the primacy of speech with writing. Addressing Derrida’s citation of Aristotle in the first pages of *Of Grammatology* (1967), Agamben quotes at greater length the same passage of *De Interpretatione*, which ascribes symbolic inscription to the voice, to assert that the negativity of the Voice is not situated in opposition to the *gramma*, but is rather identical to it: “That which is in the voice (*ta en te phone*) contains the symbols of mental experience, and written words are the symbols of that which is in the voice. Just as all men do not have the same writing (*grammata*), so all men do not have the same voices (*phona*), but the mental experiences, which these directly symbolize, are the same for us all, as also are those things of which our experiences (*pragmata*) are the images.”¹⁶ Accordingly, Agamben argues that like the voice, the *gramma* itself not only functions as an “interpreter;” but, it furthermore underpins the voice by assuring the order of comprehensibility. Consequently, any attempt to

¹³ Agamben, *Language and Death*, p. 36; quote source: Émile Benveniste, ‘L’appareil formel de l’énonciation’, in *Problèmes de linguistique générale, II*, Paris, Gallimard, 1974, p. 83.

¹⁴ Agamben, *Language and Death*, pp. 35-36.

¹⁵ Agamben, *Language and Death*, p. 88.

¹⁶ Agamben, *Language and Death*, p. 38; quote source: Aristotle *De Interpretatione* 1.16a3-7. See Jacques Derrida, *Of Grammatology*, trans. Gayatri Chakravorty Spivak, Baltimore and London, Johns Hopkins University Press, 1997, p. 11.

surpass metaphysics by removing the privilege given to the voice has no impact in diminishing its fundamentally negative structure that is shared with the *gramma*.¹⁷

Relating both the *trace* and *différance* to the Voice that displaces the voice, in *Language and Death* Agamben asserts,

For metaphysics is not simply the primacy of the voice over the *gramma*. If metaphysics is that reflection that places the voice as origin, it is also true that this voice is, from the beginning, conceived as removed, as Voice. To identify the horizon of metaphysics simply in that supremacy of the *phone* and then to believe it in one's power to overcome this horizon through the *gramma*, is to conceive of metaphysics without its coexistent negativity. Metaphysics is always already grammatology and this is *fundamentology* in the sense that the *gramma* (or the Voice) functions as the negative ontological foundation.¹⁸

By assimilating the *gramma* of writing to the speech of the Voice, Agamben reduces deconstruction to a mere repetition of the fundamental metaphysical problem. Implicit here is Derrida's failure to recognize the true temporal constitution of metaphysics, and this blind-spot produces what Agamben views as the shortcoming of Derrida's *trace*, that is, a lack of recognition of its "structure of purely negative self-affection" that it shares with the Western metaphysical tradition.

In *Homo Sacer*, Agamben employs the terminology of *Language and Death* to levy an equally pithy but considerably more damning charge, casting deconstruction as the "linguistic state of exception." Addressing the structure of sovereign power present in language, he states:

the fact that a word always has more sense than it can actually denote corresponds to the theorem of the point of excess. Precisely this disjunction is at issue both in Claude Lévi-Strauss's theory of the constitutive excess of the signifier over the signified . . . and in Émile Benveniste's doctrine of the irreducible opposition between the semiotic and the semantic. The thought of our time finds itself confronted with the structure of the exception in every area. Language's sovereign claim thus consists in an attempt to make sense coincide with denotation, to stabilize a zone of indistinction between the two in which language can maintain itself in relation to its *denotata* by abandoning them and withdrawing from them into a pure *langue* (the linguistic "state of exception").

¹⁷ Agamben, *Language and Death*, p. 38-39. See also Agamben's discussion of the *gramma* in his 1984 essay dedicated to Derrida, "The Thing Itself," in Giorgio Agamben, *Potentialities: Collected Essays in Philosophy*, ed. and trans. Daniel Heller-Roazen, Stanford, Stanford University Press, 1999, pp. 36-38.

¹⁸ Agamben, *Language and Death*, p. 39.

This is what deconstruction does, positing undecidables that are infinitely in excess of every possibility of signification.¹⁹

Beyond the thought of an irreducible excess, time features largely here. The “linguistic state of exception” is not simply *langue* or the semiotic, but the “zone of indistinction” in which sense, or the semiotic field of the word, coincides with denotation, its deployment in the semantic act of *parole*.

The sovereign claim of language and deconstruction is thus to *stabilize* this zone of indistinction. Deconstruction *maintains* the condition of the linguistic state of exception producing an exception-as-rule in its infinite deferral of signification. Given Agamben subsumes the *gramma* into the Voice as indicated in *Language and Death*, this amounts, again, to a distension of the temporality of enunciation in a permanent decision such that to speak is to speak always the law.

Foregoing any further engagement with the question of time, Agamben proceeds to distinguish his position from that of deconstruction through his reading of the exchange between Scholem and Benjamin in which, he argues, two different interpretations of the state of exception in which law begins to coincide with life confront each other—one virtual and one real.²⁰ The first, Scholem’s interpretation, that would let law subsist as a pure form, the *being in force without significance* that holds bare life in an inclusive exclusion, is to be considered a virtual state of exception. Conversely, Benjamin’s state of exception “proposes a messianic nihilism that nullifies even the Nothing [of revelation] and lets no form of law remain in force beyond its own content.”²¹ Not only does Agamben suggest that this difference that he draws between the thought of Scholem and Benjamin represents the distinction between Derrida’s deconstruction and his own thinking,²² he further claims for this distinction the means by which to interpret Benjamin’s eighth thesis on the philosophy of history.

It is inversion, and not time, that Agamben cites as the principal marker between these two conditions, resisting any qualitative distinction and favouring instead a difference in implementation. Noting Benjamin’s sentiment that much of Kafka’s work involves an attempt to transform life into scripture, Agamben writes,

¹⁹ Agamben, *Homo Sacer*, p. 25.

²⁰ Agamben, *Homo Sacer*, pp. 53, 55.

²¹ Agamben, *Homo Sacer*, p. 53.

²² Simon Morgan Wortham has also noted this Derrida/Scholem - Agamben/Benjamin alignment present in *Homo Sacer* in his essay “The Law of Friendship: Agamben and Derrida,” though he purposefully resists the “hugely daunting task” of excavating the origins of Agamben’s critique of deconstruction. See Simon Morgan Wortham, “The Law of Friendship: Agamben and Derrida,” *New Formations*, vol. 62, 2007, p. 99.

Law that becomes indistinguishable from life in a real state of exception is confronted by life that, in a symmetrical but inverse gesture, is entirely transformed into law. The absolute intelligibility of a life wholly resolved into writing corresponds to the impenetrability of a writing that, having become indecipherable, now appears as life. Only at this point do the two terms distinguished and kept united by the relation of the ban (bare life and the form of law) abolish each other and enter into a new dimension.²³

Minimizing the fact that in the Kafka essay and in his letters to Scholem, Benjamin regards this attempt as a failure,²⁴ there is instead the suggestion that one may seize the very conditions of oppression, the coincidence of life and law, and transform it from the pure force of law without significance of which deconstruction is emblematic, into the active writing of one's life, transforming one's life into law. In this sense, Chiesa's argument is particularly salient.

Agamben draws from Martin Heidegger to elaborate the achievement of this "new dimension" in which there is no longer any relation as such between life and law, by pushing the experience of abandonment to its extreme, inverting the nihilism of *being in force without significance* to liberate abandonment from "every idea of law and destiny."²⁵ The sentiment of overturning nihilism by dwelling in the experience of its absolute limit recalls the *Means Without End* essays, both "Marginal Notes on *Commentaries on the Society of the Spectacle*" (1990) when we are advised that only those who will be able to carry to completion the devastating *experimentum linguae* of the society of the spectacle that empties traditions, beliefs, identities, communities, and so forth, by bringing language itself to language will become "the first citizens of a community with neither presuppositions nor a state,"²⁶ and "Notes on Politics" (1992) in which human society must "see its own impotence through to the end" to "break everywhere the nexus between violence and right, between the living and language that constitutes sovereignty," and to appropriate our own historicity, opening the field to "*nonstatal* and *nonjuridical* politics and human life" that remains to be thought,²⁷ as well as Agamben's early messianic readings of Nietzsche's eternal return.²⁸ What this

²³ Agamben, *Homo Sacer*, p. 55.

²⁴ While Agamben notes that the parable is generally read as an account of failure, he resists acknowledging that Benjamin reads Kafka's gesture itself as a failure.

²⁵ Agamben, *Homo Sacer*, p. 60.

²⁶ Giorgio Agamben, 'Marginal Notes on *Commentaries on the Society of the Spectacle*', in *Means Without End: Notes on Politics*, trans. Vincenzo Binetti and Cesare Casarino, Minneapolis and London, University of Minnesota Press, 2000, p. 85.

²⁷ Giorgio Agamben, 'Notes on Politics', in *Means Without End*, pp. 112-113.

²⁸ See Giorgio Agamben, *The Man Without Content*, trans. Georgia Albert, Stanford, Stanford University Press, 1999, pp. 85-93.

amounts to is not a disruption of the sustained present of the state of exception as rule but rather a seizing of it that inverts the position of power and obliterates its own conditions in the process.

Returning to his critique of deconstruction, this passage must be read in tandem with Agamben's presentation of Kafka's parable "Before the Law" that is embedded in *The Trial* (1925). The story tells of a man from the country that stands before the open gates of the law, only to be refused entry by the gatekeeper who suggests he may be granted permission to enter at some point in the future though beyond this gate he will face innumerable more. The man spends the duration of his life before the open doors, until the brink of his death when in response to his question of why he is the only person seeking entry, the gatekeeper proclaims that the doors were meant only for him and he will now be closing them. Quoting Derrida's reading of the parable as an "event that succeeds in not happening," Agamben inverts the tale himself, instead proposing the opposite, that the story tells how "something has really happened in seeming not to happen."²⁹ He thus transforms the parable from the failure of the man from the country to enter the doors to his success in having them closed. While deconstruction preserves the force of the law that does not signify, allowing the doors to remain open and the virtual state of exception to persist, Agamben asserts that our task to make the virtual state of exception real is to end the *being in force without significance* by provoking the gatekeeper to close the doors of the Law.³⁰

How does this exegesis of Kafka's parable translate back into the linguistic terminology that Agamben employs in his primary critique of deconstruction? If deconstruction describes the sovereign ban of the linguistic state of exception in the forced *permanent* coincidence of sense and denotation, "positing undecidables that are infinitely in excess of every possibility of signification,"³¹ then closing the doors of the law, ending the *being in force without significance*, may quite feasibly be understood to be, not the inversion of repurposing the coincidence of life and law that Agamben suggests in regard to the "virtual" and "real" states of exception, but simply signification.

²⁹ Agamben, *Homo Sacer*, 57; quote source: Jacques Derrida, 'Préjugés' in Norbert Bolz and Wolfgang Hübener (eds.), *Spiegel und Gleichnis: Festschrift für Jacob Taubes*, Würzburg, Königshausen and Neumann, 1983, p. 359.

³⁰ This is quite a departure from his earlier characterization of the porous inclusive-exclusive threshold of the "Outside" of *The Coming Community* (1990), in which the threshold as "the experience of the limit itself, the experience of a being-within an *outside*," is the "gift that singularity gathers from the empty hands of humanity." See Giorgio Agamben, *The Coming Community*, trans. Michael Hardt, Minneapolis, University of Minnesota Press, 2005, p. 68.

³¹ Agamben, *Homo Sacer*, p. 25.

What we are confronted with in deconstruction is the continuity of this originary negative temporality of the utterance through the infinite deferral of signification, a temporality that Agamben will later insist is fugitive in *Remnants of Auschwitz: The Witness and the Archive* (1998). In *Language and Death*, Agamben writes of the Voice that, as a *no-longer* (sound) and a *not-yet* (meaning), necessarily constitutes a negative dimension. He continues,

According to a tradition that dominates all Western reflection on language from the Ancient grammarians' notion of *gramma* to the phoneme in modern phonology, that which articulates the human voice in language is a pure negativity.

In fact, the Voice discloses the place of language, but in such a way that this place is always already captured in negativity, and above all, always already consigned to temporality. *Inasmuch as it takes place in the Voice (that is, in the nonplace of the voice, in its having-been), language takes place in time. In demonstrating the instance of discourse, the Voice discloses both being and time. It is chronothetic.*³²

It is Benveniste's exposition of enunciation to which Agamben attributes an "excellent analysis" of this condition in which one can discern the beginnings of the spatio-temporal entity of the state of exception. Deconstruction, as he claims a few pages later, as the Voice, therefore, bears this same condition of the pure negativity of articulation, the "incessant present of the instance of discourse."³³

Notably, Agamben modifies his reading of Benveniste's concept in *Remnants of Auschwitz*, but this modification serves to strengthen rather than diminish his critique of deconstruction. Having previously determined the utterance to indicate a continuous present grounded in a groundless negativity, in *Remnants of Auschwitz* this negativity is treated in a more literal sense as regards the actual enunciative act. Referring to Benveniste's programme for a post-Saussurian semantics of enunciation, he writes,

"I" is neither a notion nor a substance, and enunciation grasps not what is said in discourse but the pure fact of its being said, the event—by definition fugitive—of language as such. Like the philosophers' concept of Being, enunciation is together what is most unique and concrete since it refers to the absolutely singular and unrepeatable instance of active discourse, and it is what is most vacuous and generic since it is repeated every time without ever being possible to fix its lexical reality.³⁴

³² Agamben, *Language and Death*, p. 35.

³³ Agamben, *Language and Death*, p. 38-40.

³⁴ Agamben, *Remnants of Auschwitz*, p. 138; translation modified.

Now acknowledging the ephemerality of enunciation, the claim that deconstruction prolongs indefinitely the coincidence of what are here described as the most concrete and the most generic facets of language—denotation and sense—becomes less a question of inversion and more clearly a matter of time, the conflation of exception and rule.

At issue here is that the condition of the linguistic state of exception is that in which *langue* and *parole*, sense and denotation, like exception and rule, coincide indefinitely. Following Agamben's own logic, this linguistic state of exception to which the history of metaphysics has inevitably moved toward with deconstruction at its zenith, would operate as a distension of the fugitive temporality of the enunciative act. Nevertheless, that language takes place and meaningful discourse is exchanged among human beings indicates, at least implicitly, a proper functioning of the state of exception, or perhaps better stated, a functioning of the rule/exception binary that, confined within the temporal boundaries of enunciation, equates communication. Irrespective of whether or not one accepts Agamben's contention that Carl Schmitt's formula of the exception merely codifies the historical inevitability of the subsumption of exception into rule, structurally speaking, as the taking place of language that conforms to the temporal order of the utterance, exception-as-rule may yet exist as rule/exception, unsettling the very premise of *Homo Sacer* indicated by Agamben's teleological construction of Western metaphysics manifest in law, politics, and the state.

Just prior to Agamben's charge of deconstruction's stabilization of the zone of indistinction between sense and denotation, speaking of Badiou's theory of the event likening sense to inclusion and denotation to belonging (*appartenance*), the author concedes that in this case the exception expresses the "impossibility of a system's making inclusion coincide with membership, its reducing all its parts to unity."³⁵ Here, we encounter the two models of the taking place of language set forth in *Language and Death* (1982) previously and to come in *Remnants of Auschwitz* (1998). The taking place of language as the *arthron* or *articulation* that spans the originary metaphysical scission is, as averred in *Language and Death*, an absolute and continuous negativity, the true foundation of deconstruction, whether or not deconstruction is aware of this. The taking place of language in *Remnants of Auschwitz*, conversely, marks the irreducible disjunction between knowing and saying, vital functions and inner history, "between the living being's becoming a speaking being and the speaking

³⁵ Agamben, *Homo Sacer*, p. 25. See Alain Badiou, *Being and Event*, trans. Oliver Feltham, paperback ed., London and New York, Continuum, 2007, pp. 81-92. Feltham's translation of *appartenance* as 'belonging' differs from that of Heller-Roazen.

being's sensation of itself as a living being,"³⁶ the intimacy that founds subjectivity in the fugitive instant, quite like the description Agamben here gives of the event as an impossibility of the coincidence of belonging and inclusion rather than the coincidence of sense and denotation.

In *Remnants of Auschwitz* as in *Homo Sacer*, Agamben isolates a precise point at which his philosophy differs critically from that of Derrida. While Derrida's thought acknowledges an originary disjunction in the *I* and finds there the infinite deferral of writing "inscribed in the pure self-presence of consciousness,"³⁷ Agamben rejects the unity that he understands this deferral to imply. He writes,

It is in this non-place of articulation that deconstruction inscribes its "trace" and its *differance*, in which voice and letter, meaning and presence are infinitely differed. The line that, in Kant, marked the only possible way to represent the auto-affection of time is now the movement of a writing on which "the 'look' cannot 'abide.'" But precisely this impossibility of conjoining the living being and language, *phōnē* and *logos*, the inhuman and the human—far from authorizing the infinite deferral of signification—is what allows for testimony. . . . The intimacy that betrays our non-coincidence with ourselves is the place of testimony. *Testimony takes place in the non-place of articulation.* In the non-place of the Voice stands not writing, but the witness.³⁸

Agamben argues that it is the authentic constitution of subjectivity as the structure of shame—the temporality of auto-affection in which the subject is "reciprocally consigned to something that cannot be assumed"—that begets *testimony*, the concept that he advances to dislodge the persistent claims of articulation made by Western metaphysics. Interestingly, whereas writing in Benjamin as the transformation of life into scripture³⁹ is read by Agamben in *Homo Sacer* to effect the messianic inversion of the virtual state of exception, it here gives way to *testimony*, an expression of the heterogeneous temporality of enunciation. With an equally acerbic inflection, Agamben accuses deconstruction here, as in *Language and Death* in which the *gramma* is

³⁶ Giorgio Agamben, *Remnants of Auschwitz: The Witness and the Archive*, trans. Daniel Heller-Roazen, New York, Zone Books, 1999, p. 125; see also p. 112.

³⁷ Agamben, *Remnants of Auschwitz*, p. 123.

³⁸ Agamben, *Remnants of Auschwitz*, p. 129-130. Agamben here quotes Derrida's critique of Husserl in *Speech and Phenomena* (1967). See Jacques Derrida, *Speech and Phenomena: And Other Essays on Husserl's Theory of Signs*, trans. David B. Allison, Evanston, Northwestern University Press, 1973, p. 104.

³⁹ Agamben, *Homo Sacer*, pp. 54-55.

consigned to *articulation*, of a blindness to the consideration of time, perpetuating in an infinite deferral the “pure temporality” of “purely negative self-affection.”⁴⁰

Instead, what occurs in this disjunction that allows for testimony, as can be discerned throughout *Remnants of Auschwitz*, is nothing more than the irreducible heterogeneity of time. Commenting upon a passage in the novel *La Notte* (1996) by Giorgio Manganelli, Agamben writes, “In the process of vertiginous, heteronymic subjectification, it is as if something always survived, as if an ulterior or residual ‘I’ were generated in each uttered ‘I,’ such that its elevation to a squared pseudonymity were never truly completed, always falling back onto a new ‘I,’ indiscernible from the first but not coinciding with it.”⁴¹ Though Agamben ascribes the concept of the *remnant* to this formula, a temporal notion in itself, the words *generate* and *new* disclose the relationship of signification to a temporal order.⁴² If deconstruction, in its infinite deferral of signification—its sheltering the Nothingness of the open doors of the Law in its being in force without significance as articulated in *Homo Sacer*—disregards and distends the heterogeneous structure of time into a uniform prolapse of negativity, than one may fairly presume that the generation that occurs in the ipseity of the *I* of testimony both signifies *and* assumes a correct comportment to time. When Agamben writes, “This instance of discourse in the pure present irreparably divides the self-presence of sensations and experiences in the very moment in which it refers them to a unitary center,”⁴³ it is as if he here establishes, perhaps unintentionally, an underlying structural complicity between signification and time, as if the taking place of language functions as the regular opening and closing of a valve in time, when sense and denotation are repulsed at the instant they touch each other.⁴⁴

⁴⁰ Agamben, *Language and Death*, p. 39.

⁴¹ Agamben, *Remnants of Auschwitz*, p. 132; translation modified.

⁴² We may also refer to Agamben’s own quotation of Benveniste in *Language and Death* which, though initially read to different effect, suggests as much: “The formal present does nothing else but explicate the present inherent in the utterance, *which is renewed with each production of discourse*, and which, beginning with this present that is continuous and coexistent with our own presence, engraves in consciousness the *feeling* of a continuity that we call ‘time’; continuity and temporality that are generated in this incessant present of the utterance, that is the present of being itself, and they are *delimited* through an internal reference between what will become present and what is no longer present.” Agamben, *Language and Death*, 36; [emphasis added]; quote source: Benveniste, ‘L’appareil formel de l’énonciation’, p. 83.

⁴³ Agamben, *Remnants of Auschwitz*, p. 122; translation modified.

⁴⁴ In his 1995 lecture on Guy Debord’s films in which Agamben defines man as a “moviegoing animal,” he describes the “messianic task of cinema” in similar terms as a single system of two transcendental conditions that “can never be separated: repetition, “the zone of undecidability between the real and the possible,” and stoppage, “a noncoincidence, a disjunction between sound and meaning.” See Giorgio Agamben, ‘Difference and Repetition: On Guy Debord’s Films’, trans. Brian Holmes, in Tom McDonough (ed.), *Guy Debord and the Situationists International: Texts and Documents*, Cambridge, MIT Press, 2004, pp. 315-318.

Returning to messianic time, in contrast to Agamben's ostensible posture, this almost mechanistic facet of the experience of language resurfaces in *Time That Remains*.⁴⁵ As it pertains to the decomposition of presence specifically, Agamben looks to the Pauline conception of *parousia* as a complement to the remnant. Within the messianic moment, *parousia* describes the presence that the remnant occupies yet is simultaneously forever in excess of. As remnant expresses the self-generating ungraspable of messianic time, *parousia* contrarily refers to the very graspability that enables it to achieve it *plēroma* or fulfilment. The term, a compound of *para-* and *ousia* (being beside), therefore, indicates the “uni-dual structure” of messianic presence that “lies beside itself, since, without ever coinciding with a chronological instant, and without ever adding itself onto it, it seizes hold of this instant and brings it forth to fulfilment.”⁴⁶ While the remnant as a structure carries the promise of completion, *parousia* describes the present in which this structure grasps or organizes itself. This is not a final redemption and it is not situated as a supplement, but occurs simultaneously with the production of a remnant. As Agamben writes in reference to Kafka, “The Messiah always already had his time, meaning he simultaneously makes time his and brings it to fulfilment.”⁴⁷

The question of sequence and simultaneity is a critical one. Though messianic time is expressed as a noncoincidence or disjointedness, it does not follow that it is internally or even externally structured as consecutive. Messianic time, rather, is not linear but typological. Addressing what he believes to be the prevalent misunderstanding today about this temporality, Agamben distinguishes it from both chronological and eschatological time. Distinct from the prophetic future and the apocalyptic end, messianic time puts into question the very possibility of a clear division between the current eon and the atemporal eternity to come.⁴⁸ Messianic time is not a distinct era that falls neatly in between chronological time and the eschaton, but rather is “part of the secular eon that constitutively exceeds *chronos* and as a part of eternity that exceeds the future eon, while being situated in the position of a remainder with regard to the division between the two eons.”⁴⁹

⁴⁵ Leland de la Durantaye, by contrast, identifies a “mechanical” quality of deconstruction underlying Agamben's critique of Derrida without recognizing this very quality, if inadvertent, in Agamben's own work. See Leland de la Durantaye, *Giorgio Agamben: A Critical Introduction*, Stanford, Stanford University Press, 2009, p. 189.

⁴⁶ Agamben, *Time That Remains*, pp. 70-71.

⁴⁷ Agamben, *Time That Remains*, p. 71. In the sense that messianic presence is not to come, but is already here, Agamben rather dubiously likens this idea to Benjamin's notion that each instant may be the door through which the messiah enters.

⁴⁸ Agamben, *Time That Remains*, pp. 61-63.

⁴⁹ Agamben, *Time That Remains*, p. 64.

It is on this point that Agamben continues his enduring critique of deconstruction. Suggesting a correspondence with the thought of Scholem as presented in *Homo Sacer*,⁵⁰ Agamben distinguishes his own philosophy from that of Derrida by accusing him of grounding his thought in a conflation of messianic time with eschatological time, amounting to “a life lived in deferment.”⁵¹ While Derrida’s *trace*, summarized by Agamben as “the impossibility of a sign to be extinguished in the fullness of a present and absolute presence,”⁵² to some extent recalls the inexhaustible division of the remnant that is forever exceeding presence, the trace flattens time, obliterating its *parousia*, and further renders impossible the fulfilment of *plēroma*. In what amounts to an absence of signification, the trace “must be conceived as ‘before being,’ the thing itself, always already a sign and *repraesentamen*, the signified always already in the position of a signifier.”⁵³ He continues, “A signification that signifies only itself can never seize hold of itself, it can never catch up with a void in representation, nor does it ever allow anything to be an in-significance; rather, it is displaced in one and the same and gesture.”⁵⁴ Thus, with this temporal conflation of past and future, deconstruction mimics the suspension of the state of exception in its vacuous movement, never signifying but never fully not signifying. As Agamben declares, “Deconstruction is a thwarted messianism, a suspension of the messianic,” and this state of infinite deferral amounts to a suspension in which the trace “will never come to know its own *plēroma*.”⁵⁵

Given its multidimensional complexity, messianic time properly understood nonetheless evades representation. After ineffectually attempting to illustrate the situation of this temporality with a timeline, Agamben asserts that the inability to represent messianic time spatially is descriptive of its condition. To explain this position he takes recourse to an argument made by linguist Gustave Guillaume about the cognitive experience of time. He writes, “Every mental operation, however quick, has to be achieved in a certain time, which, while short, is no less real.”⁵⁶ This phenomenon, which affects a gap between our experience and conception of a

⁵⁰ Agamben, *Homo Sacer*, pp. 49-54.

⁵¹ Agamben, *Time That Remains*, pp. 69, 102-103.

⁵² Agamben, *Time That Remains*, pp. 102-103.

⁵³ Agamben, *Time That Remains*, p. 103.

⁵⁴ Agamben, *Time That Remains*, p. 103.

⁵⁵ Agamben, *Time That Remains*, p. 103. Compare this to Agamben’s rare discussion of deconstruction that is not overtly critical in the 1990 essay “Pardes”, in which he positively attributes to it the self-referentiality of “a pure word isolated in itself,” with neither voice nor referent, with its semantic value indefinitely suspended.” See Giorgio Agamben, “Pardes: The Writing of Potentiality”, in *Potentialities*, p. 207.

⁵⁶ Agamben, *Time That Remains*, p. 65.

moment, is most readily apparent in our inability to coincide with our image of time. Guillaume's concept of *operational time* thus constitutes the infinitesimal quantity of time that it takes one to complete a representational image of time, "*the time it takes the mind to realize a time-image.*"⁵⁷

Agamben takes operational time as an analogue for messianic time:

In every representation we make of time and in every discourse by means of which we define and represent time, another time is implied that is not entirely consumed by representation. It is as though man, insofar as he is a thinking and speaking being, produced an additional time with regard to chronological time, a time that prevented him from perfectly coinciding with the time out of which he could make images and representations. This ulterior time, nevertheless, is not another time, it is not a supplementary time added on from outside of chronological time. Rather it is something like a time within time—not ulterior but interior—which only measures my disconnection with regard to it, my being out of synch and in noncoincidence with regard to my representation of time, but precisely because of this, allows for my achieving and taking hold of it.⁵⁸

The disjointedness of messianic time thus indicates presence by marking our noncoincidence with it.

This gap that operational time measures, beyond simply describing our noncoincidence with our image of time, further marks the noncoincidence of thought with language, the impossibility of an absolute sustained self-presence: "For in order to form the words in which thought is expressed—and in which a certain time-image is realized—thought would have to take recourse to an operational time, which cannot be represented in the representation in which it is still implicated."⁵⁹ Agamben makes this observation in the context of Benveniste's *indicators of enunciation*, words including pronouns and demonstratives that, apart from any sentiment they are deployed to convey, express solely the instance of discourse.⁶⁰ This is the very concept

⁵⁷ Agamben, *Time That Remains*, p. 66.

⁵⁸ Agamben, *Time That Remains*, p. 67.

⁵⁹ Agamben, *Time That Remains*, pp. 66-67. Agamben's argument here is thus something of a departure from that of the 1978 essay 'Time and History: A Critique of the Instant and the Continuum', in which he attempts to formulate a "cairology" based on pleasure that moves beyond the conception of time as split between eternity and chronological time articulated in the discrete and elusive instant, "which dooms any attempt to master time." See Agamben, *Infancy and History*, pp. 114-115.

⁶⁰ Émile Benveniste, 'The Nature of Pronouns', in *Problems in General Linguistics*, trans. Mary Elizabeth Meek, Miami, University of Miami Press, 1971, p. 218. See also 'Subjectivity in Language' in the same volume, pp. 223-230. Agamben elaborates at length upon this concept in *Language and Death*; see Agamben, *Language and Death*, pp. 23-24. Of note, in *Language and Death*, Agamben cites the indicators of the utterance to support his critique of the *Voice* with which they are analogous, whereas in his later work they are deployed to counter language's claim of articulation.

that Agamben looks to in *Remnants of Auschwitz* to establish his model of subjectivity, a paradoxical condition that simultaneously implies both a subjectification and a desubjectification affected by the self-referentiality of language.⁶¹

Neither a supplementary nor separate temporality, as internal to chronological time, messianic time does not replace it, but is rather the transformative force within it. Rather than a binding action or *articulation*, the structure of messianic time as the measure of the disconnection of oneself from one's image of time, is much like that of *testimony*. The space that messianic time opens between ourselves and our representation of time, therefore, permits us access to this transformative force at every instant. As Agamben insists, "The *plēroma* of *kairoi* is understood as the relation of each instant to the Messiah—each *kairos* is [immediate to God], and is not just the final result of a process . . ." ⁶² What we take hold of in messianic time is not messianic time itself, but chronological time, and the transformative force that messianic time occasions is thus *how* we might take hold of chronological time. Critically, however, while messianic time is absolutely immanent, this immanence is qualified by ephemerality. It is absolutely fugitive, incessantly reconstituting itself and ever evasive.

In conclusion, while Chiesa's penetrative critique sheds light on the complexity of the multi-faceted figure of bare life and calls attention to the Christian tendency in his messianic politics, this immanent construction of messianic time is not sufficiently prominent in his analysis of the evental aspect of Agamben's philosophy. Chiesa is correct to recognize that Agamben's attempt to conceptualise messianic time in such a way to defy sequentiality is a failure; but, this is not because it falls back on a single transformational messianic event. In terms of Chiesa's argument, there is a will to language shared by the Voice and bare life in the figure of the *Muselmann*, but this will functions, beyond its transformative power, as an *enunciative* and not just evental linguistic temporality.

In this sense, Agamben's critique of deconstruction discloses an enunciative or, rather, a *temporal-linguistic* ontology that is derived from the profound influence of Émile Benveniste upon his thought by way of the fugitive temporality of enunciation. From its appearance in *Language and Death* as indicating the nihilistic groundless ground of the Western metaphysical tradition, to its repurposing in *Remnants of Auschwitz* as the constitution of the fractured subject in testimony, to its casting as the transformative messianic presence in every instant in *Time That Remains*, the fugitive temporality of the enunciative act is a dominant fixture in Agamben's philosophy.

⁶¹ Agamben, *Remnants of Auschwitz*, pp. 105-6, 112, 129.

⁶² Agamben, *Time That Remains*, p. 76.

While it is without doubt that Agamben is “able to formulate a transvaluation of biopolitics only in the guise of a bio-theo-politics,” and indeed that this transvaluation is a form of vitalism,⁶³ this transvaluation is not limited to a single messianic event, but, rather, is diffused into the linguistic act itself.

This normatization of messianic time into chronological time through its uniform fragmentation into every instant has grave consequences for Agamben’s professed fidelity to Walter Benjamin. The final words of his *Theses on the Philosophy of History* attest to this. Speaking of the relationship to the past shared by the Jews who were prohibited from investigating the future, Benjamin writes, “For every second of time was the strait gate through which the Messiah might enter [*Denn in ihr war jede Sekunde die kleine Pforte, durch die der Messias treten konnte*].”⁶⁴ By contrast, Agamben appropriates this sentiment as such: “The Messiah has always already arrived, he is always already there. Each moment, each image is charged with history because it is the door through which the Messiah enters.”⁶⁵ Nullifying the possibility for the authentic dialectical seizing hold of the historical image when it flashes up, “where thinking suddenly stops in a configuration pregnant with tensions,”⁶⁶ Agamben’s inscription of messianic presence into every instant transforms Benjamin’s *Jetztzeit* into precisely the “homogenous, empty time” that he rails against. In this sense one may say that in Agamben’s own political theology the exception has become the rule.

Department of Visual Cultures
Goldsmiths, University of London
j.doussan@gold.ac.uk

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⁶³ Chiesa, ‘Agamben’s Franciscan Ontology’, p. 115. Chiesa’s more recent essay authored with Frank Ruda identifies the relationship between language and event, but maintains that this “linguistic vitalism” follows his Christian theological tendency. See Lorenzo Chiesa and Frank Ruda, ‘The Event of Language as Force of Life: Agamben’s Linguistic Vitalism’, *Angelaki*, vol. 16, no. 3, 2011, pp. 173-174.

⁶⁴ Walter Benjamin, ‘Theses on the Philosophy of History’, in *Illuminations*, p. 264.

⁶⁵ Agamben, ‘Difference and Repetition’, p. 315.

⁶⁶ Benjamin, ‘Theses’, p. 262.

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