Contents

List of Abbreviations vii

I Benjamin's -abilities
1 Introduction 3
2 Prehistory: Kant, Hölderlin—et cetera 11
3 Criticizability—Calculability 20
4 Impart-ability: Language as Medium 31
5 Translatability I: Following (Nachfolge) 53
6 Translatability II: Afterlife 79
7 Citability—of Gesture 95
8 Ability and Style 115
9 An Afterlife of -abilities: Derrida 122

II Legibilities
10 Genealogy of Modernity: History, Myth, and Allegory in Benjamin's Origin of the German Mourning Play 131
11 Awakening 164
12 Taking Exception to Decision: Walter Benjamin and Carl Schmitt 176
Contents

13 Violence and Gesture: Agamben Reading Benjamin
Reading Kafka Reading Cervantes . . . 195
14 Song and Glance: Walter Benjamin’s Secret Names
(zugewandt—unverwandt) 211
15 “Streets, Squares, Theaters”: A City on the Move—
Walter Benjamin’s Paris 227
16 God and the Devil—in Detail 240
17 Closing the Net: “Capitalism as Religion” (Benjamin) 250
18 The Ring as Trauerspiel: Reading Wagner with Benjamin
and Derrida 281
19 Reading Benjamin 297
20 “Seagulls” 310

Appendix. Walter Benjamin’s “Seagulls”: A Translation 325
Notes 327
Acknowledgments 357
Index 359

Abbreviations

AP Walter Benjamin, Arcades Project, trans. Howard Eiland and Kevin
CoF Immanuel Kant, Critique of Judgment, trans. W. Pluhar (Indi
napolis: Hackett, 1987)
EE Giorgio Agamben, Esat d’Exception (Paris: Editions du Seuil,
(Chicago: University of Chicago Press, 2005)
GS1, GS2, GS4 Walter Benjamin, Gesammelte Schriften—Werkausgabe, vols. 1–4
(Frankfurt am Main: Suhrkamp, 1980)
GS5 Walter Benjamin, Gesammelte Schriften, vol. 5 (Frankfurt am
Main: Suhrkamp, 1982)
GS6 Walter Benjamin, Gesammelte Schriften, vol. 6 (Frankfurt am
Main: Suhrkamp, 1988)
KdU Immanuel Kant, Kritik der Urteilskraft, vol. 6 (Frankfurt am Main:
Suhrkamp, 1981)
Origin Walter Benjamin, Origin of the German Tragic Drama, trans. John
Osborne (London: Verso, 1998)
PoF Jacques Derrida, Politics of Friendship, trans. George Collins (Lon
don: Verso, 1997)

Politisiche Theologie Carl Schmitt, Politische Theologie, Vier Kapitel zur Lehr von der
Souveränität (Berlin: Duncker & Humblot, 1985)
Although Walter Benjamin was never timid when it came to writing, one practice he consistently avoided was that of creating neologisms. It is therefore with all the more reluctance that I find myself compelled to resort to something similar, in order to sum up a motif that has imposed itself over the years in my reading of Benjamin. What is involved is, to be sure, not exactly a neologism, since it does not involve the creation of a new word, but rather the highlighting of a word-part, a suffix (eine Nachsilbe). In English, to be sure, this suffix, when spoken, is indistinguishable from a word: what distinguishes it from a word is not audible, but only legible: a hyphen, marking a separation that is also a joining, a Bindestrich that does not bind it to anything in particular and yet requires it to be bound to something else. The suffix in question thus sounds deceptively familiar, since it coincides, audibly, with the word “abilities.” Unlike that word, however, its first letter—which purely by accident happens to be the first letter of the alphabet—is preceded by a dash. When written in isolation, this gives it a somewhat bizarre appearance, to be sure, since suffixes are not usually encountered separately from the words they modify. But this bizarre appearance pales when compared to its German “original.” If this book is ever translated into German—“back” into German I
was tempted to write, since German here is of course the language in which Benjamin wrote and in which I generally read him—then its title, were it to be entirely faithful to the English, would indeed have to involve the creation of a neologism. For translated back into German, the German title would require its readers to “read, what was never written,” namely: “Benjamin’s-barkeiten.”

Let me, then, in what follows, begin to try to explain, if not justify, this bizarre title, whether as “Benjamin’s-barkeiten” or as “Benjamin’s-abilities,” by first of all tracing it back to what is a double—or split—origin. The first aspect is fairly obvious, at least to anyone who has read much of Benjamin’s writings. Throughout his life, Benjamin tended to formulate many of his most significant concepts by nominalizing verbs, not in the usual manner but by adding the suffix -barkeit (which in English can be written either -ibility or -ability: for the sake of simplicity and clarity, I will in English use only the latter Schreibweise). To recall just the most prominent of these -barkeiten or abilities—and there are many more lurking in all corners of his texts, one of which I will discuss later in this chapter—I will mention only the following: Mitteil-barkeit (from his 1916 “Language” essay), Kritisier-barkeit (from his dissertation “The Concept of Art Criticism in German Romanticism,” published in 1920), Übersetz-barkeit (in “The Task of the Translator,” 1923), Reproduzier-barkeit (in “The Work of Art in the Age of its Technical Reproducibility,” 1935), and finally, Erkenn-barkeit, but also Les-barkeit in Notebook “N” of the manuscripts concerning the Paris Passages. This widespread and persistent tendency to form concepts by recourse to this suffix, which even in German produces rather awkward nouns, provided a first indication that more had to be involved here than merely stylistic idiosyncrasy.

That was the first origin of my fascination with Benjamin’s -barkeiten. A second inspiration came from quite a different source, although from one that for me has always been profoundly related to Benjamin’s writing. I am speaking of the work of Jacques Derrida, and in particular of his celebrated—or notorious, depending on one’s perspective—polemical exchange with the philosopher John Searle. Since I was involved in the English translation of what was to become known as Limited Inc., I remember being especially impressed by one moment in Derrida’s rejoinder to Searle’s critique of an essay he had written on John Austin, the founder of speech-act philosophy. Let me briefly recall the context: in 1972 Derrida had published a reading of Austin under the title “Signature, Event, Context.” The text was translated and published in English some years later. Soon after, word got around that Searle considered this essay extremely weak. He was therefore invited to respond to Derrida publicly, which he did, in a short text, to which Derrida in turn replied, but in an essay of over one hundred pages, entitled Limited Inc. One of the central issues discussed involved the relation of spoken to written language, and in particular, the role of the subject in relation to both. Searle’s critique made it clear that he understood Derrida as claiming that a key difference between written and spoken language has to do with the absence or presence of the subject. As Searle put it, thinking he was thereby correcting Derrida: “Writing makes it possible to communicate with an absent receiver, but it is not necessary for the receiver to be absent. Written communication can exist in the presence of the receiver, as for example, when I compose a shopping list for myself.” In replying, Derrida brought to the fore a word that would remain one of only a few terminological constants throughout his subsequent writings—a sort of deconstructive principle, if such were not a contradiction in terms; the term “iterability”: “The response is easy and clear. See [the abbreviation used by Derrida for his essay on Husserl: “Signature, Event, Context”] never said that this absence is necessary, but only that it is possible [. . . ] and that this possibility must therefore be taken into account: it pertains, qua possibility, to the structure of the mark as such, i.e. to the structure precisely of its iterability.”

It is in elaborating the nature of the “possibility” implied in the notion of “iterability” that Derrida explains why “iterability” must not be confused with “iteration” but rather involves a very distinctive mode that is difficult to situate in terms of the traditional opposition—and hierarchy—that subordinates “possibility” to “reality” or “actuality”:

If one admits that writing (and the mark in general) must be able to function in the absence of the sender, the receiver, the context of production etc., this implies that this power, this being able, this possibility is always inscribed, hence necessarily inscribed as possibility in the functioning or the functional structure of the mark . . . It follows that this possibility is a necessary part of its structure . . . Inasmuch as it is essential and structural, this possibility is always at work marking all the facts, all the
events, even those that appear to disguise it. Just as iterability, which is not iteration, can be recognized even in a mark that in fact seems to have occurred only once. I say seems, because this one time is in itself divided or multiplied in advance by its structure of repeatability.*

Iterability, the power or possibility to repeat or be repeated, is not the same as repetition, precisely because it is a structural possibility that is potentially "at work" even there where it seems factually not to have occurred. A "mark" can be identified, which is to say, apprehended as such, only by virtue of its being repeated, at least mentally, and compared to its earlier occurrence. Memory and repetition are thus constitutive elements of identity, which depends on iterability—that is to say, on the ability of any event to be iterated, repeated. The possibility of such repetition entails both alteration and sameness—sameness through alteration. This means that identification is only possible by averting one's regard, as it were, from what changes in order to apprehend what stays the same over time and space. As we shall see, something very similar also marks Benjamin's abilities.

To be sure, Derrida's "ability" here is not simply that of Benjamin. Nevertheless, his distinction between "iterability" and "iteration," "repeatability" and "repetition," between empirically observable fact and structural possibility, can tell us much about Benjamin's penchant for forming key concepts in terms of their -ability, rather than their actuality as mere facts. Moreover, to argue, as Derrida does in the passage quoted, that this potentiality or ability involves a process by which what is ostensibly a single occurrence finds "itself divided or multiplied in advance by its [...] repeatability" is to undercut the usual definition of possibility itself, which, ever since Aristotle, has been understood to be a mode of actuality or of actualization, and thus has been defined by opposition to its negation, impossibility, which it is held to exclude. As we will see, this either-or binary logic does not hold for Benjamin any more than it does for Derrida.

Given the divided or double path by which the notion of "-ability," and in particular, its significance for Benjamin, imposed itself on me, it will not be surprising that the "-abilities" with which I am concerned cannot be considered as being the properties or attributes of a particular subject, Walter Benjamin, no matter how genial and fascinating that subject undoubtedly was. But what continues to provoke today, I am convinced, has less to do with the person of Walter Benjamin than with his writings, even if it is clear that one cannot fully separate the two. If those writings surprise us again and again by their seemingly inexhaustible ability to come up with striking, unexpected, and above all compelling formulations and insights, however enigmatic these may be, then I want to suggest that this is in part, at least, the result of a very distinctive way of conceptualizing that manifests itself in the tendency to resort to the suffix, -ability—"-barkeit"—in forming nouns from verbs. This mode of conceptualizing "virtualizes" the process of nominalization by referring it back to what in German is very appropriately designated as a Zeitwort: a "time-word," aka verb, that is inseparable from time insofar as it involves an ongoing, ever-unfinished, and unpredictable process: Erkennbarkeit thus names the virtual condition of Erkennen, Benennbarkeit that of Benennen, Kritisierbarkeit that of Kritisieren, and so on. In his "Epistemo-critical Preface" to the Trauerspiel-Book, Benjamin attempts to determine the specific mediating function (Vermittlerrolle) of the concept with respect to phenomena, on the one hand, and the idea on the other (GS1, 214; Origin, 34). The latter can only be presented or staged—dargestellt—by taking leave of the realm of pure ideas and descending to that of empirical, phenomenal experience, and this in turn can be accomplished only through a reordering or reorganization, a dismantling and dispersion effectuated by the concept on the "thing-like elements" (dinglicher Elemente) that constitute the phenomena. The concept accomplishes this rearrangement, which Benjamin designates as "virtual"—"virtuelle Anordnung"—by decomposing—today we might even say "deconstructing" —the preexisting empirical organization of the phenomena, thus allowing them to reorganize, albeit only "virtually." Moreover, Benjamin is quite precise in his account of how the concept accomplishes this decomposition and dissemination. It does this by departing from its traditional role of establishing sameness—which is to say, by identifying those traits of the phenomenon that make it similar to others, so that it can then be subsumed under an average common denominator; instead, the role of the concept as Benjamin understands and practices it is to discern not what makes phenomena like one another but rather what separates and distinguishes them from each other. The notion that Benjamin introduces here, in contradistinction to that of average—Durchschnitt—is that of the extreme. In the passages where he elaborates this term—which re-
like other phenomena, their common denominator, but rather what separates them, distinguishes them and makes them “einmalig-extrem”: incommensurably once-and-for-all.\textsuperscript{6}

The power of conceptualization, in this perspective, then, is one of singularization. In taking phenomena to their ever singular extreme, the concept causes them to part company with themselves, with their Self, not in order to dissolve them into some greater generality, but rather to reveal their distinctive, incommensurable spatial-temporal singularity as a measure of change and alteration.

But this conceptual “rearrangement” or “reordering” (Anordnung) remains both “virtual” and an “order” in the sense of a command, or better: a challenge, since what results is a configuration that can never be fully self-present, for such a presence would reduce the uniqueness—das Einmalige—by treating it as though it were identically or essentially repeatable as the same. It is only in the divergent convergence of appearance and disappearance, of coming-to-be and passing-away, like the éclair of Baudelaire’s “passante”—but also like those three dots or periods that separate the flash from its reflection (“un éclair . . . puis la nuit”)—that such phenomena can be “saved.” Such “salvation” can therefore be named most precisely, in English at least, as: coming to pass. What is “saved” is not preserved unchanged, but only in the traces of what comes to pass. This is why the “idea” can only be “circumscribed”—umschrieben—but never simply beschrieben, described. For the idea is not simply visible or describable, except perhaps in the literal sense of writing and language: “The Idea belongs to language, namely to the essence of the word in which it is symbolic [Die Idee ist ein Sprachliches, und zwar im Wesen des Wortes jeweils dasjenige Moment, in welchem es Symbol ist]” (GS1, 216; Origin, 36). This “symbolic side” is always “more or less hidden.” Since language must have a phenomenal existence, however, its hidden “symbolic” and “ideational” dimension is never present in pure form, but always associated with a “manifestly profane significance.” “The task of philosophy”—since it cannot claim to reveal directly (offenbarend zu reden)—consists in a certain kind of originary listening (Uvernehmen) that in turn entails remembrance. Through such remembering words are “once again” given the ability “to reassert their rights to name.”

This is why neologisms—which also entail a certain naming—are to be avoided; for by introducing new words, they ignore the historical
memory of language. Rather than investing words, Benjamin’s discussion, and his writing practice, advocates the reinscribing of established terms so that they part company with themselves—which is to say, with their previous identities. It is by virtue of such a movement of parting with that words recover the ability to name, which is never reducible to any identifiable semantic content, least of all to that of a proper noun.

If the “presentation of an idea” can therefore never be fully accomplished, if it must remain virtual, one way of naming that does not invent but rather virtualizes is precisely that of making familiar terms depend on a sequel or a sequence, on a Nachfolge that determines those words by involving them in their Nachgeschichte: awakening them to an after-life in the Nach- or Fortleben of a Nachsilbe.

This, perhaps, begins to explain Benjamin’s persistent recourse to -barkeiten.

Prehistory

Kant, Hölderlin—et cetera

To be sure, such -abilities were never Benjamin’s alone. For the use of this suffix to form key concepts is by no means a practice invented by or limited to Walter Benjamin. Formation of philosophical concepts through the use of the suffix -barkeit marks the work of the thinker who had doubtless the greatest philosophical influence on Benjamin’s thought, at least in its early, formative years: Kant. Benjamin’s admiration for Kant was “extreme” in the sense already alluded to: not simply as the thinker of a philosophical system, but as one who struggled to push philosophy to its extreme, as the following passage from a 1917 letter to Gershom Scholem attests: “Whoever doesn’t feel the thinking of instruction [Lehre] itself struggling in Kant, and therefore does not treat him with the utmost respect, literally, as a tradendum—to be transmitted and passed down (no matter how much he must subsequently be reshaped), understands absolutely nothing of philosophy. Therefore all carping against his philosophical style is pure philistinism and profane chatter.”¹ Nowhere perhaps is the tradition that Benjamin alludes to here, including its potential for Umbildung, more in evidence than in the last of Kant’s “critical” works, usually translated in English as the Critique of Judgment. The word used by Kant in his title, of course, is Urteilskraft, a term that Werner Pluhar has rightly reminded his readers signifies not judgment but the “power” or “ability”
to judge. The contrast between the German title of the Third Critique, which names a "Kraft," and that of the first two Critiques, which name a species of reason ("pure" or "practical"), underscores the ambiguous mode of being of the main object of Kant's last Critique: a use of "judgment" that is not really a "judgment" in the traditional sense, but something far more difficult to qualify, since "aesthetic judgment" claims the universal validity otherwise reserved for cognitive "judgments," but without conveying any knowledge at all. It is in this Third Critique, where Kant addresses the problem of whether there are a priori and universally valid rules governing the representation of radical singularities—which is to say, of events that do not fit in or under the available stock of general concepts (as in so-called determining judgments)—that he resorts at certain key points to the kind of conceptual formation with which we are here concerned. In this chapter I will limit myself to recalling briefly two of them, since both will resonate in Benjamin's early writings and beyond.

Toward the end of the Introduction to the Critique of Judgment, Kant sums up the relation of the three "faculties"—and therefore of his three Critiques—as follows:

The understanding, inasmuch as it can give laws to nature a priori, proves that we cognize nature only as appearance, and hence at the same time points to a supersensible substrate of nature; but it leaves this substrate wholly undetermined. Judgment, through its a priori principle of judging nature in terms of possible particular laws of nature, provides nature's supersensible substrate (within as well as outside us) with determinability [Bestimmbarkeit] by the intellectual power. But reason, through its a priori practical law, gives this same substrate determination. Thus judgment makes possible the transition from the domain of the concept of nature to that of the concept of freedom.

Kant's effort to find an a priori principle that would allow "nature" to be "judged" even in its most heterogeneous particularity—which here is also its singularity—involves nothing more nor less than establishing the determinability—Bestimmbarkeit—of nature as it is in and of itself, which is to say, in its "supersensible substrate." And yet, as is clear from the passage just quoted, such determinability is to be distinguished from actual determination, since nothing in nature is effectively determined by the ability to judge. No objective concept is produced or invoked, nothing is cognized. Only an abstract principle is produced—purposiveness without purpose—which however demonstrates its universal validity as principle through its link to two other -abilities. The first is perhaps the strangest of all -barkeiten, for it is the one most clearly separated from any subjective faculty. It is the term Unmittelbarkeit, in English: immediacy (the -ability disappears in this translation). In an aesthetic judgment of taste, of beauty, or of the sublime, the pleasure or displeasure called up is immediately attached to the judgment, without mediation of a concept. Normally, this immediate link of pleasure or displeasure to a representation would mark it as strictly subjective, in the sense of being individual, empirical, and of limited validity. But the pleasure or displeasure attached to an aesthetic judgment of taste claims universal validity despite, or rather because of, this immediacy. Its ability to stake this claim depends on the third major ability of Kant's Third Critique, and it is one that we will find echoed, albeit transformed, in the early writings of Benjamin. This term is Mitteilbarkeit, usually translated in English as "communicability," but which might be more accurately rendered as "impart-ability." An even more literal translation would be the ability to part-with; but given the difficulty of actually using this phrase, I will limit myself to the first two translations.

In the Third Critique, such "communicability" or "impart-ability" is what takes the place of the objective, conceptual universality that defines judgment in the familiar sense, involving the determination of the particular by the general. In the case of what Kant designates as "reflecting judgments," including the "aesthetic judgments of taste," the particular is not determined but only experienced as determinable insofar as feelings of pleasure (or displeasure) associated with its apprehension are felt to be immediately and universally communicable. Determinability thus depends on communicability. But just as he distinguished determinability from determination, Kant distinguishes communicability from actual communication: "Nothing, however, can be communicated universally [allgemein mitgeteilt werden] except cognition, as well as presentation insofar as it pertains to cognition" (KdU, 131; Coj, 61). No knowledge, however, is actually communicated in the aesthetic judgment of beauty or of the sublime: rather, a certain state of mind (Gemütszustand) that is felt to be indissolubly linked to a singular representation is experienced as being potentially communicable, which is to say, capable of being communicated universally. This experience is in turn associated with pleasure or displeasure.

In these two instances, then, Kant invokes his -abilities not merely to
designate a possibility in the sense of a mode of or means of actualization, but rather to define an experience that is related to cognition but is nevertheless non-cognitive; indeed, it could be called affective, although Kant does not use this term, since it involves a “feeling” or a “state of mind” that is produced from without: from the encounter with a singularity that is apprehended, perceived, or represented in a way that renders it universalizable.

Both of these two Kantian abilities—Bestimmbarkeit and Mitteilbarkeit—reemerge in Benjamin's early writings, but with a decisive shift: for now they are situated not primarily within a horizon of knowledge, but within one of language. In this chapter I will only be able to deal with the first of these, although as we will see, the two are ultimately inseparable.

Determinability appears in Benjamin's essay on “Two Poems of Friedrich Hölderlin,” written in the winter of 1916–1917. I will limit my analysis to the specific way in which this Kantian ability is re-inscribed by the young Benjamin, mindful of the fact that this question would by rights require a much more elaborate account than I can give here.

Let me begin by anticipating the result of the analysis. Whereas in Kant the effort is to describe abilities as constituting the conditions of a possibility in view of its full realization, while acknowledging that such realization can never be fully accessible to (theoretical) knowledge—for Benjamin the primary question no longer concerns Erkenntnisvermögen but rather Sprachvermögen, the potentialities of language, which, qua signifying process, entail impossibility no less than possibility. This difference can be interpreted negatively, as the impossibility of ever realizing, in a full and self-present act of cognition, the “abilities” involved; or it can be interpreted positively, as a virtuality that, precisely because it can never hope to be fully instantiated or exhausted in any one realization, remains open to the future, which is to say, to what Benjamin in the title of another essay of this period calls das Kommende (Über das Programm der kommenden Philosophie). In other words, already in these early writings, the “Zett der Erkenntbarkeit” is implicitly distinguished from anything like a meaningful present, which is also why it cannot be identified with an object of knowledge. Benjamin is thus faithful—perhaps more faithful than Kant himself—to the Kantian distinction between “thinking” and “knowing.” It entails a virtuality that is never fully actualizable and therefore involves an “experience” of movement and alteration rather than a reproduction of the same—or of the self.

Turning now to the essay on Hölderlin, Benjamin introduces the term Bestimmbarkeit in the opening pages, when he attempts to define his procedure, which he designates as an “aesthetic commentary [ästhetischer Kommentar]” (GS2, 105; SW1, 18), aimed at elaborating the “inner form” of the two poems involved. This “inner form” he then goes on to identify with the “poetic task” (dichterische Aufgabe), in which the “evaluation” of the poem by the critic is grounded. What is decisive here, Benjamin insists, is not the degree to which the poet has accomplished this poetic task, but rather “the seriousness and greatness of the task” itself. This task has to be derived from a reading of the poem, although at the same time—and here a certain circularity emerges—it serves as the “premise” (Voraussetzung) of the poem, “as the intellectual-regardable (geistig-anschaulich) structure of the world to which the poem bears witness” (ibid.).

Benjamin does not explicitly discuss the circularity that here begins to link task, poem, and commentary, but he clearly rejects any attempt to resolve such circularity by recurring to ostensibly non-circular empirical instances, such as the “person or world-view of the creator.” In place of this traditional appeal to an authorial intention or person, he introduces the term that will guide him in his introductory methodological discussion—the “sphere” that is both “product and object of the investigation” can neither be equated with the poet, nor with the poem: “This sphere, which for every poem [Dichtung] has its own shape [Gestalt] shall be designated as the poetized [das Gedichtete]” (ibid.). This sphere of the “poetized,” in which Benjamin situates the “truth” of the poem (and of poetry: Dichtung), is thus peculiar to each singular poem, and receives its particular “shape” as its “inner form.”

But if the poetized is thus manifested as the inner form of the poem, it is not entirely inherent in it either. Rather, Benjamin describes it as a “borderline concept” (Grenzbegriff), and this in a “dual respect” (doppelter Hinsicht). The first and most obvious aspect concerns the poem itself. The “poetized” is a borderline concept with respect to the “poem,” from which it distinguishes itself as a “category of aesthetic investigation” (ästhetischer Untersuchung). On the other side of the “border” is “life,” which Benjamin also identifies as the origin of the
“poetic task.” As borderline concept, “the poetized reveals itself to be the transition from the functional unity of life to that of the poem” (GS2, 107; SW1, 19–20). Yet if Benjamin writes that “life is the poetized of the poem,” it is not the personal life of the poet that is meant but rather a “context of life [Lebenszusammenhang] determined through art” (GS2, 107; SW1, 20).

The question then becomes just how “art”—here the poem—“determines” the “context of life.” And so it is no wonder that the category of “determination”—Bestimmung—is at the core of Benjamin’s discussion of the poems, and also the basis of his contrasting evaluation of them. It is not necessary to go into the details of that evaluation here, and it is also not my main concern. Rather, it is the ability to determine and be determined that is of interest in this context, and it is precisely this term—Bestimmbarkeit—that Benjamin invokes to distinguish the poetized—das Gedichtete, sphere of the poem’s truth—from the poem itself, as well as from “life,” that sets the poem its “task.” After having asserted that the Gedichtete shares with the poem itself the unity of form and content, Benjamin goes on to attempt to describe the decisive distinction between the two as a difference not in “principle,” but in degree. This degree, however, turns out to be of a rather unusual, non-quantitative kind:

[The poetized] differs from the poem as a limit concept [Grenzbegriff], as the concept of its task, not simply through some fundamental characteristic but solely through its greater determinability [Bestimmbarkeit]; not through a quantitative lack of determinations but rather through the potential existence of those that are effectively [aktuell] present in the poem—and others [und anderer]. The poetized is a loosening up of the firm functional coherence that reigns in the poem itself, and it cannot arise otherwise than by disregarding certain determinations, so that the meshing, the functional unity of the other elements is made evident [sichtbar]. (GS2, 106; SW1, 19)

The stylistic movement of this passage is extremely characteristic of what I would call the discontinuous mode of argumentation that marks so many of Benjamin’s texts. It also explains why he should have been so appreciative of Kant’s torturous, if not tortured, philosophical style of writing, which as we have seen he defended against all criticism. If such barely grammatical phrases could be seen as emblematic of the “Ringen”—the struggle—that Benjamin so valued in Kant, the same
can be discerned in his own writing, and perhaps particularly in those texts that were never published in his lifetime, such as the essay on Hölderlin. For in those texts Benjamin allows himself to think and write things out to an extreme that he cannot necessarily resolve or synthesize into grammatically or stylistically “correct” formulations and phrases. That process is particularly in evidence here, at the end of the second sentence quoted, where Benjamin strives to describe positively that wherein the distinctive quality of the poetized consists. He has already stated what it does not consist in: it does not consist in a “prinzipielles Merkmal” but rather in a “greater determinability”; that “determinability,” however, is not “greater” in a simply quantitative sense. On the contrary, if one can take Benjamin’s formulation here literally, it seems as if the poetized has fewer determinations than does the poem. But those fewer determinations nevertheless contribute to a “greater determinability.” How is this possible? Precisely through the predominance of possibility in the poetized, which is constituted by the “potential existence” (potentielles Dasein) of determinations that in the poem are “actually present” (aktuell vorhanden). This is also why the poetized does not distinguish itself from the poem by any “principled mark or trait” (prinzipielles Merkmal). For there is nothing “principled” about the poetized: it merely takes its cue from the poem—or looking ahead, to the essays on the “Task of the Translator” and on “The Work of Art in the Age of its Technical Reproducibility”—we could also say that it takes its cue from its “original.” But it does so, already here, in a way that anticipates and perhaps even transcends many of the theorems unfolded in the later essays. For the “potential” determinability of the poetized virtualizes not merely the determinations that are actually present in the poem, but “others” as well. It is here that we stumble on the most awkward formulation of the entire essay, one that Benjamin would perhaps have expunged had he revised it for publication. But he did not do so, and what remains is as “intellectually provocative,” as denkwürdig, as it is stylistically and philosophically monstrous. Since the passage was previously cited in English, I will now cite the full German sentence, in which Benjamin tries to provide a positive determination of how the poetized distinguishes itself from the poem: not in principle, but “Vielmehr lediglich durch seine größere Bestimmbarkeit: nicht durch eine quantitative Mangel an Bestimmungen, sondern durch das potentielle Dasein derjenigen, die im
Gedicht aktuell vorhanden sind \textit{und anderer} (GS2, 106; SW1, 19; my emphasis). Note the last two words: \textit{und anderer}. They are appended, \textit{angehängt}, at the end of the sentence as a kind of afterthought, a kind of suffix not to a word this time but to the sentence.\textsuperscript{10} What it does, however, is very similar to what Benjamin has described as the effect of the poetized on the poem: it brings about \textit{"eine Auflöckerung der festen funktionellen Verbundenheit, die im Gedichte (here: in Benjamin's sentence—SW) selbst waltet."} Let me try to paraphrase and in the process sum up the result of this all too brief reading: The \textquote{greater determinability} of the poetized—which is the object of the aesthetic commentary—consists first in the fact that it reinscribes the determinations that are \textquote{actually present} in the poem in a text that renders those determinations \textquote{possible}, \textquote{potential}, virtual perhaps. But in so doing—in potentializing and virtualizing determination as determinability—the poetized cannot limit itself simply to the determinations \textquote{actually present} in the poem: it must also take into account \textit{anderer}.\textquote{What those \textquote{other} determinations are Benjamin does not say—}not here at least. But by suggesting that the poem is an attempt to resolve a task set by \textquote{life,} he makes clear that the \textquote{inner form} of the poem cannot simply be internal to the poem itself, since the poem is a \textit{response} to a challenge and task that antedates and transcends its singularity, while at the same time calling it into being.

The paradox here, as Benjamin puts it toward the conclusion of this very long and complex paragraph, is that if the poem (and \textquote{life}) are characterized by \textquote{functional unity," \textquote{insight into the function presupposes the multiplicity of combinatorial possibilities [Verbindungs möglichkeiten].\textsuperscript{11}}} Such an insight, however, is not constructed by Benjamin as a synoptic view, but rather as the problematic result of an \textit{Absehen—a looking away from, rather than a looking toward: \textquote{Sie kann nicht anders entstehen als durch ein Absehen von gewissen Bestimmungen."} The result is that in order to approach the poem with ever greater determinacy (\textit{Bestimmtheit}), \textquote{das Gedichtete [muß] von gewissen Bestimmungen absehen} (GS2, 106; SW1, 19).\textsuperscript{11}

We see here how the ability to be determined—the \textquote{greater determinability} of the poetized—depends directly on the ability to indetermine: to avert one's view from what cannot be taken in. Looking at and looking away are not mutually exclusive, but rather inseparable. This suggests how and why determinability, and Benjamin's \textit{abilities} more generally, go hand and hand with the negotiation of inability, and why looking up—der Augenaufschlag, as he writes in the \textit{Trauerspiel} book\textsuperscript{12}—always also means looking away.

Perhaps it is this convergence of looking at, looking-away, and looking-up that explains why the primary of Benjamin's \textit{abilities} is readability. And also why the now of knowability—\textit{das Jetzt der Erkennbarkeit}—is also the moment in which readability parts company with determinate meaning and knowledge, not by dissolving its relation to it, but by acknowledging the irreducible immediacy—the \textit{Un-mittel-barkeit}—of its medium of language to be the greatest \textit{ability} of all.
Taking Exception to Decision

Walter Benjamin and Carl Schmitt

Epigrammatically [inscribed] on an engraving that depicts a stage, showing on the left a jester and on the right a prince, the following: When the stage is left empty, there's no difference any longer between a fool and a king (Wann die Bühne nu wird leer / Gilt kein Narr und König mehr).

—Walter Benjamin

In December 1930, Walter Benjamin sends the following letter to Carl Schmitt:

Distinguished Herr Professor,

You will be receiving in a few days from the publisher my book, Origin of the German Mourning Play. With these lines I would like not simply to announce its arrival, but also express my joy at being able to send it to you, at the suggestion of Mr. Albert Salomon. You will quickly see how much the book owes you in its presentation of the seventeenth-century doctrine of sovereignty. Perhaps I may go even further and say that in your later works as well, above all in "Dictatorship," your mode of research in the realm of political philosophy has confirmed my own mode of research in matters concerning the philosophy of art. If in reading my book this feeling seems comprehensible to you, the purpose of my sending it will have been fulfilled.

With the expression of particular esteem,

Your very devoted

Walter Benjamin

This letter is not to be found in the first two-volume edition of Benjamin's Correspondence, published in 1966.2 The esteem that Benjamin expressed for the eminent political thinker who, just a few years later, was to publish texts such as "The Führer Protects the Law [Der Führer schützt das Recht]" (1934) and "German Jurisprudence

Battles the Jewish Spirit [Die deutsche Rechtswissenschaft im Kampf gegen den jüdischen Geist]" (1936) hardly fits the picture that Benjamin's initial editors and former friends, Gershom Scholem and Theodor Adorno, wished to present to a broad audience. As understandable as their decision to exclude this letter may have been at the time, it nonetheless reflects a malaise related to the way in which Benjamin tends to resist any attempt at univocal classification or straightforward evaluation, political or otherwise. It is as though the fact that he had been able to admire and draw inspiration from the work of a prominent Catholic conservative who was later to become a conspicuous member of the Nazi party could only muddy and compromise the significance of an oeuvre that both Adorno and Scholem, whatever their other differences might be, agreed was of exemplary significance. It is as though the acknowledgment of a debt amounted to a moral contamination of Benjamin by Schmitt. Such a malaise is palpable in the remark of Rolf Tiedemann, who is to be credited with publishing the letter to Schmitt in the critical apparatus he assembled for the German edition of Benjamin's Collected Writings that he edited. The letter, he remarks, is denkwürdig, although he does not say just what sort of thoughts it might be worthy of (GSI, 887). One response that is often encountered in this context traces Benjamin's interest in Schmitt back to the critique of liberal, parliamentary democracy shared by both. But this explanation, as evident and as accurate as it may be, hardly suffices to account either for the debt mentioned by Benjamin in his letter, or for the manner in which it manifests itself in his book. Rather, the work of Schmitt figures in Benjamin's study of German baroque theater for at least two related but very distinct reasons. First of all, the mourning play (Trauerspiel) and above all the dynamics of its origin, both imply a certain relationship to history and to politics. Second, and more specifically, Benjamin encounters the question of sovereignty not simply as a theme of German baroque theater, but as a methodological and theoretical problem: as we shall see, according to Benjamin every attempt to interpret the German baroque risks succumbing to a certain lack of sovereignty.

The German baroque mourning play has as its true object and substance historical life as represented by its age (GSI, 242–243; Origin, 62). But the relationship between Trauerspiel and history is far from a one-way street: if German baroque theater is concerned primarily with
history, this history is in turn construed as a kind of *Trauerspiel*. This is why Benjamin's formulation, here as elsewhere, must be read as rigorously as possible: the true object of baroque drama is not just historical life as such, but rather historical life *as imagined by its age* ("das geschichtliche Leben wie es jene Epoche sich darstellte") (GS1, 262; *Origin*, 62). The primary representation and representative of history, however, in the baroque age is the sovereign: "The sovereign is the representative of history. He holds the course of history in his hand like a scepter [Der Souverän repräsentiert die Geschichte. Er hält das historische Geschehen in der Hand wie ein Szepter]" (GS1, 245; *Origin*, 65).

Benjamin's insistence on the historical subject matter of the *Trauerspiel* thus leads him necessarily to the question of political sovereignty and its relation to history. But it is not merely the thematic aspect of his subject that moves Benjamin to examine the question of sovereignty, and hence to consult the theories of Schmitt. In his letter, Benjamin writes that he has found in Schmitt's works a confirmation of his own styles of research, *meine[n] eigenen Forschungsweisen*. Just what Benjamin might be referring to becomes clearer if we turn to the beginning of the first chapter of his book, dealing with *Trauerspiel* and tragedy. Benjamin begins his study proper by announcing that his interpretation of the German baroque mourning play will be directed toward the extreme (*die notwendige Richtung aufs Extreme*), and not the average or shared traits of the plays he is investigating (GS1, 238; *Origin*, 57).

In thus foregrounding the constitutive importance of a concern with extremes in pursuing his philosophical investigation, Benjamin places himself squarely in a tradition that goes back at least to Kierkegaard's essay on *Repetition*. But the text in which this mode of thinking probably impressed itself most profoundly on Benjamin was Schmitt's *Politisiche Theologie*, the first chapter of which concludes by insisting on the significance of the extreme case:

Precisely a philosophy of concrete life must not draw back before the exception and before the extreme case, but rather must harbor the greatest interest in them. For it the exception can be more important than the rule, not from any sort of Romantic irony for the paradoxical, but with the entire seriousness of an insight that reaches deeper than the clear generalizations of that which repeats itself as an average. The exception is more interesting than the normal case. The normal proves nothing, the exception proves everything; it confirms not only the rule: the rule lives only from the exception.  

In the "Epistemo-critical Preface" to the *Trauerspiel* book, where Benjamin seeks to elaborate the premises and implications of his reading of German baroque theater as an idea, it is precisely to the extreme that he appeals in order to indicate just how the idea distinguishes itself from the subsumptive generality of the concept: "As the shaping of the complex in which the singularly extreme stands with its like, the idea is circumscribed. Therefore it is false to understand the most general indications of language as concepts, instead of recognizing them to be ideas. To want to depict the universal as an average is perverse. The universal is the idea. The more precisely the empirical is investigated as an extreme, the more profoundly it will be penetrated. The concept takes its point of departure in the extreme" (GS1, 215; *Origin*, 35). As Schmitt explicitly states, what is characteristic of the *Einmalig-Extreme* is that it is a borderline notion: it is situated at the extremity of what is familiar, identically repeatable, classifiable; it is the point where the generally familiar is on the verge of changing into something else, the point at which it encounters the other, the exterior, the alien. To think of the idea as a configuration of singular extremes (Einmalig-Extreme) is to construe its being as a function of that which it is not.

Such passages indicate how Benjamin's mode of investigation, his *Forschungsweise*, is indebted to that of Schmitt: both share a certain *methodological extremism* for which the formation of a concept is paradoxically but necessarily dependent on a contact or an encounter with a singularity that exceeds or eludes the concept. This singular encounter takes place in and as the extreme and it is the readiness to engage in this encounter, according to Benjamin, that distinguishes philosophical history from art history, literary history, or any other form of history that presupposes the givenness of a general concept under which the phenomena it addresses are to be subsumed: "Philosophical History as the science of origin is the form that allows the configuration of the idea to emerge out of remote extremes and ostensible excesses as a totality marked by the possibility of the meaningful juxtaposition of such oppositions. The exposition of an idea can under no circum-


stances be considered successful as long as virtually the circle of its potential extremes has not been fully traversed. Such traversing remains virtual" (GS1, 227; Origin, 47). The circle of extremes can be traversed only virtually not simply because the extremes themselves are never fully present or realized as such. Rather, it is organized, elliptically as it were, around a double center: a Vor- und a Nachgeschichte. This pre- and post-history of the singular idea constitutes the "abbreviated and darkened figure of the rest of the world of ideas" ("verkürzte und verdunkelte Figur der übrigen Ideenwelt"; ibid.), a figure that is to be deciphered, read: abzulesen. And it is here, precisely, that Benjamin finds himself faced with a problem that seems to bear a particular relation to the German baroque and its interpretation: "Again and again in the improvised attempts to present the meaning of this epoch, one encounters that characteristic dizziness provoked by the view of its spirituality circling in contradictions . . . Only an observation come from afar, refusing the temptation to take in the whole, at least at first, can, in an as it were ascetic schooling, lead the spirit to the kind of stability that allows it to remain in control of itself while viewing the panoramic sight" (GS1, 237; Origin, 56). In the baroque, the circle of potential extremes to be traversed in the staging of an idea has become an encirclement of contradictions and antitheses from which there seems no escape, but only the giddiness, the vertigo that its spectacle elicits.

What sorts of contradictions and antitheses encircle the German baroque? Not the least of these appears to be a singular discrepancy between its artistic intentions and the aesthetic means at its disposal. And it is here that Benjamin encounters the problem of sovereignty in a guise that seems to be peculiar to the German theater of the time: "The German drama of the counter-reformation never attained that flexible kind of form that offers itself to every virtuoso grip, such as that Calderon gave to Spanish drama. It was formed in a highly violent effort and this, all by itself, would indicate that its form did not bear the imprint of any sovereign gesture. Nevertheless, the center of gravity of the Baroque mourning play lies there . . . This insight is a precondition of investigation" (GS1, 229–230; Origin, 49). What is modern, topical, aktuell about the baroque in general and about the German baroque in particular is thus tied on the one hand to a certain lack of sovereignty, to a certain incapacity to produce consummate artistic forms, and on the other, to an effort of the will that strives to compensate for this lack but threatens instead to overwhelm all those who seek to interpret it: "Confronted with a literature that sought, as it were, to silence the existing world and the world to come through the munificence of its technique, the uniform plenitude of its productions and the violence of its value-judgments, the necessity of the sovereign attitude, as it is imposed by the idea of a form, must be emphasized. The danger of plunging from the summits of knowledge to the enormous depths of baroque mood remains even then hardly trivial" (GS1, 237; Origin, 56). The lack of sovereignty of German baroque theater, as well as the power of its will seeking to compensate for that lack, render a sovereign attitude all the more imperative and all the more difficult for those who seek to interpret it. This is at least one explanation for why Benjamin is led to look for a confirmation of his style of research in the Lehre of Schmitt concerning, precisely, the question of sovereignty.

If the primary object of the German Trauerspiel is history as represented in the figure of the sovereign, the destiny of the ruler in baroque theater manifests a regularity that suggests the inevitability of a natural occurrence: "The constantly repeated spectacle of princely rise and fall . . . stood before the poets' eyes not so much as a morality play but by virtue of its persistence as the natural side of the historical process" (GS1, 267; Origin, 88). History as a repetitive and ineluctable process of rise and fall is identified with the nature of a fallen creation lacking any discernible, representable possibility of either grace or salvation. It is the loss of a redemptive perspective that marks the baroque conception of history and renders it inauthentic and akin to a fallen state of nature.

Such a conception or confusion of history with nature entails at least two fundamental consequences for a theater whose primary concern is, as we have seen, precisely the spectacle of this history. First, the loss of the redemptive dimension results in a radical transformation of the dramatic element of the theater, insofar as it had been tied to a narrativeteleological conception of history. The traditional Aristotelian analysis of the plot in terms of unity of action resulting from the exposition, development, and resolution of conflict is no longer applicable. History, as Benjamin puts it, wanders onto the stage ("Die Geschichte wandert in den Schauplatz hinein") (GS1, 271; Origin, 92). Second, the ba-
ƣroque naturalization of history profoundly affects the figure of the sovereign, the primary exponent, we remember, of history. The naturalistic destiny of the prince does not merely imply the rise and fall of an individual figure, but more importantly the dislocation of sovereignty as such. Out of this dislocation Benjamin develops what he calls the typology and political anthropology of the baroque. The reason that this typology must be elucidated at the outset is because it arises out of the articulation, or rather disarticulation, of sovereignty, and hence of history, the primary object of the German baroque Trauerspiel.

Benjamin’s reconstruction of the political anthropology of the baroque consists of three figures of varying stature and status, each of which is unthinkable without the others. This trio consists of the tyrant, the martyr, and the plotter (der Intrigant). It is the first and the last that will be of particular interest to us here.

The point of departure for this typology is, of course, the figure of the prince. It is here that Benjamin makes explicit reference to Carl Schmitt’s theory of sovereignty. To grasp the significance of Benjamin’s use of Schmitt, it will be helpful if we first review certain aspects of Schmitt’s discussion of sovereignty, starting with the famous passage at the beginning of Political Theology in which the notion is first defined: “Sovereign is he who decides on the state of exception. This definition alone can do justice to the concept of sovereignty as a borderline concept. For borderline concept signifies not a confused concept, as in the murky terminology of popular literature, but rather a concept of the most extreme sort” (Politische Theologie, 11; PT, 5).11 Despite the apparent and seductive clarity of this definition, it leaves a number of problems unresolved, above all regarding the notion of the state of exception. First of all, the state of exception, Schmitt insists, is not simply equivalent, in German, to a state of emergency or of siege; not every danger or threat constitutes an Ausnahmezustand in Schmitt’s sense, since not every exception per se represents a threat to the norm. The state of exception that constitutes the object and product of the sovereign decision is one that threatens or calls into question the existence and survival of the state itself as hitherto constituted. Sovereignty consists in the power to decide on or about the state of exception and thus in turn includes two moments: first, a decision determining that a state of exception indeed exists, and second, the effective suspension of the state of law previously in force so that the state may meet and sur-

mount the challenge of the exception. In thus deciding on—and thus determining—the state of exception, the sovereign also effectively determines the limits of the state itself. It is this act of delimitation that constitutes political sovereignty according to Schmitt.

This is why the translation of Ausnahmezustand by state of exception is not quite accurate, or rather, why it obscures the delicate balance of similarity and distinction that determine the relationship of the State as Staat and the exception as Zustand. The Ausnahmezustand is a state in the sense of having a relatively determinate status; as a Zustand, it is “always something other . . . than an anarchy and a chaos [and therefore] in a juridical sense there still exists an order, even if not a legal order. The existence of the state conserves here an undoubted superiority over the validity of the legal norm. The decision frees itself of every normative restriction and becomes in an authentic sense absolute. In the exceptional case the state suspends law by virtue of its drive to self-preservation, as one says” (Politische Theologie, 18–19; PT, 12, my emphasis).12 The paradox or aporia of Schmitt’s position is suggested here by the conclusion of the passage just quoted. For if the decision is as radically independent of the norm as Schmitt claims, it is difficult to see how the decision of the state to suspend its laws can be justified at all, since all justification involves precisely the appeal to a norm. This is why, in appealing to a right of self-preservation, Schmitt acknowledges that the term is more a way of speaking than a rigorous concept: “In the exceptional case the state suspends law, by virtue of a drive to self-preservation, as one says.” In one sense then, the sovereign decision marks the relationship of the order of the general—the law, the norm, the concept—to that which is radically heterogeneous to all such generality. In this sense, the decision as such is sovereign, that is, independent of all possible derivation from or subsumption to a more general norm. It is a pure act, somewhat akin to the act of creation except that what it does is not so much create as interrupt and suspend. If such interruption and suspension can never be predicted or determined in advance, it is nonetheless not arbitrary insofar as it is understood to be necessary in order to preserve the state as the indispensable condition of all durable law and order.

And yet, precisely insofar as it is situated in this temporality of repetition and reproduction, the decision cannot be considered, Schmitt notwithstanding, to be entirely absolute. Rather, it constitutes itself in
and as a break with ..., an interruption or suspension of a norm. In separating what belongs to the norm from what does not—and in the sense every authentic decision, as Schmitt asserts, has to do with an exception—the decision distinguishes itself from the simple negation of order, from chaos and anarchy as Schmitt writes, and can indeed lay claim to having some sort of legal status. The problem, however, is that such a claim can only be evaluated and judged after the fact, as if were, which is to say from a point of view that is once again situated within a system of norms.

For Schmitt, this paradox is articulated in the fact that the State, which is the condition of all law and order, is itself constituted by a decision that is prior to and independent of all such considerations: “The Authority proves that in order to produce law it need not be based on law” (Politische Theologie, 20; PT, 13). Yet the non-legal or a-legal status of the sovereign and exceptional decision is justifiable and indeed identifiable only insofar as it provides the conditions for the re-appropriation of the exception by the norm. The State has thus the first and the last word in Schmitt’s theory of sovereignty.

This brings us to a second aspect of Schmitt’s thought. Up to now, we have been considering it in terms of a relatively abstract, general, and quasi-logical theory of decision; but Schmitt’s thinking is also historical, as the very title of the book, Political Theology, suggests and as the following passage makes explicit:

All pregnant concepts of the modern theory of the state are secularized theological notions. Not only in their historical development, because they were transposed into political theory from theology, for instance insofar as the omnipotent God became the omnipotent legislator, but also in their systematic structure, the knowledge of which is required by a sociological consideration of these concepts. The state of exception has for jurisprudence a significance simile: to that of the miracle in theology. Only when this analogous position becomes conscious can the development of the ideas concerning the philosophy of the state have followed over the past centuries be recognized. (Politische Theologie, 36; PT, 49)

To be sure, in the analogy that Schmitt is here constructing, historical development is subordinated to systematic considerations. At the same time, it is only in a reflection or recall of the historical transfer, or rather transformation of theological categories into political ones, that the systematic structure of political discourse is fully revealed. The salient trait of that structure is, as we have already seen, its dependence on a transcendence that exceeds its self-identity and that thus harbors an irreducible alterity and exteriority, just as the miracle—the example cited by Schmitt himself—in Augustinian doctrine both exceeds and explains the created world. If historical reflection on the development of political discourse reveals its theological origins and hence its dependence on a certain transcendence, the actual historical development of political theory and of theology has moved in an opposite direction: “To the concept of God of the seventeenth and eighteenth centuries belongs the transcendence of God as opposed to the world, as the transcendence of the sovereign vis-à-vis the state belongs to the philosophy of the state. In the nineteenth century ideas of immanence extend their domination increasingly” (Politische Theologie, 49; PT, 63).

To these representations of immanence belong the identification of ruler and ruled, and above all that of the state with the state of law (the “identity of the state with the legal order,” ibid.). But if the development of modern thought has thus tended to efface the originating and constitutive relationship of the political to transcendence in the name of notions of autonomy and self-identity, Schmitt’s own approach itself is not entirely free of such tendencies. This can be seen in the manner in which he construes the relationship between political and theological categories that for him is the key to an authentically historical and systematic understanding of modern politics. For what emerges in Schmitt’s discussion of the relation of politics and theology is the common basis, indeed underlying identity, of the two. For instance, he finds confirmation of his theological-political thesis in the position of Alger, for whom “the monarch in state doctrine of the seventeenth century is identified with God and has the same position in the state as has the God of the Cartesian system in the world” (Politische Theologie, 46; PT, 60). The method that Schmitt advances in Political Theology, which he calls the sociology of concepts, thus employs the notion of analogy in order to reduce difference to identity, as the following programmatic declaration clearly demonstrates: “The metaphysical image that a particular epoch forges of the world has the same structure as the form of political organization it considers self-evident. The determination of such an identity constitutes the sociology of the concept of sovereignty” (Politische Theologie, 59–60; PT, 46, my emphasis). One would be tempted to say that Schmitt’s critique seeks to replace the ideas of
immanence (Immanenzvorstellungen) of modern political theory with ideas of identity (Identitätsvorstellungen), in a move meant to recall the heterogeneity of political concepts out of the oblivion into which it has fallen, but that only succeeds in once again reducing alterity to the same: to "dieselbe Struktur" and to "die Feststellung einer . . . Identität."

With the ambivalence of Schmitt’s approach to the political in mind, let us now turn to the manner in which the question of sovereignty emerges in Benjamin’s study of the Origins of German Baroque Theater:

The sovereign represents history. He holds historical happening in his hand like a scepter. This attitude is anything but a privilege of the theater. Considerations of political theory underly it. In a final confrontation with the legal lessons of the middle ages a new concept of sovereignty was formed . . . If the modern concept of sovereignty amounts ultimately to a supreme, princely executive power, the Baroque develops out of a discussion of the state of exception and makes the most important function of the prince that of excluding it. (GS1, 245; Origin, 63; my emphasis)\footnote{A note at the end of this passage refers to Political Theology. And yet the very words that seem only to paraphrase Schmitt constitute in fact a slight but decisive modification of his theory. Schmitt, we remember, defines sovereignty as constituted by the power to make a decision that consists of two moments: first, the determination that a state of exception exists, and second, the effective suspension of the state of law with the end of preserving the state as such. For Schmitt, then, the state of exception must be removed, beseitigt, done away with, but only in each particular case, never as such: that is precisely what Schmitt criticizes modern political theory for trying to accomplish by excluding consideration of the state of exception from the determination of sovereignty.\footnote{Benjamin, by contrast, describes the task of the sovereign in the very terms that Schmitt rejects: the sovereign is charged with the task of excluding the state of exception, “den auszuschließen.” In short, that which is already exterior, the Ausnahmezustand, is to be exteriorized once again, ausgeschlossen, and this applies not only to the state of exception as an individual, determinate threat to the state—the position of Schmitt—but to the state of exception as such, that is, as that which transcends the state in general.}

In short, the function assigned to the sovereign by the baroque, ac-
cording to Benjamin, is that of transcending transcendence by making it immanent, an internal part of the state and of the world, of the state of the world. And the reason why the baroque is so attached to the state of the world Benjamin explains as follows:

The religious man of the Baroque clings so to the world because he feels himself, together with it, driven towards a catact. There is no (a?) Baroque eschatology, and precisely for that reason a mechanism that heaps up and exalts everything born on earth, before it delivers it over to the end. The beyond is emptied of everything wherein even the slightest breath of world weaves and from it the Baroque extracts a plenitude of things that tend to avoid all shaping and reveals it at its height in a drastic form, in order to evacuate a last heaven and as a vacuum to put him into service, to annihilate the world with catastrophic force. (GS1, 246; Origin, 66)\footnote{What the baroque consequently rejects is any admission of the limitation of immanence and it does so by emptying transcendence of all possible representable content. Far from doing away with transcendence, however, such emptying only endows it with an all the more powerful force: that of the vacuum, of the absolute and unbounded other, which, since it is no longer representable, is also no longer localizable out there or as a beyond. The otherness that is no longer allowed to remain transcendent therefore reappears this side of the horizon, represented as a catact, abyss, or fall. Or, even more radically, as allegory.}

In this perspective, the function of the sovereign to exclude the state of exception conforms fully to the attempt of the German baroque to exclude transcendence by incorporating it. But the very same desire to exclude transcendence also condemns the function of the sovereign to malfunction. For unlike the political-theological analogy of Schmitt, the baroque sovereign, and particularly the German baroque sovereign, is defined precisely by his difference and distance from God, just as baroque immanence sets itself up in contradistinction to theological transcendence. At the very point in time when the political sovereign successfully gains his independence vis-à-vis the Church, the difference between worldly power and that of the divine can no longer be ignored. The result, as Benjamin formulates it, turns out to contradict directly the conclusion of Schmitt: “The level of the state of creation, the ground on which the Mourning Play unfolds, determines unmistakably the sovereign as well. However high above subject and state
he may reign, his rank includes him in the world of creation: he is the Lord of creatures, but he remains a creature” (GS1, 263–264; Origin, 85).22 Schmitt, we recall, had construed the theological-political analogy in terms of a relationship of fundamental similarity: the sovereign transcends the state as God transcends the creation. By contrast, Benjamin’s notion of secularization stresses precisely the incommensurability of the change it entails.

Such incommensurability becomes even clearer in the specific case of German baroque theater: “The turn away from the eschatology of the spiritual plays characterizes the new drama in all of Europe; nevertheless the insensate flight into a nature without grace is specifically German” (GS1, 260; Origin, 81).23 The German baroque theater focuses desperately on nature—which we remember is for it the other face of history—only to discover that there is no grace or consolation to be had there either. The undoing of the sovereign results from the sense that in a creation left entirely to its own devices, without any other place to go, the state of exception has become the rule.24

The result is that the sovereign finds himself in a situation in which a decision is as imperative as it is impossible: “The antithesis between the might of the ruler and his capacity to rule led, insofar as the Mourning Play goes, to a distinctive trait that is only apparently generic, and whose illumination is only possible against the background of the theory of the sovereign. This is the incapacity of the tyrant to decide. The Prince, in whose hands the decision on the state of exception reposes, shows himself at the earliest opportunity to be unequal to his task: a decision is practically impossible for him” (GS1, 250; Origin, 70–71).25 The sovereign is incapable of making a decision, because a decision, in the strict sense, is not possible in a world that leaves no place for heterogeneity: the inauthentic, natural history of the baroque allows for no interruption or radical suspension of its endemic and perennial interruptions. The sovereign reacts by seeking to gather all power and thus becomes a tyrant; and yet the more power he has, the more he demonstrates his incapacity to arrive at an effective decision. Faced with this situation, the tyrant can easily turn into a martyr. Both figures, Benjamin observes, are for the baroque only two sides of the same coin, “The Janusheads of the Crowned...the necessarily extreme marks of the princely essence” (GS1, 249; Origin, 69).26

In emphasizing the dictatorial tendency of the sovereign, Benjamin follows Schmitt here practically to the letter.27 And yet in so doing, he arrives at a result that is almost diametrically opposed to that of Schmitt: the very notion of sovereignty itself is put radically into question. One extreme illustration of this is the figure of Herod, King of the Jews, “a mad autocrat and a symbol of disordered creation [der als wahnwitziger Selbstherrscher ein Emblem der verstörten Schöpfung wurde],” and as such also an exemplary illustration of the fate of the sovereign for the seventeenth century: “The apex of creation, erupting into madness like a volcano and destroying himself and his entire court... He falls victim to the disproportion [eines Mißverhältnisses] between the unlimited hierarchical dignity, with which he is divinely invested and the humble estate of his humanity” (GS1, 250; Origin, 70).28 The key to the secularization of which the German baroque is the result is thus for Benjamin not so much an analogy based on proportion, and hence on identity, as a relation based on disproportion, on a Mißverhältnis.

The effects of this disproportion, as Benjamin elaborates them, do not stop at the dismantling of the sovereign, who splits into an ultimately ineffective if bloody tyrant, and a no less ineffective martyr; neither does it come to rest at any of the compromises possible between these two poles, such as the stoic ostentation that often marks baroque representations of the prince. Rather, the splitting of the sovereign is accompanied by the emergence of a third figure who stands in radical dissymmetry to the other two. This third figure—figure of a certain third (tertium datur)—who completes Benjamin’s baroque political anthropology and typology—is the Plotter, the Intrigant: and it is he who turns out to hold the key to the fate of sovereignty in the German baroque mourning play.

To understand what distinguishes the plotter from the two other figures in the baroque political triad, it must be understood that the incapacity of the sovereign to decide involves the transformation not merely of an individual character-type, but also of the manner in which history itself is represented in the Trauerspiel. And this in turn determines the way in which representation takes place. With the split of the sovereign into tyrant and martyr, what is dislocated is not just the unity of a character, but the unity of character as such. This disarticulation is of particular importance for baroque theater.

If the Aristotelian theory of tragedy assigns primary importance to the unity and wholeness of action, and requires to this end consistency
of character,\textsuperscript{29} precisely this consistency and unity are undermined together with the status of the sovereign. Nothing demonstrates the distance of the Trauerspiel from the Aristotelian theory of tragedy more emphatically than this disaggregation of the sovereign and hence of the action, which in turn contributes to the peculiar theatricality of baroque drama:

Just as compositions with restful lighting are totally unknown in Mannerist painting, so it is that the theatrical figures of the epoch stand in the harsh glare of their changing resolve. In them it is not so much sovereignty that strives to emerge, placed on display by the stoical turns of phrase, but rather the abrupt arbitrariness of ever-changing emotional storms, in which Lohenstein’s figures in particular billow and flutter like tattered flags flapping in the wind. Through the smallness of their heads—if this expression may be understood figuratively—they are not unlike Greco figures, driven not by thoughts but by unstable physical impulses. (GS1, 251; Origin, 71; my emphasis)\textsuperscript{30}

From this account it is clear that the dilemma of the sovereign in baroque drama is also and above all that of the subject as such: it is no longer determined by its head—that is, by its consciousness, its intentions—but by forces that act independently of conscious volition, that buffet and drive it from one extreme to another. A powerful dynamics is thus unleashed that, however, does not really go anywhere. Instead, like torn flags whipped about in the wind,\textsuperscript{31} baroque figures are driven by tempestuous affects over which they have little control. What results is a rhythm of abrupt and unpredictable twists and turns and it is this rhythm that determines the structure of plot in the Trauerspiel. Moreover, since neither plot nor character is sufficiently unified or consistent to provide a comprehensive framework for the play, this framework must be sought elsewhere. That elsewhere turns out to be the theater itself as stage, artifice, and apparatus. This is implicit in the passage cited, which describes how the theatrical figures of the age appear in grellen Scheine, in the “harsh glare of their changing resolve.” The dismantling of decision as a definitive, ultimate, and absolute act opens the way to a different kind of acting: that which takes place on a stage lit up by spotlights, bathed in that “harsh glare [grellen Scheine],” a phrase that recurs frequently in Benjamin’s text and that recalls the Scheinwerfer of the theater.

In the theatrical space thus opened by the dislocation of action and of the subject, and above all in the confusion that results, the sovereignty of the tyrant is replaced by the mastery of the plotter: “In contrast to the temporal and spasmodic progression, represented in tragedy, the Mourning Play plays itself out in a spatial continuum that could be called choreographic. The organizer of its imbroglio, predecessor of the ballet director, is the plotter” (GS1, 274; Origin, 95).\textsuperscript{32} The discontinuous temporality of decision, here associated with tragedy, is replaced—that is, resituated—within a spatial continuum in which exceptional interruptions are no longer possible because they have become the rule. The regular nature of the interruption paradoxically becomes programmable and the programmer, or choreographer, is the intriguer. The etymology of the word in-trigare, discussed earlier—namely, to con-found and confuse—turns out to be all the more appropriate in a world in which the clear-cut separation of a decision is no longer effective.

The intrigue or plot is thus designated by Benjamin as a Verwicklung: an imbroglio or entanglement, but one that is organized. Baroque drama thus entails a plot that is based not on a sovereign subject as “hero” but on a masterful organizer or promoter (Veranstalter). It is precisely the calculating nature of this mastery that fascinates the baroque audience: “His depraved calculations awaken in the observer of the Haupt- und Staatsaktionen (Political Action Plays) all the more interest insofar as he recognizes not just a mastery of the political apparatus, but an anthropological, even physiological knowledge that fascinated him. The superiority of the plotter consists entirely in understanding and will” (ibid.).\textsuperscript{33} The amoral calculatedness of the plotter contrasts radically with the attitudes of both the tyrant and the martyr. Only the intriguer confronts a state of the world in which the exception has become the rule, and therefore in which universal principles—including the principle of the interruption of principle qua decision—can no longer be counted on. The intriguer exploits mechanisms of human action as the result of forces over which there can be no ultimate control, but which precisely for that reason can be made the subject of probabilistic calculations.

The contingency of such calculations turns the intrigue into something closer to a game or exhibition of virtuosity, rather than into the expression of a cosmic strategy for the good of all or of the State. Thus not only the subject matter of the Trauerspiel—historical ac-
tion—changes, but its dramaturgical structure as well. Plot is replaced by plotting. As Benjamin puts it: “Baroque drama knows historical activity only as the depraved goings-on of schemers” (Das Drama des Barock kennt die historische Aktivität nicht anders denn als verworfene Betriebsamkeit von Ränkeschmieden) (GS1, 267; Origin, 88). At the same time, however, the structure of the plot changes: “It differs from the so-called counterplot of classical tragedy through isolation of motifs, scenes and types... Baroque drama [also loves] to set adversaries in harshly illuminated, specially arranged scenes, in which motivation plays the smallest role. Baroque intrigue unfolds, one can say, like a change of decoration on an open stage, so little is illusion intended in it” (GS1, 254; Origin, 75). The utter indifference to psychological or moral motivation, combined with the encapsulation of conflicting figures through “harshly illuminated specially arranged scenes,” precludes any sort of resolution in a totalizing dénouement. What interests the baroque is not so much the dramatic resolution of conflict as its representation through a mechanism that acknowledges and even flaunts its own artifice. “The privileged site and scene of such emphatically theatrical artifice is the court: The image of the stage, more exactly: of the court, becomes the key to historical understanding. For the court is the innermost stage... In the court the Mourning Play sees the eternal, natural décor of the course of history” (GS1, 271; Origin, 92–93). The eternal, natural character attributed to the court in the baroque testifies to the situation of a unique historical period, in which “Christianity or Europe is divided into a series of European Christendoms, whose historical actions no longer claim to take place in the flight and flow of a redemptive process” (GS1, 257; Origin, 78). Thus, with the traditional Christian eschatological perspective blocked, the irreducible partiality and provinciality of the local court renders it the exemplary site and stage of a movement of history that has been reduced to conspiratorial plotting, the aim of which is the destabilization of power rather than its consolidation. This is why the structural dynamics of the plotter cause him to resemble comic figures or the fool rather than the prince who would be sovereign. If the plotter is most at home in the court, it is only insofar as he knows that there can be for him no proper home, “keine eigene Heimstätte.” (GS1, 275; Origin, 97). In this sense the plotter can be said to be the exponent of the stage (Schauplatze) as that place in which no one, including the Sovereign, can be at home.

Unlike the sovereign, however, the plotter knows that the court is a theater of actions that can never be totalized but only staged with more or less virtuosity. By thus heeding only the rules of the game without seeking to reach ultimate principles, the plotter begins where the sovereign hopes to end: with the exclusion of the state of exception. The state of exception is excluded as theater. What characterizes this theater is that in it nothing can ever authentically take place, least of all the stage itself: “In the entire European mourning play the stage is never strictly fixable, an actual place, but rather like everything else, dialectically riven. Bound to the court it remains a wandering theater; inauthentically its boards represent the earth as the created showplace of history; it moves with its court from city to city” (GS1, 298; Origin, 119). If the stage of baroque theater is not fixed but rather dialectically riven and thus inauthentic, what distinguishes the German baroque is the impossibility of a dialectical Aufhebung that would reconstitute its fissures into a totality: “Only the plot (intrigue) would have been capable of forming the organization of scenes into an allegorical totality, with which the image of the apotheosis elevates itself above the elapsed images and gives mourning at one and the same time the cue for its entry and exit” (GS1, 268; Origin, 235). It is precisely the inability to even approach such an apotheosis that characterizes the German baroque theater in contrast to its Spanish counterpart in Calderon. Yet if this limits its aesthetic value with respect to Spanish or English playwrights such as Calderon and Shakespeare, it is also what gives it its distinctive historical-philosophical significance. For even in Calderon, what is presented is not the “image of apotheosis” but rather the lesson that the “transfigured apotheosis is not to be attained with the banal reserves of the theater” alone (ibid.). In this sense, the failure of the German baroque mourning play is more authentically theatrical than are the successes of its Spanish counterpart. What the German baroque mourning play leaves as the originality of its heritage is its “demand for interpretation [Anspruch auf Deutung]” (GS1, 409; Origin, 235)—to which Benjamin’s Origin of the German Mourning Play has provided the exemplary response. Like the baroque mourning play, it ends with an “appeal” rather than a decision—or a command (GS1, 315; Origin, 137).

Such an appeal can find no place in Schmitt’s theory of sovereignty and of the decision that could be said to muffle it. For the theater of the
German baroque diverges both from classical tragedy and from the Schmittian theory of sovereignty in that it leaves no place for anything resembling a definitive decision. Rather, it is precisely the absence of such a decisive verdict and the ensuing perspective of unending appeal that mark the Trauerspiel: “One can drive the excursion into the juristic realm even further and in the spirit of the medieval literature of lament speak of a trial of the creation, whose complaint and accusation—Klage—against death—or against whomever else it may be directed—at the end of the mourning play is tabled in a semi-finished state. Its review and resumption are implicit in the mourning play” (GSI, 315–316; Origin, 137, my emphasis). 39 Nothing could demonstrate more clearly the distance between this eternal process of review, adjourned in a half-finished state, and the notion of an absolute, absolutely definitive and ultimate decision. It is the distance between Schmitt and Kafka. Here as there, the question of decision, of its power and its status, is tied to a certain determination of space. Whereas in Benjamin this determination is revealed to be the errant stage of an inauthentic and unlocalizable place, decision for Schmitt can be situated in terms of an unequivocal point and thus put in its proper place, once and for all: “The legal force of the decision is something other than the result of an argument. It is not calculated by means of a norm, but rather inversely: only from a point of ascription can it be determined what a norm and normative correctness is. Starting from the norm no point of ascription can be produced, but only a quality of a content” (Politische Theologie, 42–43; PT, 32; my emphasis). 40 If Schmitt asserts here that the norm presupposes a point of ascription, a Zurechnungspunkt on which one must be able to rely, but which the norm as such cannot provide, the unmistakable conclusion for him is that decision alone can provide such a point. In his reinsertion of Schmitt, Benjamin takes exception to this point, ascribing its effects not to decision but to interpretation. In so doing, he reveals that what is at stake is perhaps not a point at all but a stage, in all the senses of that word—one around and on which anything can happen, even the appeal for a miracle.

In a book published in French and Italian in 2003 and translated into English as State of Exception, Giorgio Agamben, as in many of his other writings, refers to the work of Walter Benjamin at particularly decisive points in his argument. In this book, whose title indicates an indebtedness to Carl Schmitt that Agamben shares with Benjamin, the author elaborates a theory of the “state of exception” as the notion through which a certain Western tradition of “bio-politics” seeks to assimilate the heterogeneity on which it depends and thereby to treat it as the integrating element of its own “death machine” (EE, 145). 1 The “state of exception” thus serves as the pretext of a violence bent on justifying and reproducing a political-legal system that presents itself as the indispensable condition of that “minimal order” (Schmitt) required in order for life to be livable. One particularly emphatic reference to Benjamin by Agamben in this book occurs in chapter four, “Gigantomachy around a Void,” in which he contrasts Benjamin’s “Critique of Violence” with Schmitt’s theory of the “state of exception” as that which both defines and legitimates the Sovereign as the power that can suspend the reign of positive law—of the constitution—in order, allegedly, to restore the minimum order required for legality to function. Benjamin, by contrast, in his essay “The Critique of Violence” develops a notion of violence as radically distinct from al