

Against Indemnification – Courage, Crisis and Opening to the ‘to Come.’

Perhaps one of the most striking – and dispiriting – features of the response by public officials to the tumult of the last decade has been the unwillingness to engage in sustained interrogation of the structural mechanisms underlying our geopolitical and financial crises, and the clear intent to just carry on with business as usual. For all the sloganeering and the endless limp enquiries, there has been very little effort to deliver anything resembling a ‘change we can believe in,’ and, consequently, we are now facing the unprecedented situation in which much of the population have lost confidence in the institutions of public life.

The aim of this paper is to sketch the contours of one such structural analysis by deploying the Derridean notion of indemnification, and to think through the implications of this analysis for how we might work towards a different future. My final contention will be that opening ourselves to another way of being requires us to reject the indemnifying-impulse and recommit ourselves to the cardinal virtue of courage, but reconceived in a manner significantly opposed to its traditional formulation. The history of Western thought, beginning of course, most notably, with Aristotle, has usually cast courage as an archetypically masculine virtue, as exemplified by the Greek word for courage, ‘*andreia*,’ or literally, ‘manliness.’ Within this schema, courage involves the ability to master the experience of fear in order to respond with appropriate defensive assertion towards an external threat, represented most typically in the posture of the warrior. By contrast, the analysis of indemnification will suggest that what is required to move out of our present pass, is not an endless redoubling of our attempts to annihilate or

appropriate external threats, but rather, the courage to confront our own anxieties and tolerate our vulnerabilities. Courage, reconceptualized in this way, may then, I will suggest, serve as the precondition of opening to a more ethical engagement with the world, and hence herald an escape route from the cycles of violence, domination and exploitation in which we are currently ensnared.

The notion of '*l'Indemne*' – or the 'Unscathed' – is explored by Derrida in his 1996 essay 'Faith and Knowledge: The Two Sources of Religion at the Limits of Reason Alone,' and stands as one of his most powerful formulations of the psychic drive which impels economies of identity. Indemnification is the desire to be unequivocally insured against all harm or loss, it is the fantasy of the possibility of perfect invulnerability, or absolute security. While Derrida has most usually been read as a philosopher of language, and one, moreover, whose pronouncements about there being 'nothing outside the text' indicate a lack of concern for anything beyond the play of signification, deconstruction was always, from its inception – and most explicitly in its later stages – an ethico-political project, aimed both at demonstrating the ontological untenability, and self-defeating violence, that issue from the ideal of indemnified identity.

As is well known, Derrida's project began in the later Sixties with the critique of the metaphysics of presence, presence being the property of any entity – whether it be a sign, a subject, or a state – which posits itself as temporally and spatially self-identical. The basis of the deconstructive maneuver is the demonstration – repeated with forensic precision across Derrida's *oeuvre* - that the positing of any entity as an ideal identity

requires the systematic exclusion of the constitutive nexus of temporospatial relation by which it comes to be. In his early work, the web of temporospatial relation which gives the lie to the ideal of identity is named by Derrida *differance*, iterability, spacing or text, and its operation is perhaps most famously exhibited in the analysis of the opposition between living, present speech – the *phoneme* – and the dead sign of the *grapheme*. The identitarian or phallogocentric tradition of Western thought, as Derrida suggests, traditionally privileged speech over writing, because speech presents itself to us as the spontaneous expression of self-identical meaning issuing from an origin with the subject. By contrast, the paradigmatic and diachronic constitution of meaning is far more evident in the case of the written sign, that which is, as Derrida suggests in *Plato's Pharmacy*, free to dislocate itself from its authorial origin and disseminate itself across time and space, wandering the streets like a fatherless child.

The crux of Derrida's argument here resides in the observation that the ideality of meaning, whether conveyed in the phoneme or grapheme, is dependent on the process of repetition. To recognize something as being what it is we must be able to identify that which remains the same across various iterations. Or, as Derrida argues in *Speech and Phenomena*, meaning does not arise as the consequence of a "pure...presentation...in the original," (SP: 45) but through the process by which "the presence of an object in general may be indefinitely repeated as the *same*." (SP: 9) As a consequence, the identity of an entity "is not an existent that has fallen from the sky; its origin will always be the possible repetition of a productive act," (SP: 6) which is equivalent to saying that its being as an identity is dependent on its relation to temporal and spatial others. This

observation is the basis of the ‘aporia of original repetition’ which Derrida diagnoses at the core of all identitarian postures, that is: The condition of possibility of x being an identity is the condition of impossibility of x being an identity.

In his recent text *Radical Atheism: Derrida and the Time of Life*, Martin Hagglund identifies this infinite aporia at the heart of identity as the ‘auto-immune double-bind of constitutive finitude,’ masterfully elucidating the way that temporospatial constitution works to undo all attempts to indemnify, immunize, or insure, all and every identity against threats to its security. For Derrida, the fact of constitutive difference means that the *chance* of existence is inextricably tied to *risk*, that ‘to be’ is to be exposed to vulnerability in one’s very essence. The flight from this reality into the fantasy of indemnity is ultimately the desire to be delivered from the conditions of temporospatial dependence and finitude, to be delivered from the risk of mortal existence into the eternal requiem granted only to the dead. That is, the desire for absolute immunity is a death drive, or, as Derrida notes in ‘Faith and Knowledge,’ the illusion of the ‘Unscathed’ can be maintained only by a process of ‘sacrificial indemnification’ driven by the postulate that “life has absolute value only if it is worth *more than* life.” (FK: 87)

One of the most significant effects of this sacrificial logic is the necessary disavowal of an entity’s dependence on its temporospatial others, exhibited for instance in the life-denying domination of materiality which has marked our culture at least since Socrates delivered his final famous discourse on the immortality of the soul. In concrete terms this issues in imperial attempts to appropriate or erase the disavowed other in order to obviate

the unacknowledged dependency, a dependency which is, in principle, intolerable to an identity invested in its own indemnity. However, such acts of domination and exploitation - acts which are, effectively, external projections of inherent vulnerability – invariably return, as the repressed always will, to confront an identity with its abnegating violence. This is the logic that Derrida names auto-immunity, that “strange behavior where a living being, in quasi-suicidal fashion, ‘itself’ works to destroy its own protection, to immunize itself against its own immunity.” (PTT: 94)

Derrida’s analysis of the first great crisis of the last decade was particularly concerned to emphasize its auto-immune structure. In *Philosophy in a Time of Terror*, he argued that the trauma represented by the event named 9/11 was an axiomatic example of an auto-immune eruption within the body of a system committed to the illusion of its indemnity. The United States, he noted, stands as the archetype of an invulnerable sovereign state, a state whose military and financial authority – whose capital position – underwrites the credit and force of both international law and commerce. A state which, moreover, has not, since it originated itself by declaring its in-dependence, faced a purportedly external aggressor on its soil, whose sacrosanct sovereign borders have not been transgressed. According to this reading, 9/11 was such a seismic event, not only because of its symbolic spectacle, but because the assault on American invulnerability came, Derrida writes “*as from the inside*,” the hijackers trained within the US, acquiring “an American weapon in an American city on the ground of an American airport.” (PTT: 95) Moreover, not only was the attack a violation of the US’s own internal security systems, but it was,

as was widely noted, consequent on a train of violence – the arming of the Mujahadeen to name but one – set in motion by America in the name of its own security.

What 9/11 wrought then, was a deep wound in the ideal of American indemnity, a wound which, Derrida notes, remained necessarily open before an insecure future, an “im-presentable to come,” the indelibly exposed possibility of vulnerability. Nonetheless, while this wound cannot, in principle, be erased, this did not, in any sense, prevent the efforts by the US “to attenuate or neutralize the effects of the traumatism,” to reconstitute its ‘homeland security’ by deploying the forces of its violence in the still ongoing – but no longer named – ‘war of terror,’ as if the fear of recognizing the impossibility of indemnity could be overcome by further investment in defensive securitization. As Derrida notes, such efforts are “desperate...autoimmunitary movements” which do little but further “invent and feed the very monstrosity they claim to overcome.” That is, he continues, it is the necessarily “perverse effect of autoimmunitarity itself” that “repression in both its psychoanalytical...and...political sense...ends up producing, reproducing, and regenerating the very thing it seeks to disarm.” (PTT: 99)

Unfortunately, we will never know what Jacques Derrida would have made of the second great crisis of the decade, the financial collapse, which, since 2008 has gripped the globe in a slow motion panic-attack punctuated by a series of spasms. He would, I suspect, have had something to say about the temporality of economy, about the way in which fiduciary systems of *credit* function by accumulating debt, an act, in effect, of embezzling the future. Some have argued that the crisis represents the apotheosis of the much

maligned postmodern malaise, the havoc wreaked when we succumb to a performative paradigm which conceives value as nothing but the interaction of signs, unencumbered by material anchorage. But what interests me here is the extent to which the crisis might be usefully read, as, again, a product of the illusion of indemnity. In addition to the irrefutable etiology of the collapse in successive acts of neoliberal deregulation, what is perhaps most striking about the events is the extent to which they were predicated on the mass delusion that the sophistication of financial instrumentation had made possible the annihilation of risk. The self-styled ‘Masters of the Universe’ thought they had – or managed to get people to *credit* them with – devising a financial mechanism entirely indemnified against systemic failure, an infinitely expanding chain of securitized investments, insured for good measure against the chance of going bad. But, the final, no doubt inevitable, infection of this allegedly immune system by the reality of debt tells us something. That there is no credit without its shadow side, and that, more than this, it is beyond the power of mere mortals who are not, in fact, masters of the universe, to bring into existence anything which is absolutely insured against its own destruction. This is the auto-immune double-bind of constitutive finitude, the non-negotiable aporetic of existence. The chance of being *is* the risk.

Were we able to read this message, the effect would perhaps be salutary. While the indemnifying-impulse which drives so many of our political and economic decisions may certainly provide short – or even medium-term – advantage, it is, ultimately, as Derrida writes, ‘quasi-suicidal.’ Our recent history reads, from this perspective, as an ever-increasing acceleration of auto-immune reactivity, a globalized world reaching saturation

in which states and citizens are forced to confront the return of the dominating violence perpetrated against the disavowed others on which they depend. As implied by the current economic impasse – the demand that we both decrease debt and increase credit – it seems increasingly impossible to imagine how we might continue with business as usual. But, while those of us who insist that there must be fundamental transformation are most often accused of utopianism, of not living in the so-called ‘real world,’ it should always be remembered that, if Derrida is correct, it is the prophets of the real world who are committed to continuing our history on the basis of the delusion that we can infinitely indemnify ourselves against the constitutive finitude of our existence.

According to the analysis of indemnity therefore, the only way out of this impasse would be, somewhat paradoxically, to confront, acknowledge and accept the fundamental aporia of our identity. In ‘Force of Law,’ the 1989 address in which Derrida famously countered the suggestion that his philosophy was a form of ethico-political nihilism with the somewhat startling assertion that ‘deconstruction is justice,’ he argued that the condition of ethical engagement consists in ‘the experience of... aporia’ he termed ‘the impossible.’ (FL: 244) Such an experience is necessarily the first gesture of ethical practice because it provides the only possible escape from the abnegating violence which issues from the indemnifying operations of identity, and as such, marks the moment at which we begin to open ourselves to the arrival of the other and the indeterminate future, the emissaries of our temporospatial constitution which Derrida calls the ‘*avenir*,’ or the ‘to come.’ Such an assumption of the experience of ‘the impossible’ is then, for Derrida, the basis by which it becomes possible to incline oneself towards the world with an attitude of ethical

responsibility, the attentiveness to the singular being of others we can understand as characteristic of justice, or care.

In somewhat less elliptical and more pedestrian terms, we can, I would suggest, usefully think of this experience of ‘the impossible’ as a type of courage, but, as suggested in my introduction, precisely not courage as traditionally conceived. Courage understood as the mastery of fear that enables one to respond with defensive assertion to an external threat while, no doubt, still being sometimes necessary, would become, from the perspective of the analysis of indemnity, more of a barrier than a solution to our present predicaments. Rather, what would be required to mount what Judith Butler powerfully calls “an insurrection at the level of ontology” (PL: 33) is the fortitude to recognize our constitutive dependency, with all the vulnerability that implies. As Butler continues, the only “way out of the circle of violence” is through resisting the “foreclosure of alterity,” by which we persistently seek to “reconstitute” our “imagined wholeness...at the price of denying” our “vulnerability...dependency” and “exposure.” (PL: 41)

For Butler, the psychological process most necessary to the acceptance of our vulnerable permeability would be the work of mourning. In one of the essays in the collection *Precarious Life*, reflecting on the events set in motion by the attacks of 9/11, she writes: “I consider our recent trauma to be an opportunity for a reconsideration of...the importance of establishing more radically egalitarian international ties. Doing this involves a certain loss...The notion of the...sovereign entitlement of the United States must be given up, lost, and mourned, as narcissistic and grandiose fantasies must be lost

and mourned. From the subsequent experience of loss and fragility, however, the possibility of making different ties emerges. Such mourning might... effect a transformation... that would crucially articulate the possibility of democratic political culture here and elsewhere.” (PL: 40)

More broadly, perhaps, we could understand the fortitude required to undertake the work of mourning as one crucial element of the courage by which we commit ourselves to assuming the responsibility of our own vulnerability. Such a commitment would still stand, as of old, as a cardinal virtue, but one which promotes, not ever increasing spirals of securitization but rather, as Butler suggests, the possibility of reconstituting a form of ethical engagement with other subjects, states, and the environment which supports us. This is, of course, a far from easy task. It demands from each and every individual the constant confrontation with their own anxiety, the willingness to actively engage the fear and loss and trauma which inevitably accompanies an entity stripped of the shield of its illusory indemnity. But as we cast our eyes backwards, like Walter Benjamin’s angel of history, at the wreckage piling at our feet, or fully experience, as Derrida noted, the “expiring breath” of globalization “blasting the ether of the world,” (FK: 67) we may one day conclude that such a gesture, and the courage to make it, is the best chance we have of opening ourselves, truly, to another future.