

On the Ethics of Surviving Certain Death: A Response to Martin Hägglund

As would be expected from any discussion of Jacques Derrida's work, and in particular, its recent exposition in Martin Hägglund's masterful *Radical Atheism*, the 'survival of certain death' invoked by this paper's title is not the living-on of a mortal individual past the point of death which comes with certainty to us all. As Hägglund has amply demonstrated, under the conditions of constitutive finitude, the desire for immortality conforms to the desire for death, the desire for that which, strictly speaking, is not desirable at all. As critics have noted, Hägglund faultlessly elucidates the Derridean double-bind of constitutive finitude, and his intervention is significant, particularly in marking the reassessment of Derrida as a thinker, not primarily of language, but of the ontological conditions of life. The question Hägglund's excellent exegesis opens, however, is the impact this ontological analysis will have on Derrida's status as an ethico-political thinker, the issue which has largely dominated recent critical discussion. Hägglund contends that imputing ethical intent to deconstruction is fallacious and that Derrida is engaged only in providing ontological description, not ethical prescription. This is an inference I will interrogate in this paper, and I want to propose, contra Hägglund, that we can and should continue to construe the Derridean affirmation of survival as ethically impelled. The basis for this claim is that the critical practice of deconstruction functions to release the chance of living-on as mortal from the certainty of pre-emptive death represented by the positing of ideal identities. That is, deconstruction operates to actively undermine the abnegation of life implied by identitarianism, and

hence opens the possibility of attending to the psychophysical conditions of mortal existence, as properly befits the work of ethics.

In order to clearly, if telegraphically, advance my case, I will decompose Hägglund's thesis of 'radical atheism' into three inter-related arguments. The first, understood as 'the argument from constitutive finitude' represents the flawlessly executed ontological exegesis. The major premise here is that "the ontological status of spacing" (RA: 2) mediated by the trace is "an *absolutely general condition*," (RA: 3) and that, as such, "the tracing of time is the condition of life in general." (RA: 28) Notably, while Hägglund focuses predominantly on 'spacing' or 'tracing,' temporospatial relation as the condition of life could equally well be captured by other Derridean formulations such as '*différance*,' 'iterability,' 'original repetition,' 'arche-writing,' or even, simply 'text.' Furthermore, it should be emphasized – although, significantly, Hägglund does not – that 'spacing' as an ultra- or quasi-transcendental condition is not simply asserted by Derrida, but is, rather, deductively demonstrated by repeatedly reading the imbrication of any identity with its temporospatial others. That is, the fact that any posited identity can be shown to be neither temporally or spatially self-identical indicates that temporospatial relation constitutes the conditions of possibility of being as such. Reading this insight conversely – as the assertion that temporospatial relation is *both* the condition of positing identity *and* also the condition that undermines self-identity – then yields Derrida's famous formulation of the "one aporetic potential that infinitely distributes itself," (FL: 250) viz. 'The conditions of possibility of x being an identity are the conditions of impossibility of x being an identity.'

As Hägglund ably shows, two general conclusions devolve immediately from the diagnosis of this infinite aporia. Firstly, any living being must exist within the conditions of temporospatial relation, is therefore, not self-identical, and is hence, furthermore, necessarily, dependent, vulnerable and exposed to the possibility of death in its very essence. The threat of death is thus the condition of possibility of the chance of life. This is the non-negotiable auto-immune double-bind of constitutive finitude. Secondly, and conversely, any being posited as a pure identity cannot exist within the conditions of temporospatial relation, and must, therefore, conform to the positing of being beyond life. This great beyond can only be conceived as death – the state beyond the conditions of spacing that mark the possibility of any happening – and as such, the desire for identity is shown to equal the desire for death. As Derrida notes in *Of Grammatology*, “a life without *différance*” (OG: 71) or “pure presence itself” would “only be another name for death.” (OG: 155)

Until this juncture, Derrida, Hägglund, Hägglund’s commentators, and myself are all in complete accord. However, we now arrive at the second of Hägglund’s arguments, conceived by him as the central thesis of ‘radical atheism,’ but termed here ‘the argument against identitarianism.’ Following from the observation that to desire identity is to desire death – that which is not strictly desirable – Hägglund argues that identity is something which we *cannot, do not, and moreover, have never,* desired. ‘Radical atheism,’ he writes, “proceeds from the argument that everything that can be desired is mortal in essence,” (RA: 111) and is distinguished by the conviction that “*one cannot want* absolute immunity and that it has never been the aim of desire.” (RA: 149) The question

here is how to read this ‘cannot’ in the brute formulation ‘we *cannot* desire identity.’ This claim must have two valences, although Hägglund does not clearly distinguish them. It consists firstly of the assertion that identity, as an ontological fact, cannot be desired, because it is inherently undesirable, or impossible to desire, and is, in this regard, unproblematically true. However, while the ontological truth of identity is its essential undesirability, we are, nonetheless, surrounded on all sides by innumerable instances of identity actually being desired, whether in the form of God, sovereignty, *eidōs*, ego, reason, substance or homeland security. That is, the phenomenon that, following Butler, we will call ‘identitarianism’ – the act of positing being as pure and perfect identity – is abundantly attested to, both by the history of our metaphysics, and by the past and present performances of the socio-cultural imaginary.

Given this fact, Hägglund’s assertion that ‘we *cannot* desire identity’ can be parsed two ways. Firstly, as the claim that insofar as we posit identity, we do so on the basis of a mistaken or deluded desire, that is, we want identity only in ignorance of its essence as death, and as such, we cannot and do not *really* want it. Alternatively, and more contentiously, Hägglund could be suggesting that we cannot desire identity, and, consequently, do not even actually posit it. That is, the argument for ‘radical atheism’ could potentially yield a refutation of the very existence of identitarianism as a phenomenon. The first reading seems plausible – although we might query the characterization of a mistaken desire as an impossible or non-existent desire. The second reading, however, seems, *prima facie*, absurd. Not only do we have ample instances of the positing of identity, but, moreover, were identitarianism not a real phenomenon, then

deconstructive reading would have no object. That is, the denial of the existence of identitarianism would amount to the denial of the very possibility of deconstruction itself, and Hägglund's magisterial elucidation of Derrida's corpus would issue in the erasure of everything we understand under the signature of Jacques Derrida.

Thus it seems that when Hägglund claims that 'we *cannot* desire identity,' he must mean that when we do desire identity, we are mistaken or deluded. However, there is, unfortunately, at precisely this juncture, a profound opacity in Hägglund's argument. This opacity arises because the inference that identitarianism is not a real phenomenon is implicated in the third strand of Hägglund's thesis, termed here 'the argument against deconstructive normativity.' This argument has two principal vectors, the first consisting of the claim that the deconstructive 'must' is purely descriptive and not in any way prescriptive. Thus, Hägglund argues, when Derrida suggests that "there *must* be exposition to an unpredictable future," or, "there *must* be openness to whoever or whatever comes" he is "not making a normative statement concerning how we should act in relation to the other" but is simply "indicating the ultratranscendental status of his argument." (RA: 31) Misreadings of Derrida which impute ethical intent to his project thus arise, Hägglund suggests, because we fail to recognize that the deconstructive 'must' indicates not a prescription about approaching identities or alterities, but only a logical deduction about the brute fact of identity's ontological condition.

The problem here, as Michael Naas notes, is that Hägglund effectively reduces deconstruction "to a series of ontological claims about the way things simply are" (Naas:

50) thereby eliding both the possibility that identities are posited, and can be exposed through deconstructive reading, and, moreover, putting Derrida in the very un-Derridean position of making unsubstantiated truth claims about the nature of being. This aspect of Hägglund's strategy is exhibited in his deployment of what Naas calls the "language of undermining;" (Naas: 59) his presentation of deconstruction as a type of, to invert Husserl, 'passive analysis.' Thus, according to Hägglund, identities are simply 'self-refuting as such,' (RA: 43, 93) it being the action of spacing alone which "undermines the possibility of anything being *in itself*." (RA: 93) Here Hägglund is suggesting, Naas continues, that Derrida is merely describing a process which "happens of its own accord," (Naas: 51) as if identities simply auto-deconstructed under the weight of their own ontological unsupportability. But if that were the case, how would we then account for the continued presentation of the manifold of posited identities, or the fact that the existence of deconstructive reading requires it to be practiced on an object? Denying the existence of identitarianism is not only empirically implausible, but would, moreover, disallow the very possibility of Derrida demonstrating the major premise of his ontology. Contra the implications of deconstruction-as-description, identities persist, apparently in defiance of their purported self-immolation, and, consequently, deconstruction has to be viewed as an active critical practice exercised on identities in order to expose their untenability. In this sense then, the deconstructive 'must' is at least minimally prescriptive. But given this level of minimal prescription, might we then not ask whether there is some motive – indeed, even an ethical one – for this undertaking?

We here arrive at the second vector of Hägglund's refutation of deconstructive normativity, the claim that deconstruction is not ethically impelled, specifically, for the

purpose of this discussion, insofar as, “what Derrida calls justice is not an ethical ideal.” (RA: 77) In the first instance, Hägglund correctly argues that Derridean justice cannot be read as a regulative ideal in the Kantian sense, because Kantian ideals inhere in noumena; the very possibility of free-will, God, or the immortal soul, being secured exactly by their being posited beyond time and space. Secondly, Hägglund also correctly argues that Derridean justice cannot be equated, as many critics have, with a Levinasian notion of the ethical that posits “the other as primordially Good” or prescribes a “nonviolent relation to him or her.” (RA: 76) For Hägglund, justice, as an ethical ideal in Levinasian terms, would be a “condition” of “absolute peace,” (RA: 78) a proposition clearly untenable to Derrida due to the inherent auto-immunity of constitutive finitude. As Hägglund notes, Derridean justice, is, over-against all possible identities, that which is ‘undeconstructible,’ and hence is, and can only be, constitutive finitude itself. “The undecidable coming of time,” Hägglund writes, is “the undeconstructible condition of justice,” (RA: 42) and consequently, that which “opens the risk that one will have made an unjust decision,” (RA: 41) and renders, *a priori*, undecidable, “whether the encounter with the other will bring about a chance or a threat.” (RA: 91) Thus for Hägglund’s Derrida, “violence is irreducible,” (RA: 97) and consequently, “‘justice’ is not something positive” (RA: 41) but is rather, simply, the condition of “the relation to the other” which “cannot be ethical as such.” (RA: 85) Derridean justice is therefore to be understood, in Hägglund’s memorable formulation, as “the nonethical opening of ethics.” (RA: 88)

Here, once again, Hägglund’s rendering of the logic of Derrida’s argument is exemplary, but the question remains, however, of whether we should consent to the characterization

of constitutive-finitude-as-justice as ‘nonethical.’ Firstly, we would want to note that this characterization is predicated on equating the ethical with a state of absolute non-violence. That is to say that, while carefully distinguishing Derrida from Levinas, Hägglund’s assertion that Derridean justice is nonethical relies on deploying a Levinasian notion of ethics as perfect and perpetual peace. But can the ethical not be thought otherwise? Indeed, I would suggest, Hägglund’s assumptions about the possibilities of ethics are constrained by an almost exclusive focus on the issue of violence. Thus he claims, rather boldly, that “[i]f the other could not be violated or annihilated (and inversely, if the other could not violate or annihilate me) there would be no reason to take responsibility or pursue reflections on ethical problems.” (RA: 89) He here adopts, I would suggest, a traditional – even stereotypically masculine – perspective that conceives justice as singularly concerned with the arbitration of violence and conflicting interest. While the dependency that issues from constitutive finitude opens us always to violence, it is, I would argue, dependency, not violence, which is itself the ground of ethical responsibility. This difference in emphasis is significant, for it allows us to see, turning explicitly to Analytic feminism, that dependency is not a matter only of violence or the protection from violence, but also, at least equi-primordially, of *care*. That is, it is possible to conceive the ethical, and ethical intent, as an attention to the concrete particular needs of embodied, finite beings with whom we are in relations of dependency. In short, ethics is the business of tending to the conditions of the flourishing of mortal life.

What then does this analysis do to the assertion that Derridean justice is nonethical? In the first instance, let us note that the conditions of mortal life are, as we have explored, nothing other than constitutive finitude. That is, the possibility of attending to the needs of finite particular beings is predicated on our capacity to recognize them as such, and not simply subject them to universal juridical calculus, or treat them as emissaries of an accursed other. The machinations of identity – particularly the calculability of law, and the delineation of juridical and moral communities – can thus be seen as active impediments to the realization of ethics-as-care. In this case then, we would argue that the recognition of constitutive-finitude-as-justice, and the concomitant suspension of sovereign law, is the very condition of possibility of ethics. That Hägglund disavows this derives in part from the narrowness of his definition of ethics, and in part because he, at the very least, equivocates about the existence of identitarianism. If deconstruction is not an active critical practice but a ‘passive analysis,’ if identities simply auto-deconstruct of their own volition, then there can be no question of the conditions of constitutive finitude being obscured by the operations of identity. However, if, as we have asserted, identitarianism is alive and well, then deconstruction can be seen as a practice which, in revealing the conditions of constitutive finitude, opens the possibility of justice-as-care, and thus, does real ethical work.

At this juncture, I suspect, Hägglund would be inclined to respond that there is nothing more or less ethical in the recognition of constitutive finitude than in the operations of identity. Both are riven by violence, and moreover, as he has explicitly argued, it would be *a priori* impossible to distinguish between greater and lesser forms of violence, as if

violence could be quantified. (Cf. RA: 83; RA: 105) This is a claim that I would take issue with, not on the basis that we can quantify violence – this is, he rightly argues, untenable – but on the basis that we can meaningfully distinguish between the immediate possibility of violence and the immediate certainty of violence. Returning, as we began, to the question of surviving death. As demonstrated, the condition of constitutive finitude demands that death is an ever-present threat, but, as Derrida repeatedly reiterates, that which comes is undecidable, and the threat of death is, for much our mortal lives, an imminent possibility rather than an imminent certainty. Thus it is that my father, impelled by a bad headache to ask my mother, anxiously, if he is dying, is met with the calm response, ‘Yes dear, but not in an immediate sense.’ By contrast, the positing of identity beyond the conditions of finitude demand that it conforms, without exception, to certain, immediate, and indeed, pre-emptive, death. Thus, at any given moment, the violence of identity is necessary, while that of survival, only possible.

What this means in practice is that where we find absolute identity we find injustice, the process whereby the undecidable conditions of finitude are denied, and the mortal life they represent, sacrificed, in order to pursue an illusory indemnification against the necessary passing of time and the vulnerability it implies. On the contrary, the time of survival, while overlaid with ever-present risk, is not, in all its moments, immediately threatened, and what happens, what comes, in those moments, is the chance of life and the chance to attend to life we call justice. What deconstruction as an ethical practice does, therefore, is encourage resistance to the annihilating gesture of identitarian negativity and its certain abnegation of life, and fix our attention, steadily, on the non-

negotiable conditions of our finitude and the real, pressing, particular requirements of attending to mortal existence. As Derrida reminds us, that which comes will not wait, and justice will demand from us a decision. While Hägglund is surely right that all such decisions are, in principle, subject to the undecidability of time, there is a world – indeed, potentially, a lifetime – of difference between deciding in acknowledgment, or in denial, of that undecidability. We may choose death here and now in order to be certain, but what we will lose, what we will sacrifice, will be the undecidable time of living-on, the possibility of attending to the needs of life, and the very chance of doing justice.

Index of Abbreviations / References

- FL Derrida, Jacques, ‘Force of Law: The ‘Mystical Foundation of Authority’’ in *Acts of Religion*, Ed. Gil Anidjar (London, New York: Routledge, 2002)
- Naas Naas, Michael, ‘An Atheism that (*Dieu merci!*) Still Leaves Something to be Desired,’ in *The New Centennial Review*, 2009, 9(1): 45-68
- OG Derrida, Jacques, *Of Grammatology*, trans. Gayatri Spivak (Baltimore and London: John Hopkins University Press, 1974)
- RA Hägglund, Martin, *Radical Atheism: Derrida and the Time of Life* (Stanford: Stanford University Press, 2008)