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The Ethical Turn of Aesthetics and Politics¹

ABSTRACT

The ethical turn that affects artistic and political practices today should not be interpreted as their subjection to moral criteria. Today, the reign of ethics leads to a growing indistinction between fact and law, between what is and what ought to be, where judgement bows down to the power of the law imposing itself. The radicality of this law is that it leaves no choice, and is nothing but the simple constraint stemming from the order of things. This brings about an unprecedented dramaturgy of infinite evil, justice and redemption that can be traced not only in contemporary politics, but in philosophical reflection and film.

KEYWORDS: Politics, Aesthetics, Ethics, Evil, Justice, Inhuman, Consensus

I.

In order to truly understand what is at stake in the ethical turn that affects aesthetics and politics today, we must first precisely define the meaning of the word 'ethics'. Ethics is indeed a fashionable word. But it is often taken as a simple, more euphonious translation of the old word 'morals'. Ethics is viewed

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as a general instance of normativity that enables one to judge the validity of practices and discourses operating in the particular spheres of judgement and action. Understood in this way, the ethical turn would mean that politics or art are increasingly subjected today to moral judgements about the validity of their principles and the consequences of their practices. There are those who loudly rejoice about such a return to ethical values.

I do not believe that there is so much to rejoice about, because I do not believe that this is actually what is happening today. The reign of ethics is not the reign of moral judgements over the operations of art or of political action. On the contrary, it signifies the constitution of an indistinct sphere where not only is the specificity of political and artistic practices dissolved, but also what was actually the core of the old term morals: the distinction between fact and law, what is and what ought to be. Ethics amounts to the dissolution of the norm into the fact—the identification of all forms of discourse and practice under the same indistinct point of view. Before signifying a norm or morality, the word *ethos* signifies two things: *ethos* is the dwelling and the way of being, the way of life corresponding to this dwelling. Ethics, then, is the kind of thinking which establishes the identity between an environment, a way of being and a principle of action. The contemporary ethical turn is the specific conjunction of these two phenomena. On the one hand, the instance of evaluating and choosing judgement finds itself humbled before the power of the law that imposes itself. On the other hand, the radicality of this law that leaves no other choice is nothing but the simple constraint stemming from the order of things. The growing indistinction between fact and law brings about an unprecedented dramaturgy of infinite evil, justice and redemption.

Two recent films depicting the avatars of justice in a local community can help us understand this paradox. The first is *Dogville* by Lars von Trier (2002). The film tells the story of Grace, the alien girl who, in order to be accepted by the citizens of the small town, places herself in their service, submitting herself first to exploitation, and then to persecution when she tries to escape them. This story transposes the Brechtian fable of Saint Joan of the Stockyards who wanted to impose Christian morality in the capitalist jungle. But the transposition is a very good illustration of the gap between the two epochs. The Brechtian fable was set in a universe in which all notions were divided

in two. Christian morality proved ineffective in combatting the violence of the economic order. It had to be transformed into a militant morality, which took as its criterion the necessities of the struggle against oppression. The right of the oppressed was therefore opposed to the right that was the accomplice of oppression, defended by the strike-busting policemen. The opposition of two types of violence was therefore also that of two morals and two rights.

This division of violence, morality, and right has a name. It is called politics. Politics is not, as is often said, the opposite of morals. It is its division. *Saint Joan of the Stockyards* was a fable about politics that demonstrated the impossibility of a mediation between these two rights and these two types of violence. By contrast, the evil encountered by Grace in *Dogville* refers to no other cause but itself. Grace no longer represents the good soul mystified by her ignorance of the causes of evil. She is just the stranger, the excluded one who wants to be admitted into the community and who is subjected by the community before being rejected by it. Her disillusionment and her narrative of suffering no longer depend on any system of domination that could be understood and destroyed. They depend upon a form of evil that is the cause and the effect of its own reproduction. This is why the only fitting retribution is the radical cleansing exercised upon the community by a Lord and Father who is no one else but the king of thugs. "Only violence helps where violence reigns" was the Brechtian lesson. Only evil repays evil, is the transformed formula, the one that is appropriate for consensual and humanitarian times. Let us translate this into the language of George W. Bush: only infinite justice is appropriate in the fight against the axis of evil.

The expression 'infinite justice' has unsettled a number of people and it has been deemed preferable to quickly withdraw it. It has been said that it was not well chosen. Maybe it was chosen only too well. It is probably for the same reason that the morality of *Dogville* has caused a scandal. The jury at the Cannes film festival accused the film of lacking humanism. This lack of humanism lies without a doubt in the idea of a justice done to injustice. A humanist fiction, in this sense, must be a fiction that suppresses this justice by effacing the very opposition of the just and the unjust. This is precisely the proposition of another film, *Mystic River*, by Clint Eastwood (2002). In this film, Jimmy's crime, the summary execution of his former mate Dave, whom he thinks is guilty of the murder of his daughter, remains unpunished.

It remains the secret kept in common by the guilty and his associate, the policeman Sean. This is because the joint guilt of Jimmy and Sean exceeds what a tribunal can judge. They are the ones who, while they were children, took Dave along in their risky street games. It is because of them that Dave was taken away by men posing as police, locked up and raped. Because of this trauma, Dave became an adult with problems, one whose aberrant behaviour denotes him as the ideal culprit for the murder of the young girl.

Dogville transposed a theatrical and political fable. *Mystic River* transforms a cinematographic and moral fable: the scenario of the falsely accused, illustrated notably by Hitchcock and Lang. In this scenario, truth confronted the fallible justice of tribunals and public opinion, and always ended up winning, at the cost sometimes of confronting another form of fatality.² However, evil today with its innocents and guilty has become the trauma that knows neither innocence nor guilt. It is a state of indistinction between guilt and innocence, between spiritual disease and social unrest. It is within such traumatic violence that Jimmy kills Dave, who is himself the victim of a trauma following a rape whose perpetrators themselves were without doubt victims of another trauma. However, it is not only the scenario of disease that has replaced the scenario of justice. Disease itself has changed its meaning. The new psychoanalytical fiction is strictly opposed to the one that Lang or Hitchcock had drawn on fifty years earlier where the violent or the sick were saved by the reactivation of a buried childhood memory.³ The trauma of childhood has become the trauma of birth, the simple misfortune belonging to every human being for being an animal born too early. This misfortune from which nobody can escape revokes the idea of a justice done to injustice. It does not abolish punishment. But it abolishes its justice. It brings it back to the imperatives of the protection of the social body, which, as we know, always has its few mishaps. Infinite justice then takes the 'humanist' shape of the violence that is necessary for maintaining the order of the community by exorcising trauma.

Many like to denounce the simplistic nature of the psychoanalytical intrigues that are made in Hollywood. These intrigues, though, adapt their structure and tonality quite faithfully to the lessons of professional psychoanalysis. Between the successful cures in Lang and Hitchcock to the buried secret and irreconcilable trauma that Clint Eastwood presents to us, we recognise without

difficulty the movement that goes from the Oedipal knowledge intrigue to the irreducible division of knowledge and law which another great tragic heroine symbolises, namely Antigone. Under Oedipus' sign the trauma was the forgotten event whose reactivation could cure the wound. When Antigone replaces Oedipus in the Lacanian theorisation, a new form of secret is established, one that is irreducible to any saving knowledge. The trauma that is summarised in *Antigone* is without beginning or end. It is the discontents of a civilisation where the laws of social order are undermined by the very thing that supports them: the powers of filiation, of earth and night.

Antigone, said Lacan, is not the heroine of human rights that was created by the modern democratic piety. She is rather the terrorist, the witness of the secret terror at the basis of the social order. As a matter of fact, in political matters trauma takes the name of terror. Terror is one of the master words of our time. It surely designates a reality of crime and horror that nobody can ignore. But it is also a term of indistinction. Terror designates the attacks on New York on 11 September 2001 or Madrid on 11 March 2004, as well as the strategy in which these attacks have their place. However, by gradual extension, this word also comes to designate the shock caused in people's minds by the event, the fear that similar events might recur, the fear that violent acts that are still unthinkable might occur, the situation characterised by such fears, the management of this situation through State apparatuses, and so on. To talk of a war against terror is to connect the form of these attacks with the intimate angst that can inhabit each one of us in the same chain. War against terror and infinite justice then fall within the indistinction of a preventative justice which attacks all that triggers or could trigger terror, everything that threatens the social bond holding the community together. This is a form of justice whose logic is to stop only when terror will have ceased, which, by definition, never stops for us beings who are subjected to the trauma of birth. At the same time, therefore, this is a justice for whom no other justice can serve as a norm, a justice that puts itself above any rule of law.

Grace's misfortunes and Dave's execution illustrate quite well this transformation of the interpretive schemes of our experience that I call the ethical turn. The essential aspect in this process is certainly not the virtuous return to the norms of morality. It is, on the contrary, the abolition of the division

that the very word 'morals' used to imply. Morality implied the separation of law and fact. It implied concurrently the division of different forms of morality and of rights, the division between the ways in which right was opposed to fact. The abolition of this division has one privileged name: it is called consensus. Consensus is also one of the master terms of our time. However, its sense tends to be minimised. Some interpret it as the global agreement of governing and opposition parties over the great national interests. Others see it more broadly as a new style of government that gives precedence to discussion and negotiation to resolve conflicts. Consensus, however, means a lot more—properly understood it signifies a mode of symbolic structuration of the community that empties out the political core that constitutes it, namely dissension. A *political* community is indeed a community that is structurally divided, not divided between diverging interest groups and opinions, but divided in relation to itself. A political 'people' is never the same thing as the sum of a population.⁴ It is always a form of supplementary symbolisation in relation to any counting of the population and of its parts.⁵ And this form of symbolisation is always a litigious one. The classical form of political conflict opposes several 'peoples' in one: there is the 'people' that is inscribed in the existing forms of the law and the constitution, 'the people' that is embodied in the State, the one that is ignored by this law or whose right the State does not recognise, the one that makes its claims in the name of another right that is still to be inscribed in facts. Consensus is the reduction of these different ways of being the 'people' into a single one, one that is identical with the counting of the population and of its parts, and with the counting of the interests of the global community and of its parts.

Since it strives to reduce the people to the population, consensus strives in fact to reduce right to fact. Its incessant work is to fill in all these intervals between right and fact through which the right and the people divide themselves. The political community thus tends to be transformed into an *ethical* community, the community of only one single people in which everyone is supposed to be counted. Only this counting stumbles over the problematic remainder that it terms 'the excluded'. However, one has to realise that this term itself is not univocal. The excluded can mean two very different things. In the political community, the excluded is a conflictual actor who includes him or herself as a supplementary political subject, carrying a right not yet recognised or witnessing the injustice of the existing right. In the ethical

community, this supplement is no longer supposed to take place since everyone is included. The excluded, therefore, has no status in the structuration of the community. On the one hand, he or she is simply the one who accidentally falls outside the great equality of all: the sick, the retarded or the forsaken to whom the community must stretch its hand in order to re-establish the 'social bond'. On the other, he or she becomes the radical other, the one who is separated from the community for the simple fact that he or she is alien to it, that he or she doesn't share the identity that binds each to all, and that he or she threatens the community in each of us. The depoliticised national community then constitutes itself like the small society in *Dogville*, in the duplicity of the social services of proximity and the absolute rejection of the other.

A new international landscape corresponds to this new figure of the national community. Ethics has established its reign here, too, initially in the form of the humanitarian, and then in the form of infinite justice against the axis of evil. It has done this through a similar process of increasing indistinction between fact and right. On national stages this process signifies the disappearance of the intervals between right and fact through which dissension and political subjects were constituted. On the international stage, this process has translated into the disappearance of right itself, with the right to intervene and targeted assassinations its most visible expressions. This disappearance, though, occurred through a detour. It implied the constitution of a right beyond all rights, the absolute right of the victim. This constitution, itself, implies a significant overturning of what is, in a way, the right of right or its meta-juridical foundation—human rights. The latter have been subjected to a strange transformation in the last twenty years. For a while, they had been the victim of the Marxist suspicion towards 'formal' rights, but had been rejuvenated in the 1980s through the dissident movements in Eastern Europe. The collapse of the Soviet system at the turn of the 1990s seemed to open the way for a world where a different national consensus would be turned and extended into an international order based on these rights. As we know, this optimistic vision was immediately belied by the new ethnic conflicts and the new wars of religion. Human rights had been the weapon of dissidents who were opposing another people to the one their governments pretended to incarnate. They then became the rights of populations who were the victims of the new ethnic wars, the rights of individuals driven away

from their destroyed homes, of women raped and men massacred. They became the specific rights of those who were unable to exercise those rights. As a result, the following alternative presented itself: either these human rights no longer meant anything, or they became the absolute rights of those without rights, that is to say rights demanding a response which was itself absolute, beyond all formal, juridical norms.

However, this absolute right of those without rights could be exercised only by an other. It is this transfer that was first called humanitarian right and humanitarian war. In a second step, the humanitarian war against the oppressor of human rights became the infinite justice exercised against that invisible and omnipresent enemy who came to threaten the defender of the absolute right of victims on its own territory. The absolute right then identified with the simple demand for the security of a factual community. The humanitarian war becomes an endless war against terror: a war that is not one, but a mechanism of infinite protection, a way of dealing with a trauma elevated to the status of a civilisational phenomenon.

We are no longer then in the classical frame of a discussion on ends and means. The latter distinction collapses with the same indistinctions between fact and right, or cause and effect. What is opposed to the evil of terror then is either a lesser evil, the simple conservation of what is, or of waiting for a salvation that would come from the very radicalisation of catastrophe.

This reversal in political thinking has lodged itself in the heart of philosophical thinking under two guises: either the affirmation of a right of the Other which philosophically founds the right of peace-keeping forces or the affirmation of a state of exception which makes politics and right inoperative and only leaves the hope of a messianic salvation rising from the bottom of hopelessness. The first position was well summarised by Jean-François Lyotard in a text which, significantly, is entitled "The Other's Rights."⁶ This text responded, in 1993, to a question posed by Amnesty International: what do human rights become in the context of humanitarian intervention? In his response, Lyotard gave the 'other's rights' a meaning which sheds light on what ethics and the ethical turn mean. Human rights, he explained, cannot be the rights of the human as human, the rights of the naked human being. The argument, at its core, is not new. It had been used successively in critiques by Burke, Marx

and Arendt. The naked human, the apolitical human, they had shown, is without rights. He/she must be something other than a 'human' in order to have rights. This 'other than human' has historically been called 'citizen'. The duality of the human and the citizen has historically informed two things: the critique of the duplicity of these rights that are always somewhere other than where they should be, and political action that installs different forms of dissension in the gap between the human and the citizen.

However, at the time of consensus and humanitarian action, this 'other than human' undergoes a radical mutation. He is no longer the citizen who complements the human. He is the inhuman who separates him from himself. In the violations of human rights that are described as inhuman, Lyotard sees the consequences of the lack of acknowledgement of another 'inhuman', a positive inhuman, one is tempted to say. This 'inhuman' is that part of ourselves that we do not control, a part that takes on several figures and several names: the dependence of the child, the law of the unconscious, the relationship of obedience towards an absolute Other. The 'inhuman' is that radical dependence of the human towards an absolutely other whom he cannot master. The 'right of the other' then is the right to witness this subjection to the law of the other. The violation of this right, according to Lyotard, starts with the will to master that which cannot be mastered. That will is supposed to have been the will of the Enlightenment and of the Revolution, and the Nazi genocide is supposed to have accomplished it by exterminating the very people whose vocation it is to bear witness to the necessary dependence on the law of the Other. And that will is supposed to continue today in the soft version of the society of generalised consumption and transparency.

Two features thus characterise the ethical turn. First of all, it is a reversal of the flow of time: time turned towards the end to be realised—progress, emancipation, or the other—is replaced by time turned towards the catastrophe that is behind us. And it is also a levelling of the very forms of that catastrophe. The extermination of the European Jews then appears as the explicit form of a global situation, which also characterises the everyday of our democratic and liberal existence. This is what Giorgio Agamben's formula summarises: the camp is the *nomos* of modernity, that is to say, its place and its rule, a rule which is itself identical to radical exception. Undoubtedly, Agamben's and Lyotard's perspectives are different. The former founds no right of the other.

On the contrary, he denounces the generalisation of a state of exception and calls for the messianic waiting of a salvation rising from the very depths of catastrophe. His analysis, however, summarises well what I call the 'ethical turn'. The state of exception is a state that erases the difference between henchmen and victims, as well as between the extremity of the crime of the Nazi State and the everyday life of our democracies. The true horror of the camps, writes Agamben, more so than the gas chamber, is the football match, which in the empty hours, opposed the SS and the Jews of the *Sonderkommando*.⁷ That game is replayed every time we turn on our televisions to watch a football match. All differences are erased in the law of a global situation. The latter appears as the accomplishment of an ontological destiny that leaves no room for political dissension and expects salvation only from an improbable ontological revolution.

II. The 'Ethical Turn' and Aesthetics

This gradual disappearance of the differences of politics and right in an ethical indistinction also defines the present state of the arts and aesthetic reflection. In the same way that politics fades away in the couplet constituted by consensus and infinite justice, arts and aesthetic reflection tend to redistribute themselves between a vision of art dedicated to the service of the social bond and another that de-dedicates it to the interminable witnessing of the catastrophe.

The creative arrangements with which art intended to bear witness to the contradiction of a world marked by oppression a few decades ago, today point to a common ethical belonging. Let us compare for example two works exploiting the same idea, thirty years apart. At the time of the Vietnam war, Chris Burden created his *Other Memorial*, dedicated to the dead on the other side, the thousands of Vietnamese victims without names and without monument. On the bronze plaques of his monument, he had given names to these anonymous people: the Vietnamese-sounding names of other anonymous people, which he had copied randomly from the phonebook. Thirty years later, Christian Boltanski presented an installation entitled *Les Abonnés du Téléphone (People in the Phonebook)*: an installation consisting of two large sets of shelves with phonebooks from around the world and two long tables where visitors could sit down and consult them at their leisure. The installations of today thus rely formally on the same idea as the counter-monuments

of yesterday. They are still about anonymity. However, the mode of material realisation and the political signification are completely different. This is no longer one monument against another. It is a space that counts as *mimesis* of the common space. And whilst the purpose yesterday was to simultaneously give back names and lives to those who had been deprived of them by State power, today's anonymous people are simply, as the artist says, 'specimens of humanity' with whom we are caught in a large community. Boltanski's installation is, therefore, a good summary of the spirit of an exhibition that intended to be the encyclopaedia of a century of common history—a uniting memory landscape, opposite to yesterday's installations, which intended to divide. Like many contemporary installations, Boltanski's was still making use of the procedure which, thirty years earlier, had been the method of a critical art: the systematic introduction of the objects and images of the world in the temple of art. But the meaning of this mixing has changed radically. Previously, the encounters between heterogeneous elements were meant to underline the contradictions of a world marked by exploitation and question the place of art and its institutions in this conflictual world. Today, the same gathering is stated as the positive operation of an art that has been put in charge of the functions of archiving and of bearing witness to a common world. This gathering then is in keeping with a state of art marked by the categories of consensus: to return the lost meaning of a common world or to repair the cracks in the social bond.

Such an aim can be explicitly expressed, for example, in the program of a relational art intending above all to create situations of proximity, allowing for the elaboration of new forms of social bonds. However, it can be felt far more strongly in the change of meaning affecting the very same artistic procedures put to work by the same artists: for example the technique of collage used by the same *cinéaste*. Throughout his career, Jean-Luc Godard repeatedly resorted to the collage of heterogeneous elements. However, in the 1960s, he did so in the form of the clash of opposites. This was notably the clash between the world of 'high culture' and the world of the commodity: *The Odyssey* filmed by Fritz Lang and the brutal cynicism of the producer in *Contempt*; Elie Faure's *History of Art* and the advertisement for *Scandale* corsets in *Pierrot le Fou*; the small calculations of Nana the prostitute and the tears of Dreyer's *Joan of Arc* in *Vivre sa Vie (Living One's Life)*. His cinema of the 1980s remains apparently faithful to this principle of the collage of

heterogeneous elements. The form of collage, though, has changed: the clash of images has become their fusion. And that fusion testifies simultaneously to the reality of an autonomous world of images and to its community-building power. From *Passion* to *Eloge De l'Amour* (In Praise of Love), or from *Allemagne 90 Neuf* (Germany 90 Nine) to his *Histoires Du Cinéma* (Histories of Cinema), the unforeseeable encounter of cinema shots with paintings of the imaginary Museum, the images of the death camps and the literary texts taken against their explicit meaning, constitute one and the same kingdom of images devoted to only one task: to give back to humanity a 'place in the world'.

Therefore, polemical artistic apparatuses tend to move towards a function of social mediation. They become the testimonies or the symbols of participation in an indistinct community, presented in the perspective of a restoration of the social bond or the common world. Moreover, the polemical violence of yesterday tends to take on a new face. It is radicalised into the witnessing of the non-representable, and of infinite evil and catastrophe.

The non-representable is the central category of the ethical turn in aesthetic reflection, to the same extent that terror is on the political plane, since it is also a category of indistinction between right and fact. In the idea of the non-representable, two notions come together—an impossibility and an interdiction. To declare that a topic is non-representable through the means of art is in fact to say several things at once. It might mean that the specific means of art, or of one particular art, are not appropriate for its singularity. This is the sense in which Burke once declared the description of Lucifer by Milton in *Paradise Lost* as non-representable in painting. This is because its sublime aspect depended upon the duplicitous play of words that do not really let us see what they pretend to show us. However, when the pictorial equivalent of the words is exposed to sight, as in the *Temptations of Saint Antoine* of the painters, it becomes a picturesque or grotesque figure. This was also the argument in Lessing's *Laocoon*: the suffering of Virgil's *Laocoon* was non-representable in sculpture because its visual realism divested art of its ideality by divesting the character of his dignity. Extreme suffering belonged to a reality that was, in principle, excluded from the art of the visible.

Clearly this is not what is at stake when one attacks the American television series *Holocaust* in the name of the non-representable. This series caused much

controversy twenty years ago by presenting the genocide through the story of two families. Nobody claims that the vision of a 'shower room' brings laughter, but what is claimed is that one cannot make a film about the extermination of the Jews by presenting fictional bodies imitating the henchmen and the victims of the camps. This declared impossibility, in fact, hides an interdiction. But that interdiction itself mixes two things: a proscription that bears on the event and a proscription bearing on art. On the one hand, one says that what has been practised and suffered in the extermination camps forbids one to offer an imitation of it for aesthetic pleasure. On the other hand, it is said that the unheard-of event of the extermination calls for a new art, an art of the non-representable. One then associates the task of that art with the idea of an anti-representative demand giving its norm to modern art as such.⁸ One thus establishes a direct line from Malevitch's *Black Square*, signing the death of pictorial figuration, to the film *Shoah* by Claude Lanzmann, which deals with the non-representability of the extermination.

However, one has to ask in what sense this latter film belongs to an art of the non-representable. Indeed, like all other films, it shows us characters and situations. Like many others, it puts us straight into the setting of a poetic landscape, in this case a river meandering in the fields on which a boat rocks to the rhythm of a nostalgic song. And the director himself introduces this idyllic episode through a provocative sentence asserting the fictional nature of the film: "This story starts in our time, on the banks of the river Ner in Poland." The alleged non-representable cannot therefore signify the impossibility of using fiction to account for an atrocious reality. This is very different from the argument of *Laocoon*, which relied upon the distance between real presentation and artistic representation. On the contrary, it is because everything is representable, and nothing separates fictional representation from the presentation of reality, that the problem of the presentation of the genocide is posed. This problem is not to know whether one can or cannot represent, but to know what one wants to represent and what mode of representation one must choose for this aim. The essential feature of the genocide for Lanzmann, though, is the gap between the perfect rationality of its organisation and the inadequacy of any explanatory reason for that programming. The genocide is perfectly rational in its execution. It has foreseen even the disappearance of its traces. But this rationality itself does not depend on any sufficient rational linkage of cause and effect. It is this gap between

two rationalities which makes fictions like *Holocaust* inadequate. It shows us the transformation of ordinary persons into monsters, and of respected citizens into human rubbish. It thus obeys the classical representative logic whereby characters are in conflict with each other on the basis of their personalities, the aims they pursue, and the ways in which they are transformed according to the situations in which they find themselves. However, such logic is destined to miss both the singularity of this rationality and the singularity of its absence of reason. By contrast, another type of fiction proves to be perfectly appropriate for the 'story' that Lanzmann wants to tell: the fictional inquiry of which *Citizen Kane* is the prototype—the form of narration which turns around an unfathomable event or character and attempts to grasp its secret at the risk of encountering only the nothingness of the cause or the secret's lack of meaning. In the case of Kane, the snow of a glass ball, and a name on a child's slay. In the case of the Shoah, it is an event beyond any cause that could be rationally reconstructed.

Shoah is therefore not opposed to *Holocaust* as an art of the non-representable opposed to an art of representation. The rupture with the classical order of representation is not the advent of an art of the non-representable. On the contrary, it is a liberation in regards to these norms which forbade the representation of Laocoon's suffering, or the sublime aspect of Lucifer. It was these norms of representation that defined the non-representable. They forbade the representation of certain spectacles and demanded to choose a particular type and form for every type of subject. The classical order of representation forced the deduction of actions from the psychology of the characters and from the circumstances of the situation, according to the plausible logic of psychological motivations and the linkage of causes and effects. None of these prescriptions applies to the kind of art to which *Shoah* belongs. What opposes the old logic of representation is not the non-representable. It is, on the contrary, the suppression of any boundary limiting the choice of representable subjects and the ways of representing them. An anti-representative art is not an art that no longer represents. It is an art which is no longer limited in the choice of representable subjects or in the means of representation. This is why it is possible to represent the extermination of the Jews without having to deduce it from any motivation that could be attributed to characters or from any logic of situations, without having to show gas chambers, or scenes of extermination, henchmen or victims. And this is also why

an art representing the exceptional character of the genocide without extermination scenes is contemporary to a type of painting made up only of lines and squares of colour as well as to an art of installations, simply re-exhibiting some objects or images borrowed from the world of the commodity and ordinary life.

In order to argue in favour of an art of the non-representable, one therefore has to make that non-representable come from somewhere other than from art itself. One has to let the forbidden and the impossible coincide, which supposes two violent theoretical gestures. One has to introduce the religious interdiction into art by transforming the interdiction against representing the Jewish God into the impossibility of representing the extermination of the Jewish people. And one has to transform the surplus of representation stemming from the collapse of the representative order into its opposite: a lack or an impossibility of representation. This supposes a construction of the concept of artistic modernity, which lodges the forbidden within the impossible, by making modern art as a whole an art constitutively dedicated to the witnessing of the non-representable.

One concept in particular has been used extensively for that operation: the 'sublime'. Lyotard re-elaborated it for that purpose.⁹ In order to do that, Lyotard had to invert not only the meaning of the anti-representative rupture, but also the very meaning of the Kantian sublime. To put modern art under the concept of the sublime is to transform the illimitation of the representable and of the means of representation into its opposite: the experience of a fundamental disagreement between sensible materiality and thought. It is to identify at the outset the game of art's operations with a dramaturgy of the impossible demand. However, the meaning of that dramaturgy is also inverted. For Kant, the sensible faculty of the imagination experienced the limits of its agreement with thinking. Its failure marked its own limitation and opened up the 'illimitation' of reason. Simultaneously, it signalled the passage from the aesthetic to the moral sphere. Lyotard makes this passage beyond the realm of art the very law of art. But he does this at the cost of inverting the roles. It is no longer the sensible faculty, which fails to obey the demands of reason. On the contrary, it is spirit that is faulted, summoned to pursue the impossible task of approaching matter, of seizing sensible singularity. But this sensible singularity itself is in fact reduced to the indefinitely

reiterated experience of the one and only debt. The task of the artistic avant-gardes consists, then, in repeating the gesture, inscribing the shock of an alterity which at first seems to be that of sensible quality, and ends up being identified with the intractable power of the Freudian 'Thing' or of the Mosaic law. This is what the 'ethical' transformation of the sublime means: the joint transformation of aesthetic autonomy and of Kantian moral autonomy into the one and the same law of heteronomy, into the one and the same law in which the imperious command is identical to radical factuality. The gesture of art thus consists in bearing witness indefinitely to the infinite debt of spirit towards a law that is just, as well as to the order of Moses' God as the factual law of the unconscious. The fact of matter's resistance becomes the submission to the law of the Other. But this law of the Other is, in its turn, only the subjection to the condition of being born too early.

This overturning of aesthetics into ethics is certainly not to be understood in the terms of a postmodern becoming of art. The simplistic opposition of the modern and the postmodern prevents us from understanding the transformations of the present situation and what is at stake in them. It makes one forget that modernism itself has only ever been a long contradiction between two opposed aesthetic politics. However, these two opposed politics originate from a common core, in which the autonomy of art is linked to the anticipation of a community to come, therefore linking this autonomy to the promise of its own suppression. The very word *avant-garde* designated the two opposing forms tying together the autonomy of art and the promise of emancipation that was included in it, sometimes in a more or less confused way, at other times in a way that more clearly showed their antagonism. On the one hand, the avant-garde had been the movement aiming to transform the forms of art, making them identical to the forms of the construction of a new world where art no longer exists as a separate reality. On the other hand, it had also been the movement preserving the autonomy of the artistic sphere from any form of compromise with the practices of power and of political struggle, or from any compromise with forms of the aestheticisation of life in the capitalistic world. On the one hand, the futurist or constructivist dream of an auto-suppression of art in the formation of a new sensible world; on the other hand, the struggle to preserve the autonomy of art from all the forms of aestheticisation of the commodity and power. Such a struggle aims to preserve

this autonomy not as the pure enjoyment of art for art's sake, but on the contrary, as the inscription of the unresolved contradiction between the aesthetic promise and the reality of a world of oppression.

One of these politics got lost in the Soviet dream, even though it continues to survive in the more modest contemporary utopias of the architects of new cities, of designers reinventing a community on the basis of new urban design, or the 'relational' artists introducing an object, an image or an unusual inscription in the landscapes of difficult suburbs. This is what one might call the *soft* version of the ethical turn of aesthetics. The second was not abolished by some kind of postmodern revolution. The postmodern carnival has really only ever been the smokescreen hiding the transformation of the second modernism into an 'ethics' that is no longer a softer and socialised version of the aesthetic promise of emancipation, but its pure and simple inversion. This inversion no longer links what is proper to art to a future emancipation, but to an immemorial and never-ending catastrophe.

This is what is truly indicated by the current discourse devoting art to the non-representable and the witnessing of yesterday's genocide, the never-ending catastrophe of the present or the immemorial trauma of civilisation. Lyotard's aesthetic of the sublime summarises this overturning in the most succinct way. Following in Adorno's footsteps, he calls on the avant-garde to indefinitely retrace the separation between proper art works and the impure mixtures of culture and communication. But this is no longer in order to preserve the promise of emancipation. On the contrary, it is in order to indefinitely attest to the immemorial alienation that transforms every promise of emancipation into a lie, which can only be realised in the form of the infinite crime, to which art responds through a 'resistance' that is nothing but the infinite work of grieving.

The historical tension between the two figures of the avant-garde therefore tends to vanish in the ethical couple of an art of proximity dedicated to the restoration of the social bond and an art witnessing the irremediable catastrophe at the very origin of that bond. This transformation reproduces exactly the other transformation according to which the political tension of right and fact vanishes in the couple made up by the consensus and infinite justice done to the infinite evil. One is tempted to say that contemporary ethical

discourse is only the point of honour given to the new forms of domination. This, however, misses an essential point: if the *soft* ethics of consensus and the art of proximity are the accommodation of the aesthetic and political radicality of yesterday to contemporary conditions, then the hard ethics of infinite evil and of an art devoted to the never-ending grieving of the irremediable catastrophe, appears to be, by contrast, the exact overturning of that radicality. What enables that overturning is the conception of time which ethical radicality has inherited from modernist radicality, the idea of a time cut in two by a decisive event. That decisive event has for a long time been that of the revolution to come. In the ethical turn, this orientation is strictly inverted: history is now ordered by a cut in time according to a radical event that is no longer in front of us, but behind us. If the Nazi genocide has lodged itself at the heart of philosophical, aesthetic and political thinking, forty or fifty years after the discovery of the camps, then the reason for this lies not just in the silence of the first generation of survivors. Around 1989 it took the place of the revolutionary heritage, at the time of the collapse of its last vestiges, which up until then, had linked political and aesthetic radicality to a cut in historical time. It has taken the place of the cut in time that was necessary for that radicality, at the cost of inverting its sense, of transforming it into the already occurred catastrophe from which only a god could save us.

I do not mean to say that politics and art are today totally subjected to that vision. One could easily object to this by citing forms of political action and artistic intervention that are independent from or hostile to that dominant current. And that is exactly how I understand it: the ethical turn is not an historical necessity. For the simple reason that there is no historical necessity whatsoever. But this movement takes its strength from its capacity to recode and invert the forms of thought and the attitudes which yesterday aimed for a radical political or aesthetic change. The ethical turn is not the simple appeasement of the dissension between politics and art in the consensual order. It appears rather to be the ultimate form taken by the will to make this dissension absolute. Adorno's modernist rigour that wanted to purify the emancipatory potential of art from any compromise with cultural commerce and aesthetised life becomes the reduction of art to the ethical witnessing of the non-representable catastrophe. Arendt's political purism, which pretended to separate political freedom from social necessity, becomes the legitimisation

of the necessities of the consensual order. The Kantian autonomy of the moral law becomes the ethical subjection to the law of the Other. Human rights become the privilege of the avenger. The epos of a world cut in two becomes the war against terror. But the central element in this overturning is without a doubt a certain theology of time, the idea of modernity as a time devoted to the fulfilment of an internal necessity, yesterday glorious, today disastrous. This is the conception of a time cut in two by a founding event or by an event to come. Stepping out of today's ethical configuration, returning the inventions of politics and art to their differences entails rejecting the phantasm of their purity, giving back to these inventions their status as always being ambiguous, precarious, litigious cuts. This necessarily entails divorcing them from any theology of time, from any thought of a primordial trauma or a salvation to come.¹⁰

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Translated by Jean-Philippe Deranty

Notes

- ¹ From *Malaise dans l'Esthétique*, Paris, Galilée, 2004, pp. 143-173.
- ² See Alfred Hitchcock, *The Wrong Man* (1957); Fritz Lang, *Fury* (1936) and *You Only Live Once* (1937).
- ³ Alfred Hitchcock, *The House of Dr Edwards* (1945), Fritz Lang, *The Secret behind the Door* (1948).
- ⁴ Translator's note: 'People' translates the French word 'le peuple', the community that is, ideally, the political subject in the democratic regime. Taken in this specific, political-philosophical sense, it is acceptable to count different types or meanings of the 'people', and to refer to those different kinds in the plural, as in John Rawls' *The Law of Peoples*.
- ⁵ Translator's note: The notion of a 'counting of the population', '*le compte de la population*', is a key concept in Rancière's political philosophy: it designates an exhaustive, objective description of the community which the fractured practice of politics puts in question.
- ⁶ J.-F. Lyotard, "The Other's Rights" in *On Human Rights. The Oxford Amnesty Lectures*, eds. S. Shute and S. Hurley, New York, Basic Books, 1993, pp. 136-147.
- ⁷ G. Agamben, *Remnants of Auschwitz: The Witness and the Archive*, trans. D. Heller-Roazen, New York, Zone Books, 1999.

- ⁸ See Gérard Wacjman, *L'Objet du Siècle*, Paris, Verdier, 1998.
- ⁹ Translator's note: This sentence refers to a previous chapter. The next sentence was deleted as it just refers to that previous chapter.
- ¹⁰ This text was presented in March 2004 in Barcelona, at the Forum of the Caixa dedicated to the "Geographies of Contemporary Thought."

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