
DERRIDA, DEMOCRACY, AND AMERICA

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Jacques Derrida was from the beginning committed to addressing the ethical and political dimensions of his work, but only in the 1980s did he turn directly and explicitly to the political. “The late Derrida” therefore became the more or less apposite designation for the most publicly engaged stage of his career. Among the various recurrent subjects of his analysis was the future of democracy in a post-national context as well as a certain futurity that, according to Derrida, should be inscribed in the very concept of democracy. It is precisely this double concern with democracy that is the driving force behind *Voyous* (translated into English as *Rogues* and published last year), the last major book of Derrida’s lifetime.¹ Not surprisingly—given the title—it touches on American politics after what we have come to call “September 11th.”

In the first essay of *Rogues*, Derrida explicitly remarks that his reflections circle around the theme of democracy *in* America, or, strictly speaking: democracy *and* America.² The conjunction indicates not only a tension between the two in an age of so-called globalization, but also suggests that America is implicated in aporias of democracy that are not specifically American. Because of America’s embeddedness in the thinking of these aporias, Derrida’s analysis of the tense relationship between America and democracy in globalized conditions differs fundamentally from Jürgen Habermas’s, with whom he nevertheless joined politically in the aftermath of September 11th, actively supporting him in proposing European responsibility in the face of American unilateralism.³ It is Derrida’s most original contribution to

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¹ JACQUES DERRIDA, *VOYOUS: DEUX ESSAIS SUR LA RAISON* (2003), translated in *ROGUES. TWO ESSAYS ON REASON* (Pascale-Anne Brault & Michael Naas trans., Stanford Univ. Press 2005) [hereinafter *ROGUES*].

² See *ROGUES*, *supra* note 1, at 14.

³ Jacques Derrida & Jürgen Habermas, *Unsere Erneuerung. Nach dem Krieg: Die Wiedergeburt Europas*, *FRANKFURTER ALLGEMEINE ZEITUNG* (F.R.G.), May 31, 2003, at 33. For an insightful comparison between Habermas’s and Derrida’s thinking in this context see Rodolphe Gasché, “*In the Name of Reason*”: *The Deconstruction of Sovereignty*, 34 *RES. IN*

the contemporary thinking of the political to have highlighted the aporetic demands that structure the concept and practice of democracy. Following the lines of aporetic thought in his previous writing, in *Rogues*, Derrida unfolds his study of democracy in/and America around the notion of autoimmunity.

The logic of autoimmunity being used in this analysis is that of a quasi-transcendental schema⁴ that goes far beyond the political application of the biological, from which it is taken. Rather than referring to a (biological or political) *disorder* in the course of which an organism (individual or state) tends, in a suicidal fashion, to destroy its own immune system, Derrida uses the term and the process it describes to refer to a certain logic that no democracy can avoid, and for which no democratic system has the cure. Certainly autoimmunity utters neither the first nor the last word on democracy, but democracies cannot pass it by, and what is more, it binds democracy to its own advent.

What, then, is the democratic lesson to be learned from Derrida's usage of the term autoimmunity? First, it focuses not so much on the friend-enemy distinction, which is the main question of immunity as well as that of Schmitt's notion of the political, but it shifts our attention to the "auto," the collective self, and thus to the problem of sameness that is at the heart of democracy's claim to equality—necessarily so. Consider, for example, the dominant role of multiculturalism (in universities and elsewhere) in which tolerance and respect for otherness is based on the assumption that they who are other are basically like us. The most disturbing political issue seems to be not that of recognition of the other but that of recognition of the imperialism of the same. The democratic reference to the other, the recognition of its freedom and its otherness, is always already implicated in its opposite: the expulsion of the other in the name of an equality that is defined by similarity.

In this context, the autoimmunizing process of democracy is related to a spatial operation of exclusion, which is at the same time, as Derrida points out, an expulsion of democracy under the plea of securing its democratic character. In other words: democracy is securing itself by restricting itself, thereby threatening its own principles. This is why democracy is never really what it is. It is never itself. The autoimmunizing process of democracy is therefore linked to an operation in time: it works as a postponement of a democracy that would be identical with its idea. According to Derrida, there is no such thing as *the one* democratic idea. Anyone can claim to speak on behalf of a true democracy. This is what Plato—with critical intent of course—called the licentiousness of democracy. Derrida has always been stressing this lack of restraint in democracy's very concept. For

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⁴ See Gasché, *supra* note 3, at 298.

this reason, in *Rogues*, Derrida locates his notion of an impending democracy neither in the realm of the constitutive (as in Plato) nor in that of the regulative (as in Kant).⁵ According to Derrida, democracy is what it is only in the mode of what he called *différance*; that is to say, democracy only exists in the mode of differing from itself and this alone can keep it open to the yet to come.

Now, if Derrida describes the events after September 11th as a process of autoimmunization, it is to give a recent and graphic example of a logic that lies at the heart of each democracy. Graphic it is, indeed. We can see how the American administration, under the plea of acting against an anti-democratic “axis of evil,” obviously restricts democratic freedoms and violates democratic rights in its own country. On the other hand, Derrida writes, it is perhaps because the United States has inhabited a largely democratic legal culture that it could open itself to immigrants and expose its most vulnerable side to them, for example, to trainee pilots who later used the skills they learned on American ground against the country itself.⁶ For Derrida, neither the risk that lies in democracy’s consideration of everyone as equally free nor the autoimmunizing impulse to secure democracy against such a risk by defining who should count as an equal part of democracy can be avoided. The counter-rotating character of these two dangers is a symptom of democracy’s constitutive and—as Derrida says—“diabolic couple” of freedom and equality that is also a couple of two equalities: equality of everyone in freedom and equality of the same.⁷ According to Derrida, this double character of equality is at the same time a threat to and an opportunity for democracy. It offers the possibility of democracy insofar as it is only because of the democratic search for equality that incalculability, incommensurability, and singularity are allowed onto the political stage. It is at the same time a threat to democracy insofar as the democratic search for equality is never free from the autoimmunizing logic that tends to neutralize any singularity in the name of the same.

The central political issue at stake in Derrida’s concept of the differential structure of equality is the constitution of the *demos* of democracy. This is all the more urgent a question at the level of world politics. In this context the image of autoimmunity is explicitly linked to the issue of life, not in the sense of species being, but with regard to the political distinctions between the living and its other (be it culture or death), namely, distinctions and oppositions that are at work in any constitution of a social body. “In this sense,” Derrida writes, “if autoimmunity is *physiological*, *biological*, or *zoological*, it precedes or

⁵ ROGUES, *supra* note 1, at 37.

⁶ *Id.* at 40.

⁷ *Id.* at 48.

anticipates all these oppositions.”⁸ Hence, autoimmunity describes a logic that also precedes any thinking of the human species and something like its collective immune system. If deconstruction opens onto a thinking of life, of the living of life, it is a thinking that precedes this type of question in order to ask for its preconditions; for example, what counts as human with regard to the term human species, or with respect to the term human rights?

Consequently, Derrida repeatedly points to the fact that the figure of the rogue connotes an animal, namely, the rogue elephant: a wild and evil animal that is characterized as roguish because it behaves against the rules of its animal community. Inversely, the rogue is often called bestial because he (and in most cases it is a “he”) operates outside a given law. (Think of Saddam Hussein’s reputation as the “beast of Baghdad” for example.) Now, Derrida connects the uncivilized barbarity of the rogue to the problem of democratic sovereignty. For the rogue is not only a man of the mob, a most common representative of the common people, but he is also a revolutionary figure who challenges state power as he lays claim to a counter-sovereignty that competes with that of the legal, or seemingly legal, state. The same structure recurs on an international level with regard to the rogue state and its relationship to the complex interplay of the U.S.A., United Nations, UN Security Council, NATO, G8, IMF, World Bank, etc. But, “rogue” is also an *attribution*, used to denounce a person, or a state, and it is an attribution that, not unlike the attribution “terrorist,” amounts to a legal citation, an attribution moreover that is itself a sovereign act. Derrida quotes Robert Litwak, former member of Clinton’s National Security Council: “A rogue state is basically whomever the United States says it is.”⁹ According to Derrida, it is already with a corresponding sovereign performative that the United States turns into a rogue state itself. For there is, Derrida says, no sovereignty without violence, without the right of the strong, of which justification lies only in having power over others. Now, to link the problem of “rogue states” and “international terrorism” to the general structure of sovereignty obviously leads to an account of so-called “rogues” and so-called “terrorists” that is as non-moralistic as one might get in a time of terror. As a consequence of this, Derrida not only points to the fact that the figure who appears as a “terrorist” from one perspective might be praised as a “freedom fighter” from another, or that the state which claims to represent and defend democracy betrays it in some roguish manner, but he also points to the consequence that the very concepts of “terrorist” and “rogue” altogether lose their grip. Insofar as sovereignty *as* sovereignty is roguish in and of its very structure, *every* state, as

⁸ *Id.* at 109.

⁹ *Id.* at 96.

sovereign, is a rogue state, which means that the concept of “rogue states” no longer makes any sense.

But this does not mean that Derrida should be blamed for a frivolous, or—given the seriousness of the contemporary situation—even “abstruse,” political relativism as is so often inferred by those who do not read what they are condemning. Nor should a relativism like this be praised as intellectual radicality. In order to understand why this would be a gross misunderstanding of Derrida’s project, it is necessary to see that this project must not simply be identified with the disruptive force of sovereignty. On the contrary, it is engaged in a critical movement that links the concept of sovereignty to that of democracy. The sovereign act is indivisible, immunizing, if you will, against democracy and its principle of a common share. But since the indivisible reign of sovereignty is always uncertain and unstable, it is necessarily dependent on a legitimatizing system of concepts, laws, and rules to survive. In other words, the indivisible force of sovereignty is internally linked to the universalizing and therein divisible principles of democracy that question its character as an exception based on pure decision. In that sense, there is no such thing as a purely indivisible sovereignty as there is no such thing as a purely divisible democracy that would be free of a sovereign force, which is the “*cracy*,” the *kratía*, in each democracy. Both of Derrida’s essays in *Rogues* are therefore concerned with the tensions, or conflicts, *between* sovereignty and democracy. In stressing the necessity of their tense interrelatedness, they present themselves also as a political criticism of all those instances, where one side tends to isolate itself from the other. This, for example, is the reason for Derrida’s critique of the dominant role of the UN Security Council (and the dominant role of the U.S. superpower within that council) vis-à-vis the politically degraded democratic institution of the UN General Assembly. But, it is also the reason why Derrida’s condemnation of Bin Laden’s terrorist fundamentalism in an interview he gave to Giovanna Borradori is not a mere slip. On the contrary, his statement that Bin Laden’s “actions and discourse *open onto no future and . . . have no future*”¹⁰ has a precise political meaning, which is that their underlying fundamentalism conflicts with the differential structure of what Derrida calls the democracy to come. In that sense, I think that Derrida in fact did provide us with some important arguments for why we cannot want the future of a caliphate in which justice is thought of as being identical with the law. This theological form of sovereignty would be a betrayal of futurity itself, or, more precisely, of a perfectibility that, for Derrida, is the essence of

¹⁰ GIOVANNA BORRADORI, *Autoimmunity: Real and Symbolic Suicides, A Dialogue with Jacques Derrida*, in PHILOSOPHY IN A TIME OF TERROR, DIALOGUES WITH JÜRGEN HABERMAS AND JACQUES DERRIDA 85, 113 (2003).

democracy. It is this perfectibility which we have to defend—against an anti-democratic fundamentalism and, always anew, against the autoimmunizing closures within the democratic process itself.

Derrida, of course, knew very well that “no politics, no ethics, and no law can be, as it were, *deduced* from” deconstruction.¹¹ One can *do* nothing with it. But, that does not mean “that this thought leaves no trace on what is to be done—for example in politics, the ethics, or the law to come.”¹² To be aware of this trace requires a certain form of faithfulness to deconstruction—not in the sense of what one normally might associate with faithfulness, a certain conservativeness, even a form of reification of that which one claims to be faithful to—but what I mean here is a theoretical and practical faithfulness to deconstruction in the sense of a faithfulness to the coming, namely to a democracy to come that is, and will always be, the political life of deconstruction.

¹¹ ROGUES, *supra* note 1, at xv.

¹² *Id.*