
An Aesthetics of Existence as the Ethical Visibility in the work of Jacques Rancière

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Abstract

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An Aesthetics of Existence as the Ethical visibility in the Work of Jacques Rancière

Thesis directed by Professor David Ferris

Understanding literature in an active context, this essay approaches political writings by Jacques Rancière through the process of close reading provided by Carol Jacobs such that the ramifications for the category of the ethical can be examined in Rancière's work. Moments of connection can be found between the categories of the political Rancière provides and the importance of those categories in the close reading Jacobs applies to the writings of W. G. Sebald. An ethical orientation that is made visible through Jacobs's reading of Sebald's novel does not contain within it a specific moral identity. It allows for possibilities of identity that may include judgment with an ethical intent, and therefore provide the ethical a visibility, but does not provide a fixed ethical ideology. Jacobs's understanding of the ethical opens the space for a critique of Rancière's vision of politics as he describes the possibilities of an improvement on democracy, the aesthetic staging of politics. The improvements on democracy Rancière suggests are made on the basis of a possibility for ethical critique within the theater of democracy. This possibility for critique, the openness of the ethical, is where Rancière's methodology and that of Jacobs coincide even as disagreement occurs between them.

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Introduction:

In a 1983 interview, Michel Foucault summarized the contemporary problem of constituting an ethics no longer founded in religion. According to Foucault, “Recent liberation movements suffer from the fact that they cannot find any principle on which to base the elaboration of a new ethics. They need an ethics, but they cannot find any other ethics than an ethics founded on so-called scientific knowledge of what the self is, what desire is, what the unconscious is, and so on” (343). In thinking this problem another way, he makes reference to an ethics that is “an aesthetics of existence.” With an ethics that is “an aesthetics of existence” as my aim in order to examine a textual link between the ethical and the political, I propose the use of a textual ethics to read the work of Jacques Rancière. Rancière’s thinking of politics never obtains fullness in experience but exists as writing. Carol Jacobs’s reading of W. G. Sebald contains the political ramifications of the ideas for which Rancière argues. Rancière’s theories cannot exist outside of discourse-as the textual reality of an ideal. This textual ideal exists as the groundless ground of the political that provides an ontological argument for what politics could be in relation to an aesthetics of experience. In Rancière’s work, a link between the ethical and the political occurs as a moment of close reading of the concept of community in his work such that an individual may make decisions about their actions in relation to the aestheticization of community. Through this link, individuals read community in such a way that produces understanding while, at the same time, opens up space for disagreement and inequality. The space of disagreement and inequality is one place where the ethical and political meet as conduct interferes with and is impacted by claims to identity. Literature makes these exchanges between the ethical and political visible by

fictionalizing experience and rendering identifiable the production of meaning as it is inscribed onto literature. This fictionalization occurs through the processes of writing and reading. Though literature may be read deceptively or in an illusory fashion, if read without bias or assumption it cannot depict anything unrelated to experience; it cannot depict a meaning but only provides another context upon which meaning may be placed. Without the imposition of meaning, the visibility of literature provides an impetus for challenges that could otherwise not be made. By creating situations and contexts that do not exist, literature illustrates moments of possibility that are not impeded or held in check by actuality. Literature does not claim its own meaning but, as a method of visibility, provides a context for an ethical that is useless for the purposes of teleology.

According to Jacques Rancière in his essay, *The Politics of Literature*: “politics of literature” means that literature “does” politics as literature—that there is a specific link between politics as a definite way of doing and literature as a definite practice of writing’ (*The Politics of Literature*, 10). Literature is understood here as a definite practice of writing; the practice of writing is an active context as the production of fictionalized scenarios that may be consumed. This consumption may occur with or without connotations of anything else that may be added to literature or understood as literature in order to make it meaningful. However, literature is not defined by its criticism, its beauty, or by what it is understood to mean. Literature, in this context, is defined as a practice of writing that makes possible a practice of reading. The reading and writing of literature makes visible a relationship to empirical reality that can only be discovered through literature as a paradigmatic action of fiction. Literature is the illustration and reception of possibility that is held accountable to empirical reality, in order to be sensible. Literature

produces visibility through this accountability that occurs during the practice of reading and writing.

The link between politics and literature made by Rancière in the quote above provides a foundation for making a link between politics, literature, and the ethical. David Ferris, in his essay “Politics after Aesthetics: Disagreeing with Rancière,” defines this link saying, “literature, by bringing words to visibility, enters into a link with what Rancière calls the visibility of things while being differentiated according to the object that it makes visible” (38). Literature, as a form that is unique and individuates each work, allows processes of reference a visibility as they are suspended between words and the objects of their expression. This relief provides a shape for the signification of concepts and understanding that can only be accessed through reading. The orientation literature provides may function politically; it shapes the way objects are received and understood, made visible. As Carol Jacobs points out in The Emigrants by W. G. Sebald, for example, a lack of national identity is at stake for all the main characters and the narrator. All of these individuals are labeled as emigrants. The inclusion of this political category that denies a claim to a more stable political identity provides a productive context of identity without specificity in Sebald’s novel. Ferris continues, “Such a literature, in effect, attains what politics has always as its goal whenever its purpose is under question, namely, linking meaning and action” (38). Ferris goes on to clarify this: “meaning is understood to be action, something that “does,” and in that doing, it attains visibility” (38). Literature “does” by providing a process of visibility that differs from experience. It is illusorily tactile in a way that rhetoric is not; it provides the experience of the events it contains through the course of a reading. More importantly, however,

Ferris points out that what is at stake for Rancière is, ‘a “doing” that occurs through literature as it makes visible the system of meaning’ (38). Simultaneously, literature provides the experience of orientation; it makes visible fictional possibilities and impossibilities. It gives a trajectory on which meaning can be inscribed, for better or for worse. Literature is not claimed to be a lived event and it is not explicit about its meaning in the same way that political or religious discourse claims to be.

The claim to fiction provides literature a privileged place in what Rancière refers to as the distribution of the sensible. He defines the distribution of the sensible as the, “distribution of spaces, times, and forms of activity that determines the very manner something in common lends itself to participation and in what way various individuals have a part in this distribution” (*The Politics of Aesthetics*, 12). In the broadest sense, the distribution of the sensible is the organization of experiences into a coherent whole. For the purposes of the political, the distribution of the sensible is the organization of experiences in order to motivate.¹ Mark Robson responds to Rancière’s ideas saying, “If man [sic] is a political animal, then it is as a result of this fundamentally literary capacity, the capacity to put into play this democratic excess of words in relation to things, to force a reconfiguration of the distribution of the sensible that in turn impacts on the forms of community that this distribution creates and makes possible” (92). Humanity’s literary capacity is not only to point to things in recognition, but to speak about what they mean and to assemble that speaking in an ordered way. This capacity to articulate meaning is

¹ According to Jean-Luc Nancy in his article “Jacques Rancière and Metaphysics,” ‘Art and Politics are joined and distributed as two orders of “fictions”: one is a representation of the distribution, and the other is its reworking’ (88). I am focusing here on what Nancy identifies as the reworking of the representation of art and politics. However, the representation of the distribution of art and politics I understand to be its visibility, that which allows it to be seen in its effect.

fundamental to democracy in that it allows for the illusion of a freedom by inscribing a personal meaning onto events. Literature's position in this distribution consists of the fact that it contains nothing of empirical reality but orients by visibility the relations to empirical reality. Rancière's work functions as such a literature as it posits a possibility for democracy and positions democratic situations in contrast to his idea of what democracy should or could be.

Understanding literature in this active context, I approach political writings by Rancière through the process of close reading provided by Carol Jacobs such that the ramifications for the category of the ethical can be examined in Rancière's work. Moments of connection can be found between categories of the political Rancière provides and the importance of those categories in the close reading Jacobs applies to the writings of W. G. Sebald. An ethical orientation that is made visible through Jacobs's reading of Sebald's novel does not contain within it a specific moral identity. It allows for possibilities of identity that may include judgment with an ethical intent, and therefore provide the ethical a visibility, but does not provide a fixed ethical ideology. Jacobs's understanding of the ethical opens the space for a critique of Rancière's vision of politics as he describes the possibilities of an improvement on democracy, the aesthetic staging of politics. The improvements on democracy Rancière suggests are made on the basis of a possibility for ethical critique within the theater of democracy. This possibility for critique, the openness of the ethical, is where Rancière's methodology and that of Jacobs coincide even as disagreement occurs between them.

The Ethical Rancière:

The ethical in Carol Jacobs's book Skirting the Ethical, is a disturbance of an ethical positioning that could dictate any given type of morality, and a call to close reading, examining the surface of a text without looking for meaning underneath or beneath the words. According to Jacobs, "That language is always articulated with-or, as we have said, productive of-the political and ethical is difficult to make out, if only because it formulates no-thing definitively" (xxii-xxiii). In other words, language produces meaning even as meaning has become the reason for language. As a consequence, the center of meaning given to literature by many theorists can be illustrated as a position from which to point to their understanding of a text. The text then becomes a way of substantiating prior thoughts and not necessarily a location where visibility occurs through discursive depiction. Rancière makes a similar critique of the role of equality in democracy: equality gives meaning to democracy instead of democracy providing a scenario wherein equality occurs, as is the traditional claim.² The lack of validity to the claims of equality in democracy provides the basis for a critique of the ethics that democracy puts into place. Jacobs continues, "What follows is not a vigil over the defunct body of ethics so much as a bid for vigilance as the difficult practice of reading" (xxii-xxiii). Jacobs urges awareness and active participation when reading rather than declaring an ethical teleology. Rancière, in his own way, calls us to read politics closely and to substantiate the political with experience while ignoring the

² According to Rancière, "The equality that is the nonpolitical condition of politics does not show up here for what it is: it only appears as the figure of wrong. Politics is always distorted by the refraction of equality in freedom" (Disagreement, 61). The refraction of equality into freedom is the distortion of the ability to do anything, represented as making everyone equal. This distortion allows claims to be made to power on the basis that power is granted to those who make such freedoms possible. At no point in this configuration is anyone truly equal; wrong is merely differentiated from right through claims to the safeguarding of freedoms that supposedly provide equality.

meaning experience should have according to ethical or ideological claims. However, in Rancière's texts he writes a reading of democracy that is a denial of equality as consensus and depicts a democracy as the inherent equality of all speaking beings.

Before arriving at the ethics in Rancière's work, it is necessary to qualify, for the purposes of this analysis, an ethics as textual and therefore different than the broader concept of the ethical and its polemics. The uniqueness of Jacobs's view of the ethical as a disturbance of ideological claims is made clear by J. Hillis Miller's understanding of an ethics of close reading that must conform to right action. While locating an imperative in the act of reading, Miller still enforces an ideological view of ethics. According to Miller, "the ethical moment in reading leads to an act" (4). The act to which Miller alludes is closer to the type of action Rancière describes as politics than reading according to Jacobs.³ Reading for Miller is a linear process, the outcome of which is responsible scholarship. Miller understands the ethical to be a category that exists prior to the action of reading and can be used to determine the appropriate responsibility. This differs from Jacobs who understands the ethical to be a type of reading that makes visible. For Miller, the ethical moment is a necessary impetus and it leads the reader and writer to certain conclusions. This is clear from Miller's definition of the ethics of reading as, 'that aspect of the act of reading in which there is a response to the text that is both necessitated, in the sense that it is a response to an irresistible demand, and free, in the sense that I must take responsibility for my response and for further effects,

³ One prominent idea of politics for Rancière is the placing of bodies into a recognizable order, the making of discourse out of noise, and making discourse understood. It is the action of producing meaning and distorting actions to conform to an understanding. Politics provides an allegory for the sensible in the world. The act that follows reading in Miller provides the allegory for that which was read; it gives it meaning by ordering it.

“interpersonal,” institutional, social, political, or historical, of my act of reading, for example as that act takes the form of teaching or of published commentary on a given text’ (43). Whereas Jacobs locates the ethical to be constituted by the text, Miller locates the ethical moment to be a necessitated response to the text, the validity of which is situated outside of the text in an order of the world he views as applicable.

To validate his thinking, Miller reads Paul de Man to be saying that there are “laws of language that are all-determining or all-engendering” (45).⁴ Precisely because of this determination, words mean and ideas are translated, albeit imperfectly, from the text to the reader of the text. Therefore, an ethical reading for Miller comes into play as one reads diligently and then uses that reading in further work, e.g. scholarly writing, referencing, or citation. Miller actively speaks against those who understand deconstruction to provide an open field to say anything they desire about a text. On the contrary, he argues for greater particularity in reading and, more importantly, an acceptance of the responsibility for what one says and how one understands. The idea of responsibility as an ethical moment is found outside the text and divorced from a link to the text. Still, Miller’s concept of the ethical is a call for accuracy while being denied absolute certainty, even if certainty exists in an unknowable way. Jacobs, in contrast, describes an ethical that works with the denial of certainty as it maintains the text at its

⁴ According to de Man, “Ethics (or, one should say, ethicity) is a discursive mode among others” (*Allegories of Meaning*, 206). This citation is taken precisely from the passage by de Man which Miller dissects. This passage describes ethics as being contained within language and not divorceable from the operation of language. Ethics, for de Man is something that occurs linguistically and any attempt to point to it temporally or spatially outside of language, as Miller does, is an attempt to substantiate allegorically “a meaning that it does not itself constitute” (*The Rhetoric of Temporality*, 189).

center, not the need to reply to the text or to be responsible for one's claims upon the meaning of the text.

What Jacobs provides is a more precise reading of literature that illustrates a type of ethics that cuts back on the idea of a sedimented ethical imperative, an ethics that is unmovable and defines people as right or wrong. Miller, on the other hand, assumes a universal necessity inherent in existence that provides the impetus to respond to, and be responsible for, a reading. Dependent upon Kant, Miller derives an imperative from the nature of existence and action.⁵ Miller understands individuals to be faced with an inability to do nothing and the necessity to read as an act of cognition that defines humans as rational. According to Miller, "to live is to read, or rather to commit again and again the failure to read which is the human lot" (59). The necessity to engage the intelligible and the inability to be inactive provide the grounds for a desire for an ethical but they do not substantiate a universal ideology. Miller differs from Kant by denying accuracy to universal elements of cognition. Miller continues, "We are hard at work trying to fulfill the impossible task of reading from the moment we are born until the moment we die" (59). The reading Miller refers to, arranging and ordering what is visible to us of the world so that it makes sense, can be understood as the sensible in Rancière. However, for Rancière the issue is the distribution of the sensible and not simply the

⁵ According to Kant, "We take ourselves as free in the order of efficient causes in order to think ourselves under moral laws in the order of ends" (Groundwork, 55). Miller uses as a starting point Kant's interconnection of cognition and empirical reality. He connects this notion to Kant's idea that reason is part of human agency and that to do is to question, to some degree, why one is doing. That giving of intention, rationality, indicates the ability to do something else. This claim to a freedom of will leads Kant to designate a universal imperative if in all situations the receiver of the outcome of an action can claim a desired mode of action. This desired mode of action is the universal morally right action in the form of the given instance, what one ought to do.

claim that there must be a sensible. Therefore, the move provided by Jacobs that shows how the empirical, by not providing meaning, cuts back on the claims made on it through distribution, the necessity to order it in some way so that meaning can be obtained, allows for the freedom to perceive without a need for accuracy, dependency, or an imperative to be responsible. The question that may be asked of Miller is, responsible to whom and for what? Both Jacobs and Rancière suggest that there are no answers to such questions, only scenarios constituted by reading, claimed by rhetoric, but denied by literature.

An ethics that leads to the evaluation of conduct, as exemplified in Miller, is not the ethics examined in this analysis but it constitutes grounds for the visibility that is the ethical as an aesthetics of experience, when applied to situations. Even in Jacobs, as an ethics of close reading serves to erode ideological morality, it is possible in part due to its opposition with ideological morality. The ethical can be seen due to the contrast created by the play between ideologies. Visibility, as the vantage point of perceiving a concept in effect, links the ethical, political, and literature. The political and the ethical are both situated in visibility produced by the distribution of the sensible as it creates, caters to, or obfuscates disagreement, as Rancière refers to it. The aesthetic constitution of politics in democracy is made possible by the distribution of the sensible within the inevitable context of disagreement. However, the purpose of this analysis is strictly a textual ethics that provides an orientation toward what an ethics based on an aesthetics of existence could be.

In the work of Rancière, by distributing the sensible, politics enforces an order that allows for disagreement particular to democracy that may be read. According to Rancière, “to understand” means two different, if not contrary, things: to understand a

problem and to understand an order' (Disagreement, 45). The recognition of a work of art allows for the contemplation of the problem that brought the art into being and the understanding of an order of materiality that makes the work sensible. Rancière states this plainly saying, "art consists in constructing spaces and relations to reconfigure materially and symbolically the territory of the common" (Discontents, 22). The distribution of these constructions and relationships is one role of politics in that it orients the modes of comprehension and provides categories of accepted meaning. Jacobs refutes this distribution in that it ignores the problematic that prompts the art-work, the interaction with an unordered empirical existence. Rancière echoes this critique: 'This is what "aesthetics" means: in the aesthetic regime of art, the property of being art is no longer given by the criteria of technical perfection but is ascribed to a specific form of sensory apprehension' (Discontents, 29). The form of sensory apprehension is the ordering of art-works in such a way that it provides insight into existence that is not inherent art. The form that sensory apprehension takes can be dictated by the community, which can elevate or disregard art based on its appropriateness to the social norms, sensitivities, and communal order.

In order to negotiate appropriateness, according to Rancière, the distribution of the sensible necessitates the acts of the police. The acts of the police are acts of difference, the establishment of difference in the name of justice. Rancière defines the police, "as the set of procedures whereby aggregation and consent of collectivities is achieved, the organization of powers, the distribution of places and roles, and the systems of legitimizing this distribution" (Disagreement, 28). The police differentiate between what is visible and what is not visible by removing that which should not be seen and

protecting that which ought to be perceived. Rancière understands this process of policing and the idea of equality to function in opposition. The police designate what has a “right” to be equal. The police are necessary precisely because the order they enforce, the order that binds understanding, is not an inherent order.

The order enforced by the police brings into relationship two unconnected things and requires agreement. According to Rancière, “the bringing into relationship of two unconnected things becomes the measure of what is incommensurable between two orders: between the order of the inegalitarian distribution of social bodies in a partition of the perceptible and the order of the equal capacity of speaking beings in general” (Disagreement, 42). The equality of everyone to speak is also that which creates disagreement and it is in this disagreement that equality is located. The account of experience on which Rancière’s politics relies is dependent upon the inability of people to agree on an event. According to Rancière, “It is merely to note that the political rationality of argument can never be some simple clarification of what speaking means” (Disagreement, 42). We are not saying the same thing and we do not mean to. Even when speaking of the same thing, the thing means differently for each person. He continues, “Any interlocutory situation is split at the outset by the continuous issue-unresolved and conflictual-of knowing what can be deduced from the understanding of a language” (Disagreement, 49). Language itself, as dependent upon the arbitrary inherent in words, does not connect directly to meaning.⁶ Meaning then must come from the

⁶ In Course in General Linguistics, attributed to Ferdinand de Saussure, “A language is a system which is intrinsically defenseless against the factors which constantly tend to shift relationships between the signal and signification. This is one of the consequences of the arbitrary nature of the linguistic sign” (76). The inability to connect the chosen word

context and all contexts are constituted by the inability to be mutually felt or perceived. This concept of contextualization demands that Rancière creates textual situations as the sites for his argument of democracy. These textual situations allow for the textual ethics Carol Jacobs suggests.

The contextualization of meaning in Jacobs's reading of Sebald's novel occurs as a form of disagreement that sustains equality, not as an argument but as an inability to understand. Disagreement is softened, made more palatable, and perhaps illustrated in its more common form. The narrator, the readers, and often the characters continuously mis-understand. Jacobs centers this idea on the image of the butterfly man. According to Jacobs, "the man with a butterfly net unsettles any sense we have of ground, in art, in reason" (135). He is the image presented to us as our undeniable lack of understanding. Rancière defines this context in terms of subjectification: "A mode of subjectification does not create subjects ex nihilo; it creates them by transforming identities defined in the natural order of the allocation of functions and places into instances of experience of a dispute" (*Disagreement*, 36). This quote illustrates how the context of identity in Sebald occurs as the context wherein claims to a specific identity may be made by an individual or about an individual but not without misinterpretation and misrecognition. Jacobs's reading shows how Sebald refuses to make this step and dissolves the potency of such claims. Instead, he compounds distortion and ambiguity to refuse the processes of such claims. Jacobs summarizes this as, "The past, the person, replaced by the process of its reproduction" (137). The tactile nature of the literature fills in the fissures in this process of identity and replaces the stability of knowledge with the instability of memory. In

specifically to any given thing in existence allows for the disagreement Rancière understands as inherent in all speaking beings.

Rancière's work, the acts of the police negotiate the order of the equal capacity of speaking beings within the inequality of democracy his reading provides.

Jacobs extends this idea of literature to all art. She states that, "Art does not capture a lost object. It is not in search of times past, it is neither testimony, nor recovered memory-at least not only, not simply" (138). Art, in other words, is situated in the present and is about the present. Art does not point to something outside of itself or where it is not. Rancière echoes these ideas, "It [art] is political because of the very distance it takes with respect to these functions, because of the type of space and time that it institutes, and the manner in which it frames this time and peoples this space" (Discontents, 23). Jacobs, by pointing to presence as a lack in the work of Sebald, provides an articulation of the link between literature and politics. Space, time, and individuals, are the signposts for Jacobs within Sebald's novel that indicate his specific form of tactile orientation. They are neither completely in the present nor in the past and they therefore illustrate the intangible property of identity, the inability to be counted.

Carol Jacobs's chapter on Sebald's novel, The Emigrants, poses the question: "What Does it Mean to Count." With this question she positions both the reception of the novel and the context of the novel in relationship to meaning. What does it mean for the characters who stand at the center of the four stories in the novel to be counted, numbered as emigrants and made to mean something to the reader? What does it mean for the reader to count these men and to remember their lives? She responds, at least in part, to these questions saying, "I, too, want to befriend, however belatedly, the dead" (133). She continues, "Still, they may not return to life so much as turn us ever again to them" (133). Jacobs points out that the men at the center of each of Sebald's stories are unclear. As a

consequence, the center of the novel is unclear; it has been distorted. The novel serves as an experience of memory for the reader. Nothing is firmly graspable except the disconnection of a relationship to meaning. Only the experience of the novel remains after one has labored to make sense of the text. The reader is continuously turned in the novel, spun in an attempt to gain a firm grasp of these individuals or the meaning of their lives. The reader is never given the novel's consent to claim these characters; in the work of Rancière, the reader is never given the text's consent to claim understanding of another person's speech.

The counting that Jacobs's reading of Sebald denies can be seen in the situation Rancière depicts through the concept of consensus. Rancière points to consensus in contemporary democracy as a denial of the disagreement he understands as a fundamental aspect of existence. Rancière defines consensus:

Properly understood, it defines a mode of symbolic structuration of the community that evacuates the political core constituting it, namely dissensus. A *political* community is in effect a community that is structurally divided, not between divergent interest groups and opinions, but divided in relation to itself. A political 'people' is never the same thing as the sum of a population. It is always a form of supplementary symbolization in relation to any counting of the population and its parts. (Discontents, 115)

Consensus, therefore, denies human beings the ability to state who they are without reconciling that statement with the consensual opinion. At a profound level, consensus operates to demand a movement toward the legitimation of identity in the community. Rancière continues, "Consensus is the reduction of these various 'peoples' into a single people identical with the count of a population and its parts, of the interests of a global

community and its parts” (Discontents, 115). Consensus provides a false identity that refuses individuality in favor of identity defined by membership in a population.⁷ Anna Selmeczi highlights this condition: ‘Unlike previous ages, which unabashedly divided those worthy of political life from the dumb rest, the consensus-discourse that wages war on “exclusion” impedes the polemical construction thereof’ (528). Consensus does not allow for the productive violence of disagreement that occurs through the claim to and recognition of difference. Rancière pushes back against this reductive movement with his idea of disagreement to point out that it is not only unnecessary to reduce to have equality, it is impossible. He states that, “Insofar as it strives to reduce the people to the population, consensus in fact strives to reduce right to fact” (Discontents, 115).

Consensus, by claiming the identities of the members of a population, imputes propriety on those members by defining their attributes as synonymous with the “facts” that define the group, normativity. This normativity is passed off as equality and distributed as possible, likely, common, or preferred for every member.

⁷ Michel Foucault refers to a similar regulation of political identity, under the term bio-power, in the first volume of The History of Sexuality. According to Foucault, “Power would no longer be dealing simply with legal subjects over whom the ultimate dominion was death, but with living beings, and the mastery it would be able to exercise over them would have to be applied at the level of life itself; it was the taking charge of life, more than the threat of death, that gave power its access even to the body” (142-143). Foucault connects this shift in the application of power to life to the implementation of norms as a basis for a claim to accuracy in legislation and the right to power. Foucault points out that, ‘The “right” to life, to one’s body, to health, to happiness, to the satisfaction of needs, and beyond all the oppressions or “alienations,” the “right” to rediscover what one is and all that one can be, this “right”-which the classical juridical system was utterly incapable of comprehending-was the political response to all these new procedures of power which did not derive, either, from the traditional right of sovereignty’ (145). The right to which Foucault refers allows a population to understand itself as legitimate and as positive under the aegis of obtaining and maintaining their rights.

In the face of this disagreement, politics, specifically in the example of consensus, articulates the inability to reconcile a fundamental contention. In the case of democracy, a foundational contention is the claim it makes to equality. The necessity to claim consensus, and to document it, illustrates its illusory value. Consensus must be aesthetically articulated to provide a basis for an equality that empirical reality denies. Despite the contentions of the claim, politics in a democracy claims unity by establishing disagreement as the basis for commonality. Everyone's voice is noted; differences are counted; the counting provides consensus; unity is depicted through consensus. Disagreement is that which must be overcome in the name of equality but it cannot be overcome by agreement, only by the appearance of agreement. Therefore it is necessary to distribute the sensible to allow for the constitution of democracy as a politics. According to Rancière, "Nothing is political in itself for the political only happens by means of a principle that does not belong to it: equality" (Disagreement, 33). The claim to equality provides a basis for the claim to power in a democratic state.⁸ He states that, "Equality is not a given that politics then presses into service, an essence embodied in the law or a goal politics sets itself the task of attaining. It is mere assumption that needs to be discerned within the practices of implementing it" (Disagreement, 33). The fiction of equality is only articulated by distributing the sensible on the basis of the assertion that equality is what the state provides. Through the application of close reading to the

⁸ Jacques Derrida, in Specters of Marx, points to the changes in technology, science, and economics such that "they affected not only this topological structure [of public space and opinion], they also began to make problematic the very presumption of the topographical, the presumption that there was a *place*, and thus an identifiable and stabilizable body for public speech, the public thing, or the public cause, throwing liberal, parliamentary, and capitalist democracy into crisis..." (79). This crisis requires the evolution of consensus such that it can account for its lost center, the center that would be the public, as if the public had existed as a whole.

discourses of democracy, the fictitious nature of equality as well as the structures put in place to substantiate such a claim may be seen.

By necessitating politics, the legitimacy of democracy rests on the claim to equality, which is bound to inequality. That binding is replicated in the machinations of the state:

In the final analysis, inequality is only possible through equality. This means that politics doesn't always happen-it actually happens very little or rarely. What is usually lumped together under the name of political history or political science in fact stems more often than not from other mechanisms concerned with holding on to the exercise of majesty, the curacy of divinity, the command of armies, and the management of interests. Politics only occurs when these mechanisms are stopped in their tracks by the effect of a presupposition that is totally foreign to them yet without which none of them could ultimately function: the presupposition of the equality of anyone and everyone, or the paradoxical effectiveness of the sheer contingency of any order. (Disagreement, 17)

The machinations of the state legitimize themselves by the pleasures and disparities of inequality. These machinations are physical and experiential entities. However, the claims to power that legitimate their endeavors are based on the bringing about and maintaining of equality. Equality is understood as what is excluded by inequality when in fact the two function to provide each their validity. As the legitimacy of the mores and laws of the modern secular nation state depends upon Christian values, so too the claim to human rights depends upon the inability to fully provide for those rights, the product of anthro-centric post-Christian secularism. Were equality to arrive or be a given, the

machinations of the state become unnecessary. The promise of equality allows the state to operate without direct opposition when represented as the interests of the people.

The claim to equality functions to support the state apparatus and the form of the claim is modified to meet those needs. Rancière further undermines the claim to equality saying, “The essence of equality is not so much to unify as to declassify, to undo the supposed naturalness of orders and to replace it with the controversial figures of division” (Shores, 32-33). Declassifying and removing that which creates difference divides everyone. There can be no center to the community other than the one provided by the state. Rancière points to this saying, “The centre (of a democratic government-meaning) is assured not by presence but by absence, by virtue of a gap which serves to keep interests apart” (Shores, 17). The gap at the center of democracy provides an inescapable division on which the claim to power rests. According to Rancière, “The Two of division is the path followed by a *One* which is no longer that of a collective incorporation but rather that of the equality of any One to any other One” (Shores, 32). This process of division is the scenario of a community divided by the illusion of equality and separated by their inability to understand one another and to truly be equal. Rancière defines politics to consist “in interpreting this relationship [of disagreement], in the double logical and dramatic sense of the term, connecting the unconnected” (Disagreement, 88). The role of politics is to maintain the guise of equality and to mediate the fundamental disagreement so as to redirect the focus of the community for statutory purposes. In the reading of democracy Rancière provides it is necessary to come into contention with this role of politics.

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