

COMMUNICATION AND COMMUNICABILITY:
THE PROBLEM OF DIGNITY IN AGAMBEN'S
REMNANTS OF AUSCHWITZ

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In the Preface to *Infancy and History*, Giorgio Agamben insists that all of his work has been oriented by a single question: "what is the meaning of 'there is language'" (Agamben 1978: 5)? This question is importantly different from the kinds we typically associate with the sciences of linguistics, communication theory, and information theory. Agamben is not interested primarily in questions concerning how signifiers are related to their signifieds or how messages are transmitted across channels of communication from senders to receivers. These, of course, are important questions, but all of them presuppose something more basic that lies beyond the reach of the sciences. What is presupposed is that which the linguist Jean-Claude Milner calls the *factum loquendi*, or the brute fact that there is language and that there are speaking beings at all (Milner 1989: 44; Agamben 1999: 66). Philosophy, according to Agamben, is the attempt to understand the meaning of this fact (Agamben 1999: 66–67).

The meaning Agamben discovers in the *factum loquendi* grounds some important and substantive ethical and political commitments. What I want to argue in this paper, though, is that some of these commitments do not follow from his premises. I want to focus specifically on Agamben's discussion of dignity in his 1998 book *Remnants of Auschwitz*, where he argues that "Auschwitz marks the end and the ruin of every ethics of dignity" (Agamben 1998: 69; 64). I believe that Agamben's own positions on what he calls communicability, or being-in-language, actually support an ethically fruitful conception of dignity. In what follows, then, I will begin with an account of those aspects of Agamben's philosophy of language that are especially relevant for his argument about dignity. Next, I will examine the argument about dignity in some detail. Finally, I will show how the phenomenon of communicability reveals an excess of sense over signification that singularizes the referents signified in language. It is this singularization, I argue, that can provide the basis for a philosophically adequate conception of dignity.

Phone and Logos

In his early works, and most prominently in *Infancy and History* and *Language and Death*, Agamben argues that Western metaphysics is structured by a conception of language that takes as basic the disjunction of *phone* and *logos*, the natural voice and linguistic meaning. This disjunction, and its ethico-political import, is marked clearly in Aristotle's *Politics*:

Now, that man is more of a political animal than bees or any other gregarious animals is evident. Nature, as we often say, makes nothing in vain, and man is the only animal who has the gift of speech [*logos*]. And whereas mere voice is but an indication of pleasure or pain, and is therefore found in other animals...the power of speech is intended to set forth the expedient and the inexpedient, and therefore likewise the just and the unjust. And it is a characteristic of man that he alone has any sense of good and evil, of just and unjust, and the like, and the association of living beings who have this sense makes a family and a state. (Aristotle c.350 BC: 1253a7-19)

Phone here is the name for what we might call the natural, pre-cultural voice, analogous to the cricket's chirp or the dog's bark. Aristotle's point is that we enter into a world of specifically human meaning only by leaving behind the immediacy of mere voice and entering into *logos*, or articulated voice. This transition opens up an unbridgeable gap right at the heart of human experience: to be a human being is to be *zoon logon echon*, the animal that has *logos*. The animal who speaks is a living, natural, psychosomatic individual; it is the one that the speaking subject means to refer to when she uses the first person singular pronoun. But the natural, supposedly pre-linguistic I, immediately present to itself in voice, is unsayable in *logos*, which is mediation through and through. This is exactly the point that Hegel argued for in the "Sense-Certainty" chapter of his *Phenomenology of Spirit*. When I say "I", I intend the I that is present immediately and in its full concreteness in sensory experience: I mean to refer to *this* I. But I cannot *say* this immediately given I because "I" is a universal, any I at all. This is the unbridgeable gap at the heart of the human being who has entered into language: "we do not strictly say what in this sense-certainty we *mean* to say, and since the universal is the true [content] of sense-certainty and language expresses this true [content] alone, it is just not possible for us ever to say, or express in words, a sensuous being that we *mean*" (Hegel 1807: 60). Linguistic meaning, on this account, is only possible on the basis of the negation of natural,

supposedly pre-linguistic immediacy. This natural immediacy is present within the world of linguistic meaning precisely as what necessarily remains beyond its reach. The speaking subject, then, is necessarily a subject divided from herself: to be in language is to experience right at the heart of our meaningful being-in-the-world an unsayable, enigmatic *something* that forever eludes our grasp.

Agamben believes that this linguistic and metaphysical conception of natural life as originarily divided from itself has constituted a theoretical error and a political disaster. I will describe his arguments for these two points in turn. First, Agamben believes that the characterization of linguistic meaning as grounded in the negation of natural voice is descriptively inaccurate. On Hegel's account, "the unexpressed thing is an irrational thing; the rational exists only as language", which expresses the universal, the signification of the thing (Hegel 1840: 457). Agamben disagrees, invoking an experience of language that cannot be understood in terms of the closely related dualisms of mediated-immediate, expressible-ineffable, and rational-irrational. He refers in this connection to the eleventh century philosopher Gaunilo of Marmoutiers, who describes an experience of voice that is an experience neither of mediated, universal signification nor of logically insignificant sound, but rather of something intermediate between the two. This is the experience we have when we hear a word whose signification we do not know. What is most salient in this experience is that language does not successfully express the universal. Of course the word that is unknown to me is known to others, who *would* experience it as successfully expressing the universal. But this consideration is irrelevant to Gaunilo's and Agamben's point, which is to describe a genuine lived experience that is possible for anyone who has entered into language. Certainly all of us have heard words whose significations we did not understand. What Gaunilo emphasizes is that when this happens, we do not experience the sound we hear as an irrational, inexpressible *something* that exists somewhere beyond the grasp of signification. Our experience of the voice is an experience not of nonsense, but of potential sense: we hear the voice as expressing a meaning that is not known but that is nonetheless knowable (Gaunilo 1078: 149; Agamben 1982: 34). Or in Agamben's terms, we do not encounter an idea that has been successfully communicated, but rather communicability as such, the pure intention to signify that does not yet signify anything in particular. In this experience, we encounter *phone* not as the ineffable animal voice whose negation is the condition of possibility for language, but rather as pure potentiality for sense.

The idea of an originary division of life from itself constitutes a political disaster, according to Agamben, because it grounds the biopolitical logic of sovereignty. Drawing once again on Aristotle's *Politics*, Agamben argues that the specifically political life presupposes a distinction between *zoe*, which is "the simple fact of living common to all living beings", and *bios*, which names a qualified life, "the form or way of living proper to an individual or a group" (Agamben 1995: 1). Aristotle states this point explicitly in the *Politics*: the "state exists for the sake of a good life, and not for the sake of life only" (Aristotle c.350 BC: 1280a31). The institution tasked with securing the conditions for the continuation of natural life is the household; the political state, on the other hand, exists in order to create the conditions for the flourishing of a specific kind of life. Aristotle develops this point in the *Nicomachean Ethics*, where he argues that "the end of political science is the best, and political science spends most of its pains on making the citizens to be of a certain character, viz. good and capable of noble acts (Aristotle c. 350 BCa: 1090b30–33). The law-governed political community is constituted through the exclusion of natural life in much the same way that *logos* has been thought to be constituted through the exclusion of *phone*. As Carl Schmitt argued in *Political Theology*, the legal order makes sense only within the context of a "normal situation", characterized by a relatively stable condition of social organization: "there exists no norm that is applicable to chaos" (Schmitt 1922: 13). In other words, when social order breaks down to a sufficient degree, the law loses its *vis obligandi*; people simply ignore it. Unordered social life is thus outside the reach of law. But as Schmitt himself recognized, the topology of the relation between the legal order and non-political life is somewhat more complex. Just as on Hegel's account the supposedly immediate, sensuous given is posited *within* language as what necessarily remains *outside* language, so the legal order includes supposedly natural, non-political life within its purview precisely by positing it as outside. This inclusion-by-exclusion is made possible by the fact that the question whether the normal situation exists, and thus whether the law applies, is always open. For the sake of the persistence of the legal order, there must be some person who is authorized to give a decisive answer to that question. That person is the sovereign, according to Carl Schmitt's well known definition (Schmitt 1922: 13). If the sovereign decides that the normal situation does not exist, or that it is in danger of no longer existing, then he is empowered by law to suspend the law in order to recreate a normal situation. In this condition of the suspension of law, which is called the state of exception, the sovereign engages directly with the very non-political life whose exclusion constitutes the

legal order. He imposes order on that life by force, which is not the brute, apolitical force of the kind hypothesized in the state of nature, but rather the force of law. Agamben's thesis is that the state of exception, where the law directly addresses the natural life that it excludes from the political realm, has become the norm. Under conditions of the generalized state of exception, the distinction between rule and fact collapses: law is indistinguishable from its force. The paradigmatic locus of the state of exception, according to Agamben, is the concentration camp, where the law applies to the prisoners precisely as suspended, as a pure force that is legally sanctioned.

Respecting Dignity as Duty to Oneself and as Duty to Others

What becomes manifest in the generalized state of exception, and especially in the concentration camp, according to Agamben, is the uselessness of many of our traditional ethical ideas. In *Remnants of Auschwitz*, Agamben focuses specifically on the idea of dignity, which, like many of our ethical concepts, had its origin in the world of law. In ancient Rome, *dignitas* referred to "the rank and authority that inhere in public duties as well as, by extension, those duties themselves" (Agamben 1998: 66). Those who had dignity in this legal sense of the term were entitled to various forms of respect, which were codified in the law. They were also expected to conduct themselves in a manner that would render them worthy of that respect. Indeed, the law excluded from *dignitas* those who were unlikely to live up to that standard: in the *Codex Justinianus* we read that "the doors to a title will be open neither to the infamous nor to the disreputable, nor to those who are defiled by crime or turpitude of life, nor to those whom infamy segregates from the association of men of honor" (Justinian 534: 12.1.2). When the idea of dignity was introduced into moral philosophy, it retained its sense as source of respect and as an ideal one had to live up to, but lost its connection to political position. All human beings were obligated to conduct themselves in a manner worthy of respect, just as if they held positions of public authority (Agamben 1998: 67–68).

In the concentration camps, where the distinction between fact and norm is collapsed and where power takes hold of bodies at the level of bare life, this specifically moral conception of dignity appears ridiculous. Agamben suggests a thought experiment to help illustrate the point. He asks us to imagine a case in which the SS allows a preacher to enter the camp, where he uses his opportunity to lecture to the prisoners about the moral necessity of maintaining their dig-

nity and self-respect. It is obviously the case, Agamben thinks, that “the preacher’s gesture would be odious; his sermon would be an atrocious jest in the face of those who were beyond not only the possibility of persuasion, but even of all human help” (Agamben 1998: 63). Agamben is clearly right here. But this is where I want to press on Agamben’s account: why, precisely, would the preacher’s lecture be odious? What is morally problematic about it? The wrongness cannot consist simply in the infelicitousness of the exhortation. It would be infelicitous to exhort a cat to act with dignity, since a cat is, in Agamben’s words, beyond the possibility of persuasion. Exhorting the cat would not be odious, though; it would merely be strange. What I want to suggest is that the odiousness of lecturing the prisoners at Auschwitz would consist precisely in the fact that doing so would fail to respect their dignity. To exhort them to do what is almost certainly beyond their power to do would be to gratuitously add insult to their already extreme injury. If this interpretation of the odiousness of the imagined lecture is correct, then Agamben’s claim that Auschwitz marks the ruin of the ethics of dignity must be mistaken.

If Agamben does not recognize a role for the idea of dignity in our ethical reflection on Auschwitz and on the contemporary world more generally, this, I want to argue, is because he focuses exclusively on dignity as a property that the moral agent ought to respect in him- or herself. But of course this is not the only context in which dignity is morally relevant. For the moral tradition to which Agamben is responding it is at least as important to respect the dignity of others. We can see this clearly in the work of Immanuel Kant, whose *Groundwork of the Metaphysics of Morals* is the source for almost all modern moral reflection on dignity. Kant presents the second formulation of the categorical imperative – typically referred to as the Formula of Humanity as End in Itself – as follows: “So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means” (Kant 1785: 4:429). To treat a person, oneself or another, as an end in him- or herself is to respect that person’s dignity. In Kant’s moral philosophy, dignity names a value that is understood in opposition to price: “What has a price can be replaced by something else as its *equivalent*; what on the other hand is raised above all price and therefore admits of no equivalent has a dignity” (Kant 1785: 4: 434). Persons, according to Kant, have both price and dignity. A shortstop, for example, has a price insofar as he has a value that can be assessed with reference to a particular end – winning baseball games – and in comparison with other shortstops, who contribute better or worse to the same end. But in addition

each of us has a value that exceeds price; even if a person's value relative to particular ends and in comparison with others is extremely low, he or she still has a kind of value that ought to be respected. As bearer of dignity, the person is absolutely singular; his or her value is incomparable and unexchangeable. As the Formula of Humanity as End in Itself states explicitly, we all have a duty to respect the dignity in our own persons. For Kant, this means we must take great care not to debase ourselves through the vices of gluttony and drunkenness or by making ourselves lackeys. And we must not treat ourselves merely as means, such as by allowing ourselves to be used for the sexual pleasure of others or by selling our hair. In performing these sorts of acts, we fall short of the norm given by our own humanity (Kant 1797: 6:436; 6: 423–429). Is it reasonable for the imagined preacher to insist that the prisoners at Auschwitz satisfy their obligations to themselves to respect their own dignity? No. The whole mechanism of the camp was designed to deprive them of the ability to do that. But does it follow from this that the prisoners had no dignity that ought to have been respected by others? The answer is obviously no. Even the so-called *Muselmänner*, whose condition in the camp was the very worst and whose price was probably zero, or even less than zero, ought to have been treated with dignity. This, again, is why the preacher's lecture is odious: in insisting that the prisoners do what is manifestly impossible for them to do, he treats them, intentionally or not, with gratuitous cruelty.

Communicability and Singularity

What I want to argue in this final section is that Agamben's own commitments in philosophy of language can ground a conception of dignity that would make sense of our intuitions in the imagined case of the preacher at Auschwitz. Given limitations of space, I will not be able to develop all of the aspects of dignity that I believe can be drawn from Agamben's account. In what follows, I will focus specifically on the experience of singularity. I will argue that, on Agamben's own terms, our being-in-language sets us into relation with beings whose sense exceeds the sum of the properties that can be truly predicated of them, and which are thus given as something more than cases falling under a general rule. It is this something more that we ought to remain appropriately responsive to in our dealings with others.

To show how dignity is grounded in our being-in-language, I would like to focus on the argument Agamben presents in Chapter 27 of *The Coming Community*. The argument concerns what medieval

logicians called the paradox of cognitive being. On the one hand, the idea through which a thing is known cannot be other than the thing known. If it were, then we would not be able to know the thing through the idea. If the idea "human being", for example, were a concept, understood as an object in the world alongside the human beings to which it referred, then the idea "human being" would provide us with no knowledge of human beings. The idea could not express the truth of human beings because it would simply be another object in the world. On the other hand, the idea cannot be the same as the thing known because once again it would yield no knowledge of the thing. For example, if the idea "human being" were exactly the same thing as an individual human being, then the idea would be superfluous and thus useless for knowledge. This dichotomy seems to exhaust the alternatives: either the idea is other than the thing of which it is the idea or it is the same. In neither case can we account for how the idea expresses the thing (Agamben 1990: 74).

The solution to this paradox, Agamben thinks, lies in a passage from Aristotle's *Metaphysics*: "According to their participation, the plurality of synonyms is homonymous with respect to ideas" (Aristotle c.350 BCb: 987b10). Synonyms for Aristotle are beings that belong to the same class through participation in a common concept. They have the same name as well as the same definition. All individual human beings, for example, are synonyms insofar as they belong to the class of human beings. *Qua* synonyms, then, human beings are instances of the same kind. They *are* human beings in the sense that "human being" expresses what they are in truth. Homonyms, on the other hand, are beings that have the same name but different definitions. So, individual human beings are synonymous with each other, but they are homonymous with the idea "human being". Human being and "human being", in other words, have the same name without being the same kind of things: it is not the case that human being and "human being" are both instances of the idea "human being". This, of course, is because "human being" is itself the idea; it is not an instance of itself. Ideas must be different from the individuals that instantiate them because otherwise they would yield no knowledge of the individuals.

How, precisely, ought we to understand this idea to which the synonyms stand in a relation of homonymy? The most common interpretation treats the idea as the universal. But this interpretation cannot be correct, on Agamben's view at least, because it returns us to the Hegelian problematic that Agamben is so concerned to reject. Specifically, it posits an unbridgeable gap right at the heart of the *zoon*

logon echon: again, "when I say 'I,' I mean myself, this individual separated from all others.... 'I' is an absolute expression which excludes every other 'I,' but everyone says 'I' of himself, for everyone is an 'I'.... The individual also is thus the universal only, for in the word as an existence born of the mind, the individual, if it is meant, cannot find a place, since only the universal is expressed" (Hegel 1840: 466–467). Instead of understanding the idea as the universal, Agamben thinks we ought to understand it as the thing *itself*. The phrase "thing itself" here is not a pleonasm; the "itself" names the manifestness of the thing as the thing it is. Importantly, itselfness is not a property that can be predicated of the thing in the way that universals like "human being" or "tall" or "left-handed" can be predicated; itselfness is not a general kind of which individual things are instances. The relation of homonymy, then, "draws singularity from its synonymy, from its belonging to a class" (Agamben 1990: 76). *Qua* homonyms, human beings are something more than instances falling under the genus "human being". This something more, which is not a universal "something more" of which individual somethings more would be instantiations, is the sense that exceeds the homonyms' significations. They are singular beings whose manifestness is irreducible to any predicate, and even to the totality of predicates that can be truly attributed to them.

The being itself of the thing — its homonymy — is a function of its being-in-language. Agamben expresses this point beautifully in his essay "Bartleby, or On Contingency", where he characterizes language as "the angel of the phenomenon" (Agamben 1999: 257). The angel (from the Greek *aggelos*, messenger) is the one "who simply carries a message without adding anything, or who performatively announces an event ..." (Agamben 1999: 257). The function of the linguistic sign, according to Agamben, is not exhausted in its presenting the signification of things, of predicating universals of them and thereby presenting them in their truth. More basically than this, the function of the linguistic sign is presentation *simpliciter*, without qualification: it gives "the intimation of Being without any predicate" (Agamben 1999: 257). The manifestness of the thing, or in Agamben's terms its being itself, constitutes a dimension of sense that is irreducible to its significations. No matter how many universals we might find to truly predicate of the thing, those universals will never exhaust the thing's being. Being itself is not another property that can be communicated in language as a signification, but is rather the thing's very communicability, its being manifest as something with the potential to be said.

What I want to argue in conclusion is that the preacher in Agamben's example from *Remnants of Auschwitz* goes wrong precisely in treating the prisoners simply as cases falling under the genus "human being", overlooking the communicability that exceeds that signification. He treats their humanity as their truth and as the ideal to which their lives ought to conform. From a certain point of view, it seems obviously correct to say that their dignity as human beings consists in living up to that ideal. But it seems obviously incorrect to say that of the prisoners at Auschwitz. They have been degraded to the point where it is practically impossible for them to live up to a certain standard of autonomy and self-respect. Indeed, the term used by the Nazis to designate the legal status of the Jews during the twelve year state of exception of the Third Reich was *entwürdigt*, deprived of dignity. In the eyes of the law, Jews were bare life, falling below the dignity of qualitatively human life. And yet they retained a dignity that others ought to have respected, even in the camps. This is because the prisoners at Auschwitz were more than members of the class "human being;" they were human beings *themselves* whose value was incommensurable, irreducible to the value corresponding to the kinds of beings they were. They were singular, with a sense that exceeded what could be truly predicated of them. If this is correct, then it is a mistake to think of Auschwitz as effecting the ruin of the ethics of dignity. As Agamben's own thought experiment suggests, Auschwitz reveals rather the indispensability of such an ethics.

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