

## Fanaticism, Politics and the Subject of Justice: An Interview with Alberto Toscano

OZAN KAMILOGLU\*

Alberto Toscano is a social theorist, philosopher and teaches in the Sociology department at Goldsmiths, University of London.<sup>1</sup> He is the author of numerous books and articles on political philosophy and social theory, and his most recent title at the time of the interview was *Fanaticism: On the Uses of an Idea*.<sup>2</sup> In this timely work, Toscano undertakes a detailed history of religious and secular fanatics, challenging the constructed opposition between the reasonable and the fanatic and placing fanaticism at the heart of politics. His focus on the conjunction between the refusal to compromise and the concomitant drive towards the universal provides an innovative reframing of contemporary politics and debates on secularism and faith. Simultaneously, Toscano invites his reader to travel through classic texts by Kant, Hegel, Marx and Burke, to Sigmund Freud, Ernst Bloch and Alain Badiou. In this broad interview Toscano considers a variety of interconnected though disparate topics, ranging from social classes and Marxism to the nature of law and philosophy. The relations between the concepts of justice, law and philosophy are examined with the help of a genealogy of different philosophical traditions prevalent in France and the UK. His journey through this complex theoretical terrain is rooted in a profound understanding of philosophy and provides a courageous and often surprising look at the subject, connecting a critique of liberalism—so present in his work—to the correspondence between justice, philosophy and crisis in different countries. The Birkbeck Law Review is extremely happy to present this rich and insightful text to our readers.

---

\* PhD Law candidate, Birkbeck, University of London.

<sup>1</sup> Reader in Critical Theory, Goldsmiths, University of London.

<sup>2</sup> Toscano's latest book is now *Cartographies of the Absolute* (Zero Books 2015), with Jeff Kinkle.

THE BIRKBECK LAW REVIEW: *Thank you very much again for accepting to talk with us. You use different thinkers in your works: Badiou, Agamben, Rancière, Negri and other Autonomists to name just a few. We have different names for the proletariat in contemporary philosophy; to your mind, who is the proletariat, how should we think about today's proletariat, does it still exist?*

ALBERTO TOSCANO: Well, I suppose a good starting point would be to think about the way in which much contemporary radical philosophy, or contemporary political theory that places itself under the banner of a kind of return to communism, however ideal that may be, often distinguishes between *proletariat* and *working class*. It is a distinction that some people claim can be found in Marx. I think that is a little problematic, but there is a way in which a number of these thinkers extract a

specifically *philosophical* concept of the proletariat as a subject or process of subjectivation, and so on.

At its most extreme you find this in Agamben's *The Time that Remains*,<sup>3</sup> in his discussion of the genealogy and etymology of the notion of class, as drawn from the Bible, all the way to Weber, Benjamin, and so on. In that instance you get the idea of playing the proletariat *against* the working class. So you would have a kind of empirical working class, which is either vanishing, or depoliticised, or conservative, and then you would have a kind of specifically philosophical or even theological-political subject, to which you would give the name 'proletariat'. So I think Agamben would be at one extreme: the proletariat *against* the working class, which is, of course, a disputable move because it tries to draw on all of the power of that Marxist or communist lineage whilst treating the empirical or 'ontic' worker as a derivative or even irrelevant matter, a positive distraction from *true* (which is to say

*A good starting point would be to think about the way in which much contemporary radical philosophy ... often distinguishes between proletariat and working class.*

---

<sup>3</sup> Giorgio Agamben, *The Time that Remains: A Commentary on the Letter to the Romans* (Patricia Dailey tr, Stanford University Press 2005).

philosophical) revolution. The philosopher would then somehow have a privileged access to this purified, ideal proletariat.

At the other end, you could find perhaps in the workerist and post-workerist lineage, specifically in Negri, or Hardt and Negri, a way in which these two notions are much more closely entwined and in which the philosophical meaning of the term, and the socio-economic and political ones, end up being productively entangled; and then the problem is, how do we re-enact or re-vitalise this?

I think in many ways Badiou, at least the Badiou of the 1980s, when he still confronted these questions more directly, sits perhaps somewhere in between these perspectives. There is a very strong anti-sociological dimension, as there is in other contemporary thinkers (Rancière, for instance), a sense that class analysis has really very little to say to politics. But then in Badiou's case there is, at least in the 80s, less so perhaps now, for political reasons, an attempt to define the worker, or the 'name' of the worker, as a critical point of subjectivation.

So I think the obvious point is that there is a kind of collective, even if internally polemical, effort to revisit from the standpoint of philosophy this historical and economical and sociological question of the proletariat, but to do so in a sense without the anchoring in political economy that you would find in most Marxist discussions, including at their most subjective. That said, I think in our moment there is also something problematic about the tendency to think that somehow it's first of all the task of philosophy to name subjects, rather than, as Badiou has also argued in a more speculative vein, that subjects are named within 'truth procedures' themselves, by movements and militants, and that philosophy—the proverbial Owl of Minerva—is a rationalisation and universalisation of that aftermath. There is an irony then in the fact that people turn to Badiou (and to other philosophers) to identify these names for politics, which seems to imply that what is lacking in the political movements themselves is this capacity to identify a collective locus of agency.

Again, this is something that you could ascribe more to certain figures than others. Of course, Rancière's whole argument against 'masters' is also an argument against philosophy's capacity to name, its monopoly over naming, even though, again, I think people turn to Rancière for the same exact reasons—their desire for philosophy

to name politics. So there is a kind of performative contradiction involved in the whole stance of anti-mastery as well.<sup>4</sup>

Now, I think it's problematic and limiting to put such weight on philosophy as a sort of antidote to depoliticisation. There is still a lot to be thought of in the whole problematic of class analysis and power struggles broadly speaking; and I think in some way the overdetermination or erasure of the problem of the making of class by that of the proletariat as *subject* can perhaps blind us somewhat

*It's problematic and limiting, to put such weight on philosophy as a sort of antidote to depoliticisation.*

to real social and political movements. In that sense, perhaps, even though this might be a little theoretical, I'm not entirely sure that one should continue to focus so insistently on the categories of subject and subjectivity.

There are other lines of enquiry that are related to those of subject or subjectivity: agency, organisation, ideology, belief, affects like enthusiasm; but there is something very powerful about that exquisitely philosophical focus on the subject. It's very funny that people now speak of 'the subject' with a lot of certainty as if everyone in the room is always in agreement that that's what they are talking about. You know, there is nothing obvious about the idea of saying the working class, or, indeed, the proletariat, is a subject, even a collective one. There is a kind of nostalgia or a desire to hold on to aspects of this quite monolithic conception of subjectivity, in part as a reaction to the perceived problems of discourses of identity and difference and so on. I think that is perhaps a very intra-academic vision.

BBKLR: *If we are talking about the meaning of the subject, at the symbolic level, the other thing that we have to consider is law and justice. Paraphrasing Badiou, you once said the following:*

*The subject's stance vis-à-vis the law of the world that is being destroyed, circulates through four concepts: anxiety, superego, courage and justice.*<sup>5</sup>

---

<sup>4</sup> For Rancière's primary explication of his critique of 'masters' and 'mastery', see Jacques Rancière, *The Ignorant Schoolmaster* (Stanford University Press 1991).

*So particularly I would like you to open up the discussion between law and justice.*

AT: The argument that you mention obviously relates to Badiou's 1982 *Theory of the Subject*,<sup>6</sup> which was translated relatively recently by Bruno Bosteels. That text already raises a whole host of questions that we can't really deal with here, but which relate to the issue: to what extent can we or should we transpose or transcode an analytic of subjectivity that derives, in Badiou's case, largely from Lacanian psychoanalysis, which quite explicitly is not an analysis of collective subjectivity. This is certainly, in Freudian-Lacanian psychoanalysis, already a very problematic concept: the sociality of the human psyche.

So I think it's worth keeping that in mind. I think one of the problems of the discourse of subjectivity is the presupposition that, in analysing collective political mobilisation, you could use the concepts drawn from the analysis of, so to speak, individual subjectivity. Again, as an aside, it is interesting that a lot of thinkers are trying to get away from this mapping of an individual subject to a collective one, such as in Balibar's relatively recent work, drawing on Marx to think through notions of trans-individuality. So that is a first kind of caveat.

The second one is that I don't really know anything about

*One of the problems of the discourse of subjectivity is the presupposition that, in analysing collective political mobilisation, you could use the concepts drawn from the analysis of individual subjectivity.*

the law, which could just be a kind of professional malformation of someone trained as a philosopher. A lot of philosophers think that they have a lot to say about the law because, as a term, the 'law' (and right—*droit*, *diritto*, *Recht*) circulates so widely within philosophy. Of course, it plays a very formative role, at least within the Western philosophical tradition, both in concerns with the juridical

---

<sup>5</sup> Alberto Toscano, 'The Bourgeois and the Islamist, or, The Other Subjects of Politics' in Paul Ashton, Adam John Bartlett and Justin Clemens (eds) *The Praxis of Alain Badiou* (re.press 2006) 344.

<sup>6</sup> Alain Badiou, *Theory of the Subject* (Bruno Bosteels tr, Continuum 2009).

and political dimensions of law, and in the (arguably more important) ruminations on *scientific* laws; but I think it's important to stress that, though we should attend to a very specific history of the importation and elaboration of a legal vocabulary and a system of concepts within philosophy, which has its own very fraught history, we should also recognise how sometimes those terms become almost purely philosophical. Purely philosophical or, in the case of Badiou's quote, philosophical and psychoanalytic, because he is using these concepts in Lacan which are then in turn drawn from Freud, who in turn draws from a whole raft of different sources for the law, one of which is rather obviously the whole Biblical, especially Old Testament, conception of the law.

Now, maybe in a philosophical sense, or in a grand historical sense, we could say yes, of course, there are all sorts of connections between the idea of a *psychic* law, or the idea of a *moral* law, and the institutions of law, the apparatuses of law, which is a critical dimension of state power, and social reproduction, and class relations. That said, I think in a passage like that, the one that I think I was paraphrasing from *Theory of the Subject*, the distance between legal institutions and practices, on the one hand, and the philosophical concept of law, on the other, is pretty enormous.

I think one of the great risks in philosophy's relationship to the legal, or, let's say, in legal theory's relationship to philosophy, is being at times lured, or kind of mesmerised, by these homonyms. So when a philosopher says 'law', it can be taken for granted that this has something to do with judges and statutes and courts and so on. One of the things that I think is very strong, certainly in French thought, especially in those dominated by a reference to the psychoanalytic, is this very, so to speak, monolithic conception of 'Law' (capital L), which, in fact, as in that passage you quote from the article, is identified with a kind of seamless domination, totalisation, and reproduction of psychic life, or social relations, or at least with the fantasy that there could be this seamless totality and transcendent sovereignty.

It could be argued, of course, that this also comes from incorporating into philosophical reflection a certain ideology of the law that is specific to a given legal system, in this case the French. I have these somewhat vulgar materialistic epiphanies reading French philosophy, when I realise: ah, they write Law with a capital L, or State with a

capital S, in French, partly because that is how the state and the law, in a way, ideologically exist within France, in such a way that they could never exist within Britain or the United States – the sense of this overarching, unified, hierarchically ordered and seamless apparatus, which is very different than ideologies that develop out of traditions of common law.

This is an aside, but I think it would be a very interesting angle to think through one of the most famous moments of extreme misunderstanding between French and British traditions of radical thought, which is the whole debate between Althusser and EP Thompson. Even though I think there are all sorts of interesting short circuits and points of comparison, if you read Althusser on law in the recently translated text *On the Reproduction of Capitalism*,<sup>7</sup> and then if you read Thompson's *Customs In Common*,<sup>8</sup> although these are two Marxists, the aspects of Marx they draw on and their analyses are so vastly different. This is partly because for Thompson it would be impossible to write law with a capital L. I think that view is grounded in a very different history.

To go back to the Badiou, I think there is another element of this, which is that whatever we may think of its historical origins, or its specificity, the law names not just order, but transcendence, by opposition and contrast with the problem of justice, which for Badiou is inextricable from the problem of novelty—to the extreme extent that at one point in *Theory of the Subject* he simply declares that the new is the just, which is a disputable statement, though we will leave that aside.

So, what 'justice' stands in for here is the possibility of the institution of an order, or of a practice, or a form of life, that wouldn't presuppose a given juridical arrangement, that wouldn't presuppose the existence of moral guidelines, political precepts and so on and so forth. It's in that sense you could say it is only from the standpoint of what Badiou tries to indicate, not quite conceptualise but at least indicate, with the name of justice, that one could think about politics, so to speak, practically existing.

---

<sup>7</sup> Louis Althusser, *On the Reproduction of Capitalism: Ideology and Ideological State Apparatuses* (GM Goshgarian tr, Verso 2014).

<sup>8</sup> EP Thompson, *Customs in Common* (Merlin Press 2009).

I think Badiou does draw on that insight, which you will already find in Marx's response to Bauer in 'On the Jewish Question',<sup>9</sup> where the problem is not religion itself, the problem is the abstract transcendence and presupposition of an order, that of the state. At a very abstract level in Badiou, justice requires an event which breaks with the order of representation, which is broadly synonymous with the State.

In one sense, these terms 'State' or 'Law' also name, to some extent, the theological or religious structuring of psychic and social life as such. Even though I think it's not developed a lot, I do think that notion of justice is interesting. I think it's also very interesting to compare Badiou to his philosophical nemesis, Deleuze. The latter already writes, in his early book on Hume, about his interest in the artifice of constructing institutions, in a sense in questions of habit and custom and that whole empiricist—and of course much more British—tradition of linking philosophy and law together, and even all the way into the interviews that he gives to Claire Parnet, *L'abecedaire*,<sup>10</sup> where he talks about his interest in the whole question of jurisprudence, which fits with his intention to think against a psychoanalytically inflected conception of the law (from *Anti-Oedipus* with Guattari onwards,<sup>11</sup> though we should not neglect the fascinating reflections on contract in his presentation of Sacher Masoch in *Coldness and Cruelty*<sup>12</sup>). So I think you can also read that whole conflict around the figure of Lacan, and around psychoanalysis, through that lens.

Now, what is curious is that Badiou doesn't, as in that passage you quoted, want to reassert as such the necessity of superegoic law, but he does think that has its own efficacy in reality. So it has to be traversed in the direction of justice; whilst Deleuze's tactic, as in the whole drift of his relationship to Lacan and psychoanalysis, is to undermine and bypass that. That's why it's also very telling that

---

<sup>9</sup> Karl Marx, 'On the Jewish Question' in *Early Writings* (Rodney Livingstone and Gregor Benton tr, Penguin 1975).

<sup>10</sup> *L'abécédaire De Gilles Deleuze* (French television series produced by Pierre-André Boutang, aired 1996).

<sup>11</sup> First published in English as Gilles Deleuze and Felix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia* (Robert Hurley, Mark Seem and Helen R Lane trs, Viking Penguin 1977).

<sup>12</sup> Gilles Deleuze, *Masochism: An Interpretation of Coldness and Cruelty* (George Braziller 1971).

from very early on, that is to say from the 50s, Deleuze is first and foremost a thinker of *institutions*, or of the artifice of institutions, and not of the transcendence of the law (and its negation). This also explains again, I think, why his way of articulating the question of the event is so different.

Now, what I do think interesting is that there is, not a point of convergence, but at least some kind of resonance between Badiou's conception of justice and Deleuze's understanding of institutions, jurisprudence, etc., in both trying to think forms of the political. So I think that could also be an interesting avenue through which to rethink the problem of communism, and move beyond the debate about the idea of communism to questions about communist practices. Some of the most interesting thinking in the initial period of Soviet intellectual life was precisely around thinking about communist transitions and engaging not just in a critique of value but in a critique of the law, as in the work of Evgeny Pashukanis. Of course, that is an extremely vital critique, but it is not one that necessarily would forbid one to think: is there such a thing as communist legality, and is there a communist justice?

*Is there such  
a thing as  
communist  
legality, and  
is there a  
communist  
justice?*

I think this is possibly the limitation of Badiou's account: is there a justice that is not simply the subtraction from, or the escape from, law? So is it a justice that actually constitutes or innervates itself through a set of practices, or does that mean that then the questions of law and legality disappear as you enter into the world of what Engels called 'the administration of things'? And prior to that problem, which I do think is really a problem which has not been addressed in these debates around communism, is this: is there such a thing as law, legality or, indeed, justice, without the state in the horizon?

Badiou talks about justice, and that seems to be in terms of immanent criteria of judgement and decision, that are immanent to a particular political procedure; but they are not just immanent to that procedure. They are also always in antagonism and in subtraction from law, which I think also allows us to reflect on something else, which is the extent to which the whole formulation of rupture and

event depends on a pre-existing thesis about the transcendence and the comprehensiveness of the legal and political order *from which* one is breaking.

In one sense, for the ‘site’ of the event to be determinate, there has to be a way in which you could really systematically map that order *as* an order. You might ask yourself then, well, if an order is not totalisable and self-identical, if the law is not so capital L, if the articulation between representation and presentation is not seamless, and so on and so forth, what exactly is a rupture? Can you have a rupture in an unstable, unfinished, incomplete political or legal or economic programme? I don’t want to reduce it to being a French thing, but it might be in part an effect of a certain conception of the relatively seamless articulation of state, law, ideology and capital in a kind of self-reproducing system in which then the rupture would be very determinate, in which you could say: ah, that is a radical novelty!

BBKLR: *Can we consider France and the UK, the law systems today, and how they look at the fanatic, the hypothetical fanatic? I am asking this question in relation to your book, Fanaticism,<sup>13</sup> and the chapter on Enlightenment.*

AT: I guess the obvious place for it to go would be anti-terrorism law or hate speech law or the like. I don’t know about the precise differences in legislation. The only thing I can answer to is really more of an ideological difference, a difference in the vocabulary or the tonality of the discussion about fanaticism, or about what amusingly today is referred to as ‘radicalisation’, which I think is itself quite a curious term.

There are some interesting discursive or ideological distinctions, many of which, as has been noted over and over, go back to different histories of managing or dominating or incorporating differences in France and Britain’s imperial and colonial histories. There is still a way in which you could see certain aspects of a state policy, which in part goes under the heading of multiculturalism here,

---

<sup>13</sup> Alberto Toscano, *Fanaticism: On the Uses of an Idea* (Verso 2010).

as being a way of managing or neutralising differences coded as ethnic or religious and so on.

A kind of interesting example of it is that of the British state's responses to the crisis around the Rushdie affair.<sup>14</sup> The response to the protest around *The Satanic Verses* was in part to incorporate into the political management of religious and ethnic difference some of the same organisations and some of the same people who had been very vocal against Rushdie, a tactic which would never have been the tactic of the French State for a number of ideological reasons. Of course, there is a lot of debate on assimilationism or multiculturalism and so on, and I think it does relate to these histories in very complex ways we can't get into here.

There is an interesting point in what you are mentioning, that there is a tendency here in the UK perhaps to view fanaticism, so to speak, as the result of a cynical, manipulative operation, that you could say finds its ancestor in Voltaire's take on fanaticism in his *Treatise on Tolerance*,<sup>15</sup> or his play on the prophet Muhammad.<sup>16</sup> At the same time, I also think there are a lot of commonalities in these state discourses, or even European discourses, or even more broadly, North Atlantic discourses, about extremism and radicalisation; partly because there is an endless revolving door between all of these specialists in fanaticism—these preventive managers of radicalisation.

This last term in particular is interesting because it has really become much more operationalised. Now there are all sorts of task forces and programmes and investments in this special skill, apparently, which is de-radicalising. For instance, prisoners in the British system who have been incarcerated on the basis of, so to speak, terrorist-related offences, have to undergo these de-radicalising programmes. In order to have their sentences reduced they have to prove their dis-attachment from their previous passionate attachments to whatever cause.

---

<sup>14</sup> In 1988 novelist Salman Rushdie was accused of blasphemy following the publication of his novel, *The Satanic Verses* (Random House 1988). In 1989 Ayatollah Ruhollah Khomeini of Iran issued a fatwa ordering Muslims to kill Rushdie.

<sup>15</sup> Voltaire, *Treatise on Tolerance and Other Writings* (Simon Harvey ed, Brian Masters tr, Cambridge University Press 2000).

<sup>16</sup> Known by the French, *Mahomet*, and available in three direct translations. The latest is *Fanaticism, or Mahomet the Prophet: A New Translation* (Hanna Burton tr, Litwin Books 2013).

I was talking to a lawyer who had prison clients who were subject to this practice and he said it was very striking, because they were not just supposed to prove that they were no longer in whatever organisation they had been alleged to be in, but they also had to prove that now their individual or familial interests were of greater importance to them than their collective commitments. So they had to prove that they no longer had the same emotional and political attachment to a collective solidarity as they did before.

There is something very striking about the imperative to prove that you are basically a self-interested individual, that you are like a proper liberal subject—something which is, of course, in constant contradiction with the endless celebration of the selflessness or collective spirit of people in the British army, or whoever is positively valorised. Then you get a whole way in which this contradiction is then ethnically, racially and politically policed. So obviously it is not that enthusiasm is bad as such, it is just enthusiasm of a particular sort.

The fact is that now the discourse has amplified itself beyond fundamentalism—I use the term ‘fanaticism’ because I think it is historically a very revealing term. It wasn’t a dominant term under the law on terror, where it was fundamentalism and extremism, but I think the fact that now radicalisation seems to have come to the fore, aside from the xenophobia and everything else, is a function of the role of the security state as a manager or overseer of belief and behaviour.

*This idea that now to be radicalised is a thing that an individual or agent or subject shouldn’t do is quite curious.*

Then the government conducts the systematic prevention of a process that seems to have a pattern, but that pattern is unrelated to any broader political context, and so then it is a sort of endogenous product of a bad conjunction of poverty, exclusion, manipulative political entrepreneurs, or political religious entrepreneurs, and so on. It is the role of the state then to either prevent or rewind or undo radicalisation. That’s a curious figure of power.

In many European countries, including France and Italy, you still have parties or descendants of parties that still have ‘radical’ in the title. They tend to be actually liberal parties, liberal or liberal-social-

ist parties, but this idea that now to be radicalised is a thing that an individual or agent or subject shouldn't do is quite curious. It is also ironic that most of the problems that are posed by contemporary radicals are also 'how do we radicalise?' The problem is one of depoliticisation, so whilst on the one hand the state has these therapies against radicalism, then so much of the Left thinks—in ways that are perhaps problematic in their own way—how could you offset depoliticisation?

*BBKLR: If you consider the recent insurrections for justice in a number of countries, from Turkey to Ukraine, to those of the Arab Spring, particularly Egypt, either there is a complete overthrowing of the state, or a claim of justice with gradual change, deliverance and so forth. Even the West was very sympathetic with these claims of justice. How do you consider these insurrections and the positioning of Western liberals?*

AT: I think there has been something very revealing about the projection of particular political imaginaries and political desires onto the various revolts, uprisings and insurrections, especially from 2011 onward. It has been revealing of the efforts of the Left to develop different vocabularies. In fact, Badiou and Negri and Nancy and Žižek and Butler all wrote about the same events. I think that is a kind of interesting, symptomatic kind of activity: in the square Badiou saw movement communism, Negri saw a new stratum of immaterial labourers, and so on.

But the liberal projection is, I think, in many ways a fascinating one, because the mainstream narrative is quite clear. Revolts and uprisings are to be celebrated in as much as they are vanishing mediators towards liberal democracy, or, to use Badiou's notion, 'parliamentary capitalism'. Also there is another element there, which is not just the desire for states to catch up to the liberal end of history or whatever, but it is also to re-energise, at a kind of imaginary level, the quotidian operations of liberal democracies. These are increasingly perceived by their own populations as unsatisfactory, illegitimate, fostering inequality.

I think part of the fantasy is this view: okay, there is someone in Ukraine, there is someone in Venezuela, there is somebody in Egypt,

at this very vague level, that is willing to die to be in the situation that I or we find ourselves in. So that can be viewed as galvanising, or even appear as a return of history, albeit in the mode of a safely distant spectacle. It is very interesting to see the twists and turns of the liberal commentator, who, of course, on one level needs to constantly restate the rule of law, so they always need to come up with strange arguments that are outside of their canon of thought: arguments about the right to resistance—which you can find in law, but most liberals don't take that seriously—or constituent power.

So when Yanukovych (by liberal electoral standards a legitimate president) is overthrown in the Ukraine there are these contortions. You could say, 'well, he was no longer legitimate if the people could overthrow him,' etc, etc. That is already a curious moment. It is the combination of a weird projective identification, but then also this avowal of this moment of enthusiasm. It is also the very elaborate political and media projection that, in fact, what people want is what you already have. Certainly, in Ukraine, it is evident that there are groups in fact involved in the government, including the Deputy Minister for National Security, who do rather fit the official Russian declarations that some of these people are fascists, pretty much, whose intentions, I imagine, are quite different to those of liberal democracy.

*You can align a certain  
conception of fanaticism  
with justice.*

BBKLR: *Let me try to connect the discussion on fanaticism, the insurrections and their claims of justice. Has all fanaticism, in a way, the feeling of justice in it?*

AT: Well, there is a sense in which I think you can align a certain conception of fanaticism with justice, and it might be an interesting way of distinguishing within fanaticism, because you could also say, well, there is a fanaticism of the law. This would, in a sense, be one possible definition of what has been referred to as fundamentalism, and is referred to as *intégrisme* in French. So basically you, as an actor, become a conduit for the incessant reaffirmation of claims of a static law against its corruptions, or the lack of respect for the law, or what have you.

Again hypothetically—it's not a distinction I make in the book—you could say that perhaps there is on the other hand something more like a fanaticism of justice, in the sense of the uncompromising practical affirmation of certain principles, and the ways of life or behaviour that go along with them, regardless of or against any established or traditional or accepted order. That, of course, is always ambiguous, because there is inevitably a kind of dialectic, and at times an extreme indiscernibility, between this justice and this law, because the extra-legal justice seems to always want to become a law rather than to maintain itself in this limbo, or in this exceptional state of just being.

One of the more interesting texts I have come across about this is a brilliant history of the Italian resistance in World War II, by Claudio Pavone.<sup>17</sup> The book articulates an understanding of the resistance, not so much in terms of military strategy, but in terms of the moral experience of what it is to live and embody and articulate justice in the collapse of any state or legal system that would give sanction to the law. I think in a quite practical sense it is worth reflecting, maybe in a kind of comparative vein, on the different institutions and instruments and forms of justice that take place in these moments of retreat of the state, in liberated zones and areas viewed by the state as illegal. Secondly, and perhaps most significantly, do they manifest forms of organisation, including forms of sanction or prohibition, that are not reducible to the law as otherwise understood?

There is a very provocative, I think also insightful argument made in this recent book by my French publisher, Eric Hazan and his anonymous co-author Kamo. It is called *First Revolutionary Measures*.<sup>18</sup> It is a militant utopian text, about the first things that one should do once a revolution happens. They have a very interesting observation, which is that the one thing that one shouldn't do is to have a constituent assembly. Their whole argument is that all revolutions are captured, or kind of re-territorialised, or frozen by this moment. Once that moment happens, they argue, you get this quite predictable sequence where you see the constituent assembly, and then the crushing of the Left wing of the revolution, and then the constitution

---

<sup>17</sup> Claudio Pavone, *A Civil War: A History of the Italian Resistance* (Verso 2013).

<sup>18</sup> Forthcoming in English as Eric Hazan and Kamo, *First Measures of the Coming Insurrection* (Zed Books 2015).

of a state which largely abandons or represses revolutionary principles.

You can see this, of course, in many of the recent uprisings. Hence the conclusion that the one thing that you shouldn't do is to organise elections. If you think of Tunisia and Egypt, in both cases elections were won by rather large margins by groups that had very little formative role in the overthrow of the governing autocracies and played the situation very carefully.

Elections can really be seen as a key element for taming these moments of collective enthusiasm, but also of the reorganisation of everyday life. Likewise, prefigurative politics, the various square occupations, and so on, can be channelled back into political demands and desires that are entirely recognisable from a liberal frame. To what extent that is the lived reality of the participants, and to what extent the effect of the representation of their action, from both inside and outside, is open to question and I think these two

*Elections can really be seen as a key element for taming these moments of collective enthusiasm, but also of the reorganisation of everyday life.*

dimensions should be dealt with separately.

Viewed from the, at least provisional, stopping point of a number of these processes, I think

the difficulty is to go, okay, well, can one move beyond the idea that people are willing to die to finally live in a depoliticised liberal democracy? This would require breaking with the liberal framing of these movements (which, again, is also an internally operative representation, not just the creation of Western media) and, as certain analysts have convincingly done, certainly for movements in Egypt and Tunisia and so on (Adam Hanieh's very important work comes to mind here), to try to think how these movements exceed these liberal desires.

I think there is a real tension, starting with exorbitant revolutionary claims at the outset and then a situation in which you are sort of stuck between, on the one hand the naming—'these are revolutions'—and the stabilisation into messy complex entities that nevertheless don't seem to transcend the politics of liberal representation or authoritarian reaction. And then there is also a relative

invisibility of the thinking and practice of the people involved—since most of the names and concepts that filter through are ones that can be recognised abroad.

In the intersection of the very minoritarian revolutionary spectatorship, and the massive media-friendly liberal spectatorship, you often lose any articulate sense of the events at hand; and then you also get these very misleading spectacular identities or isomorphies (I recall being at a demonstration with the slogan ‘Cairo, Tunis, Wisconsin, we will fight and we will win’, which is pretty symptomatic). I think there is something perhaps depressing, but nevertheless instructive, as we then saw in Ukraine, about realising that there is nothing potentially revolutionary as such about a barricade, and that enthusiasm about appearances is a very weak basis for political solidarity.

This is a matter of what we could call historical pedagogy. I think there has been a tendency over the past few years, partly as a response to the depoliticisation that is accompanying liberalism, etc, to celebrate the very fact of politics, treating ‘politics’ in kind of honorific terms. If something is ‘politics’, if you say to something, ‘ah, that’s political’, as a theorist or a commentator on the Left, you seem to be implying that it is also something that is itself progressive or emancipatory; which is, I think, a totally bizarre and unwarranted idea.

Of course, on one level, in the whole history of the labour movement, strikes, for instance, are crucial and positive emancipatory moments, but it is worth remembering that strikes also helped to bring down Allende’s government and contributed to the coup in Chile, or that during World War II in the US some white workers had ‘hate strikes’ against black workers. It does become this really myopic take on this

*It is worth remembering that strikes also helped to bring down Allende’s government and contributed to the coup in Chile, or that during World War II in the US some white workers had ‘hate strikes’ against black workers.*

spectacle of politics, and I think that is a real trap—the Kantian trap, the trap of the enthusiastic spectator who is most interested or more galvanised by their own enthusiasm than by interest. So it is also a question about how one relates to movements and

processes happening elsewhere, and I think there is a pernicious tendency, on both the practical and theoretical Left, to enter into the mode of celebration, which in some ways leaves both analysis and practical solidarity on the sidelines.

I think what has been happening in Venezuela, in terms of the opposition demonstrations and riots against Maduro, and Ukraine should at least be an occasion to be slightly more reflexive about the way that these practices of naming the political and of 'radical' theoretical spectatorship take place.

*BBKLR: Let me ask from this point about the Left and traditions. What do you think about stigmatising certain forms of action on the Left, which differs from one country to another? I believe Greece and Turkey have a different history than Germany. But it seems to me there are certain forms of action that are also tradition. What do you think?*

AT: Let me answer in terms of Italy. There is a very complex history, and you could say we need to go back to the very early moments of the Italian Communist Party, or dates even before that, before the formation of the Communist Party proper, to the debates about World War I, in which there is a long history of debate about extremism (and actually that is often the term used).

It is something which is, of course, entangled with the very strong influence of Lenin's discourse on ultra-Leftism or adventurism, a discourse of 'extremism' with an opposite genealogy to the one that became entrenched with Cold War rhetoric, in which all Communists were messianic fanatics of one sort to another. That debate is hugely historically significant, but in many ways also theoretically very impoverished, as I think comes across in my book as well. There is something insanely repetitive and schematic, and in fact even the people who today talk about radicalisation do so in ways that are often not fundamentally different from the ways in which certain people, especially ex-Communists, did in the 40s and 50s of the past century.

What is more interesting to revisit is that debate internal to the Left, and in particular to the Communist Left, where you have terms like ultra-Leftism and adventurism, and militarism once you get to the

60s and 70s, then being juxtaposed to realism and pragmatism. I think there is definitely a trend within the popular media to recall that past as a past that was dominated by these figures of irresponsible, uncompromising, destructive conviction. That said, there are still relatively substantial sections of the Italian far Left, which certainly has a publishing presence, which will be immensely critical, and often disassociate themselves entirely from the armed struggle proper of groups like the Red Brigades, but who nevertheless think that collective forms of violence or antagonism against the state that took place in the 70s are perfectly legitimate. Those people are still around (and some have published interesting historical reflections, especially for the publishing house *DeriveApprodi*).

In the 70s there was a large number of people (because it got 30 or so per cent of the votes) who somehow identified with the Italian Communist Party, and also thought of their political position as very much in contradistinction to what was perceived as a kind of ultra-Leftist adventurism. I think that discourse is still around, and has accompanied the slow and now almost complete euthanasia of the legacies of Togliatti and Berlinguer. At its most denunciatory of these movements, the Italian Communist Party entered into a discourse in the 70s—that you can also find in Germany, and in the likes of Habermas, for instance—of 'Left fascism', where somehow the far Left, via the insurrectionist urban movements, linked to Autonomia, or definitely around forms of armed struggle connected to the Red Brigades and Prima Linea, were viewed as somehow indistinguishable in this discourse of extremism.

Forty years on, even the forms of insurrection and violence that were previously sacrosanct in Italy (which were, of course, not those of the 70s but those of the 40s, of the anti-fascist and anti-Nazi resistance), themselves end up being entered into this revisionist practice. This has been going on for some years, certainly ever since the mutation of the Communist Party and the collapse of the Soviet Union.

But, yes, there is certainly a difference with the articulation of these views—regarding the defence of an intransigent politics of justice, sometimes in a communist vein—in countries with a different history. We can certainly find such a mentality of intransigence in Greece, much less so in Spain. In Spain there are still people who obviously have a strong identification with the Republic, but because of the

massiveness and endurance of Francoist repression, and how the transition was managed, there is rather little operative 'romanticism' about the politics of armed resistance, unless you look at very limited realities. Of course the Basque far Left has a different relationship to this, the armed struggle, Francoism. And obviously there is still a sizable contingent of people who view a considerable continuity between that rule and the one now.

BBKLR: *The military coup lasted too long.*

AT: It is half a century; and the early repression was so extreme that you don't have the same development of struggle.

BBKLR: *Final question: the relation between claims of universality and human rights discourse. Can we have a criticism of human rights discourses parallel to that of fanaticism? What is the relation between human rights and fanaticism?*

AT: It is a tricky question, because the discourse on communism as a political religion, which emerges in the interwar period, where it is also a discourse about various fascisms as political religions, is then recuperated and revitalised in the late 70s, often by a new batch of ex-Communists, especially in France, so-called '*Nouveaux Philosophes*'. They do so in conjunction with the very aggressive promotion of the discourse of human rights, under the character of administration and in conjunction with the so-called 'boat people crisis' in Vietnam, the critique of the Soviet Union after the debate about Solzhenitsyn in France, and so on and so forth.<sup>19</sup>

There is a way in which, and I think this is traced in fairly compelling ways in Robert Meister's book, *After Evil*,<sup>20</sup> that discourse consolidated itself, not just as a kind of political common sense, but in a whole ramified and very broad set of institutions and practices,

---

<sup>19</sup> The Vietnamese 'boat people crisis' refers to the roughly two million Vietnamese who fled their country, by sea and by other means, between 1975 and 1995.

<sup>20</sup> Robert Meister, *After Evil: A Politics of Human Rights* (Columbia University Press 2011).

linked to non-governmental humanitarian organisations. And that discourse is legitimated, at least implicitly, and at times explicitly, certainly in the French case, as an ‘anti-fanatical’ discourse. So it’s a discourse where the abstract assertion of a kind of communist or socialist universalism or humanism would be countered by, in a sense, a universalising discourse, but one that is not based on the assertion of political principles per se, but on claims that on one level are abstract (the rights of the human) but at the same time whose fundamental point of reference is the vulnerability of the human body or the individual (think of the Amnesty slogan: ‘protect the human’).

It is a very ambivalent situation; because you can’t entirely disjoin the ideological basis of the French Terror of 1793/1794 from human rights as they are viewed by human rights organisations. In many

*You can’t entirely disjoin  
the ideological basis of the  
French Terror of  
1793/1794 from human  
rights as they are viewed  
by human rights  
organisations.*

ways, ironically, the principles are not necessarily different, but they are embodied in institutional apparatuses, ideologies and forms of common sense that are historically radically different. There is a discourse of human rights that detaches itself entirely from the idea of constituting new and just forms of political collectivity, of social association.

I think that is nicely formulated in Meister’s book as the idea of politics ‘after evil’ always being a politics ‘before justice’, and actually what the discourse of human rights makes a claim for is not really justice, certainly not in the way that is found in Meister or Badiou. It’s not about a transformation of everyday life on the basis of certain egalitarian and universalisable principles; this universalisation is not an affirmative constructive principle, it is a negative and regulatory one, which has to circumscribe itself to certain types of infringement of rights and certain types of injustice against certain kinds of bodies. Then the real tension comes in how we conceptualise the idea of universalisation or universalism.

I think what is interesting in certain trends, embodied in part in Badiou and other thinkers, is how to think universalisation after an historical and genealogical critique of universalism; which is also a

critique of the dialectic of enlightenment as the imposition of a really particular set of criteria, that distortedly or falsely present themselves as universal, as one might already encounter, again, in Marx's comments on the Jewish question.<sup>21</sup> What would it be to think a universalisation that is not the imposition of a falsely universal, but actually particular, or even self-interested, standard onto difference and multiplicity of all sorts? That is a kind of common concern that one can find threaded across all of these debates. Think of the whole tradition of critiques of universalism: feminist critiques, post-colonial critiques, critiques coming from the black radical tradition, etc.

I think what is curious in many ways is that what gives, for all of their problems, much of the appeal to the attempts to rethink universalisation by the likes of Badiou, is the fact that so many of the critiques of universalism have become, certainly in academic sectors, purely depoliticising, and also implicitly liberal. In fact, they have taken the sting out of much more politically driven and emancipatory and, in their own ways, universalising aspects of those, broadly speaking, critiques of enlightenment, progressivism, that emerged from the movements of the 60s or 70s or before.

*So many of the critiques of universalism have become ... purely depoliticising, and also implicitly liberal.*

I am in part thinking here on the back of reviewing together Meister and Weizman's books.<sup>22</sup> I think they are both at various registers very philosophically informed critiques of human rights, but they are not critiques of human rights at that simply transcendental level, like critiques of human rights which take it to task for its universalism or lack thereof. Rather they are critiques of both the temporal structure of human rights discourse, which is then in turn linked to a certain institutional temporality, a certain temporality of fantasy in a sense, and also an implicit or explicit attempt to repress or disavow a different discourse; in fact, to disavow the revolutionary ghosts of human rights past. In the case of Weizman it is a critique that really thinks through the spatial and institutional and, in a sense, techno-

---

<sup>21</sup> Marx (n 7).

<sup>22</sup> Meister (n 13); Eyal Weizman, *The Least of All Possible Evils: Humanitarian Violence from Arendt to Gaza* (Verso 2012). Reviewed in Alberto Toscano, 'The Tactics and Ethics of Humanitarianism' (Spring 2014) 5(1) *Humanity: An International Journal of Human Rights, Humanitarianism, and Development* 123.

logical manifestations of what human rights is—what it means in the calculative practices of armies and governments and all of these devices of the minimisation of violence, all these devices of the lesser evil.

So I think in that sense I'm currently more drawn to critiques of human rights that are not just normative philosophical ones; that in their own way are both historical and materialist.

BBKLR: *Thank you very much.*

