

## Jacques Derrida

### The Last of the Rogue States: The “Democracy to Come,” Opening in Two Turns

I have already played a great deal with this verbal thing *voyou*, this idiom of recent or modern French invention (dating back only to the nineteenth century, to the beginning, therefore, of an urban society entering the age of industrial capitalism), an idiom of popular origin and barely French, but also, in spite of or actually because of all this, an untranslatable, or barely translatable, incrimination, a sort of French interjection or exclamation, “*voyou!*” which, I neglected to say, can be turned by means of an intonation into something tender, affectionate, maternal (my maternal grandmother used to call me this when I was a child, pretending to be angry with me, “*voyou, va!*” [“you little rascal!”]).<sup>1</sup> I have played a great deal with this word, which, while remaining untranslatable, nonetheless becomes in the expression “*Etat voyou*” a more-than-recent translation, almost still brand new, barely used, approximate, *franglaise*, of the Anglo-American “rogue state”—that so-very-singular indictment I discovered for the first time in my own language a little more than a year ago, and doubly associated with the state, when it was announced after a cabinet meeting that the president and

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the prime minister at the time, in spite of their “cohabitation,” that is, in spite of belonging to different political parties, had agreed upon the development of a nuclear weapon aimed at combatting or deterring what the statement read on the steps of the Elysée Presidential Palace called *Etats voyous*. I have thus spoken a great deal of this word *voyou* (for the word itself is a *voyou* of language), of what has recently become and, such is my hypothesis, will remain for only a short time still, a useful slogan or rallying cry for the coalition of what are called Western democracies. In this word *voyou* I have thus let appear by turns the noun and the attribute or adjective, a nominal adjective sometimes attached to a “who” and sometimes accorded to a “what,” for example, *Etat voyou*. For in the French idiom, someone can do something that’s *voyou* without actually being a *voyou*. And, in beginning, I said successively, you may recall, using the word *voyou* four different times, sometimes as a noun, sometimes as an adjective qualifying someone or something of someone: “It would no doubt be, dare I say, somewhat ‘voyou’ on my part were I not to begin by declaring, yet one more time, my gratitude” (*voyou* here qualifies something, an attitude). I then added: “I would thus be, you might think, not only ‘voyou’ but ‘a voyou,’ a real rogue, were I not to declare at the outset my endless and bottomless gratitude.” (This time, after the attribute of a subject, of a *who*, the substantive *le voyou*, *un voyou*, “a rogue,” designated the subject, a “who.”)

The attribute *voyou* can thus sometimes be applied to a subject that is not substantially, that is, through and through, or naturally, a *voyou*, a rogue. The quality *voyou* is always precisely an attribution, the predicate or *categoria* and, thus, the accusation leveled not against something natural but against an institution. It is an interpretation, an assignation, and, in truth, always a denunciation, a complaint, or an accusation, a charge, an evaluation, and a verdict. As such it announces, prepares, and begins to justify some sanction. The *Etat voyou* must be punished, contained, rendered harmless, reduced to a harmless state, if need be by force of law (*droit*) and the right (*droit*) of force.

I am drawing attention to this idiomatic distinction between the adjective and the noun in order already to help us think about the fact that in this French expression of very recent date, “*Etat voyou*,” which, even if untranslatable, as I said, will have been but an approximate translation of the Anglo-American *rogue state*, we do not know exactly how *voyou* should be heard or understood. We do not know whether it should be, as a substantive, linked by a hyphen to the substantive state, thereby indicating that some state is substantially a *voyou* and thus would deserve to disappear as a nonconstitu-

tional state or state of nonlaw, or whether *voyou* is an attribute, the quality temporarily attributed out of some strategic motivation by certain states to some other state that, from some point of view or in some context, during a limited period of time, would be exhibiting *voyou* behavior, appearing not to respect the mandates of international law, the prevailing rules and the force of law of international deontology, such as the so-called legitimate and law-abiding states interpret them in accordance with their own interests. These are the states that have at their disposal the greatest force and are ready to call the *Etats voyous* to order and bring them back to reason, if need be by armed intervention—whether punitive or preemptive.

Here is where the problem of *Etats voyous* that I announced in the beginning forms a real knot. To understand this knot—I am not saying to undo it—I will follow *three threads* of very unequal length. Very unequal for reasons of economy and so as not to try your patience.

#### A.

The *first thread*, the longest, though still little more than a quick connection, would be the one that links the question of what we have called the “democracy to come,” of what this syntagm might mean, to the current situation: states accuse other states of being *Etats voyous* (rogue states). They intend to draw the conclusion, the armed conclusion, of this, namely, to use force to confront them, in the name of a presumed right and the reason of the strongest, according to modes that we no longer know, in principle and in all rigor, how to qualify, and which, according to my hypothesis, are and will remain forever foreign to every accredited qualification or to every acceptable conceptual distinction: army as opposed to police, engaged in war (civil war, national war, or partisan war) or in peace-keeping operations, or else in state terrorism.

Every “democracy to come,” whatever meaning or credit we attribute to this expression, will have to treat this problem and its urgency. It is only in post-Kantian modernity that the problematic, and first of all the definition, of democracy gets fully implicated in the turbulent territory of relations between states, in questions of war and peace. As at the end of *On the Social Contract*, questions of foreign policy, of war and peace, were still excluded, marginalized or deferred in the treatment of the concept and stakes of democracy. This democracy remained and still remains a model of intranational and intrastate political organization on the inside of the city. Despite some appearances, it is not certain that things have changed.

Whether we follow the guiding thread of a post-Kantian political thought of cosmopolitanism or that of the international law that governed throughout the twentieth century such institutions as the League of Nations, the United Nations, the International Criminal Tribunal, and so on, the democratic model (equality and freedom of sovereign state subjects, majority rule, and so on) sometimes seems to become or tends to become “in spirit” the norm of this politics of international law. But this appearance is deceptive, and the question of a universal, international, interstate, and especially transstate democratization remains an utterly obscure question of the future. It is one of the possible horizons of the expression “democracy to come.” The democratic paradigm does not govern the tradition of Kant’s treatise *Perpetual Peace*, which it would be necessary to read here closely, with its concept of a “world republic” (*Weltrepublik*), which is not a democracy, and its distinction between a “treaty of peace” (*Friedensvertrag, pactum pacis*) and a “league of peace” (*Friedensbund, foedus pacificum*), this latter alone being capable of assuring a perpetual peace in a federation of free, which is to say, sovereign, states.<sup>2</sup> All this, we must never forget, is in the context of Kant’s claim that the “majesty of the people,” that is to say, the sovereignty of the people, is an “absurd expression” (*Volksmajestät ist ein ungereimter Ausdruck*) (PP 16). *Majestas* has always been a synonym of *sovereignty*.<sup>3</sup> Only a state can be or have a sovereign. A league of peoples (*Völkerbund*) cannot become a state of peoples (*Völkerstaat*) or be joined into a single state. As for democracy in the interstate or transstate relations, law, and institutions of today, the least that can be said is that it remains entirely to come. It is thus the place of which we must speak: not necessarily *from* this place or *in view of* this place but on the subject of the possibility or impossibility of such a place.

In saying that this place (possible, impossible, or unlocatable, but not necessarily utopic) constitutes *the* place or the *proper* place with any chance of giving some weight or scope to the expression “democracy to come,” I should in all honesty commit myself, though I will not do so today, to a patient analysis of all the contexts and inflections that have marked this sort of motto that is not even a sentence (“democracy to come”): for I have most often used it, always in passing, with as much stubborn determination as indeterminate hesitation—at once calculated and culpable—in a strange mixture of lightness and gravity, with a casual and cursory, indeed somewhat irresponsible, touch, a somewhat sententious and aphoristic reserve that leaves seriously in reserve an excessive responsibility.

Each time, the context and the inflection have differed, to be sure, begin-

ning with what was probably, though I am not certain, the first occurrence, in *Du droit à la philosophie*, in 1989–1990. *Democracy* was there defined as a “philosophical concept” and something that “remains still to come.”<sup>4</sup> The same year, in the lecture that became the *Force of Law*, in the course of analyzing in a more or less, more and less, deconstructive fashion the already autodeconstructive discourse of Benjamin in his revolutionary critique of parliamentary government and liberal democracy, I noted that, from Benjamin’s point of view, “democracy would be a degeneration of law, of the violence, the authority and the power of law,” and that “there is not yet any democracy worthy of this name. Democracy *remains* to come: to engender or to regenerate.”<sup>5</sup>

The feeling of aporetic difficulty affects not only some supposedly endless approach of democracy *itself*, of the democratic thing, if one can still say this (and precisely because of the autoimmunity of the same and the proper). This aporia-affect affects the very use of the word *democracy* in the syntagm “democracy to come.” That is what I tried to suggest in *Sauf le nom* (1993) with regard to the meaning of *sans* in the apophatic discourse of so-called negative theology, indeed of a *khôra* or a spacing before any determination and any possible reappropriation by a theologico-political history or revelation, and even before a negative theology, which is always fundamentally related to some historical, and especially Christian, revelation. The democracy to come would be like the *khôra* of the political. Taking the *example* of “democracy” (but we shall encounter with the example of democracy the paradox of the example), one of the voices of this text (which is a polylogue) explains what the locution “democracy to come” should above all not mean, namely, a regulative Idea in the Kantian sense, but also what it *remained*, and could not but remain (*demeurer*), namely, the inheritance of a promise: “The difficulty of the ‘without’ (*sans*) spreads into what is still called politics, morals, or law, which are just as threatened as promised by apophasis.”<sup>6</sup> It is thus indeed already a question of autoimmunity, of a *double bind* of threat and chance, not alternatively or by turns, promise and/or threat, but threat *in* the promise itself. And here is the example, which is certainly not fortuitous:

Take the example of democracy, of the idea of democracy, of democracy to come (neither the Idea in the Kantian sense, nor the current, limited, and determined concept of democracy, but democracy as the inheritance of a promise). Its path passes perhaps today in the world through (across) the aporias of negative theology . . .

The other voice protests: "How can a path pass through aporias?"

Once a response has been given to this question, the voice again protests, recalling that this possibility seems just as impossible, and adds:

So difficult in any case that this passage through aporia seems first of all (perhaps) reserved as a secret for a few. This esoterism seems strange for a democracy, even for this democracy to come that you define no more than apophasis defines God. Its to-come would be jealously thought, watched over, hardly taught by a few. Very suspect. (ON 83)

This voice was trying to insinuate that this was not the most democratic language, that is, the most commendable, in which to recommend democracy. An advocate for democracy should have learned to speak to the people, to speak democratically of democracy.

To this suspicion, the other voice responds by appealing to a double injunction, one that very much resembles the autoimmunitary contradiction or the counterindication of which we have been speaking today, as well as the properly democratic paradox of the exemplary "anyone" or "no matter who":

Understand me, it's a matter of maintaining a double injunction. Two concurrent desires divide apophatic theology, at the edge of nondesire, around the gulf and chaos of the *Khôra*: the desire to be inclusive of all, thus understood by all (community, *koinè*), and the desire to keep or entrust the secret within the very strict limits of those who hear/understand it *right*, as secret, and are then capable or worthy of keeping it. The secret, no more than democracy or the secret of democracy, must not, besides, cannot, be entrusted to the inheritance of no matter whom. Again the paradox of the example: the no-matter-who (any sample example) must also give the *good* example. (ON 83–84)

Reference is thus made each time to the regulative Idea in the Kantian sense, to which I would not want the idea of a democracy to come to be reduced.

Yet the regulative Idea remains, for lack of anything better, if we can say "lack of anything better" with regard to a regulative Idea, a last resort. Though such a last resort or final recourse risks becoming an alibi, it retains a certain dignity. I cannot swear that I will not one day give in to it.

My reservations with regard to the regulative Idea would be, in short,

of *three sorts*. Some concern first of all for the very loose way in which this notion of a regulative Idea is currently used, outside its strictly Kantian determination. In this case, the regulative Idea remains on the order of the *possible*, an ideal possible, of course, that is infinitely deferred. It partakes in what would still fall, at the end of an infinite history, into the realm of the possible, of what is virtual or potential, of what is within the power of someone, some “I can,” to reach, in theory, and in a form that is not wholly freed from all teleological ends.

1. To this I would oppose, *in the first place*, all the figures I place under the title of the *im-possible*, of what must remain (in a nonnegative fashion) foreign to the order of my possibilities, to the order of the “I can,” of ipseity, of the theoretical, the descriptive, the constative, and the performative (inasmuch as this latter still implies a power for some “I” guaranteed by conventions that neutralize the pure eventfulness of the event; the eventfulness of the to-come exceeds this sphere of the performative). It is a question here, as with the coming of any event worthy of this name, of an unforeseeable coming of the other, of a heteronomy, of a law come from the other, of a responsibility and decision of the other—of the other in me, an other greater and older than I. It is thus a question of separating democracy and auto-nomy, something that is, I concede, more than difficult, indeed impossible. It is more im-possible, and yet necessary, to separate sovereignty and unconditionality, law and justice, as I proposed in “The University without Condition” (2001).<sup>7</sup>

This im-possible is not privative. It is not the inaccessible, and it is not what I can indefinitely defer: it announces itself, sweeps down upon me, precedes me, and seizes me *here and now* in a nonvirtualizable way, in actuality and not potentiality. It comes upon me from on high, in the form of an injunction that does not simply wait on the horizon, that I do not see coming, that never leaves me in peace and never lets me put it off until later. Such an urgency cannot be *idealized*, no more than the other as other can. This im-possible is thus not a (regulative) *idea* or *ideal*. It is what is most undeniably *real*. And sensible. Like the other. Like the irreducible and non-appropriable differance of the other.

2. *In the second place*, then, the responsibility of what remains to be decided or done (in actuality) cannot consist in following, applying, or carrying out a norm or rule. Wherever I have at my disposal a determinable rule, I know what must be done, and as soon as such knowledge dictates the law, action follows knowledge as a calculable consequence: one *knows*

what path to take, one no longer hesitates. The decision then no longer decides anything but is made in advance and is thus in advance annulled. It is simply deployed, without delay, presently, with the automatism attributed to machines. There is no longer any place for justice or responsibility (whether juridical, political, or ethical).

3. Finally, *in the third place*, if we come back this time to the strict meaning Kant gave to the *regulative* use of ideas (as opposed to their *constitutive* use), we would, in all rigor, and in order to say anything on this subject, and especially in order to appropriate such terms, have to subscribe to the entire Kantian architectonic and critique, something I cannot seriously undertake or even commit myself to doing here. We would have to begin by asking about what Kant calls “the different interest in reason” (*ein verschiedenes Interesse der Vernunft*),<sup>8</sup> the *imaginary* (the *focus imaginarius*, that point toward which all the lines directing the rules of understanding—which is not reason—tend and converge and thus indefinitely *approximate*), the necessary *illusion*, which need not necessarily deceive us, the figure of an approach or approximation (*zu nähern*) that tends indefinitely toward rules of universality, and especially the indispensable use of the *as if* (*als ob*) (CPR 533; A 644/B 672).<sup>9</sup> We cannot treat this here, but I thought it necessary at least to note, in principle, how circumspect I would be to appropriate in any rigorous way this idea of a “regulative Idea.” Let us not forget, since we have been talking so much about the world and the worldwide (*mondialisation*), that the very idea of *world* remains a *regulative Idea* for Kant.<sup>10</sup> It is the second of the regulative Ideas, between two others that remain, so to speak, two forms of sovereignty: the ipseity of the “myself” (*Ich selbst*), as soul or as thinking nature, and the ipseity of God.

Those are some of the reasons why I, without ever giving up on reason and a certain “interest of reason,” hesitate to use the expression “regulative Idea” when speaking of a to-come or of democracy to come. In *The Other Heading* (1991), I explicitly set aside the “status of the regulative Idea in the Kantian sense” and insisted at once on the absolute and unconditional urgency of the *here and now* that does not wait and on the structure of the promise, a promise that is kept in memory, that is handed down (*légulée*), inherited, claimed and taken up (*allégulée*). Here is how the “to come” was then defined:

Not something that is certain to happen tomorrow, not the democracy (national or international, state or trans-state) of the *future*, but

a democracy that must have the structure of a promise—and thus the memory of that which carries the future, the to-come, here and now.<sup>11</sup>

All of this was written in the context of a series of aporias and antinomies to which I cannot return here.

I should, it seems to me, clarify a bit better here what still remains enveloped in these gestures, which will become more frequent and somewhat differently inflected in subsequent references to the “democracy to come.” I shall do this all too quickly around *five foci*.

1. The expression “democracy to come” translates, to be sure, or calls for a militant and interminable political critique. A weapon aimed at the enemies of democracy, it protests against all naiveté and every political abuse, every rhetoric that would present as a present or existing democracy, as a *de facto* democracy, what remains inadequate to the democratic demand, whether nearby or far away, at home or somewhere else in the world, anywhere that a discourse on the rights of man and on democracy remains little more than an obscene alibi so long as it tolerates the terrible plight of so many millions of human beings suffering from malnutrition, disease, and humiliation, grossly deprived not only of bread and water but of equality or freedom, dispossessed of the rights of all, of everyone, of anyone. (This “anyone” comes before any other metaphysical determination as subject, human person, or consciousness, before any juridical determination as compeer (*semblable*), compatriot, family member (*congénère*), brother, neighbor, fellow religious follower, or fellow citizen. Jean Paulhan says somewhere, and I’m here paraphrasing, that to think democracy is to think the “first-comer”: anyone, no matter who, at the permeable limit, in fact, between “who” and “what,” the living being, the cadaver, and the ghost. The first-comer: is that not the best way to translate “the first to come”?)

The “to come” suggests not only the promise, but also the fact that democracy will never exist, in the sense of a present existence: not because it will be deferred but because it will always remain aporetic in its structure (force *without* force, incalculable singularity *and* calculable equality, commensurability *and* incommensurability, heteronomy *and* autonomy, indivisible sovereignty and divisible or shared sovereignty, an empty name, a despairing messianicity or a messianicity in despair, and so on).

But, beyond this active and interminable critique, the expression “democracy to come” takes into account the absolute and intrinsic historicity of the only system that welcomes in itself, in its very concept, this expression

of autoimmunity that is called the right to self-critique and perfectibility. Democracy is the only system, the only constitutional paradigm, in which, in principle, one has or assumes for oneself the right to criticize everything publicly, including the idea of democracy, its concept, its history, and its name. Including the idea of the constitutional paradigm and the absolute authority of law. It is thus the only paradigm that is universalizable, whence its chance and its fragility. But in order for this historicity—unique among all political systems—to be complete, it must be freed not only from the Idea in the Kantian sense but from all teleology, all onto-theo-teleology.

2. This implies another thinking of the event (unique, unforeseeable, without horizon, unmasterable by any ipseity or any conventional and thus consensual performativity), which is marked in a “to come” that, beyond the future (since the democratic demand does not wait), names the coming of *who* comes or of *what* comes to pass, namely, the newly arrived whose irruption should not and cannot be limited by any conditional hospitality on the borders of a policed nation-state.

3. This naturally presupposes, and this is what is most difficult, most inconceivable, an extension of the democratic beyond nation-state sovereignty, beyond citizenship. This would come about through the creation of an international juridico-political space that, without doing away with every reference to sovereignty, never stops innovating and inventing new distributions and forms of sharing, new divisions of sovereignty. (I refer to *inventing* here because the to-come gestures not only toward the coming of the other but toward invention—invention not of the event but through the event.) The discourse concerning the New International in *Specters of Marx* (1993) tried to point in this direction. The renewed declaration of human rights (and not the “rights of man and of the citizen”) at the end of World War II remains an essential democratic reference for the institutions of international law, especially the United Nations. This reference is thus in virtual contradiction with the principle of nation-state sovereignty, which also remains there intact. It is by democratic reference to the Universal Declaration of Human Rights that one tries, most often to no avail, to impose limits upon the sovereignty of nation-states. One example, among so many others, would be the laborious creation of an International Criminal Tribunal.

The Declaration of Human Rights is not, however, opposed to, and so does not limit, the sovereignty of the nation-state in the way a principle of nonsovereignty would oppose a principle of sovereignty. No, it is one sover-

eignty set against another. Human rights pose and presuppose the human being (who is equal, free, self-determined) as sovereign. The Declaration of Human Rights declares *another* sovereignty; it thus reveals the autoimmunity of sovereignty in general.

4. In *Specters of Marx*, the expression “democracy to come” is inextricably linked to justice. It is the *ergo* or the *igitur*, the *thus* between “democracy to come and justice”: “For the democracy to come and thus for justice,” as a verbless phrase puts it in *Specters of Marx*.<sup>12</sup>

This gesture inscribes the necessity of the democracy to come not only into the axiomatic of the messianicity without messianism, the spectrality or hauntology, that this book develops, but into the singular distinction between law and justice (heterogeneous but inseparable) which, first developed in *Force of Law*, gets further elaborated in *Specters of Marx* in the course of a discussion of the Heideggerian interpretation of *Dikè* as gathering, adjoining, and harmony. Contesting that interpretation, I proposed aligning justice with disjointure, with being *out of joint*, with the interruption of relation, with unbinding, with the infinite secret of the other. All this can indeed seem to threaten a community-oriented or communitarian concept of democratic justice. This discussion, which I cannot reconstitute here, plays a discreet though decisive role throughout the book. It could orient us toward the question of the future: Why are there so few democrat philosophers (if there have been any at all), from Plato to Heidegger? Why does Heidegger remain, in this regard as well, still Platonic?

This conjunction of democracy *and* justice is also one of the themes of *Politics of Friendship*, which, a year later, explicitly says—still without a verb—“With regard to democracy *and* with regard to justice,”<sup>13</sup> linking the thought of the to-come of the event to the irreducible “perhaps,” questioning this name *democracy* by recalling what the *Menexenus* said of the regime under which the Athenians had lived most of the time, “a form of government which receives various names, according to the fancies of men, and is sometimes called democracy (*demokratia*), but is really an aristocracy or government of the best which has the approval of the many” (PF 95).

It is here that a certain question gets developed, more explicitly in *Politics of Friendship* than anywhere else: the *question of the name*, of what is happening “today” “in the name of democracy.” I must be content to signal, so as then to put a bit finer point on it, the place that then, in the course of a deconstructive critique of Schmitt’s conceptuality (notably around the concepts of decision and war—whether international war, civil war, or so-

called partisan war), opens onto a whole series of questions surrounding the “democracy to come.” I ask myself:

If, between the name on the one hand, the concept and the thing on the other, the play of a gap offers room for *rhetorical* [I emphasize this word for reasons that will become apparent in a moment] effects which are also political strategies, what are the lessons that we can draw today? Is it still *in the name of democracy* that one will attempt to criticize such and such a determination of democracy or aristo-democracy? Or, more radically—closer, precisely, to its fundamental *radicality* (where, for example, it is *rooted* in the security of an autochthonous foundation, in the stock or in the genius of filiation)—is it still in the name of democracy, of a democracy to come, that one will attempt to deconstruct a concept, all the predicates associated with the massively dominant concept of democracy, that in whose heritage one inevitably meets again the law of birth, the natural or “national” law, the law of homophilia or of autochthony, civic equality (isonomy) founded on equality of birth (isogony) as the condition of the calculation of approbation and, therefore, the aristocracy of virtue and wisdom, and so forth?

What remains or still resists in the deconstructed (or deconstructible) concept of democracy which guides us endlessly? Which *orders* us not only to *engage* [I underscore *orders* and *engage* because I will return to them in a moment] a deconstruction but to keep the old name? And to deconstruct further in the name of a *democracy* to come? That is to say, further, which *enjoins* [my emphasis] us still to inherit from what—forgotten, repressed, misunderstood, or unthought in the “old” concept and throughout its history—would still be on the watch, giving off signs or symptoms of a stance of survival coming through all the old and tired features? (*PF* 103–4; see *PF* 305–6)

This did not thus exclude the possibility, or even the right, of perhaps one day abandoning the inheritance or heritage of the name, of changing names. But always in the name of the name, thereby betraying the heritage *in the name of* the heritage:

Saying that to keep this Greek name, democracy, is an affair of context, of rhetoric or of strategy, even of polemics, reaffirming that this name will last as long as it has to but not much longer, saying that things are speeding up remarkably in these fast times, is not neces-

sarily giving in to the opportunism or cynicism of the antidemocrat who is not showing his cards. Completely to the contrary: one keeps this indefinite right to the question, to criticism, to deconstruction (guaranteed rights, in principle, in any democracy: no deconstruction without democracy, no democracy without deconstruction). One keeps this right strategically to mark what is no longer a strategic affair: the limit between the conditional (the edges of the context and of the concept enclosing the effective practice of democracy and nourishing it in land and blood) and the unconditional which, from the outset, will have inscribed a self-deconstructive force [I could have in fact said “auto-immunity” force] in the very motif of democracy, the possibility and the duty for democracy itself to de-limit itself. Democracy is the *autos* [I would today say the *ipse* or ipseity] of deconstructive self-delimitation. Delimitation not only in the name of a regulative Idea and an indefinite perfectibility, but every time in the singular urgency of a *here and now*. (PF 105)

5. In speaking of an unconditional injunction or of a singular urgency, in invoking a *here and now* that does not await an indefinitely remote future assigned by some regulative Idea, one is not necessarily designating the future of a democracy that is going to come or that must come, nor even a democracy that *is* the future. One is especially not speaking about some real imminence, even if a certain imminence is inscribed in the strange concept of democracy to come. One is not saying what is going to happen or what is already in the process of happening, as Tocqueville did when he spoke of being “constantly preoccupied by a single thought” when he wrote his book, a thought at once realistic and optimistic. Tocqueville *announced*, in effect, in the preface to the twelfth edition of his book, “the approaching irresistible and universal spread of democracy throughout the world.”<sup>14</sup> This was an *announcement*. Tocqueville was announcing not simply the imminent future but, in the present, the present: “A great democratic revolution is taking place in our midst” (DA 3), he says in his introduction.

As for “democracy to come,” it actually announces nothing. But then what are these three words doing? What is the modal status of this syntagm that names, in general, the “democracy to come” without forming a sentence, especially not a proposition of the sort “democracy *is* to come.” If I happen to have written that it “remains” to come, this remaining (*restance*), as always in my texts, at least since *Glas*, this democracy in waiting or as remaining

(*en restance*), pending (*en souffrance*), withdraws from its ontological dependence. It does not constitute the modification of an “is,” of an ontological copula marking the present of essence or existence, indeed of substantial or subjective substance.

Now, I would wish to claim that the question of the obscure status or mode of this phrase without a verb is *already* political and that it is also *the* question of democracy. For “democracy to come” can hesitate endlessly, oscillate indecidably and forever, between two possibilities: it can, *on the one hand*, correspond to the neutral, constative analysis of a concept. (In this case, I would simply be describing, observing, limiting myself to analyzing, as a responsible philosopher and logician of language, as a semanticist, what the concept of democracy implies, namely, everything we have just spoken about: the semantic void at the heart of the concept, its rather ordinary insignificance or its disseminal spacing, memory, promise, the event to come, messianicity that at once interrupts and accomplishes intrinsic historicity, perfectibility, the right to an autoimmunitary self-critique, and an indefinite number of aporias. This would amount to saying: if you want to know what you are saying when you use this inherited word *democracy*, you need to know that these things are inscribed or prescribed within it; for my part, I am simply describing this prescription in a neutral fashion. I am *mentioning* the word *democracy* as much as *using* it.) But, *on the other hand*, no longer satisfied to remain at the level of a neutral, constative conceptual analysis, “democracy to come” can also inscribe a performative attempt to win conviction by suggesting support or adherence, an “and yet it is necessary to believe it,” “I believe in it, I promise, I am in on the promise and in messianic waiting, I am taking action or am at least enduring, now you do the same,” and so on. The “to” of the “to come” wavers between imperative injunction (call or performative) and the patient *perhaps* of messianicity (nonperformative exposure to what comes, to what can always not come or has already come).

Wavering between the two, the “to” can also, at the same time or by turns, let the two “to’s” be heard. These two possibilities, these two modalities of discourse or two postures, can alternate; they can be addressed to you by turns or else they can haunt one another, parasite one another in the same instant, each one becoming by turns the alibi of the other. In saying this myself right now, in cautioning you that I can by turns or simultaneously play on the two turns or turns of phrase, I withdraw into the secret of irony, of irony in general or of the particular rhetorical figure called irony. But

here is yet one more turn, and it is political: is it not also democracy that gives the right to irony in the public space? Yes, for democracy opens public space, the publicity of public space, by granting the right to a change of tone (*Wechsel der Töne*), to irony as well as to fiction, the simulacrum, the secret, literature, and so on. And, thus, to a certain nonpublic public within the public, to a *res publica*, a republic where the difference between the public and the nonpublic remains an indecidable limit. There is something of a democratic republic as soon as this right is exercised. This indecidability is, like freedom itself, granted by democracy, and it constitutes, I continue to believe, the only radical possibility of deciding and of making come about (performatively), or rather of letting come about (metaperformatively), and thus of thinking *what* comes or happens and *who* happens by, the arriving of whoever arrives. It thus already opens, for whomever, an experience of freedom, however ambiguous and disquieting, threatened and threatening, it might remain in its “perhaps,” with a necessarily excessive responsibility of which no one may be absolved.

## B.

With these references to right or law and justice, I am already beginning to pull on my *second* guiding thread, the one I will cut shortest. It indeed concerns the connection between law and justice, these two heterogeneous yet inseparable concepts, but especially the connection between law, justice, and force, particularly in relation to the international and transnational stakes inscribed-prescribed, preinscribed, paradoxically, in the syntagm “democracy to come.” As for law, justice, and force, as for knowing whether the reason of the strongest is always best, I ask your permission to make *as if*, through an economical fiction, we had already agreed on the necessity of this reinterpretation or reactivation of an enormous traditional problematic with the question of rogue states in view. This problematic—always open, abyssal, chaotic—runs from at least Plato (for example, from Callicles’s discourse in the *Gorgias* or Thrasymachus’s in the *Republic*, both of which maintain that the just or the right (*dikè*, *dikaion*) is on the side of or in the interest of the strongest), to Machiavelli, Hobbes, and the Pascal of that well-known and vertiginous thought that has been so often and so well discussed (by Louis Marin and Geoffrey Bennington in particular): “Justice-might . . . being unable to make what is just strong, we have made what is strong just,”<sup>15</sup> to the La Fontaine of *The Wolf and the Lamb* (a couple that goes back

to at least Plato and one that I submitted to an interminable analysis in my seminar this year), to the Rousseau of *On the Social Contract* ("On the Right of the Strongest: The strongest is never strong enough to be master all the time, unless he transforms force into right . . ." <sup>16</sup>), and especially, and I insist on this, to a certain Kant whose definition of strict right (*das stricte Recht*), whose doctrine of right proper (*eigentliche Rechtslehre*), implies in the very concept of right the faculty or the possibility of a reciprocal constraint or coercion (*wechselseitigen Zwanges*), and thus the possibility of force, of a reason of the strongest in accordance with universal laws and consistent with the freedom of all.<sup>17</sup> This simple definition is meant to be pure and a priori. It entails at once the democratic (the freedom of everyone), universality, the international, and cosmopolitical law, beyond the nation-state (universal laws). It prescribes or authorizes the legal and legitimate recourse to force (the a priori necessity of constraint), that is, some sovereignty, even if it is not of the state.

We now have available to us, after this interminable detour, all the necessary elements to approach the knot we spoke of earlier and so finally address, by following our *third thread*, what I will provisionally call the epoch of rogue states.

### C.

If the expression *rogue state* appears rather recent, the word *rogue*, as an adjective or substantive, has inhabited the English language and haunted its literature longer than the word *voyou* has the French language and literature. In use since the middle of the sixteenth century, it refers in everyday language, in the language of the law and in great works of literature, already in Spenser and often in Shakespeare, to beggars and homeless vagabonds of various kinds, but also, and for this same reason, to all sorts of riffraff, villains, and unprincipled outlaws ("a dishonest, unprincipled person," says the *Oxford English Dictionary*, "a rascal"). From there the meaning gets extended, in Shakespeare as well as in Darwin, to all nonhuman living beings, that is, to plants and animals whose behavior appears deviant or perverse. Any wild animal can be called *rogue*, but especially those, such as *rogue elephants*, that behave like ravaging outlaws, violating the customs and conventions, the customary practices, of *their own* community. A horse can be called *rogue* when it stops acting as it should, as it is expected to act, for example as a racehorse or a trained hunting horse. A distinguishing sign is

thus affixed to it, a badge or hood, to mark its status as *rogue*. This last point marks the point rather well; indeed it brands it, for the qualification *rogue* calls for a marking or branding classification that sets something apart. A mark of infamy discriminates by means of a first banishing or exclusion that then leads to a bringing before the law. It is somewhat analogous to the wheel, forerunner of the yellow star, of which I spoke earlier. Something similar can be heard in the German word *Schurke*, which is used to translate *rogue* in the expression *rogue state*, and which also means “rascal,” “scoundrel,” “crook,” “thief,” “villain,” and so on.

But whereas *voyou*, *Schurke*, *canallia* are used to speak only of human outlaws, the English *rogue* can be extended to plants and, especially, animals, as we just noted. This will be one of the reasons it has recently held such a privileged position in American political rhetoric, as we will show in a moment. As an article in the *Chronicle of Higher Education* notes, “In the animal kingdom, a rogue is defined as a creature that is born different. It is incapable of mingling with the herd, it keeps to itself, and it can attack at any time, without warning.”<sup>18</sup>

—Translated by Pascale-Anne Brault and Michael Naas

## Notes

- 1 This essay is a translation by Michael Naas of chapter 8 of *Voyous* (Paris: Editions Galilée, 2003), 115–35. An English translation of *Voyous* will be published in 2004 as *Rogues* by Stanford University Press.
- 2 Immanuel Kant, *Perpetual Peace*, trans. Lewis White Beck (Indianapolis: The Bobbs-Merrill Company, 1957), 20, 18. Subsequent citations are given in the text, denoted by *PP*.
- 3 At the foot of this word for *sovereignty*, *Majestas*, I add a *footnote*: like the word *sovereignty*, its synonym *majesty* suggests the greatest in size (*majestas* comes from *majus*, for *magius*, major, greatness, height, superiority, the supreme or supremacy, that which, like the *superanus* of the sovereign, comes *above*). Sovereign majesty: a question of size, therefore, as with the democratic majority that assures sovereignty. But it is a question of calculable-incalculable size, for if the majority is numerical, the general will of the sovereign or of the monarch cannot be divided. And the One (of God, of the monarch, or of the sovereign) is not greater, very great (comparatively or superlatively), superiorly great or supremely high. It is absolutely great, and thus above measurable greatness. Higher than height, incommensurable in any case, even if it can sometimes take the form and have the supreme power of the smallest and most invisible. In a modernity of nanotechnosciences, power is also measured in terms of how well it measures up to the potency of the smallest possible. The sovereign One is a One that can no longer be counted; it is *more than one* (*plus d'un*) in the sense of being *more than a one* (*plus qu'un*), beyond the more than one of calculable multiplicity.

- 4 *Du droit à la philosophie* (Paris: Editions Galilée, 1990), 53. Translated in Derrida, *Who's Afraid of Philosophy: Right to Philosophy I*, trans. Jan Plug (Stanford: Stanford University Press, 2002), 29.
- 5 Jacques Derrida, "Force of Law: The 'Mystical Foundation of Authority,'" trans. Mary Quaintance, in Derrida, *Acts of Religion*, ed. Gil Anidjar (New York: Routledge, 2002), 281.
- 6 "Sauf le nom," trans. John P. Leavey Jr., in *On the Name* (Stanford: Stanford University Press, 1995), 83. Subsequent citations given in the text, denoted as ON.
- 7 "The University without Condition," in *Without Alibi*, trans. Peggy Kamuf (Stanford: Stanford University Press, 2002), 202–37.
- 8 Kant, "Appendix to the Transcendental Dialectic; The Regulative Employment of the Ideas of Pure Reason," in *Critique of Pure Reason*, trans. Norman Kemp Smith (New York: St. Martin's Press, 1965), 547; A 666/B 694. Subsequent citations given in the text, denoted as CPR.
- 9 We know the decisive and enigmatic role played by the *als ob* in all of Kant's thought; this is especially true of the regulative Idea. It is a matter of considering the connections between phenomena "as if they were the ordinances of a supreme reason, of which our reason is but a faint copy" (*als ob sie Anordnungen einer höchsten Vernunft wären, von der die unsrige ein schwaches Nachbild ist*) (CPR 555; A 678/B 706); "as if this being, as supreme intelligence, acting in accordance with a supremely wise purpose, were the cause of all things" (*als ob diese als höchste Intelligenz nach der weisesten Absicht die Ursache von allem sei*) (CPR 561; A 688/B 716). "For the regulative law of systematic unity prescribes that we should study nature as if systematic and purposive unity, combined with the greatest possible manifoldness, were everywhere to be met with, in *infinitem*" (*als ob allenthalben ins Unendliche systematische und zweckmäßige Einheit bei der größtmöglichen Mannigfaltigkeit angetroffen würde*) (CPR 568; A 700/B 728).  
 To continue in the direction I indicated above by distinguishing a "reservation" from an "objection," let's say that I am sometimes tempted to make "as if" I had no objections to Kant's "as if's." In "The University without Condition," I treat the difficult question of the "as if," in Kant and elsewhere, and I propose another way of thinking this "as if."
- 10 "The second regulative idea of merely speculative reason is the concept of the world in general" (*Die zweite regulative Idee der bloß spekulativen Vernunft ist der Weltbegriff überhaupt*) (CPR 558; A 684/B 712).
- 11 *The Other Heading*, trans. Pascale-Anne Brault and Michael Naas (Bloomington: Indiana University Press, 1992), 78.
- 12 Derrida, *Specters of Marx: The State of the Debt, the Work of Mourning, and the New International*, trans. Peggy Kamuf (New York: Routledge, 1994), 169.
- 13 Derrida, *Politics of Friendship*, trans. George Collins (New York: Verso, 1997), 64. Subsequent citations given in the text, denoted as PF.
- 14 Alexis de Tocqueville, *Democracy in America*, trans. George Lawrence (New York: Harper & Row, 1966), lxxxvii. Subsequent citations given in the text, denoted as DA.
- 15 Blaise Pascal, *Pensées, the Provincial Letters*, trans. W. F. Trotter (New York: Random House, 1941), in section 5, "Justice and the Reason of Effects," 103, pensée 298.
- 16 Jean-Jacques Rousseau, *On the Social Contract*, trans. Donald A. Cress (Indianapolis: Hackett Publishing, 1987), 19.

- 17 Immanuel Kant, *The Metaphysics of Morals*, trans. Mary Gregor (New York: Cambridge University Press, 1996), part 1, "Metaphysical First Principles of the Doctrine of Right, Introduction to the Doctrine of Right," paragraphs D–E, 25–26. Original German text in *Kantswerke*, Akademische Textausgabe (Berlin: Walter de Gruyter, 1968), 6:231–33.
- 18 Mark Strauss, "A Rogue by Any Other Name," in *Chronicle of Higher Education*, December 15, 2000, B11.

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