

# Violence and the Imaginary: Some Reflections on and around the Occupy Movement

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## Abstract

Starting from the idea that we can distinguish between two main types of the imaginary – the retrograde imaginary and the imaginary of liberation, and following Michel Foucault's distinction between dialectic and strategic logic, this essay seeks to outline a trajectory of social and political change. The retrograde imaginary belongs to the sovereign and the sovereign police. The imaginary of liberation belongs to the radical imagination and revolutionary movements, including the Occupy movement. The essay has a first more theoretical section, where the point is made that perhaps, in the contemporary world, especially in some areas such as the U.S., there is an ongoing reversion to obsolete forms of domination. This would be a result of the fact that the powers that be no longer have hegemony, and they consequently need to exert domination on the basis of mere and raw violence. Or perhaps old and new forms of domination always coexist in such a way that sovereignty is present in all other forms of domination. The second part of the essay deals with some political matters that, originating in the U.S., have global importance. In particular, the essay offers an analysis of the Obama administration's defense of the assassination program (especially the drone strikes) that is becoming a matter of great global, political and moral, concern. The essay ends with the idea that liberation movements, such as the Occupy movement, can provide an exit from the dominant logic of violence and from the increasingly troubling world's situation.

Violence | Foucault | Agamben | Imaginary | Occupy movement

*For Abdulrahman al-Awlaki, born in Denver, Colorado, on September 13, 1995, killed by a U.S. drone strike in Yemen on October 14, 2011.*

“The sovereigns who willingly agreed to present themselves as cops or executioners, in fact, now show in the end their original proximity to the criminal.”

Giorgio Agamben, *Sovereign Police*.

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**T**he above Agamben citation can be used to address the question of the “apparatus” (*dispositif*)<sup>2</sup> within which a double imaginary has played, and is playing, a pivotal role. Thus, we have two types of imaginary. One is the imaginary tending to the defense of the status quo; it is, in fact, the sovereign imaginary, the imaginary of the police, and of the sovereign police, of debt and death, of exchange value and of the total privatization and financialization of life. This is the imaginary for which the apparatus of repression and of production of new and better forms of subjection must be perfected and refined: new forms of discipline, of punishment and pre-punishment. The other is the imaginary of liberation exemplified by, among other recent situations, the Occupy Movement, which seeks the dismantling and destruction of the repressive and coercive dominant apparatus (or system).

Following Foucault, I will try to describe a strategic rather than dialectical logic, and I will try to show that ultimately it is the autonomy of the imagination and will to liberation, rather than their dialogical and dialectical encounter with a rotten system of domination, that may turn into an actual reality what has now for long been the cry and program of progressive thinking and practice under the slogan “another world is possible.”

In the second lecture of *The Birth of Biopolitics*, Foucault distinguishes between dialectical and strategic logic. He says:

Dialectical logic puts to work contradictory terms within the homogeneous. I suggest replacing this dialectical logic with what I would call a strategic logic. A logic of strategy does not stress contradictory terms within a homogeneity that promises their resolution in a unity. The function of strategic logic is to establish the possible connections between disparate terms

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<sup>2</sup> Agamben (2009).

which remain disparate. The logic of strategy is the logic of connections between the heterogeneous and not the logic of the homogenization of the contradictory (2004, p. 42).

From the point of view of dialectical logic, of the homogeneous and its potential unity, a social and political struggle will hardly lead to liberation, but it will rather lead to a return of sort to what now appears to be a new condition, where the sublated terms are still present in their apparent absence, but essentially present; neither has gone over into the other, neither has been eliminated. To the contrary, the heterogeneity of strategic logic allows for spaces of alterity. What is named here is not *another* whose destiny is assimilation into a (new) one, but a simple other, *one-other-than*, which has no destiny (or necessity), but is pure contingency. This is also what the notion of dignity of individuation I formulated in *Earthly Plenitudes* (Gulli, 2010) names – a singularity.

To be sure, in the passage I cited above, Foucault is not saying that strategic logic is necessarily, or primarily, a logic of liberation. In fact, he is saying that it is the logic of liberalism, whereby various apparatuses (dispositifs) are found in a situation of tension and friction with one another.<sup>3</sup> However, precisely because of this – because of the heterogeneous character of the relation, because of the multiplicity involved, there remains the possibility that the struggle, the war, may create spaces of irreducible alterity. As Maurizio Lazzarato explains, “[s]ometimes the government plays one dispositif against the other; sometimes it relies on one, sometimes on the other.” And that is, for instance, the juridical, economic, or social dispositif.<sup>4</sup> However, precisely because *the governed* are not involved in a dialectical (or dialogical) relation tending to a unity, but are rather left, subjected, in the facticity of being “object[s]

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<sup>3</sup> See Lazzarato, “*Biopolitics/Bioeconomics: a politics of multiplicity*”, see <http://www.generation-online.org/p/fplazzarato2.htm>

<sup>4</sup> *Ibid.*

of information, never... subject[s] in communication” (Foucault, 1977, p. 200), they can, precisely on that account, start and implement strategies other than those of the established apparatuses, whereby the latter ruin and collapse. This is precisely what has been happening with the Occupy Movement, where, for instance, clashing with the police is of course not the aim. The clashes are the result of a unilateral type of violence, unleashed by the government itself, exercised by ill-advised and thoughtless (and often extremely vicious) police officers, who would do much better if they read (the right) books, reeducated themselves, in order to understand their place in history and society, their (up to now betrayed) membership in the 99% section of society.

This violence is of course not the result of a secret maneuver of a few people in high governmental positions, but rather the spirit of the network of apparatuses (including the police in the narrow sense), which, in addition to legitimizing the dirty work of control and surveillance, intimidation and repression, also tries to create and maximize a degree of consensus among the subjected population. To this purpose, nothing works better than the rhetoric of the need for security from the threat of terror – a rhetoric totally supported and duly disseminated by mainstream media. This is not to say that those who manage to get to high positions of power (from the president or prime minister of a nation to its attorney general to the mayors of cities large and small, and so on) have nothing to do with this. As I have noted, the violence we are experiencing is unleashed by the leading governments themselves. However, these ‘leaders’ are only willful (and superficial) agents of forms of coercion and repression, whose origin is more systemic and structural. These original forms themselves are nothing but a usurpation of a totally different power, usually referred to as the power of the people. Many people would not agree with this description, but I think that a strong argument can be made to show that we are dealing with forms of usurpation of a more fundamental, and essentially different, power. Those who would disagree would probably

say that institutional positions of power are, at least in our ‘democratic’ society, occupied by elected officials or others appointed by our elected officials. They ultimately rest on that celebrated principle of the power of the people. But everybody knows that this is utterly false, because the separation between the government and the governed, a mark of sovereignty, is such that what should be power in the people turns to powerlessness, subjectivity turns to subjection, freedom to unfreedom, communication to the facticity of surveillance and control. Moreover, the very concept of the people is today called into question, and rightly so, by the theorists of the multitude<sup>5</sup>, for the people is *one* only in relation to the sovereign sign, and thus as soon as its power is falsely posited in the phrase ‘the power of the people,’ it is also taken away by the assimilation of the many (concrete people) into the unity of a totally imaginary one, which is the one crushed under the sovereign sign: ‘one nation under god,’ the highest and most accomplished sovereign.

Speaking of sovereignty may be a bit problematic here because I am making use of, and perhaps misusing, some categories from Foucault. In fact, Foucault distinguishes between the modality of sovereignty and more general forms of domination, which take the place of sovereignty or coexist with it (Foucault, 1997). However, I think that all forms of domination have a regard for the logic of sovereignty, an anticipation or residue of it. Moreover, I think that lately, despite the crisis of sovereignty at the level of the politics of states and international relations – the Westphalian model of sovereignty, we are witnessing a newly arising form of it, precisely in the sense of Agamben’s notion of the sovereign police. But sovereign police does not mean only the fact that policing now happens on a global scale, namely, the fact, highlighted by Agamben, that heads of states can be arrested, removed, and executed. It also means that the police everywhere retain the trait of the sovereign and use and abuse it

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<sup>5</sup> See especially Virno (2004) and Hardt and Negri (2004 and 2009).

along with their batons, guns, pepper-spray, water cannons, and so on. The two aspects of the sovereign police come together in a very interesting and clear way in the assassination program recently launched, or escalated and enhanced, by the Obama administration. We now know that Barack Obama himself, today's most powerful sovereign on earth, is 'personally involved' in the assassination program, and he picks and chooses from a 'kill list.'<sup>6</sup>

Before addressing that, I want to remark on something that Foucault says in *The Birth of Biopolitics*, while he is himself remarking on aspects of his own book *Discipline and Punish*. In discussing the new governmental reason, "interested in interests," a thing that follows from the logic of strategy I discussed above, he gives a brief synopsis of what is one of the main theses in *Discipline and Punish*, the change in the penal system, in the eighteenth century, from punishment as the direct intervention of the sovereign (hence torture and execution) to the "principle of mildness in punishment... which, once again, was not the expression of something like a change in people's sensibility" (2004, p. 46-47). In *Discipline and Punish*, in a chapter called "Generalized punishment," Foucault says:

The reform of criminal law must be read as a *strategy* for the rearrangement of the power to punish, according to modalities that render it more regular, more effective, more constant and more detailed in its effects; in short, which increase its effects while diminishing its economic cost... and its political cost (1977, pp. 80-81).

The emphasis on the word 'strategy' in the above citation is mine. The point was "not to punish less, but to punish better" (p. 82). Foucault had already previously noted in the text, and he will note again later in the

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<sup>6</sup> Commenting on the recent New York Times article that has revealed the secret 'kill list' news, the journalist Chris Floyd correctly speaks of "Obama' murder racket" and of a "death squad that Obama is personally directing from the White House." See <http://www.nytxaminer.com/2012/05/hymns-to-the-violence-the-nyts-love-letter-to-obamas-murder-racket/>

same chapter, that the idea was that punishment should replace revenge (pp. 74 and 90), which was the modality typical of the direct and personal intervention of the sovereign being now superseded by the new strategy within criminal justice for the sake of the defense of society. One last quote:

It became necessary to define a *strategy* and techniques of punishment in which an economy of continuity and permanence would replace that of expenditure and excess (p. 87; emphasis added).

The last two words in the above passage obviously bring to mind Georges Bataille, for whom sovereignty was precisely ‘expenditure’ and ‘excess,’ that which does not serve, and who has a curious way of ultimately assigning sovereignty a potentially revolutionary character. Perhaps even more important is to note that the new economy of continuity and permanence, the new strategy of normalization, replacing the sovereign modality of vengeance, also implies the end of the *exception*, which is the sovereign’s most characteristic trait, as Carl Schmitt famously stressed (Schmitt, 2005). This is why Foucault speaks of *generalized* punishment, which of course includes all possible forms of pre-punishment and collective punishment.

Back from Foucault’s genealogy of the new strategy in criminal law to the present role and practice of the sovereign police in our societies, at the global and local level, there seem to be some interesting questions arising. First, is there a regression today to previous and obsolete forms of power, punishment, and control? Have these forms perhaps never been superseded? Or is there (and has there been all along) a combination of the old and the new, that is to say, yes, new and more efficient strategy and techniques, but coupled with the old sovereign right to punish and take revenge? I have a sense that the last question can give us an insight into what the situation truly is today. First of all, it supports the idea that there is anticipation, or a residue, of sovereignty in domination as such; in other

words, that the sign of sovereignty is still impressed everywhere, visible everywhere. But it also says that, if Foucault's analysis has any value – and I think it does indeed have great value, old forms of power that seemed to be fading (and Foucault never says they had completely disappeared) are perhaps today gaining new strength for reasons that must be explained. One reason might be that a gasping power, one that has dominance without hegemony (Arrighi 1994 and 2007)<sup>7</sup>, needs to revert to forms that had at one point in time perhaps become unnecessary and even useless, while at the same time devise new forms to make sure it is still in charge, still in control. Thus, the sovereign intervention may today take on the form of drone attacks, while at the same time refining the machinery of control and surveillance with more sophisticated and refined techniques by opaque agencies, such as the National Security Agency, or even the New York Police Department (for instance, one may think of the recent news about the NYPD surveillance of Muslim people and businesses miles away from its jurisdiction, in New Jersey and Connecticut). Moreover, the police intervene in a sovereign manner; that is to say, they do not simply intervene in the typical role and function of the police, but they intervene from the site of absolute and supreme power typical of the sovereign and according to the sovereign's modalities of intimidation and vengeance. We see this every time people take to the streets to protest all over the world: the Arab Spring, the Indignados in Europe, and many other situations of opposition to regimes of violence everywhere. In the US, this has regularly been the case since the Occupy Movement started in September 2011 – though it might be interesting to note that some eight months before that, during the Wisconsin Uprising, the police joined the protest. And again, the action of the police is sovereign in all cases of police brutality, which are increasing exponentially and becoming more and more vicious and appalling. It might also be noted that police abuse of power does not start with episodes of brutality, but with the very intimidating and aggressive

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<sup>7</sup> The phrase is originally from Guha (1992), quoted and amplified in Arrighi (1994 and 2007).

presence of the police, whether it be at political demonstrations and rallies or in the city's everyday life, especially of course in some areas of the city chosen for special measures of surveillance, repression and control according to a racist logic of violence. What becomes apparent is that it is not the case that a regime of the norm has replaced the sovereign regime of the exception, but rather that the exception has become the norm, and consequently that the sign of sovereignty is now everywhere.

The ubiquity of sovereignty, of the sovereign police (and here police should be understood in its broadest sense), is easily seen in the culture of impunity and unaccountability that certainly after 9/11 has engulfed the world. There are clear signs of this at the global level (drone strikes) as well as at the local level (police arrogance and brutality). What I am trying to do, though in a cursory and schematic manner, is link these two levels of everyday life, which are often seen in separation, but are instead intimately connected today. That there is sovereignty, rather than simply unsovereign domination, should be clear from the very meaning of 'impunity' and 'unaccountability,' as well as from their place in theology, where the doctrine of sovereignty originates. Impunity and unaccountability are certainly moments in god's essence. Who would god be accountable to? Humans, perhaps. But this only moments before god's death, and only as long as the human adventure is still unfolding, which will not be forever. Indeed, god is the impune and unaccountable One. Its infinite distance, whether of the infinitely small or infinitely large type, that is to say, regardless of whether god is the nearest or the farthest, or both, is such that it makes communication impossible (or conversation for that matter, as per Hölderlin's sad and tragic insight).

Then, we can ask Hölderlin's question: *What is this?* It is, for instance, the police barricade, the gun and the baton, the NATO summit in Chicago and the removed G8 summit to Camp David, the universities' boards of trustees and the Wall Street executives; it is the screen, *the society of the*

*spectacle*, which has us subjected, disciplined, pre-punished, and docile. It is in any case the *separation* in the metaphysics of everyday life – a separation that must be exploded and eliminated.

The attempts at justifying and legitimizing the usurpation of power, the abuse of power, inscribed in the formula of sovereignty and domination are of no help at all. We hear about these attempts every time the spokesperson for a city's police department or for the State Department, after an episode of police brutality or a massacre or other atrocities in a war zone, says that "This is not who we are or what we stand for." Not to speak about when we hear, articulated *in full transparency*, that this is indeed who we are and what we stand for. To give an eminent example, this is the case when John Brennan, chief counterterrorism advisor to president Obama, informs the American people that, yes, it is true that

the United States Government conducts targeted strikes against specific al-Qaeda terrorists, sometimes using remotely piloted aircrafts, often referred to publicly as drones.<sup>8</sup>

Of course, he does not say that these 'terrorists' are very often regular and innocent people (at times children) or insurgents and rebels. He insists that all is lawful, and he stresses that it is in accordance with international law. Before saying that "[t]argeted strikes are wise" (probably 'smart' would have been a better choice of word), he lays out the four principles to which said strikes conform. The principles of necessity, distinction, and proportionality are the first three principles. The principle of necessity requires "that the targets have definite military value," but of course the determination of value is always a very tricky matter. The principle of distinction is very reasonable, for it simply says that "only military objectives may be intentionally targeted and that civilians are protected from being

<sup>8</sup> <http://content.usatoday.com/communities/theoval/post/2012/04/obama-administration-details-rationale-for-covert-drone-war/1#.T8MH-8U7Uko>



intentionally targeted.” I think that anyone would agree that the distinction between military objectives and civilians is an important one, and it should be a clear-cut distinction, although this goes back to the question of the definition of value, as per principle one. In fact, it is difficult to understand why even make it into a principle, if it were not for the telling repetition of the word ‘intentionally.’ Obviously, “protected from being intentionally targeted” does not entail protected from being targeted<sup>9</sup>. The principle of proportionality is a small philosophical jewel. It says that “the anticipated collateral damage of an action cannot be excessive in relation to the anticipated military advantage.” Strictly understood, this principle would disqualify many military actions as legitimate actions. For instance, on the basis of such a principle one would not have dropped the atomic bombs on Hiroshima and Nagasaki, or perhaps one would have, for proportionality is a very relative concept, and then, remember, as always it all depends on how many American lives are involved. So the first three principles all have nice names. Especially the first two: necessity and distinction, with their obvious philosophical connotation. But even proportionality has its merit, especially due to the reflexive manner of its formulation. Yet, the best principle is the fourth one, the principle of humanity, “which requires us to use weapons that will not inflict unnecessary suffering.”<sup>10</sup> Here, Foucault’s account of the change in punishment comes back in full force. The public and spectacular execution with whose account *Discipline and Punish* begins, the torture, dismemberment and quartering of Damiens, the regicide (who in any case had not succeeded in killing the king), would certainly be a poor model for our principle of humanity. A remotely piloted aircraft, also known as drone, fits the principle much better. It is faster, somewhat cleaner, more efficient, and certainly removed from direct view and experience. It may be captured on a camera, reproduced on the screen, especially the destruction and ruin after the strike. “The spectators,” we ourselves, can still be “edified” (I am repeating some

<sup>9</sup> I owe this observation to Nino Gulli.

<sup>10</sup> <http://www.npr.org/2012/05/01/151778804/jobn-brennan-delivers-speech-on-drone-ethics>

words from the account of the Damians execution given by a publication of the time, 1757, and cited by Foucault at the outset of *Discipline and Punish*). What's important is that there is no *unnecessary suffering*; that would be a savagery, a bestiality, which we leave to the terrorists. After all, this is not who we are or what we stand for. The paragraph containing the principle of humanity, no doubt the highest of the four principles, ends as follows: "For these reasons, I suggest to you that these targeted strikes against al-Qaeda terrorists are indeed *ethical and just*"<sup>11</sup> (emphasis added). They are just because these people are terrorists, so we are justified in killing them; they also are ethical because, even in terrorists, we respect the principle of humanity. In other words, as usual, we are good, they are evil. And we are exceptionally good, perhaps infinitely good, for we are capable of great acts of kindness even to the ones who are exceptionally or infinitely evil. What the self-legitimizing sovereign discourse omits to say is that the drone strikes are terrorist acts in their own right. Brennan's speech is not different from the speeches we often hear from Netanyahu and other Israeli officials in defense of their ongoing murderous attacks on the Palestinian people, and it is not very different, for that matter, from the defense that the Syrian government repeats of their crackdown on the uprising, though it is not very clear at this point what the real situation is in Syria.

We can then go back to the Agamben quotation I am using as an epigraph for this essay:

The sovereigns who willingly agreed to present themselves as cops or executioners, in fact, now show in the end their original proximity to the criminal (2000, p. 107).

The statement is not saying that the sovereign, the corrupt sovereign for instance, is capable of criminal acts. Instead, the idea is that the sovereign,

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<sup>11</sup> *Ibid.*

and this includes the highest and most accomplished One, is an *outlaw* according to its “original” meaning. The sovereign is an outlaw because he is above the law. He is above the law insofar as he is the lawmaker. Being himself the law, the sovereign seems to coincide with the limit, touching upon the inside, *deciding* about the inside, yet having absolute access to the outside – an access denied to those who remain (trapped) within the sovereign web. But truly, the sovereign is not the limit; rather, he is this open and absolute access to what lies beyond the limit, which he establishes at will and on the basis of mere violence, or the threat of violence.

It is this situation that the Occupy Movement, like all revolutionary movements, challenges. The limit must go, the separation be exploded. The sovereign is useless and harmful – a useless burden, a harmful parasite. The imaginary of liberation shatters the logic of inside and outside, and occupying goes beyond the limit. Its strategy exposes sovereign violence. More than simply nonviolent in a generic sense (i.e., where nonviolence seems to imply a notion of submission, if not an act of compliance), the strategy seems to be close to what Antonio Gramsci described as a *war of position*. Gramsci famously distinguished between a war of position and a war of maneuver. The latter happens when the revolutionary movement has the capacity to overpower the dominant (though perhaps no longer hegemonic) system: the State, its police, etc. The former has the (perhaps hidden and surprising) capacity to let the system fall of its own accord. This means that the system *does and does not* fall of its own accord. It does insofar as no direct and physical blow is exerted on it; yet, it does not insofar as without the war of position it would endure and linger in its fetid putrescence. It is in this sense that one speaks of nonviolence, though it is really what Walter Benjamin paradoxically (and problematically) calls *sovereign violence* (1978, p. 300). This unviolent violence, which is ‘sovereign’ because it deactivates the mechanism (or apparatus) of the limit, is nothing but the individuation of dignity, which is in turn the condition for the possibility of a prosperous, peaceful, and

common humanity. Another way of addressing this would be to call it counterviolence, following Frantz Fanon (2004). However, by deactivating the mechanism of violence, sovereign (divine) violence, which is “lethal without spilling blood” (Benjamin, p. 297), clears the ground for a new ontology and a new history of humankind. It *counters* violence in the most essential way, for it destroys it. It is then *counter-violence* in the strictest, most literal sense: a standing against, whereby that-against-which it stands is totally annihilated.

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