What absence—or whose—is addressed by Leonard Cohen’s *who*, which is neither deictic nor quite interrogatory? In the stanza’s last line, we might say that the address is apostrophic, hailing an unnamed and unknowable caller. Death. Cohen’s song also speaks to those who, whether by accident or incident, have answered the call and who are no more. His words tremble and await an unspeakable absence. And in its oblique address to us, the grim living, it plays proleptically on our own future having-been, to which we too are destined—an absence we carry within us as the broken mirror of our survival and as the condition of any *who*, any call. A call is a call, an address, only because it might remain unanswered. To whom does this address belong; whose, the haunting apostrophization?

The trope of apostrophe, by convention, is either an address to another who is not or is no longer there, or an address to an anthropomorphized object, thing, or concept. Apostrophe should not be mistaken for prosopopoeia, which lays claim to and possesses on the basis of such absence—or more violently: through an elision, erasure, or annihilation that permits possession’s conceits. The trope of prosopopoeia is a throwing-of-voice that Quintilian characterizes as “impersonation”: “Nay, we are even allowed in this form of speech [prosopopoeia] to bring down the gods from heaven and raise the dead.” Prosopopoeia is, then, the projection of one’s own voice attributed to someone or something as if it were speaking in its own name. But apostrophe is no such thing; it personifies without quite impersonating: it does not quite speak *for* or *as* the absent addressee who

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*Refrain* | And Who by His Own Hand?

And who by brave assent, who by accident,
Who in solitude, who in this mirror,
Who by his lady’s command, who by his own hand,
Who in mortal chains, who in power,
And who shall I say is calling?
—Leonard Cohen

And who by brave assent, who by accident,
Who in solitude, who in this mirror,
Who by his lady’s command, who by his own hand,
Who in mortal chains, who in power,
And who shall I say is calling?
—Leonard Cohen
cannot reply in propria persona. Apostrophe addresses; it is neither projection nor possession. And its address is premised (however fictively) on dialogue, on call-and-response, where an anticipated answer, or at least its potentiality, subtends the call. We might say that the impossible possibility of the reply ontologically precedes the call, and calls-forth that call, hearkening in advance: the apostrophe is summoned (by the absent addressee), the apostrophe in turn summons, and we tarry in this space. The address is always in the eternal return of this refrain.

The difference that distinguishes apostrophe from prosopopoeia is paramount if we wish to understand the t(r)opologies of neoliberal biopolitics—and not least, if we seek possibilities for a critical response that might disaffirm biopolitics. For a disaffirmation must be something other than a mere negation spoken in the same rhetorical register. In many respects, then, the master trope of biopolitics is prosopopoeia, whether expressly in the service of making live or letting die. It is a voice that impatiently projects the response it wishes to hear. It impersonates, colonizes, owns. It refuses to wait; inattentive, it willfully mistakes the echo for origin.

In an essay that treats what she calls “prosopopoeic citizenship” in the case of Terri Schiavo, Megan Foley offers a fine reading of prosopopoeia. Schiavo, who for fifteen years had been in an irreversible persistent vegetative state, became for a short while the site of biopolitical vigils and vocalizations. Michael Schiavo, her husband and legal guardian, petitioned for Terri’s withdrawal from life-support systems, saying that this would have been her wish. Terri’s parents, however, disagreed with Michael and disputed Terri’s medical diagnosis, petitioning for continued life-support. This bitter struggle resulted in no fewer than fourteen appeals in Florida courts, five suits in a federal district court, a judgment by the Supreme Court of Florida, federal legislation (S. 686, “For the Relief of the Parents of Theresa Marie Schiavo”), and four US Supreme Court denials of certiorari. For those who sided with Terri’s parents, she was figured as someone who “wanted” to live, and who expressed that apparent desire, evidenced largely through disquieting videos of her medical examinations. Schiavo could not speak. And so innumerable “experts” saw fit to speak for her: US legislators, pundits, bioethicists, doctors, lawyers, disability activists, and religious leaders, including Pope John Paul II. Many others, meanwhile, held firm that Schiavo should be allowed to die and understood her as expressing this wish. Foley argues, “Prosopopoeia [sic], the trope of giving voice to a voiceless body, rhetorically resecured the link between citizens’ rights to life and liberty—that is, [this] voice rearticulated the biopolitical and sovereign status of democratic citizens.” For Foley,
prosopopoeia in this case represents a sovereign projection on the part of American citizens, an attribution of their voices, ventriloquizing what they sought to hear from Schiavo.

I would like to expand on Foley’s reading of prosopopoeia in this remarkable media spectacle—a scene I see less as the effect of Terri Schiavo’s plight, and more as its rhetorical condition of possibility. We might say that those who spoke for—and indeed, as—Schiavo impersonated her by attributing to her their own particular understanding of life (and this was true of both the “make live” and “let die” camps). But the “democratic” and “sovereign” agency of these voices, their uses and usurpations, is not so clear, and has become muddier in years since, with the rise of nativist nationalisms, anti-vaxxer movements, and the “biological” racism of the alt-white/right. Across these discursive fields, we are not quite sovereign, and our voices are not quite ours to throw; indeed, our speech already betrays its (and our) situated “thrownness,” to borrow a Heideggerian term. In Schiavo’s case, and with the benefit of hindsight, today it is perhaps easier to conceive that these voices issued, rather, from the diffuse and anonymous turns of biopolitical tropes, which circulated with determined frenzy through public discourse, (social) media, law, and Congress itself. Schiavo was less the site of prosopopoeial projections than a prosopopoeial echo of competing cultural affirmations. That is, the projective voices of concerned citizens must themselves be understood as projections—vocal embodiments, conveyances—of the biopolitical discourses that animated them. There was a double displacement at work. Schiavo’s “speech,” her “will” to live or to die, belonged neither to her nor quite to those who projected them as coming from her: we, the living, become the vocative conduits of prosopopoeial production, speaking biopolitically for and as life itself.

Schiavo herself, meanwhile, was a biopolitical effect, the fetish object of contesting powers, and an easy one to claim—neither quite living nor dead. Vowing to uphold its sacred post-9/11 “culture of life,” Congress was above all preoccupied with the punctilious project of making live, even as these same elected representatives were content to do precious little—scarcely five months later—as Hurricane Katrina made landfall and claimed 1,833 lives. The stark contrast between making live and letting die, between Terri and Katrina, is an object lesson in biopolitical logics, and in the moral calculus that determines whose lives must be saved at all costs and whose are disposable (i.e., poor lives, Black lives). This logic—the obscene congress and intertwined economies between making live and letting die—was lost on Schiavo’s supporters no matter their prosopopoeial persuasion. I suspect, however, that this logic was not lost on Katrina’s (and later, Maria’s) victims and their kin.
In marked contradistinction to prosopopoeia, the trope of apostrophe, I’d like to argue, permits rhetorical insight into the biopolitical conjunctions between making live and letting die. Unlike prosopopoeia, discussed above, apostrophe addresses the dead—those biopolitics unceremoniously lets die—and it waits, but does not jealously guard or “raise the dead” to speak for or as them. Apostrophe assumes absence without quite standing in for it; it speaks only to find that the very conditions of that speech must attend the unrecognizable voices of the dead. Rather than speaking for or as (as in impersonation), it speaks to, conjuring a spectral presence in staged anticipation of a response, a conversation, and it does so abidingly (to invoke a Derridean term: demeurant, with its etymological echo, “undyingly”). As Jonathan Culler remarks, apostrophe is unlike other tropes: “It makes its point by troping not on the meaning of a word but on the circuit or situation of communication itself.” Calling attention to the rhetorical situation, apostrophe is concerned with the relation among the voices in play in making speech/acts. The speaker, the absent addressee, and the audience that “overhears” the address—much as we do in Cohen’s song, a quasi-liturgical text—are conjoined in the apostrophization.

Consider for a moment the biopolitical tropes secreted in the conjunction, “to make live and let die.” I have suggested a kind of doubled prosopopoeia as the circuitous mechanism by which biopolitics makes live or lets die (disjunctively), while nevertheless securing—and indeed, relying on, cultivating—the disavowed conjunction between them, conveyed by that deceptively inconspicuous little and. Whose deaths are repudiated, unspoken and unspeakable, in the vocative project, the vocation, of making live? The elision of these deaths, and moreover, the elision of that elision—eliding dying’s biopolitical conjunction with making live—occasions my rhetorical reflections on the critical force of apostrophe. The “turning away” (apo-) of this figure (strophe) carries within it a turning back, against, or down: catastrophe and going-under. And it is catastrophe that remains deflected and unvoiced in biopolitical tropes that privilege life itself. When, however, we apostrophize the biopolitical dead—summoning or convoking those we have let die—we attend (to) violent elisions in the name of life, in the name of an established order, and in our own names.

In apostrophe’s speaking to and calling, the projective violence of prosopopoeia’s speaking for or as is exposed, troping “on the circuit or situation of communication itself,” as Culler phrases it. And as Catherine Malabou writes, “The Greek word katastrophē signifies first the end (the end of a life, or the dénouement of a dramatic plot and the end of the play), and second, a reversal or upset, the tragic and unforeseeable event that brings about the ruin of the established order.”
Speaking for or as merely registers an absence, constatively. And yet, the speaking to of apostrophe does not quite accomplish the inverse: it does not render the absent other present. As Derrida suggests, apostrophe “simultaneously puts him at a distance or retards his arrival, since it must always ask or presuppose the question ‘are you there?’” It waits, into the future to-come. And as Derrida says elsewhere, we are obliged de laisser de l’avenir à l’avenir—“to let the future have a future,” or, “to leave some of the future to what is (still) to come, à venir” (my translation). We wait, abidingly, unless what is to-come is anxiously filled (as so often it is) by the biopolitical promises of making live, driven toward the counterfactual futures of technoscience, medicine, securitization, law. These futures are apparently namable, knowable, and for many, they are preferable tropes, propitious projections, possessions. Nobody likes to wait.

Given the surreal ambivalences of apostrophe, it is little wonder, then, that Culler characterizes apostrophe as an embarrassment: “Readers temper this embarrassment by treating apostrophe as a poetic convention and the calling of spirits as a relic of archaic beliefs.” Making apostrophe “conventional” domesticates what is otherwise unwieldy, unworldly, and which threatens to upset an established order that convenes and conjoins. Apostrophe itself has been elided, Culler argues: “apostrophes are out of place in formal critical writing,” “systematically repressed or excluded” as “that which critical discourse cannot comfortably assimilate.” And isn’t this its point, apostrophe’s punctum, its punctuative power, for which it has been relegated to a “mere” poetic conceit? Culler continues: “What is really in question, however, is the power of poetry to make something happen.” He cites Auden’s ironic quip that “poetry makes nothing happen,” but immediately follows with Auden’s claim about poetry, in contretemps, that “it survives, / A way of happening, a mouth.” It is this survival that seizes on the relation between a way of happening—an evental trope—and a mouth, speech. To recall Georges Bataille, “this living world will pullulate in my dead mouth.” Culler’s gloss on Auden’s lines is simple: “Apostrophe reflects this conjunction of mouth and happening.” Between the dissymmetry of the tropological powers that make live and let die—the power to speak and be spoken, to flourish and fade away—here, apostrophe opens onto a middle voice, neither quite a presence that speaks nor an absence that is spoken but an absence that haunts and inflects the scene of address, brings into relation one who speaks presently, one who is spoken absentely, and those bystanders, perhaps us, who “overhear” the exchange only to be caught in its address ourselves.

However, when Culler asserts that poetic apostrophization amounts to the poet’s own self-conceit, I must part company with him. Here, I believe he conflates
apostrophe with prosopopoeia. Culler writes, “The vocative of apostrophe is a device the poetic voice uses to establish with an object a relationship which helps to constitute him.” For Culler, apostrophe—ultimately “a device”—shores up the poet’s own projective sovereignty over language: the voice calls in this way in order to “dramatize its calling, to summon images of its power so as to establish its identity as poetical and prophetic voice.” For this sovereign “device” to succeed, we must hear the prosopopoeial echo of the poet’s voice but must imagine that it comes from elsewhere to address him (a classic example is Shelley’s “Ode to the West Wind”). In contrast to Culler, I would suggest that the relationship that “constitutes” the speaker is the prior and abiding condition for his apostrophic address in the first place. In my understanding, then, the apostrophic call devastates any illusion of constitutive intent: the speaker is as it were deconstituted by apostrophe, unmanned, and agonizes in the _attente_ knowing full well that any reply will be unspeakable. Indeed, its unspeakability demands our abidance, and apostrophe speaks abidingly but is never “used” or abided as mere instrumental device.

Here, Barbara Johnson’s feminist reading of apostrophe is more faithful to the trope as I understand it, where the apostrophic address is an expression of “the desire for the _other’s_ voice: ‘Tell me—you talk.’” In her reading of Baudelaire’s poem “Moesta et Errabunda” (Latin for “Sad and Vagabond”), apostrophe becomes the poem’s theme, Johnson argues, and not just its rhetorical device. Unlike Culler, Johnson grasps the trope’s rhetoricity. The poem opens with an address to a certain Agatha, his absent lover (perhaps a prostitute), but ends with an address to “an abstract, lost state”—the lost liveliness, the time, of the poet’s childhood, _un paradis parfumé_. “What the poem ends up wanting to know,” Johnson writes, “is not how far away childhood is, but whether its own rhetorical strategies can be effective.” Faced with the irrecoverable loss of childhood, mourning it, every self-conceit is undermined, every apostrophe a failed interpellation: the loss cannot be captured in the sovereign grammar of our logics. Such loss can only be addressed and enacted, as the poem does, performatively. It is the kind of question one might mournfully ask oneself—already anticipating the answer—toward the end of one’s life. Life’s term—whether a grammatical or a temporal consummation—is here interrupted poetically, punctuated by the lyrical de-termination of the foreboding address: “The final question becomes: can this gap be bridged? Can this loss be healed, through language alone?”

Apostrophe, then, addresses an absent other, an addressee imbued with a power that, one imagines, exceeds the powers of both speaker and audience, transcending our usual spatiotemporal and logical coordinates. The apostrophization invokes
that power, awaits a reply, and trembles, for this voice—should it reply—would be catastrophic. Indeed, the indeterminate wait itself suggests catastrophe, a rhetorical suspension of dialectical reason, the end of the world. Above, I contrasted apostrophe with prosopopoeia, arguing that prosopopoeia is less an address than a projection of voice: it speaks for or as the absent other, who is in a certain sense dispensed with, elided—one who is powerless to respond in one’s own voice. It is the means by which we safeguard the dialectic, securing a certain epistemic closure rather than risking the ontological uncertainty of desire and indeterminate openness. And I argued that the life-itself that is conjured by biopolitics amounts to a prosopopoeial projection, a sham sovereignty, that would as it were secure the speculative futures of our livingness. Death, of course, is repudiated in this gesture, a sinister “silence behind speech” (to invoke Nietzsche), and so I wonder whether we might address this death apostrophically, and if so, how the attendant silence—the gap or refrain—might signify. What is the address of the dead? In her essay on apostrophe, Johnson’s reading of Baudelaire’s poem ends with “the fate of a lost child—the speaker’s own former self—and the [rhetorical] possibility of a new birth or reanimation.” Johnson asks whether the poem’s own rhetorical strategies can be effective to bridge this gap, and to bridge it through language alone. Before returning to this question—and indeed, before returning to this essay on apostrophe, which provocatively turns to the politics of abortion and the poetic apostrophizations of aborted children—I would like to stage a detour through another of Johnson’s essays, one written some eight years later, and which offers a somewhat different perspective on, and a tentative reply to, apostrophe’s “gap.”

Minding the Gap

In her essay “The Alchemy of Style and Law,” Johnson opens with the story of Mary Joe Frug’s last essay, “A Postmodern Feminist Legal Manifesto,” published posthumously in the Harvard Law Review. Tragically, Frug was killed in the course of writing her essay, and Johnson was asked by the journal to write a commentary on Frug’s unfinished work, which would be published by the journal as is. An essay that “concerns ways in which legal rules combine to maternalize, terrorize, and sexualize the female body so that heterosexual monogamy is a woman’s safest life choice,” Frug left the following sentence unfinished when she got up and went out for a walk and was murdered:
Women who might expect that sexual relationships with other women could

In her commentary, Johnson refers to this incomplete sentence as “the lesbian gap,” asking “How does this gap signify?” Faced with an absence of text, and with the sudden and violent loss of Frug herself, Johnson does not claim that these “gaps” can be bridged, the loss healed through language alone or by any other means.

Not once in Johnson’s essay does the word “apostrophe” appear, though there can be little doubt that this essay is about the apostrophic address—Johnson’s address to the late Mary Joe Frug, Frug’s posthumous address to Johnson and to us, and the ways that the Harvard Law Review addresses both Johnson and Frug, as well as its wider readership. The editors at the journal returned Johnson’s manuscript and amended her sentence to “What does this gap mean?” Johnson protests: “This is not at all the same question. ‘What does this gap mean’ implies that it has a meaning, and all I have to do is to figure out what it is. ‘How does the gap signify’ raises the question of what it means to mean, raises meaning as a question, implies that the gap has to be read, but that it can’t be presumed to have been intended.” In her reply to the editors, Johnson refuses the erasure of her address and its signification, but moreover, she refuses the erasure of Frug’s “lesbian gap,” its reduction to some stable and namable “meaning.” Nevertheless, “In every successive revision that my text underwent, the how was changed to a what.” Stupidly, of course, the gap simply means that Frug was killed before she finished writing her sentence. But this murder and the unbridgeable gap that it represents is a question that remains open, figuring for us the ways that women’s bodies are terrorized and sexualized, in violence and unto death. Johnson wryly concludes, “The ideology of law review style attempts to create a world saturated with meaning, without gaps, and, indeed, doubtless without lesbians.”

Johnson’s anecdote about the publication of Professor Frug’s final essay punctuates, as an open wound, the rest of her essay on legal rhetoric, which problematizes the ways that the Harvard Law Review’s expected legal “style” would also address Patricia J. Williams, by rejecting her style and her critical self-signification as a Black feminist legal scholar. The journal was prepared to publish Frug’s unfinished essay—gaps and all—but not Williams’s finished essay. Johnson characterizes this differential decision as “an interactive editorial process through which a living author participates in the progressive erasure of her own words and a textual respect that can occur only if the author is dead.” Not unlike the
tradition of idealizing dead women in Western (male) poetry, Johnson suggests, Frug’s “lesbian gap” is a dead letter to be tolerated as long as Johnson “closes” that gap and lays it to rest in a neutral and impersonal commentary. And if Frug’s death itself authorizes the posthumous appearance of this gap—albeit one that Johnson was expected to bridge—that erasure is fetishized and projected onto Williams with the demand for her to be logical, neutral, and impersonal, rather than lyrical and apostrophic. As Johnson writes, “Williams repeatedly documents the revisions, erasures, and displacements her writing undergoes in its encounters with the rules of legal style and citation.” Law and legal scholarship—imagined as an “impersonal book,” a book with no avowable style—would as it were disavow the gap between law and bodily life. It is for this reason that Johnson praises Williams’s as “a breakthrough book for the possibilities of a fully conscious historical subject of discourse who does not coincide with—indeed, has been subtly or overtly excluded from—the position defined as neutral, objective, impersonal.” And as Williams herself says of her writing, “I am trying to create a genre of legal writing to fill the gaps of traditional legal scholarship.” Style is political; form is means.

Whether a procedural matter of legal “style,” as the journal claimed, or a much more prickly matter of censorship, misogyny, and racism, Williams found her “active personal” voice had been edited into “the passive impersonal,” and all mention of her Blackness—pivotal to her argument—had been removed in compliance with an editorial policy that bans mention, euphemistically, of “physiognomy.” Williams writes, “What was most interesting to me in this experience was how the blind application of principles of neutrality, through the device of omission, acted either to make me look crazy or to make the reader participate in old habits of cultural bias,” which is to say, the racializing habit of “fill[ing] in the gap by assumption, presumption, pre judgment, or prejudice.” The editors simply tell her, “Any reader will know what you must have looked like.” The very personal style of Williams’s prose poses a challenge for law and legal scholarship, or indeed, for the implicit law of legal scholarship that the Harvard Law Review sought to uphold as a matter of neutral form and high principle.

To offer one salient example of her style from The Alchemy of Race and Rights, Williams tells a “subway story” that she reports having told to her law students, who later complained to her dean that their professor was not teaching them law. It is a story about minding the gap, recounting her encounter with a dead homeless man on a New York subway platform:
His mouth hung open, and his eyes—his eyes were half closed, yet open. . . . They were the eyes, I thought, of a dead man. Then, I rationalized, no, he couldn’t be. . . . I looked at the face of another man who had seen what I saw, both of us still walking, never stopping for a second. I tried to flash worry at him. But he was seeking reassurance, which he took from my face despite myself. I could see him rationalize his concern away, in the flicker of an eye. We walked behind each other upstairs and three blocks down Broadway before I lost him and the conspiracy of our solidarity. Thus the man on the subway bench died twice: in body and in the spirit I had murdered.

In her retelling, to her students and again in the pages of her book, and in the conspiracy of solidarity she invokes, with the silent unknown passerby, with her students, with her readers, and now, here, with me and mine, I’m uncertain whether this man did not die a third, a fourth, or innumerable deaths, or whether he is reanimated in the retelling, unable to rest in peace, and, in turning to us, suffers an uncanny rhetorical afterlife. I think it is probably all of these: “We, the passersby of the dispossessed, formed a society of sorts. We made, by our actions, a comfortable social compact whose bounds we did not transgress. We made a bargain of the man who lay dead. We looked at each other for confirmation that he was not dead; we, the grim living, determined to make profit of the dead.”25 And it is this determination, this profit, as comfortable social compact, that we, the grim living, enact and accept as a kind of universal law, perhaps even a moral one.

Williams stages a discomfiting relation between reader and text: How might we address the dead, the dispossessed, and how will their absence signify for us? Or, might we be forced to invert this question and concede that the dead, the dispossessed, also address us? “The echos [sic] of both dead and deadly others acquire an hallucinatory quality; their voices speak of an unwanted past, but also reflect images of the future. Today’s world condemns those voices as superstitious, paranoid; neglected, they speak from the shadows of such inattention in garbles and growls, in the tongues of the damned and the insane.” From those eyes, unseeing yet seen, or from those voices, unspeaking yet spoken, we find ourselves addressed. If the man is legally dead, this is not the end of his story. “Much of what is spoken in so-called objective, unmediated voices,” Williams writes, “is in fact mired in hidden subjectivities and unexamined claims that make property of others beyond the self, all the while denying such connections.”26 But the legal
tropes of property and possession, including law’s investment in self-possessed individualism, become fragile in this moment: we are dispossessed by a dead homeless man (what legal claim could he possibly have?), himself multiply dispossessed, and the story does not and cannot belong to anyone because it exposes the deeply differential conditions of our possessive belonging, legal rights, and personhood.

In the opening pages of her book, in a section titled “Excluded Voices,” Williams claims that she is “using an intentionally double-voiced and relational, rather than a traditional legal black-letter, vocabulary.” She writes these lines, or more correctly, she speaks them—at Christmastime, as she sits at her parents’ kitchen table and tells her sister what her book—the one I cite here—is about. We are invited into this familiar scene of belonging; we overhear their conversation. We glean something of her method, if that is what it is, or better, her approach to excluded voices—absences that she addresses in her book, refusing to “flatten and confine” them in any traditional legal black-letter vocabulary. If her voice is doubled, it also doubles back again and again, constellating around innumerable absences—those of the lives (and deaths) she addresses in her text, but her own life, too, appears in a highly stylized way, and in a manner that is double-voiced, sometimes parodic, and refuses to be contained or totalized by loss.

To write is to reckon with one’s own absence from one’s text, a text destined for a reader who is not present in—or better, to—the writing of it. There is, then, the absence of Williams’s reader, who will “overhear” her conversation with her sister (also absent to us), who will glimpse the scene of writing, but who does not constitute it and only arrives belatedly in the retelling that is reading, from the absented voice that addresses us across space and time. Tellingly, in this scene neither sister really hears the other (“My sister and I will probably argue about the hue of life’s roads forever”), and we wonder, as well, what we, her absent addressees, can truly hear in the hues of this exchange. We might venture the claim that all writing is apostrophic inasmuch as it addresses a host of innumerable absences, and awaits abidingly. In turning toward what writing writes about, writing cannot but turn away from the concrete lives of these things themselves in order to render them communicable, to sunder them from their own spacetime, to set them free in the text, and to destine them to future readers unknown and unknowable, who will nevertheless write and refer to this past in a present-historical tense: “Williams writes”—as if claiming a self-presence to a writerly past, unverifiable yet somehow continuous in the telling. And the writer’s address, her apostrophizations, direct or indirect, explicit or implicit, conjure and risk
such an addressee at the same time that they absent her, the writer, from a text whose transitivity she cannot control—and will not be present to—in that future from which she will be read. It might well be this risky refusal of epistemic closure—indeed, this deeply differential exposure—that law and legal scholarship—ostensibly so “neutral,” so “objective,” so “universal”—finds so transgressive, a breach of law’s social compact and (con)temporization.

In an effort to imagine absence in language itself, I return briefly to Johnson’s earlier essay on apostrophe, titled “Apostrophe, Animation, and Abortion.” This essay anticipates Johnson’s subsequent reading of both Frug and Williams in their forcible—yet ostensibly “neutral,” “objective”—erasure in the pages of the Harvard Law Review. But while this latter text concerns a troubling end-of-life (whether physically or rhetorically violent), and echoes the prosopopoeial contest over Schiavo’s plight, we see in Johnson’s earlier essay similar rhetorics playing out in the contest over when and how life naturally begins. (“Natural” beginnings and ends are discursively produced as natural by medico-legal discourses, as we see in the shifting markers of life’s beginning—conception, viability, “born-alive”—and death—cardiac death, brain death, brainstem death.) Johnson therefore anticipates the recent spate of legal “personhood initiatives” and draconian legislation that restrict and regulate women’s rights to pregnancy termination, and unsurprisingly, much of this legislation works to restrict the kind of speech that would permit one to formulate or to claim a right in the first place. These biopolitical proscriptions are also typically carried out in the name of life itself and they imagine themselves, rather prosaically, as giving “voice”—and hence political personhood—to what they refer to as “unborn” or “preborn” children who would (have) claim(ed) a right to life in their own name. These “unborn voices” are the prosopopoeial projections of law, rendered contemporaneous, just as they are in so much pro-life rhetoric, where they are deployed to well-known political ends, whether as a function of religious belief, political ideology, biology, citizenship, women’s rights, men’s rights, the rights of the unborn, and so on. Indeed, this is a battle over voice and persuasive possession.

And yet these dead children’s voices also populate a genre of poetry written by women—mothers—who address, and who stage their own address by, the children they have aborted. Johnson distinguishes these voices not merely as projective occupations of a sovereign speaker (prosopopoeia), but as multilayered structures of apostrophic address. She cites, for example, Gwendolyn Brooks’s poem “The Mother”: “I have heard in the voices of the wind the voices of my dim killed children.” Brooks’s poem makes it well-nigh impossible to establish “a
clear-cut distinction ... between subject and object, agent and victim.” Earlier in
the essay, while Johnson’s treatment of Baudelaire’s and Shelley’s poems under-
stood the apostrophic address as motivated by the (male) poet’s loss of childhood
against the horizon of his certain death to-come, here, by contrast, she argues
that Brooks and others succeed in “rewriting the male lyric tradition, textually
placing aborted children in the spot formerly occupied by all the dead, inanimate,
or absent entities previously addressed by the lyric.” In another instance, Johnson
cites the “refrain” from Anne Sexton’s well known poem “The Abortion”: “Some-
body who should have been born / is gone.” She reminds us that the archaic term
for “refrain” is “burden,” which is also “child in the womb.” This refrain, which
interrupts the poetic voice three times, “puts the first-person narrator’s authority
in question without necessarily constituting the voice of a separate entity.” She
then cites Sexton’s final stanza: “Yes, woman, such logic will lead / to loss without
death. Or say what you meant, / you coward ... this baby that I bleed.” Johnson
writes, “Self-accusing, self-interrupting, the narrating ‘I’ turns on herself (or is it
someone else?) as ‘you,’ as ‘woman.’ The poem’s speaker becomes as split as the
two senses of the world ‘bleed.’ Once again, saying what one means’ can only be
done by ellipsis, violence, illogic, transgression, silence. The question of who is
addressing whom is once again unresolved.”

If we take seriously the notion that the apostrophic address returns on us, in
refrain, to address and apostrophize us, in turn, by echoing loss and betraying
the terms of our speech—and if we hold open the possibility that the dead hold
us in their own address—then we cannot in the end decide, nonviolently or with
any certitude, on the “true” or “real” provenance of these voices. As with the inflec-
tions of the dead, the dying, and the dispossessed among this book’s various case
studies, we might ask, Are they my own willful projections, cases of straightfor-
ward prosopopoeia? Or are they apostrophizations that hold the power to turn
back on me, from the dead themselves? Is one choice more logical than the other
according to the apparently neutral and objective laws of reason, or according to
liberal conventions of legal personhood and voice? Certainly. But it is precisely
these conditions that I’ve sought to contest and that the poems that Johnson cites
suspend. The self-conceit of prosopopoeial projection is that it slyly shores up
the speaker’s sovereign will, operating in a quasi-epistemic register. With prosop-
opoeia, the speaker presumably bestows personhood on, animates, and anthro-
pomorphizes an inanimate object. (And as I’ve argued above, this is complicated
by the fact that the prosopopoeia so often echoes the affirmations circulating
in the wider biopolitical culture.) By contrast, apostrophe and its returns would
shake the foundations of the speaker’s agency, personhood, and self-sovereignty (as well as that wider biopolitical culture).

Hearing animate voices from inanimate objects may well resemble the calling of spirits and archaic beliefs (in Culler’s words) or cross over into what others have called superstitious, paranoid, damned, and insane (in Williams’s words). However, my suggestion here is that we must, for a moment, refuse to decide, and instead remain uncertain about the “true” provenance of voice or its knowability. This is apostrophe’s rhetoricity. Unmooring us from our usual coordinates of liberal subjecthood, this would permit us to call into question how that voice signifies when it is severed—as it always is, to some extent—from an agentic, liberal subject imagined to possess her words and control their transitive uptake. We must reckon with absence, elision, and dispossession since we are incapable of rescuing these losses and bridging these gaps through language alone. Indeed, to write is to assume this absence, elision, and dispossession. As Johnson remarks, “It becomes impossible to tell whether language is what gives life or what kills.”

These poems do not allow us to settle on the speaker’s identity, whether as an “I” or a “you,” and the provenance of the address, and its addressee, to whom the address is destined, become as ambivalent as the poems’ understanding of life itself, which is never clearly defined because it is so tied to voice.

The sovereign grammar of liberal legal logic is unable to address such ambivalence, just as it fails to address rhetoricity, the ways that language acts within and from the historical, legal, and corporeal conditions of one’s speech/acts. And it is only by plucking lines out of context that these poems could be deployed as “pro-life” arguments against abortion. (I hope as much for my own text here.) As Johnson makes clear, to see these poems “as making a simple case for the embryo’s right to life is to assume that a woman who has chosen abortion does not have the right to mourn. It is to assume that no case for abortion can take the woman’s feelings of guilt and loss into consideration, that to take those feelings into account is to deny the right to choose the act that produced them.” So often, assumptions, presumptions, prejudices race in with their certain violence to fill epistemic gaps. Johnson cites Carol Gilligan’s book In a Different Voice (1982, published in the same year as Williams’s Alchemy), which was an important early text in the feminist ethics of care movement. In relation to moral capacities, Gilligan’s empirical psychological research demonstrated that men tend to respond to a more abstract ethic of individual rights and obligations underwritten by duty and justice, whereas women tend to privilege an ethic of care revolving around empathy, relationship, and responsibility—and thus women speak “in a different
voice.” Or, in Johnson’s gloss, “Female logic, as [Gilligan] defines it, is a way of rethinking the logic of choice in a situation in which none of the choices are good.” Gilligan’s book focuses on a woman’s decision to have, or not to have, an abortion. Johnson cites Gilligan: “Believe that even in my deliberateness I was not deliber-ate,” adding, “Believe that the agent is not entirely autonomous, believe that I can be subject and object of violence at the same time, believe that I have not chosen the conditions under which I must choose.”

We are summoned to believe the (legal, medical, moral) conditions of non-choice, which in Frug’s words maternalize, terrorize, and sexualize a woman’s body “through rules such as abortion restriction that compel women to become mothers and by domestic relations rules that favor mothers over fathers as parents.” And so, there is an essential ambivalence in her “choosing,” which does not redound on a liberal political subject who merely exercises the freedom of “choice” —and this is so even as we must fight for a politics that would safeguard such freedoms. Politics is not ontology, even as biopolitics collapses this distinction and operates as a naturalized, biologized onto-logic.

In this context, the unfree conditions of “freely” choosing preclude a nonviolent resolution, and, as these poems attest, a subject can be the site of two contrapuntal affects at the same time, an opposition that is figured here rhetorically in the ambivalence of the apostrophic address. To invoke Williams’s words, such speech is “double-voiced and relational.” And while I would not wish to imply that Williams’s experiences are commensurable with the various experiences of women who write about their aborted children, I believe they share a common understanding of language, of figurative speech, and of impossible “choice.” The speaker is the site of competing—but not necessarily mutually exclusive—affects in which she understands that she is not autonomous, but interdependent with others both living and dead. When she speaks, it is within and from the complex structures of historical, legal, and corporeal address. There is no willful or definitive dissociation from this intersubjective situatedness; indeed, there can be no ethics of care without it.

In Williams’s writing, too, it is practically a refrain, and a burden, that her subjectivity is doubled. At one point she describes herself as “a crazy island, a suspicious hooded secret,” writing “I edit myself as I sit before the television. I hold myself tightly and never spill into the world that hates brown spills. I’m afraid that everything I am will pour out onto the ground and be absorbed without a word. I may disappear. So I hold onto myself because I still have much left to say.” Johnson glosses a letter of rejection addressed to Williams from yet another
journal's editorial board that takes issue with Williams's style: “The editors expect certain things that are highly revealing: that calm is the opposite of engagement, that to be convincing about anxiety one must demonstrate a loss of control. What seems to bother the editors is the combination of control and panic. They almost want the panic. . . . What is unfamiliar is a black woman writing calmly about panic, situating her own discourse as intelligent, fashionable, feminist, and postmodern—having the kind of self-consciousness about style and reception, about genre and metadiscourse, that instates a complex narrative voice as something other than a symptom.”

This, too, is writing “in a different voice,” one that understands what it means to be both subject and object of violence, one that addresses the conditions under which any address might be heard, and one that performs these ambivalences in an address to absent readers. And yes, many of these readers may well repudiate their own interpolation onto this scene, demanding instead the pale paternalistic prose of neutral description or prosopopoedic projection, a writing in which the “marks” of race and gender have decisively been effaced, unaddressed—or, at long last, a writing without voice: no writing at all: dead silence.

Use

Rather late in this project, I was somewhat taken aback when a colleague of mine casually remarked that, given my case studies, this is a book about suicide. But no, I countered: the individual intentionality and “sovereign” voluntarism of the suicide had struck me all along as problematic. Can one not be suicided by society? Biopolitical deaths are not sovereign acts of choosing, even when they are committed by one’s own hand. And if we tend to think of suicides as preventable, untimely, unnatural, or tragic, these words struck me as neoliberalizing, even banal. Why, I wondered, do we so rarely speak of preventable, untimely, unnatural, or tragic life—or, if we do, it is when those lives have already been given over, anointed, unto death, dying, dispossession? By what ruse should modern life appear for us stripped of death and death’s mantle? If we cling to life because it is inherently sweet, as Aristotle once remarked, it is also at times no less stupid, malcontent, insomniac: a pitiless and relentless is-ness conveyed so hauntingly by Emmanuel Levinas’s *il y a*—“there is”—in its anonymous, thrumming existence, its inertia and perdurance, within me, in spite of me.

By what ruse, then, does this “is” become an ought, a moral injunction that demands life’s timeliness, naturalness, freely willed and chosen in the chirpy
affirmations by which I “choose life”? If this moral order and its neoliberal value chains—also unchosen—prove a burden for some, an unanswerable demand, or even unlivable, why can this malcontent only be registered in a pathologizing discourse that deems it depressive or suicidal, symptomatic? I had hoped to disrupt these logics, and admit that I even found some nonmorbid hope, what Jill Casid calls a “melancholy joy,” in these morbid places. Death speaks to life and livingness, it disrupts the temporality of timeliness and the moral injunctions to make live secreted in the promised futures of biopolitical life—futures that, for some, are surely a “cruel optimism,” as Lauren Berlant phrases it. Life is never necessary, timely, natural, and I can’t quite conceive of the “right” to life in the sanctimonious terms gifted by liberal human rights discourse. Indeed, the impossibility of living is always the possibility of dying, where death is destined in life until that moment it outlives us in and for those others we leave behind to live out their own (un)timeliness in time.

In his discussion on suicide, Maurice Blanchot describes a “strange project” that would believe in a double death: “There is one death which circulates in the language of possibility, of liberty, which has for its furthest horizon the freedom to die and the capacity to take mortal risks; and there is its double, which is ungraspable. It is what I cannot grasp, what is not linked to me by any relation of any sort. It is that which never comes and toward which I do not direct myself.” Within this curious doubling of death, Blanchot situates suicide as follows: “To kill oneself is to mistake one death for the other; it is a sort of bizarre play on words. I go to meet the death which is in the world, at my disposal, and I think that thereby I can reach the other death, over which I have no power. … Suicide in this respect does not welcome death; rather, it wishes to eliminate death as future, to relieve death of that portion of the yet-to-come which is, so to speak, its essence, and to make it superficial, without substance and without danger.” I’d be hard pressed to find better words to describe the “suicidal” remit of biopolitics, its “bizarre play on words,” its rhetorical “power” to defer and differ death, to “eliminate” death’s futurity and its essential temporization, its substance, its mystery, and its danger. Despite its pious affirmations of life itself, biopolitics lets die in the name of a promised future that disavows the essence of a death ungraspable, over which we hold no power. What is more, biopolitics not only disavows those it lets die, but also the livingness of those it makes live, for these living lives have in a sense been robbed of death’s orienting horizons. Biopolitical life is not oriented by—and does not derive its meaning in relation to—death, but is a life occupied in fleeing death. Here, then, to invert Blanchot’s remarks, we might say
that for biopolitics there is a strange *doubling of life*—one life that circulates in the language of possibility, of liberty, and so forth, and there is its double, whose truth in death is ungraspable. Stated simply, biopolitics would have us mistake one life for the other. And yet: “Death must exist for me,” Blanchot will reply, “not only at the very last moment, but as soon as I begin to live and in life’s intimacy and profundity. Death would thus be part of existence, it would draw life from mine, deep within.”

Two deaths, but just one; two lives, but just one life to live. There is, then, a strange doubling of the subject, and a gap between its (my?) uses of “I,” which may or may not bleed into a “you,” living or dead. I am “double-voiced and relational,” to recall Williams, or in Johnson’s terms, “I have not chosen the conditions under which I must choose.” A mortal body that speaks, both apostrophizing and catastrophizing, “I can be subject and object of violence at the same time.” Who addresses whom? “I address myself to you,” Derrida writes, “somewhat as if I were sending myself, never certain of seeing it come back, that which is destined for me.”

Rhetorically, then, there is also a strange doubling of my (own?) uses of voice in these pages: in my textual address to the dead, dying, and dispossessed—but no less to my presently absent yet living reader—across this book’s case studies; in my “use” of these precious perilous bodies in sickness and suicide; in hunger, subjects of medico-legal power, of time and race and technology; and not least, in my “use” of theory, which (I hope) permits a critical reflection on the uses of “use.” My “uses” are abuses notwithstanding my intent. A priori, one can never negate a prior violence. The language I use in my address itself emerges from a host of prior addresses—some violent, some beneficent—that have constituted me as an addressee occupying a certain recognizable place, alongside you in yours. My use of this language betrays my ability to use it effectively, and use (*chresis*) crosses into catachresis because I must abuse language, in address, and in a manner that *dis*affirms without inadvertently reaffirming the recognizable terms or places that you or I might seek distance from. As Andrzej Warminski remarks, catachresis is not mere negation: “The abuse of trope by catachresis is not a negation—it is an (improper) abuse symmetrical to (proper) use—but just its wearing away, wandering, erring: a permanent exile of sense from which there is no return to the transfers of sense in metaphor, metonymy, synecdoche, and the like.”

But what “symmetrical” account of one’s “proper” positionality could ever permit one to address the dead, the dying, the dispossessed who themselves are the incalculable cost of one’s very livingness and speech? The question itself is
obscene. If “I” am not “one,” I’m still one who speaks, irrecusable. Any “accounting” for the self is impossible, perennially inadequate, and perhaps only shores up the agency of a liberal subject entrusted to “balance the books,” so to speak. The entire lexicon of Western liberal subjecthood—a legacy complicit with colonization, dispossession, death—needs to be reimagined away from sovereign subjecthood and grammars. If Wittgenstein is correct, and there are “countless” uses of language, then there must be a way to say that we are unable to continue to abide these conditions, and for a speech and a politics that would strive to be emancipatory without being self-servingly exculpatory. This cannot be the solitary task of an individual but is nonetheless cultivated there when I meditate on my speech and identity coming undone, on my own conditions of subjecthood undermined in the face of so much death and devastation—real losses that must be “counted,” certainly, but that cannot be reckoned by any final statement of account. This doubled subject, “I,” the one who writes and addresses you, here, also cannot be flattened or confined by an identity that is never freely chosen. This is its rhetoricity. Even so, such unfreedoms don’t absolve me from a responsibility for the benefits that have long accrued at the site of my contested or repudiated belonging. This is an ethical double-bind, the space from which one writes and risks exposure, neither to reclaim nor to repudiate but to reckon with without refuge.

To disaffirm biopolitics, then, we must neither concede nor mimic its terms in our effort to negate them. I have asked us to consider how our lives might be punctuated differently (from punctum: to aggrieve, interrupt, mortify, vex, prick), or held in refrain (as a burden), if the tropic force of apostrophe belonged also to the biopolitical dead—to those we have let die but who nonetheless summon us, apostrophizing us in turn, rendering us ghostly to ourselves. Insofar as this book addresses those who have been absented, elided, or erased, I have hoped neither to speak for nor as the dead, nor to speak of them as “mere” conjurations. My claim is that they have something to say to us, the grim living, their addressees. The voices of those who are absented and elided—and whose absence and elision are the social compact and bargain of biopolitics—dispossess me of my vital self-presence and possessive individualism. In this moment I may come to recognize myself as doubled, and my self-relation becomes a burdensome refrain. Apostrophe is not mimetic: the trope of apparent possession holds the power to dispossess the speaker, who is prepossessed by his possessions, and who is in speaking spoken. To use the trope is, then, at times, to be disabused of it; use yields to abuse, chresis to catachresis, and vocative agency or antistrophe yields to catastrophe, as the trope returns in refrain to dispossess us of ourselves and
carry us under. Abandoned by our words, introjected, this would suggest a different ethical relationship than we tend to find in contemporary ethics scholarship, which presumes (or would shore up) self-identity and epistemic consent through an instrumentalizing use of self and voice. In response, how might we imagine a situational ethics for those situations that cannot quite be segregated or submitted to the binding closures of epistemic judgments?

To be the ethical subject of one’s speech/acts calls for a particular relation to oneself, which Foucault examined in his late work on the ancient Greek epimeleia heautou, the “care of the self.” Care in this context represents an ethical relation that bears on one’s ἑθος or “character”—“individuals’ ways of doing things, being, and conducting themselves”—44—distinct from one’s ἑθος or “habit(s).” This is not an epistemic or propositional relation and bears little resemblance to the modern tradition of Cartesian self-doubt. Reading Plato’s Alcibiades I, Foucault points to the Socratic conception of epimeleia heautou as the care of one’s soul, rather than the care we might take of our worldly possessions, reputation, and so forth. Care of the soul is figured in the Socratic dialogues as a relation of chresis or “use”—what we do with the soul, how we “use” it. Foucault explains:

So you see when Plato (or Socrates) employs this notion of ἐκχρῆσθαι / ἐκχρῆσις in order to identify what this heauton [self] is (and what is subject to it) in the expression “taking care of oneself,” in actual fact he does not want to designate an instrumental relationship of the soul to the rest of the world or to the body, but rather the subject’s singular, transcendent position, as it were, with regard to what surrounds him, to the objects available to him, but also to other people with whom he has a relationship, to his body itself, and finally to himself.

I’m doubled in this moment, where my “use” of the ethical self-relation is most emphatically noninstrumental. Chresis is not a relation of rational knowledge, nor is it simply the “use” of a tool or device. Foucault insists on a more polyvalent reading of chresis: an orienting attitude, a conduct, disposition, or comportment. This is not, then, the free agency of an autonomous liberal subject. Foucault’s classical examples, drawn from Plato, take the “use” of the passions and of anger (ἐπιθυμίαι ἐκχρῆσθαι and ὀργὴ ἐκχρῆσθαι). We do not “use” our passions for something, we do not “use” our anger; rather, we “give way” to them, somewhere between mastering and submitting to them, as the occasion and context demand. So, too, with the chresis aphrodision, the “use” of one’s pleasures. So, too, when we “use”
the gods: when we petition for some favor or blessing, we do so by knowing how to be a proper supplicant, knowing how to ask, what to ask, and when. And so, too, again, when we “use” a horse: good horsemanship requires that we listen, in a mutual relation with the horse. You cannot just do with it as you will. As Ludwig Wittgenstein has remarked (employing a fine catachresis followed by a simile), “I sit astride life like a bad rider on a horse. I only owe it to the horse’s good nature that I am not thrown off at this very moment.”

For a long while I have conceived of the ethical self-relation in Foucault’s late work as rhetorical, making “use” of apostrophic self-address, implicating us in a language game that is not purely mimetic, that does not obey a black-letter vocabulary, but that is tropological, lyrical and not purely logical. A perennial question for itself, the doubled subject (re)mediated here offers insight into my rhetorical “use” of the dead—those I address in this book as they address me. Only months before his own death, and in failing health, Foucault devoted his last lectures at the Collège de France to reflecting on the “uses” of death: “Meditating death is placing yourself, in thought, in the situation of someone who is in the process of dying, or who is about to die, or who is living his last days. The meditation is not therefore a game the subject plays with his own thought. . . . A completely different kind of game is involved . . . a game that thought performs on the subject himself.”

Foucault turned to the fabled death of Socrates before concluding his lectures with a hurried treatment of Cynic philosophy and the “true life” (“I am not able at present to lecture to you properly on this theme of the true life; maybe it will happen one day, maybe never”). Meditating death, Foucault offers an extended analysis of Socrates’s last words. Famously, Socrates says, “Crito, we owe a cock to Asclepius. Pay my debt, don’t forget.” Why, with death imminent, does Socrates demand a sacrificial offering to Asclepius, the god of healing? Foucault is unsatisfied with conventional interpretations that propose death as the instrumental “remedy” for the ills of life, arguing that in this way death could not be experienced as death. Expanding on Georges Dumézil’s work, Foucault claims instead that Socrates and his disciples have been “cured” of the false opinions that make the soul sick and the self unable to care for itself—and it is for this reason that Asclepius must be honored. We see the debt as communal when Socrates speaks to Crito, saying “We owe . . .” Foucault continues: “It is a feature which marks the dramatic art of all the Platonic dialogues that, whatever their subject, everyone ends up jointly committed to the undertaking of discussion.” Because Plato’s texts are dialogues, they are not just pragmatic demonstrations of truth, but are performative, rhetorically recruiting the reader.
in a joint undertaking, which they do here, iteratively, in Foucault’s own deployment of them for us, and mine for you.

Foucault concludes his lecture on the death of Socrates with an uncanny dramaturgical prefiguration of his own death: “As a philosophy professor one really must have lectured on Socrates and the death of Socrates at least once in one’s life. It’s done. *Salvate animam meam*.” These words are not unironic, invoking the ritualized Latin words of the Christian confessional, *Dixit et salvavi animam meam*, but here beseeching salvation from his audience instead. Foucault says *salvate* (the second-person plural imperative—a direct address) and omits *dixit*, which would refer to the illocutionary power of one’s own speech in the rites of confession and redemption. It is as if Foucault wishes to distance himself from his own words. If the words are in part playful, they nevertheless tell us that Foucault has fulfilled a serious duty, and they tacitly acknowledge that duty, that debt, as part of a joint undertaking with his audience. It is worth recalling that Foucault had opened his lectures by sharply distinguishing Socratic truth-telling from the speech of the professor, whom he had characterized as a mere “technician”: “Everyone knows,” he quipped, “and I know first of all, that you do not need courage to teach.” The irony is classically Socratic: it hides a truth. It is not just speech that takes courage, but care, too, unto death. “It is the mission concerning the care of oneself that leads Socrates to his death.” And while we might say that the story of Socrates’s death inaugurated Western philosophy, it continues to animate philosophy across its iterations, including Foucault’s, in his last days—and in lectures he delivers despite being “ill, really ill,” “despite being in bad shape.”

Is it not true that death always takes the eternal form of a living question that becomes our own, bringing us each into relation with ourselves? Death is not merely what lies ahead, as I inch closer: it is our history, an “unwanted past” (Williams), unvanquished and spoken in refrain. How, then, could we not yearn for another history, one we could embrace with less suffering, sorrow, and ambivalence, to find ourselves in a different address? From this other timeline, we might have awoken without that weight that presses in from all sides, without unanswerable demands that we atone, in their liturgical cadences, their wretched and relentless newsfeeds, that set the rhythms of our living and dying breaths, keeping time. From such a phantasmatic past, our hate-filled history would at last be undone, our lost childhood restored, *un paradis parfumé*.

Foucault’s last lectures mine Cynic philosophy as a sort of parallel history to Western philosophy, the road not quite taken. It promises no redemption, no
The living from The dead

erasure of an unwanted past, no paradise, but it may help us to imagine another future. Cynic philosophy has less to do with conventional philosophemes or doctrinal schemas, less to do with dogmatic teaching or some epistemic “content.” Rather, Cynicism is about rhetorical form, the modality or manner by which I stylize my life and come to question it critically: “So it is neither the chain of rationality, as in technical teaching, nor the soul’s ontological mode of being, but the style of life, the way of living, the very form that one gives to life.” In reality, however, the “optics” of the Cynic are hardly noble: “The man in the short cloak, with the long beard, bare and dirty feet, begging pouch, and staff, who is found on the street corner, in the public square, and at the temple door questioning people and telling them some home truths.”

The trope of animality and of the “dog” (the *bios kunikos*) characterizes the Cynic, who, like the dog, is “shameless” and “indifferent.” Today, the Cynic might resemble William’s dead man on the subway platform, someone homeless, poor, or otherwise dispossessed, whose presence alone contravenes social norms, customs, and values. Foucault returns here to Plato to provide a brief genealogy of these two divergent strands in the history of Western philosophy: one became hegemonic, the other we might call a cynical subjugated knowledge.

The first is familiar. The key philosophical text here is Plato’s *Alcibiades*, a dialogue in which the Delphic axiom, “know thyself,” Foucault renders as the ethical care of the self, a self-relation (*auto to auto*) that is characterized as a relation of *chresis*, as I discussed above. Significantly, in the *Alcibiades* this self-relation focuses on the soul (*psyche*), which will come to figure for us as a psychologized—and ultimately Cartesian and epistemological—relation of rational self-knowledge in opposition to the body (*soma*). Across Christian history, this psycho-somatic dualism became hegemonic and the *Alcibiades* would prove a foundational text in the history of that long psychodrama we call Western philosophy, Enlightenment, and liberal self-consciousness. In contradistinction, Foucault identifies a second strand of Western philosophy in another of Plato’s dialogues, the *Laches*. This is the road not quite taken. And in the history of thought it is an early moment of what would later—and for a short time—become Cynic philosophy. In the *Laches*, the self’s relation to itself is once again characterized as *chresis*, but ethical self-reflexivity redounds not on the care of the soul (*psyche*), as in the *Alcibiades*, but on the care of life (*bios*). Cynic philosophy would radicalize this understanding of the *bios* as “a test of life, a test of existence, and the elaboration of a particular kind of form and modality of life.” In the Cynical life, “one risks one’s life, not just by telling the truth, and in order to tell it, but by the very way
in which one lives. In all the meanings of the word, one ‘exposes’ one’s life.” Here, remarkably, no division between psyche and soma can be presumed. Foucault refers to this ontology of the self as a “tropos of life,” which in my reading is a distinctly rhetorical life, a performative speech/act whose remains, in refrain, are perhaps even non-instrumentalizable. The Cynics were part of this tradition, and as we know, they would not write our particular history; however, they would somehow persist, subjugated but not quite extinguished, as the repudiated counterpart to Western reason.

Last Words

“I can’t breathe.” A grisly perseverance, and in recent years the last words of no fewer than seventy Black lives murdered by American law enforcement officers. The trope of stolen breaths, stolen voices, stolen lives in the name of life itself. I write these final pages in the wake of yet another brutal slaying of an unarmed Black person at the hands of the police. The familiar, ritualized murder—a lynching, if we attend to the dictionary definition—of George Floyd by a small mob of Minneapolis police officers on May 25, 2020, sparked unprecedented worldwide protests decrying (once again) systemic racism, police brutality, state violence, and authoritarianism. In the early days of the still ongoing protests, the presence of George Floyd, and details of his public execution, were acutely felt: he was addressed, remembered, mourned—a name and an image depicted on murals, on T-shirts, on placards, and across countless online platforms—a name and a death that invokes innumerable names, innumerable deaths—a name that embodies sorrow and rage, the unending legacy of racial injustice and racialized violence unto death.

A name spoken, in refrain, and a history of incalculable loss, repeated by millions who never knew this man but who would take to the streets in protest. And at no small risk to their own lives: many were met with repressive violence—police and military (if these are still distinct), as well as armed far-right extremists and white supremacists (some goaded by vile presidential tweets)—a brazen and lawless violence not dissimilar to that which motivated their protests, justifying them once again, in refrain. The horrors of violence (once again) filled our screens, while some protestors were subject to this violence firsthand. In the midst of the worsening COVID-19 pandemic, in many jurisdictions citizens defied shelter-in-place orders and laws against public assembly, some wearing masks
but nonetheless putting themselves at heightened risk of exposure to an incurable, and potentially fatal, disease. This exposure mirrors, in some respects, the exposure of Black lives to state-sanctioned quotidian violence, but also the differential and racialized exposure to the effects of COVID-19 and its financial fallout, which we know to disproportionately affect Black, Indigenous, and People of Color as the very compact, the bargain, the profit of biopolitics—a dispossession destined for those (once again, still) for whom there has never been a palliative.

I would like briefly to consider the protests—ongoing, and in places like Portland, escalating at the time of writing—as a form of parrhesia or “truth-telling,” which in the ancient Greek tradition always involves a risk and a certain courage to speak. In Foucault’s terms, “When you accept the parrhesiastic game in which your own life is exposed, you are taking up a specific relationship to yourself: you risk death to tell the truth instead of reposing in the security of a life where the truth goes unspoken.” Specifically, I would like to venture a reading of the current moment in the context of Cynic philosophy—and ultimately, revolutionary militancy—for the Cynics, much like the protestors, depart from the Socratic tradition of parrhesiastic truth-telling, which remains discursive, typically characterized as a verbal address to an individual who holds disproportionate power over the speaker. While the Socratic parrhesiast verbally calls into question the éthos of his or her particular interlocutor(s), the Cynical parrhesiast nonverbally calls into question the éthos of the established social order: “The Cynic battle is an explicit, intentional, and constant aggression directed at humanity in general, at humanity in its real life, and whose horizon or objective is to change its moral attitude (its éthos) but, at the same time and thereby, its customs, conventions, and ways of living.” If the life of Socrates is figured in philosophy as the “touchstone” (basanos) of his truth-telling, his life itself is often figured as little more than a supplement to or guarantee of the logos in his speech—a verbal parrhesia. For the Cynics, by contrast, truth emerges in and as a life lived, and truth is incarnated in and as a style of life. The shift from the logos of Socratic parrhesia to a kind of parrhesiastic expression in and as the bios marks a distinct shift from dire-vrai to vivre-vrai: from truth-telling to “the true life, life in the truth, life for the truth.” This slide from speech to an aesthetics of existence—from speech to a life lived—is not anti-rhetorical despite the shift from logos to bios; it suggests, rather, an understanding of rhetoric not as epistemic but as ontological, for the risk of parrhesiastic truth-telling always begins (and sometimes sadly ends) in the fatal exposure of one’s life as the ontological condition of telling or living the truth. In Foucault’s terms, Cynicism “makes the form of existence a way of making
truth itself visible in one's acts, one's body, the way one dresses, and in the way one conducts oneself and lives. In short, Cynicism makes of life, of existence, of the *bios*, what could be called an alethurgy, a manifestation of truth."  

These insights are not merely the heady insights of high theory resurrected from ancient philosophies. LeBron James, of the Los Angeles Lakers, had the following to say on racism and Black Lives Matter in the context of the ongoing protests: “Unless you’re a person of color, you guys don’t understand. I understand you might feel for us. But you will never truly understand what it is to be Black in America. . . . A lot of people use this analogy that Black Lives Matter is a movement. It’s not a movement. When you’re Black, it’s not a movement. It’s a lifestyle. . . . This is a walk of life. . . . I don’t like the word ‘movement’ because unfortunately in America and in society there ain’t been no damn movement for us.” Reflecting on the political changes in the United States since Barack Obama’s presidency, he added, “You know what’s going on now. Is that progress? I think we can all say that’s not progress.”  

In listening to this interview—and James’s views on “movement” and “progress”—I was reminded of “Ideology and Terror,” the final chapter of Hannah Arendt’s *Origins of Totalitarianism*. Pulling Arendt’s text from my shelf, I found the parallels oddly compelling. Arendt opens this chapter with a critique of modern philosophies of “progress” and development, represented by Hegel, Darwin, and Marx. “The ‘natural’ law of the survival of the fittest,” she writes, “is just as much a historical law and could be used as such by racism as Marx’s law of the survival of the most progressive class.” Arendt describes these world-historical views on progressive modernity and linear self-actualization as a metaphysics of “movement”—an ideology that drives social, political, economic, and even existential understandings of “progress,” which form the ideological kernel of totalitarian forms of government. Totalitarianism, too, Arendt notes, relies on myths of a metaphysics of progress, of divine right, or manifest destiny. In these terms, totalitarianism shares a great deal with biopolitics and its ideological investment in progressive livingness.  

This ideology is the hallmark of the “suicidal state” (as I argued in chapter 1), which in Arendt’s words is “quite prepared to sacrifice everyone’s vital immediate interests to the execution of what it assumes to be the law of History or the law of Nature.” What is distinct about ideological “movement,” Arendt argues, is that its logic is self-generating and hermetically sealed, rhetorically propagated by what I’d call a tropological regime. Totalitarian forms of government are characterized, she claims, by their investment not in being but in tropes of becoming, by their “emancipation” from empirical reality and their tendency to conspiracy.
and orders of secret knowledge, and finally, by basing their logical system on an axiomatically accepted “idea” from which all “facts” must follow. By way of example, she writes, “The word ‘race’ in racism . . . is the ‘idea’ by which the movement of history is explained as one consistent process.” The “inhabitants” of totalitarian regimes are thus figured—and come to figure themselves—as (increasingly aggressive) agents of progressive order and destiny, each there “for the sake of accelerating its movement”; consequently, they are therefore neither guilty nor innocent, as such, because “they can only be executioners or victims of its [movement’s] inherent law.”

I found these passages chillingly contemporary, notwithstanding some of Arendt’s other more problematic discussions on race and public protest.

Arendt’s analysis, which I invoke all too briefly here, maps provocatively onto the teleological force of neoliberal biopolitics, as I’ve been describing it, with its affirmative and nominally democratic investment in the counterfactual futures of technoscience, medicine, “law and order” (to cite a repeated Trumpism), and “life itself.” And as LeBron James suggests, “progress” and “movement” are rigged: there has been no “movement” for Black folk; instead, he asks us to imagine a “walk of life” or a “lifestyle” that does not quite cede to the world-historical terms of “progress”—or, in other words, he asks us to imagine a style of life that would disaffirm the usual tropes of biopolitical subjecthood and its ideological affirmations. Such a (non)movement—a “walk of life,” a “lifestyle”—might be (non)volitional; it might emerge collectively, rather than from a self-actualizing liberal political subject. Or, as I have argued throughout, it might gather around the impossible possibility of death, rather than life itself—a thanatopolitics rather than a biopolitics (and it was in this spirit that James then returned to the fatal shooting of Breonna Taylor, yet another victim of police violence, in a demand for justice). This (non)movement would run counter to the productive and appropriative logics of neoliberal and biopolitical “progress,” which we know to produce death and dispossession as their silent compact and cost. It might emerge in and from (a) life that is not beholden to the ideology of “progress,” from those who have found themselves on the wrong side of progress, or perhaps from those who recognize this and see the injustice, or perhaps again from those who begin to reckon with their own long-standing complicity and complacency in an order that may privilege them but whose injustice is unlivable.

We should not be tricked into believing that the affirmations of an ostensibly affirmative or democratic biopolitics are either necessary or natural, laws of History or laws of Nature. They are no brave assent. Rather, they represent a
craven acquiescence to a contingent tropological regime that prioritizes certain forms-of-life over others. We must not think that by saying yes to “life,” one says no to power and to death; on the contrary (to continue borrowing on Foucault’s phraseology), one tracks along the course laid out by the general deployment of biopolitics. And yet, in the sanctimonious affirmation of my “life,” biopolitics demands that I say No to death, that I possess my life by locating death elsewhere, producing it there clandestinely, outsourcing it, as the condition of my living-on. In the performative affirmations of affirmative biopolitics we may hear the distinct echoes and ambivalences of, for example, affirmative action and, more recently, affirmative sexual consent movements whose affirmations open to competing readings of the “affirmative” (as well as of “consent”). These movements tend to “affirm” (in a black-letter vocabulary, contractually) an epistemic “equality” and “progress” while nevertheless quietly reproducing structural inequalities, promising corrective or equalizing measures through dialogue and policy initiatives that do not always address, let alone redress, deeply entrenched historical structures of violence and oppression—and not least, attitudes and habits. The inherent hypocrisy in such “affirmations,” of course, is irreducible to one’s demonstrated purity of intent (which is repeatedly demanded); rather, in many respects affirmation silently succeeds in shoring up a (neo)liberal political subject, which is its rhetorical condition of possibility, the paradoxical condition of speaking at all. This is all packaged and sold as “empowering.”

Liberal ideology and political structures have themselves had an invisible hand (to invoke Adam Smith’s celebration of individualism and self-interested action) in long-standing illiberal structures of systemic violence and oppression, including slavery, racism, colonialism, genocide, sexism, homophobia, and transphobia—in the name of enlightened “reason” and under the aegis of innocence and freedom. In Warren Montag’s terms, this represents a necro-economy: “Death establishes the conditions of life; death as by an invisible hand restores the market to what it must be to support life.” Ostensibly free speech becomes power’s ruse and its alibi, while staunchly ignoring—and often enough capitalizing on—existing hierarchies of power and the differential “rights” to public address, which have never been equal. As Blanchot has remarked, “dialogue” itself is a liberal conceit “founded upon the reciprocity of words and the equality of speakers.” Buried in a parenthetical comment in his remarkable little text “A Plural Speech,” Blanchot notes that all speech “is based upon an inequality of culture, condition, power, and fortune.” He concludes, “All speech is a word of command, of terror, of seduction, of resentment, flattery, or aggression: all speech is violence—and to pretend
to ignore this in claiming to dialogue is to add liberal hypocrisy to the dialectical optimism according to which war is no more than another form of dialogue.”

This does not mean that we ought to cease speaking; there is often more egregious violence in one’s silence. Blanchot suggests that we must strive toward a “plural speech”—a discontinuity and interruption of individual identity, riven by the apostrophic force of absence and death. Apostrophe is neither “reciprocal” nor a true “dialogue”; it is not “free speech” in the paradigm of liberal political philosophy. And insofar as the unprecedented protests and widespread civil unrest refuse to travel under a single discursive banner, they may well constitute a form of “plural speech.”

Protestors are variously and paratactically in support of Black Lives Matter, but also anti-racism more generally, and sometimes anti-fascism; they call for justice, to #DefundThePolice and topple Confederate and colonial statues; they stand in solidarity against police brutality, systemic racism, racial inequality, the suppression of minority voters, inequalities in health and education, racist criminal justice and Immigration and Customs Enforcement systems, authoritarian government, and the militarization of police forces and of civic life more generally, including the use of high-tech weapons and “predictive policing” software to target and surveil a host of peaceful protestors (or simply, citizens) the president has dubbed “domestic terrorists.” This list is only partial because racism affects every conceivable facet of social, cultural, economic, and political life. And only a fool would imagine that this animus hasn’t also poisoned “privileged” souls. So far, the protests have not crystallized into a single sound bite perhaps because they emerge from what James calls a “walk of life” or, in the terms of a Cynic philosophy, “life as scandal of the truth,” where “the bareness of life” is “a way of constituting the body itself as the visible theater of the truth.”

If Cynicism is the road not quite taken, if its promise has to date failed to materialize, it has nevertheless persisted as a parallel history: “Cynicism, the idea of a mode of life as the irruptive, violent, scandalous manifestation of the truth is and was part of revolutionary practice and of the forms taken by revolutionary movements throughout the nineteenth century.” Foucault indicates three types of militancy with ties to the Cynic tradition: sociality (e.g., secret societies), established organizations (e.g., labor unions), and a third form, “militancy as bearing witness by one’s life in the form of a style of existence.” Such a militancy, he says, “must manifest directly, by its visible form, its constant practice, and its immediate existence, the concrete possibility and the evident value of an other life, which is the true life.” And indeed, the protests reach toward an other life,
even as counter-protests have arisen in support of Trump and the military suppression of peaceful protest, with armed vigilantes and would-be insurrectionists who seek to exacerbate the chaos, to cast peaceful protestors in a negative light, or to reaffirm old racial hierarchies along the alt-right/white supremacist axis, including those in American militia movements, American neo-Nazis, the Boogaloo Boys, the Proud Boys, and self-anointed “American freedom fighters,” as Steve Bannon calls them, in their quasi-evangelical efforts to Make America Great Again and to foment the next civil war.

It is noteworthy that Foucault opened his last lectures on parrhesia with the crisis of Athenian democracy—a crisis of decadence and of populist “truth,” which in many respects mirrors the systemic failures of our own democratic capitalist institutions, where the ruins of political liberalism and liberal subjecthood are manifest in the quickening of culture and race wars. In the Athenian context, democracy became increasingly discredited as the privileged locus of parrhesia, ushering in a kind of alternative or fake truth-telling characterized by “the freedom for everybody and anybody to say anything, that is to say, to say whatever they like.” When this becomes the case, Foucault asks, “who will be listened to, approved, followed, and loved?” His answer: “It will be those who please the people, say what they want to hear, and flatter them. The others, those who say or try to say what is true and good, and not what pleases the people, will not be listened to. Worse, they will provoke negative reactions, irritation, and anger. And their true discourse will expose them to vengeance or punishment.”

It is perhaps with such demagoguery in mind that Foucault, in his discussion on Cynic militancy, claims—without evidence—that suicide terrorism is “a sort of dramatic or frenzied taking of the [Cynical] courage for the truth . . . to its extreme consequence”: “The problem of terrorism and the way in which anarchism and terrorism, as a practice of life taken to the point of dying for the truth (the bomb which kills the person who places it).” Critics have remarked that Foucault is mistaken here. Daniele Lorenzini writes, for example, that “we cannot effectively trace any sort of continuity between these two practices, since the parrhesiast never (physically) endangers the lives of others—he only risks, at the limit, his own life.” Cynicism is, he adds, “essentially nonviolent, opening for others a space of moral risk, for it seeks to rattle the unreflected certainties and habits that lend to everyday life its (apparent) stability, and can therefore result in significant social and political consequences.”

Foucault’s insertion of terrorism in this context is curious, though it might not constitute an error; elsewhere, of course, he underscores the essentially
nonviolent nature of the Cynic’s style of life, and so his own insertion here—not quite descriptive—takes on a normative valence. If suicide terrorism is not part of the Cynic tradition, as Foucault well knew, he nevertheless suggests that it is an “extreme consequence” or limit case, a perlocutionary effect, perhaps, that might make sense as an other manifestation of life and death, today, or that might serve as a warning against ignoring the parrhesiastic pact and the refusal to hear the truth. In our moment, this steadfast refusal is institutionalized as “truth,” and it lets die, sometimes callously, sometimes self-righteously, and sometimes in prosaic hymns extoling life, law, and liberty. Indeed, as Michael Hardt has argued, Foucault’s turn to the Cynics could be read as advocating a kind of “militant life” as a powerful rejoinder to neoliberalism.\(^{79}\) And in the current crisis of liberal democracy—in the catastrophe, dénouement, or ruin of the established order, with inequities and injustices reaching a boiling point—the specter of terrorism must be taken seriously. For, one wonders: what happens when lives become unlivable and deaths institutionalized in scorched earth policies informed by old and abiding racisms, privileges, and economies that would be inoperable without them?

The protests, even if we entertain their extreme consequences—which may well prove necessary to effect lasting and real change—do not represent sovereign speech/acts, but are, rather, a kind of destitute sovereignty or self-dispossession, and an unworking of operant conditions. Indeed, with a gesture to Austin, Foucault says that the parrhesiastic speech/act is the “opposite” of a “performative utterance,” and in a footnote his manuscript clarifies: “The performative is carried out in a world which guarantees that saying effectuates what is said”—that is, he underscores that the illocution relies on a set of social conventions that may not obtain or may be challenged by a parrhesiastic speech/act. Parrhesia calls on “a whole family of completely different facts \([faits, also ‘acts’]\) of discourse which are almost the reverse, the mirror projection of what we call the pragmatics of discourse.”\(^{80}\) In this, parrhesia is more akin to the perlocution,\(^{81}\) the effects of which are in Austin’s terms nonconventional and unpredictable, even risky. Indeed, with the perlocution words themselves may be extraneous or unnecessary,\(^{82}\) and insofar as (a) life bears witness and “speaks” in and from its own exposure, in Foucault’s terms the protests might well “reverse and invert the theme of the sovereign life (tranquil and beneficial: tranquil for oneself, enjoyment of self, and beneficial for others) by dramatizing it in the form of what could be called the militant life, the life of battle and struggle against and for self, against and for others.”\(^{83}\) Such a reversal or inversion of sovereignty, of (a) life “exposed” to death, recalls Bataille’s
radical reconceptualization of sovereignty in the reciprocal relation between death and community (see chapter 3).

In this way, and in their most auspicious moments, the protests shine a light on—and indeed, they further incite—the death-warranting of our established order. They refuse to uphold the broken liberal contract, its “free speech,” its false equalities. “Such is the paradox of the Cynic life,” Foucault says, “it is the fulfillment of the true life, but as demand for a life which is radically other.” The expression of the “true life” (alēthēs bios, alēthinos bios) is a call, a demand, for “an other life and aspiration for another world (un autre monde).” Perhaps this call itself responds to—perhaps it has hearkened—death’s address. For the other irrupts, as we have seen, in and from the places of (social) death, where the breath is stolen, silencing life and speech, and where we are called to “bear . . . witness to the true life by one’s life itself.” An other life, and an other world, then, in which we might hold death, in refrain, rather than repudiate or forget death; a thanatopolitics that would disaffirm the malignant affirmations of biopolitics, its tropologies of life itself, its sunny and reassuring vistas, and the futures it portends. Neither truths nor lies, we might say, because the call does not occupy an epistemic topos so much as it informs a style of life. To say that the stakes of parrhesiastic protest are ontological is to situate the question of truth in and as ēthos, in and as (a) life that risks itself for an other life, an other world, in which neoliberal biopolitics would no longer operate as a normative truth-function. The “true life,” then, is hopeful yet neither true nor untrue in any epistemological, logical, or constative sense. Its call, however, resounds in one’s relation with the living and the dead—an ethical relation that would critically disaffirm our biopolitical regime and would welcome not just an other life, but, before it is too late, an other world in which an other death will one day be possible.