Make and Let Die: Untimely Sovereignties

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Chapter 1

Introduction: Untimely Sovereignties

THE BIOPOLITICS OF MESSIANIC MACHINES

This collection of essays, *To Make and Let Die: Untimely Sovereignties*, argues that the analysis and critique of biopower, as conventionally defined by Michel Foucault and then widely assumed in much contemporary theory of sovereignty, is a sovereign mode of temporalization caught up in the very time-machine it ostensibly seeks to expose and dismantle. For Michel Foucault biopower (epitomized in his maxim “to make live and to let die”) is the defining sign of the modern and he famously argued that the task of political philosophy was to cut off the head of the classical (premodern) sovereign, the one “who made die and let live.”

1 Eric Santner has suggestively argued for sovereignty as a mode of temporality in *On Creaturely Life* (Chicago: University of Chicago Press, 2006), 66. I am inspired by his speculation to ask the question: do we also need to think of biopolitics as a mode of temporali-
supersessionary thinking on the question, Foucault argued that the maxim of “to make live and let die” of modern sovereignty superseded a premodern sovereignty characterized by the contrasting power “to make die and let live”.

Foucault spoke too soon about the supposed “then” of the classical sovereign and the modern “now” and this became painfully apparent in his analysis of Nazism in his later lectures, *Society Must be Defended*. There Foucault groped to articulate an anguishing paradox: How could it be that the Nazis, as the ultimate biopolitical sovereign machine (‘nor was there any other State in which the biological was so tightly, so insistently regulated’), would insist on an archaic (premodern) mode of sovereignty, “to make die,” in their death camps?² Here is how he posed the question in that lecture: “How can the power of death [to make die], the function of death, be exercised in a political system centered upon biopower [to make live]?” ³ Foucault left this question hanging. He never further pursued the genealogical entanglements of biopower beyond the analysis he offered in the first volume (1976) of *La volonté de savoir* and his contemporari-
neous lectures on the theme of “society must be defended” (1975-76).

What Foucault did not ask, and what this collection of essays will pose is: how are “to make die” and “to let die” entangled by time, space, matter, and the archival traces of such interactions? I contend that these modes of deathly biopower do not supersede each other as Foucault argued. *Make and Let Die: Untimely Sovereignties* claims the following: that there is a living death in the “make die” of the so-called classical sovereign and also in the “make live” of the modern biopolitical sovereign. These living deaths are untimely. Only the refusal among contemporary theorists to read the archives of medieval Christendom’s sovereignty has foreclosed even mention of such entanglements. This collection of essays decrypts the medieval traces of “make live” in “make die,” and also in “let die.” When these dynamic temporal modes of death inhabiting “to make die” and “to let die” are better understood, the static, a-historical aspects of contemporary biopolitical discourse fall away. Further, this collection of essays, individually and collectively, argues that in view of the ever intensifying global mobilization of “to make die” and “to let die,” there is something ob/scene, and in need of more critical attention, in the contemporary theoretical embrace of the messianic (see, for example, the work of Walter Benjamin, Giorgio Agamben, Roberto Esposito, and Jacques Derrida).  

My questions about the historical entanglements between “to make die” and “to let die” become even more pertinent as Foucault’s work on biopower has re-emerged with force in the writings of Giorgio Agamben. Agamben has argued for a different temporal form: biopower as a kernel of power from the classical world to the present. The classical curse “esto sacer” produced *homo sacer*, a person who could

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4 Here I mean ob/scene in the sense of off-stage: scenes that do not belong to the light of day. See, for example, Carolyn McKay, “Murder Ob/scene: The Seen, the Unseen, and Ob/scene in Murder Trials,” *Law, Text, Culture* 14.1 (2010): 79–93.
be killed without accusation of homicide, but who could not be sacrificed. Given such an atemporal concept, it is not surprising to find Agamben feverishly engaged in grafting onto contemporary biopower a temporal supplement in the form of messianic time. Agamben, in his much-cited reading of Paul’s Epistle to the Romans, in which he investigates the relation of sovereign law to temporality, championed messianic time (a time when justice performs without the law, yet, paradoxically without abolishing it) as an unsovereign temporal paradigm. Agamben proposed the typological relation (the relation of letter (littera) to figure (figura) as the temporal lever capable of switching from chronos (empty chronological, sovereign time) into kairos (messianic time). Yet, when Agamben elaborated on the typological toggle, he decisively bracketed off his typological relation from “medieval” modes of typology. At stake here is a hermeneutical decision: Agamben makes a sovereign temporal cut and excises the medieval. Thus, his messianic time becomes haunted by a temporal amputation of the medieval.

Make and Let Die: Untimely Sovereignties investigates how Agamben’s messianic time machine of sovereignty and justice renders it impossible to understand the important entanglements of “to make die” and “to let die.” It further questions how Agamben, in his Pauline system of sign and fulfillment, refuses to address what is at stake in medieval Western Christendom when “to make die” is also conceived as a typological relation in which medieval Jews become the “make

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die” of the letter and the “make die” of the law: They become the dead letters that enable the “make live” of typological, messianic relations. Further, as discussed in the ensuing chapters, Muslims were declared the enemy of Western Christendom and as homines sacri (those that could be killed without taint of blood pollution or sin of homicide); they were “to let die.” Even Freud entangled himself in the medieval “let die” of Muslims, when he articulated his theory of trauma in the wake of World War I. The following chapters trace the deep roots of biopolitics in medieval Western Christendom, and yet these Christian political theological roots are foreclosed (and thus covered over) by the messianic time machines proposed by contemporary theorists such as Agamben, and he is not alone.

Just before his death, Jacques Derrida began to explore how bestiality and sovereignty were closely bound. In doing so he engaged in a lively critique of the biopolitical theories espoused by Foucault and Agamben. He attributed to them a violent temporal drive to ground sovereignty as a founding moment of modernity that supersedes premodernity. For Derrida, biopolitics is “an arch-ancient thing and bound up with the very idea of sovereignty.” The temporality he envisions for biopolitics is that of the arkhē, “at the commence-

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6 In a recent essay, I trace how Freud’s theory of trauma is uncannily imbricated in the ongoing project of the “let die” of Islam in Western discourses: see my entry on “Trauma” in Medievalism: Key Critical Terms, eds. Elizabeth Emery and Richard Utz (Cambridge: D.S. Brewer, 2014), 247–253.

7 The core of Derrida’s critique of the violence of periodization in arguments about biopolitics advanced by Foucault and Agamben can be found in the Twelfth Session (March 20, 2002) of his published lectures on the beast and the sovereign. See Jacques Derrida, The Beast and the Sovereign, Vol. 1, trans. Geoffrey Bennington (Chicago: University of Chicago Press, 2009), 408–443. Derrida’s statement that, “One has simply changed sovereigns” (379), exemplifies this temporal aporia. He ventures further that, “Aristotle might already have apprehended or formalized, in his own way, what Foucault and Agamben attribute to modern specificity” (435).
ment [also command for Derrida], at the sovereign principle of everything.”

Yet, paradoxically, it is precisely from the arkhē of the archive that Derrida appropriates his own brand of the messianic: “the question of the archive is not, we repeat, a question of the past. It is not the question of a concept that we can dispose or not dispose of already, a subject of the past, an archivable concept of the archive. It is a question of the future, the question of the future itself, the question of a response, of a promise and responsibility for tomorrow.”

Derrida imagined the archive of the past as a dead letter only to be fulfilled in the messianic—the future to come. His messianic concept of the archive seems to me to be all too close to Agamben’s Christian typology. Just as medieval Christian typologists had named the Jewish law and the Hebrew Scriptures to be a “dead letter” that could only be re-animat-

8 Derrida, The Beast and the Sovereign, 439, 419.
10 The more I read contemporary theoretical literature on sovereignty and biopolitics, the more I realize that its key debates also play the troubling typological game of sign and fulfillment. I am not alone in such a reading. Noted scholars such as Tracy McNulty and Jeffrey Librett also found the evidence for the game of typology too overwhelming to ignore. They analyzed typological drive in the work of Walter Benjamin, Jacques Derrida, and Giorgio Agamben. In my chapter in this volume, “Dead Neighbor Archives: Jews, Muslims, and the Enemy’s Two Bodies,” I offer my own blueprint of the typological-machine in these theoretical works (and also that of Jacob Taubes). The typological imaginary (or, in philosophical terms, presentation-representation) never lets go. For a brilliant analysis of how persistently shaping is the Pauline typological concept of the dead letter of the law (Judaism) and its vibrant fulfillment in the Christian spirit see, Jeffrey Librett, “From the Sacrifice of the Letter to the Voice of Testimony: Giorgio Agamben’s Fulfillment of Metaphysics,” Diacritics 37 (2007): 11–33; Tracy McNulty, “The Commandment Against the Law: Writing and Divine Justice in Walter Benjamin’s ‘Critique of Violence’,” Diacritics 37 (2007): 34–60; and my study, The Typological Imaginary: Circumcision, Technology, and History (Philadelphia: University of Pennsylvania Press, 2003).
ed by Jesus Christ and the New Testament, Derrida, not unlike such Christian typologists, constituted an archive of the past as a dead letter in order to fabricate a messianic future to-come. No matter how much Derrida insisted that his messianic was without a messiah (Christ) or a Scripture (indeed, without any religion whatsoever), nevertheless, the messianic structure of his thinking, I argue, partakes of the Christian epistemology of typology. A dead letter archive of the past works as a sign of the fulfillment to come: “it is necessary [that there be] the future,” a promise. And such a typological relation was historically violent, which is the purpose of the following essays to trace out.

More recently, Roberto Esposito has also grappled with the temporal relations of sovereignty and biopower. He, like Foucault, sides for biopower as one of the penultimate signs of the modern. The purpose of his work is to think through an affirmative biopolitics capable of suspending the processes of immunity that he regards as intrinsic to biopolitics. Such a suspension would enable the transformation from immunity to community. He defines immunity according to the classical Roman usage of munus, implying both onus and officium: “Immunity connotes the means by which the individual is defended from the ‘expropriating effects’ of the community, protecting the one who carries it from the risk of contact with those who do not (the risk being precisely the loss of individual identity).” Immunity matters to Esposito because,

11 For an excellent discussion of Derrida’s notions of time and the messianic, see Martin Hägglund, Radical Atheism: Derrida and the Time of Life (Stanford: Stanford University Press, 2008), 132–139 (citation at 133).
he argues, it is the immunity mechanism that links community to biopolitics; but immunity seems to elude his quest for periodization: How can “modern man (sic),” he asks, “tear himself from the theological matrix?” This violent periodizing image, with its incisive overtones of caesarean section (Kaiserschnitt in German), alerts the reader that sovereignty might be lurking even in his supposed affirmative deconstruction.

In the course of his exposition, Esposito anxiously returns again and again to speculating on the temporal relation of sovereignty to biopower. Early on in his argument he wonders, “Once again, how do we wish to think the sovereign paradigm within the biopolitical order, and then what does it represent? Is it a residue that is delayed in consuming itself, a spark that doesn’t go out, a compensatory ideology or the ultimate truth … ?” And so Esposito poses the question upon which he decides as the sovereign: biopolitics is a sign of the modern.

Foucault, Agamben, Derrida, Esposito, and as this Introduction shall subsequently unfold, also Walter Benjamin, all, I argue, immunize biopolitics from the “medieval” (whatever their fantasy of the medieval might be) and in so doing they relegate the “medieval” to the historical unconscious of their theory. They make die the medieval archive.

13 Esposito, Biotic, 55.
14 For insight into this uncanny persistence of sovereignty in these purported acts of deconstruction, see Kathleen Davis, Periodization and Sovereignty: How Ideas of Feudalism and Secularization Govern the Politics of Time (Philadelphia: University of Pennsylvania Press, 2008). For my review of her book in The Medieval Review, see here: https://scholarworks.iu.edu/dspace/bitstream/handle/2022/6531/09.04.06.html.
15 Esposito, Biotic, 42.
16 The question of the medieval as the unconscious of contemporary theory grows more pressing. See, for example, Bruce Holsinger, The Premodern Condition: Medievalism and the Making of Theory (Chicago: University of Chicago Press, 2005), and Andrew Cole and D. Vance Smith, eds., The Legitimacy of the Middle Ages: On the Unwritten History of Theory (Durham: Duke University Press, 2010). For my review of Cole and Smith’s volume in The Medieval Review,
The chapters that follow track the effects of such archival expunctions in contemporary debates on sovereignty. In these unconscious blanks, I show how medieval Christian sovereignty had fabricated itself by naming the enemy (Muslims) and concomitantly declaring the state of exception (naming Jews as the servi, ‘slaves,’ of the sovereign). Medieval theologians then sutured sovereignty once and for all to the Real Presence (the orthodoxy that the flesh and blood of Christ become real, material presences in the consecrated bread and wine of the Eucharist) by declaring it an act of treason (the gravest crime against sovereignty) to deny the Real Presence. Medieval Christian typological relations were thus biopolitical relations. Jews and Muslims become the collateral damage of Christendom’s sovereign violence. That is why Make and Let Die stakes out these problems of the immunizing medievalisms of contemporary theory, in order to foreground the repetitious trauma of the contemporary theory of sovereignty in hegemonic Western discourse which leaves unmarked its ongoing Christian political theology.

see here: https://scholarworks.iu.edu/dspace/bitstream/handle/2022/9063/10.09.12.html. I am aware that Agamben has written extensively on medieval subjects. Indeed, his short essay on acedia is a major inspiration of my methodological practice for reading archives. However, and this must be underscored, when it comes to his Pauline messianism, he emphatically forecloses the medieval typological relation which is, as this book argues, a biopolitical machine. It cannot be foreclosed; it demands a deconstruction.

Davis, *Periodization and Sovereignty*, also points to the traumatic medievalisms among early modern theorists of sovereignty—notably, Jean Bodin (1530-1596)—who paradoxically sealed over the history of medieval European sovereignty because they regarded the European Middle Ages as a time of slavery in contrast to a “slave-free” early modern Europe.


In a recent essay I trace how Freud’s theory of trauma is uncannily imbricated in the ongoing project of the “let die” of Islam in
We have never been secular.

“A MASSIVE HAUNTED HOUSE IN A REAL PRISON”

To be clear at the outset, this project did not begin in a medieval archive. Instead, it began over a decade ago in Mountjoy Prison, Dublin, a panopticon-style superstructure built in 1850 by the English for their colony. Having just finished my book *The Typological Imaginary*, I had the chance to be a Fulbright scholar in residence at the recently founded Dublin Media Lab Europe (MLE). I had proposed to think about digital memory and technology. The MLE graduate students, with their expertise in computer engineering and digital design, were eager to read Michel Foucault because of his work on panoptical technologies and biopolitics—defined by Foucault as the power “to make live and let die.” As I reread *Discipline and Punish* with the MLE students, it struck me that Foucault ended his intense optical analysis with an abrupt auditory displacement relative to the “the distant roar of battle” at the edge of the carceral city.\(^\text{20}\)

Was this some kind of biopolitical synesthesia in need of more thought? Could such clamor, I asked, be heard in the stony hulk of Mountjoy Prison, which loomed over the edge of my Dublin neighborhood? After all, Mountjoy was an early panoptical example of Foucault’s biopolitical laboratory for producing docile bodies, a colonized subject population. I thus began to work with a “volunteer” team of Mountjoy prisoners (what counts as volunteer in a prison?). The inmates had responded to my circulated invitation for prisoners to join a MLE media project on memory, discipline and punishment. The opportunity to work with prison archives and training in video provided the lure. Prison guards also became part of the team, too, since they had to supervise me

Western discourses (see footnote 6 above).

when I worked with the prison team. Painstakingly, this odd-couple “we” of prison guards, prisoners, and historian developed a plan for a performance project called *Cell* to be presented to the public in an abandoned wing of the prison during lock-down, when each prisoner inhabited his isolated cell from 7:00 pm to 7:00 am.²¹

As the work with the prisoners unfolded and as I delved more closely into the writings of Jeremy Bentham (promoter of the architectural panopticon for all manner of institutions), I learned that he intended the panopticon, not only as a silent optical machine (the focus of Foucault), but also as a noisy writing machine. As I show in detail in the last chapter of this volume, Bentham imagined a panopticon with two bodies, that of the inspector and the inscriptor. Suffice it to say that Bentham had to solve the problem of how the inspector of the panopticon, sitting in his surveillance lodge, could continue to write when darkness fell. Bentham imagined a contraption, a life-sized, hour-glass shaped lampshade, inside of which the inspector would sit on a stool set close to a light source.²² A series of small pinpricks in the shade, set at eye level, enabled the inspector to look out from the lodge at the galleries of convict cells at the same time he kept his books by candlelight. He could be present or absent as long as the candle burned (like a camera running on an empty set) and produced a shadow observable by the prisoners. When he did enter the lodge for bookkeeping, he could decide on when he wished to scan activity in the cells and through which vantage provided by the spacing of the pinpricks. Cut into the fabric of the writing lantern, the pinpricks enabled the inspector to survey strategically the dead time of evening lockdown. By “dead time,” I mean a sovereign time in which it is decided that “nothing happens, time

²¹ See the last chapter of this volume, “Doing Dead Time for the Sovereign: Archive Abandonment, Performance,” for further analysis and bibliography.
which is in some sense ‘wasted,’ expended without product.”23 It is a time that is cut out from what counts as eventfulness. The dead time of evening lockdown and the archive thus sutured themselves in this panoptical lantern of the inscriber who, as its sovereign, could decide to be present or absent, and further, to decide on the eventful, or not, by choosing selected pinpricks as points of archival recording.

The Mountjoy prisoners, it turned out, were on to Bentham. They were all too aware of Mountjoy’s two bodies (inspector and inscriber). From the outset, their projects for Cell experimented with ways of writing back to the panoptical archive, which they understood rendered them invisible. They foregrounded the dead time of prison life rather than cutting it out. The collateral archive of dead time produced by the prisoners prompted me to ask the following question: Did the distant roar of battle at the edge of the carceral city, overheard by Foucault, come from the roar of the writing machine that inscribed the dead time of death intimately cohabiting with the “make live” of biopolitics? Might historians listen as carefully as the Mountjoy prisoners did as they were doing their “time”?

Now, just about a decade since the Mountjoy performance, I am drafting the Introduction to this volume of essays in the shadow of yet another panoptical-style prison, the Eastern State Penitentiary, Philadelphia. On my daily trips to the shops and the bus stop I pass this massive heap. Opened in 1821, Eastern State Penitentiary embodied the most avant-garde panoptical architecture of prison reform at that time. Each prisoner sat solitary in his cell; panoptical supervision and solitude were imagined as the leaven of conversion to the norm. On his reform tour of prisons (1831), Alexis de Tocqueville raved about his visit there. The British Surveyor General of Prisons, Joshua Jebb, who would later build versions of the panopticon at Pentonville Prison (1844) and

23 Mary Anne Doane, The Emergence of Cinematic Time: Modernity, Contingency, the Archive (Cambridge: Harvard University Press, 2002), 160.
Mountjoy Prison (1850), took note. Closed in 1971, Eastern State Penitentiary just missed the French publication of *Surveiller et Puni* (1975). Now too costly to dismantle, it pays its way as a major tourist attraction—crowds peak around Halloween. Dedicated “Ghost Buses,” painted gray and black, loop around Center City to pick up and drop off ticket holders for the nighttime show. A corps of security guards theatrically garbed in prison-guard uniforms from the nineteenth century, each carefully made-up with the cosmetic effects of rotting zombies, and occasionally accessorized with a festered limb, supervise the lines of ticketholders, who pay $35.00 for admission. Two huge gargoyles, stoutly chained to the entrance portal of the prison, offer a Gothic touch.

This Halloween liturgy, the spectacle of an empty panoptical prison (and populated panopticon prisons were, indeed, spectacles in their own day, regularly visited by zealots of prison reform, such as de Tocqueville) speaks to the urgency of finding fresh ways of talking about biopolitics, modes that do not reduce it simply to a grammar of optics, the logos of the archive, the identity of sovereign temporality of the now, or the future-to-come. Zombies are what happen when biopolitics is so reduced and, as popular culture repetitively reminds us, they are everywhere. They have reterritorialized the spaces of Bentham’s panoptical fantasy (the zombie security guards of Eastern State Penitentiary, the humans of the *Walking Dead*, the AMC television series, who paradoxically find refuge from the zombies in a prison; the zombies of *Warm Bodies* who occupy the airport); and such invasions, it is said, started in shopping malls. The Halloween mayhem at Eastern State Penitentiary enables us to catch a fresh glimpse

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of the violent core of contemporary biopolitics—its afterlife in the “let die” of “make live.” It raises important questions about the translation of dead time at Eastern State Penitentiary into its featured scary show billed today as follows: “Terror Behind the Walls: A Massive Haunted House in a Real Prison.”

To Make and Let Die: Untimely Sovereignties addresses the “let live” in the “make die” and the “let die” in the “make live” in its multimodal manifestations—in medieval Christendom, in contemporary Philadelphia, and in its grip on the discourses of sovereignty clamoring in the academy today. More specifically, the essays collected here (some published previously, and some original to this volume) track how contemporary debates over sovereignty have consistently expunged the archives of medieval Christendom’s sovereign violence against their Jewish and Muslim neighbors and their artifacts (synagogues, mosques, archives, personal property, as well as intangible traditions) for the drive of periodizing biopolitics as a sign of the modern and keeping it secular. This drive also renders a provocative historiography on medieval Christian-Jewish-Muslim relations untheorized in the contemporary discourses of sovereignty and biopolitics. The unconsciousness of such theory, and thus the elision of these earlier histories, produces troubling collateral damage.25

25 Miller, in War After Death, puts this succinctly: “All violence, structurally speaking, proves to be collateral damage” (17). I deliberately invoke this anachronism, “collateral damage” (its usage harks back to strategic assessments involved in Allied decisions about carpet bombing of German and Japanese cities during World War II) in order to underscore that the historiographical assumptions about “kinder, gentler” wars in premodernity mask a history of the sovereign violence of medieval Christendom: see Charles S. Maier, “Targeting the City: Debates and Silence about the Aerial Bombing of World War II,” International Review of the Red Cross, 87.859 (2005): 429–444; Kelly De Vries, “Medieval Warfare and the Value of Human Life,” in Noble Ideals and Bloody Realities: Warfare in the Middle Ages, eds. Niall Christie and Maya Yazigi (Leiden: Brill 2000), 27–56. For a study of medieval collateral damage with specific reference to the mosque at Cordoba and its ongoing Christian
My project thus faces a methodological challenge: how might Make and Let Die investigate medieval sovereignty and biopolitics without embodying typologizing violence? I did not want to erase medieval archives of violence, as Ernst Kantorowicz had magisterially done in his 1957 study of medieval political theology, The King’s Two Bodies.\textsuperscript{26} Closer to home, as a medievalist, I remain troubled by the ways in which the traumatic archive of Kantorowicz, whose work is still regarded as the epitome of contemporary sovereignty studies for its profoundly secularizing argument about political theology, also underwent typologizing vicissitudes. Treat the painful and conflicted archive of the young Kantorowicz, I was admonished, as the dead letter of incidental biography: grandson of a renowned Orthodox rabbi, decorated WWI veteran, an overseer of the completion of the German leg of the Orient Express from Istanbul to Aleppo, author of a doctoral dissertation on Muslim craft guilds, right-wing member of the Freikorps (an anti-socialist paramilitary brigade fighting in the streets of Munich and Berlin), beloved acolyte of Stefan George and his anti-Semitic Kreis, impresario of a mystical nationalism in his study Kaiser Friedrich der Zweite (1927), and, for gossip’s sake, the loathed acquaintance of Benjamin (could queer ambivalence be at play here between these two dandies?). Is not the very reduction of these traces of the young Kantorowicz to the dead letter of “mere” biography a troubling refusal to engage discursively with contested Weimar archives of traumatic German-Jewish symbiosis?\textsuperscript{27} To continue to expunge, in the ways he and his con-

\textsuperscript{26} Ernst Kantorowicz, The King’s Two Bodies: A Study in Medieval Political Theology (Princeton: Princeton University Press, 1957). The digitized collected papers of Ernst Kantorowicz may be found at the Leo Baeck Institute, New York.

\textsuperscript{27} See Martin A Ruehl, “Imperium Transcendat Hominem’: Reich and Rulership in Ernst Kantorowicz’s Kaiser Friedrich der Zweite,”
temporary interpreters have done, would be to fail to grapple with the biopolitical relationships of the archive, its death drive and violence.\(^{28}\) As will be detailed, I paradoxically found an answer to this methodological dilemma in the work of Walter Benjamin, who suggested to me that there might be surprising and powerful resources to offset typological thinking in the medieval vice of *acedia.*

**ACEDIA AS AN ARCHIVAL PRACTICE**

Theorists of sovereignty and biopolitics have not been subtle about silencing medieval archives. They have done so violently. Take, for example, Benjamin writing in one of his last fragments, “Theses on the Philosophy of History,” composed in 1940, just months before his suicide. In Thesis 7, Benjamin insisted that historical materialists break with *acedia,* a complex medieval vice characterized by withdrawal from the good, indolence of the heart, or “slow love” (*lento amore*), as Dante dubbed it. *Acedia* epitomized for Benjamin the practice of Rankean historians: “It is a process of empathy whose origin is indolence of the heart, *acedia,* which despairs of grasping and holding the genuine historical image as it flares up briefly. Among medieval theologians it was regarded as the root cause of sadness.”\(^ {29}\) Benjamin’s spirited rejection of

in *A Poet’s Reich: Politics and Culture in the Georg Circle,* eds. Melissa Slane and Martin Ruehl (Rochester: Boydell and Brewer, 2011), 204–248. For Benjamin’s encounter with Kantorowicz, see Howard Eiland and Michael W. Jennings, *Walter Benjamin: A Critical Life* (Cambridge: Harvard University Press, 2014), 497–498, where they include this from one of Benjamin’s letters: “Only the notorious corks float to the surface, as for example the unspeakably dull and subaltern Kantorowicz, who has promoted himself from theorist of the state party to a position of communist officiousness.”

\(^ {28}\) In *Archive Fever,* Derrida linked the archive with the death drive: “Consequence: right on that which permits or conditions archivization, we will never find anything other than that which exposes to destruction, and in truth menaces with destruction” (11–12).

\(^ {29}\) Walter Benjamin, “Theses on the Philosophy of History,” in *Illuminations: Walter Benjamin Essays and Reflections,* ed. Hannah
acedia, which Dante, in contrast, poetically related to mourning, strikes a strange note. I wondered if it constituted his homeopathic defense against and foreclosure of medieval archives of disturbing sovereign violence.\(^\text{30}\) Are not his binary labels—“historicist,” “historical materialist”—and his binary typological opposition of acedia to the flashing leap to Jetztzeit, “the time of the now” (Thesis 14), yet one more version of the dead letter versus the spirit?\(^\text{31}\)


\(^{31}\) In his critical reading of Benjamin’s “Critique of Violence,” Derrida chided Benjamin for the “archeo-eschatological” quality of his concept of divine violence and the messianic (Make and Let Die
Rather than distance itself from acedia, this study embraces historical materialism along with acedia in its “ambiguous negative value.” The collection as a whole stakes the claim that the infamous “noonday demon,” as medieval writers fantastically embodied acedia, might have something important to teach us about reading the unconscious of expunged archives.\(^\text{32}\) Put another way, how might acedia, with its rhythms and temporalities of performative slow love, in contrast to the urgent, explosive punctuality of Benjamin’s Jetztzeit, the “now” of his “Theses,” offer insights into the slow death of the “to make live” and the slow death (or not) of “to let die”\(^\text{33}\).

To prepare the readers for the essays that follow, I want to offer an example of how an acedious reading of the archive works. I have taken as my text Walter Benjamin’s inexhaustible essay, “Critique of Violence” (drafted in December 1920 and published in August 1921), because it has so profoundly shaped contemporary debates over sovereignty and biopolitics.\(^\text{34}\) Archives of violence mattered to Benjamin. In that


\(^{32}\) “The ambiguous negative value of acedia becomes in this manner the dialectical leavening capable of reversing privation as possession. Since its desire remains fixed in that which has rendered itself inaccessible, acedia is not only a flight from, but a flight toward, which communicates with its object in the form of negation and lack” (Agamben, “The Noonday Demon,” 7).

\(^{33}\) See footnote 24 for references to important critiques of the temporality of Benjamin’s “Jetztzeit.”

essay, he sought to distinguish law-making and law-preserving mythic violence from divine violence, which destroys the law. He further argued that an archive of blood—its presence or absence—is the trace that separates mythic violence (law making, law preserving) from divine violence (law destroying).

NI OBE’S TEARS

Benjamin exemplified mythic violence with the Greek myth of Niobe and divine violence with the revolt of the band of Korah, a story recounted in the Hebrew Scriptures (Numbers 16:1–40). What is common to both his readings is the way in which he radically excluded what I call the collateral archives of these narratives, because they had nothing to do with blood. In what follows, I show how an acedious reading of these stories puts disturbing collateral archives in the light of the noonday (demon) sun.

Benjamin used the classical myth of Niobe to argue about law-making mythic violence. Her story goes like this: Daughter of the Phrygian (read non-Greek) Tantalus, well-married queen of Thebes, and mother of seven sons and seven daughters, Niobe boasted of her fertility to her girlfriend, the Greek goddess Leto, who had borne only two children, Apollo and Artemis. Outraged by such mockery, the jealous Leto commanded her son and daughter to punish the arrogant Niobe...
by shooting down with arrows all of her offspring. Overcome with grief amidst the carnage, Niobe turned into a weeping stone. A whirlwind carried this “slow stone” (*langsamen Fels*, as Friedrich Hölderlin weighed it) back home and deposited it on Mount Sipylus in Turkey, where tears trickle down, supposedly even today.

Why did Benjamin choose the story of Niobe, who stands as only one possible figure among a panoply of brutal mythic violence in Greek and Ovidian traditions? As a gymnasium student, Benjamin would have read about Niobe in Ovid’s *Metamorphoses*. Precociously (c. 1915), he also commented on the poetry of Friedrich Hölderlin, who embraced Niobe as a muse in his translations of Sophocles’ *Antigone*. Here is how Hölderlin translates the scene in which Antigone likens herself to Niobe: “She [Niobe] is couched and struck to a slow stone [*langsamen Fels*]. They put her in a chain of ivy and winter is with her. Always people say, and it washes her throat with snow-bright tears, from under her lashes, like her exactly a ghost brings me to bed.”

Ovid further embroidered her myth: “The picture of utter grief, and in the picture no sign of life at all: the tongue was frozen to the roof of the mouth; no pulse beat in the veins; neck could not bend, nor arms be moved, nor feet go back or forward; and the vitals hardened to rock, but still she weeps; and she is carried,”

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35 On Ovidian pedagogy, see Theodore Ziolkowski, *Ovid and the Moderns* (Ithaca: Cornell University Press, 2004), where we learn that Kafka had read Ovid with a Catholic monk at the Altstädter Gymnasium in Prague (79). The emblematic character of Niobe’s story (“her body is becoming stone, and her story is becoming an emblem”) would have also drawn in Benjamin, given his interest in emblems, on which point see Leonard Barkan, *The Gods Made Flesh: Metamorphoses and the Pursuit of Paganism* (New Haven: Yale University Press, 1986), 69.

caught up in a whirlwind, to her native mountains, where, on a summit, a queen deposed, she rests, still weeping: even to this day the marble trickles with tears.”

Niobe would have also been on Benjamin’s mind at the time of drafting his essay in 1920, since he mentions receiving a birthday gift that summer from his dear friend, Gershom Scholem: a text on the subject of Niobe.

Benjamin starkly summarizes the figure of Niobe “both as an eternally mute bearer of guilt and as a boundary stone on the frontier between men and gods” (295). Later on in the essay, he observes that mythical law-making violence is, moreover, “bloody” (297), and the blood of Niobe’s murdered children is thus its archival trace. Strangely, in his account of Niobe, Benjamin overlooked what his cherished Hölderlin and Ovid poetically singled out as the archival pathos of her stony metamorphosis—her perpetual tears. It is the forgotten archive of her tears, a lithic trace, I argue, that can help to disclose a relationship between the biopolitical archive within messianic divine violence. Are not her tears the gushing

38 I have not been able to identify the source of this text on Niobe; see Benjamin’s letter to Gershom Scholem dated 23 July 1920 in *Correspondence of Walter Benjamin*, eds. Gershom Scholem and Theodor W. Adorno, trans. Manfred R Jacobson and Evelyn M. Jacobson (Chicago: University of Chicago Press, 1994): “Now let me get around to thanking you for your absolutely beautiful gifts. I do not know which of them gave me more pleasure and, above all, which will give more pleasure. For I have not been able to read *Niobe* yet. But any mythological work from you fills me with the greatest sense of expectation. The subject is significant too” (166).
40 My reading is indebted to Judith Butler’s reflections on Niobe in *Parting Ways*: “it may be that Niobe’s tears provide a figure that allows us to understand the transition from mythic to divine vio-
aftermath of the make live in the make die? The lithic tracks of her tears question Benjamin’s fantasy of pure divine violence and the messianic without archival trace.

As mentioned above, Benjamin uses the scriptural story of the revolt of the Korah brothers against Moses and Aaron (Numbers 16:1–40) to exemplify divine violence. The brothers insisted that all the Israelites were holy and challenged the priestly hierarchy embodied by Moses and Aaron: “And they gathered themselves together against Moses and against Aaron, and said unto them, Ye take too much upon you, seeing all the congregation are holy, every one of them, and the LORD is among them: wherefore then lift ye up yourselves above the congregation of the LORD?” (Numbers 16:3) In response to this mutiny, God struck down the tents of the Korah brothers and all the family members, animals and household possessions sheltered therein. The earth swallowed up the tents, hook, line, and sinker. According to Benjamin, it is the absence of blood, the absence of any (surface) archival trace, that signs and seals divine violence—an invisible signature. But once again Benjamin overlooks other traces of archival violence mentioned in the Korah story. The scripture relates how God burnt to ash the entourage of two hundred and fifty princes, who, swinging their smoking incense censers, had accompanied the Korah brothers on their mission. God further commanded that the molten censors be refabricated as metal cladding for the altar: “The LORD said to Moses, ‘Tell Eleazar son of Aaron, the priest, to remove the

lence” (89). And that transition, I argue, has to do with the question of the relationship between the archival trace and the messianic. Likewise, I have found helpful Stathis Gourgouris’s brilliant critique of Benjamin’s Romantic concept of myth and his own understanding of myth as “the profoundly ambiguous, indeed indestructible, performance of the allegorical as real”: Does Literature Think? Literature as Theory for an Antimythical Era (Stanford: Stanford University Press, 2003), 81–83; 90–115 (citation at 354).

censers from the charred remains and scatter the coals some distance away, for the censers are holy—the censers of the men who sinned at the cost of their lives. Hammer the censers into sheets to overlay the altar, for they were presented before the LORD and have become holy. Let them be a sign to the Israelites’” (Numbers 16:37). Further, God struck down with plague the 14,700 bystanders who grumbled at the fate of the Korah brothers. Their dead and rotting bodies also litter the verses of Numbers.

Why did Benjamin overlook the collateral damage of both mythic violence (perpetual tears) and divine violence (the ashes of 250 burnt bodies of the Korah collaborators; the molten metal of their 250 censers; the rotting corpses of 14,700 Israelites)? Why is blood his absolute archival criterion between mythical and divine violence? In what ways does Benjamin miss the death drive of archival violence in such a simplistic distinction? I wondered if this early Benjamin of the “Critique of Violence” had unconsciously distanced himself from things medieval—in this case, the medieval archive of Ashkenazi Judaism? The 1892 Hebrew edition and German translations of the medieval manuscript of the Hebrew Chronicle of 1096, which offered several examples of a messianic archive, would have been available to Benjamin and Scholem. In the later Middle Ages, the Ashkenazic concept of a messianic archive would also be taken up in the Sephardic Zohar on which Scholem became an expert. Could Benjamin have known of this Ashkenazic tradition of divine violence—if not on his own, then from Scholem, who delved deeply into rabbinical mysticism?

I ask this because Benjamin’s insistence on bloodless divine violence contradicts the medieval Ashkenazi vision of the messianic. Medieval Ashkenazi Jewry, collective targets of the violent marauding of Crusader bands in the Rhineland in 1096, believed that their martyred blood became the archival trace recorded on the Messiah’s porphyryon (an imperial purple garment) and that each drop of this sanguinary archive would be justified by the divine violence of the messianic
coming. Here is just one poetic example among many written after the Christian persecutions of Jews in the Rhineland in 1096 and subsequent Christian persecutions of medieval Ashkenazi Jewry:

Drops of my blood are counted one by one
And spray their life-blood on your porphyrrion
He will execute judgment among nations
Filling them with corpses.

Some historians regard this Ashkenazic version of the messianic as reductively vengeful, but that is not my point here. The porphyrrion raises for me a more complicated question of the relationship of messianic and archival traces. The medieval Ashkenazi rabbis imagined the messianic, not so much as a radically different temporal register, but, like quantum physicists, more so as an entangled register of light. Their experience of “to make die” criss-crossed on the porphyrrion.


43 This verse describing the messianic porphyrrion is by Kalonymus ben Yehudah, who wrote in Speyer in the mid-twelfth century: see Yuval, Two Nations, 95.

44 In the spirit of Butler, Parting Ways: “I continue to think about Benjamin in order to understand the right to wage public criticism against violence, but also to articulate the values of cohabitation and remembrance—the values of not effacing active traces of past destruction” (99).
with “to let live” in quantum patterns. In contemporary terms, we can think of their messianic porphytion as an infrared apparatus whose spectrum would become visible in the light of justice. Benjamin, understandably reactive to strong nineteenth-century statist concepts of the archive, missed out on this rich medieval Ashkenazi quantum messianic entangled in light and justice.45

Benjamin’s treasured watercolor, Angelus Novus (Paul Klee, 1920), the source of his interpretation of the angel of history in his “Theses” is intuitively closer, I think, to the quantum vision of the medieval Ashkenazi rabbis than to Benjamin’s ekphrasis.46 To fashion this watercolor (now in collection of the Israel Museum, Jerusalem), Klee had innovated an oil-transfer process that was archivally based. Here is how his process worked: He selected a pre-existing drawing of this angel, already registered in his archive, and laid it on top of black oil-coated paper. The black coating touched a sheet of fresh drawing paper. He then used a stylus to trace out the image of the original (something like Freud’s mystic

45 The concluding chapter of this volume, “Doing Dead Time for the Sovereign: Archive, Abandonment, Performance,” elaborates on how the mid-nineteenth century used the concept of the panopticon to found “national archives” of the state. The concept of the archive in Benjamin, Foucault, and Derrida never deconstructs this nineteenth-century epistemology of the archive.
46 My reading of Klee’s Angelus Novus and its analogies to Ashkenazi concepts of a messianic archive of blood is inspired by Tama Trodd’s beautiful essay that clarifies the method and implications of Klee’s oil transfer technique and their relations to the contemporary mystic writing pad of Freud: “Drawing in the Archive: Paul Klee’s Oil Transfers,” Oxford Art Journal 31.1 (2008): 75–95. Klee’s inspiration for the technique might have also been drawn from the new, popular experiments in rotoscoping around 1915. Filmmakers would trace over original footage to produce an animated copy for cartoon production. The drawing by Klee is now housed in the Israel Museum in Jerusalem, and you can see a digital reproduction here: http://www.english.imjnet.org.il/Popup.aspx?c0=13336.
writing pad). The stylus penetrated the black oil coating and registered the outline on the copy. Once the copy was dry, Klee would then splash watercolors on the copy. *Angelus Novus* was one such example of Klee’s oil transfer process. His artistic practice embodied the disjuncture of inscriptional technologies, their disjointed temporalities, and the supplement of color washes, just as did the “blood transfer process” into the messianic envisioned by Ashkenazi rabbis. This volume, *Make and Let Die*, too, is intended to function as an oil transfer process of the medieval archive of violent sovereignty onto contemporary discourses of sovereignty and biopolitics.

With this notion of the archival *porphyrian* and oil-transfer process in mind, the question becomes not a study of the proper “periodization” of sovereignty (although temporalization hovers over each chapter), but rather, an investigation of medieval archival passages and what they might have to do with reimagining a quantum-biopolitical archive entangled in time, space, and matter. This volume argues that divine violence (a version of Benjamin’s messianic concept) does not dissolve the archive (that was Benjamin’s fantasy). Instead, readings of divine violence can illuminate the labyrinth of archival passages of medieval Christian sovereignty like an infra-red spectrum. Medieval Christian sovereignty constituted itself on collateral archives that, as this volume shows, declared Muslims the enemy of Western Christendom and designated Jewish neighbors as servi (that is, slaves) of the sovereign, subject to his declaration of the state of exception. \(^{47}\) The archive of western Christendom was thus always

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\(^{47}\) Carl Schmitt, the German juridical theorist, writing in the 1920s, famously argued that the sovereign is the one who suspends the law and that such suspension was akin to the theological suspension of the natural law at stake in a miracle: “The exception in jurisprudence is analogous to the miracle in theology” (*Carl Schmitt, Political Theology: Four Chapters on the Concept of Sovereignty*, translation of *Politische Theologie* [1922] by George Schwab [Chicago: University of Chicago Press, 1985], 36). Walter Benjamin, Schmitt’s contemporary and erstwhile interlocutor, argued against Schmitt.
threatening, but also threatened by the very categories of the enemy (Muslim, Jews) that it constituted in order to fabricate its power.

**TURN OF TIME (WENDE DER ZEIT)**

The chapters of this collection are not organized chronologically. Instead, the configuration is inspired by a notion of time advanced by Benjamin in an early essay on the poetry of Hölderlin (c. 1915), where he analyzed the poet’s expression, “turn of time” [Wende der Zeit]. He and Scholem, drawing upon the most sophisticated mathematics of their day (originally Scholem had matriculated for a PhD in mathematics before his turn to Kabbalah studies), surmised, as Benjamin scholar Peter Fenves has brilliantly observed, that the “curvature of historical time would be expressed by a continuous non-differential mathematical function [the Weirerstrass

Benjamin conceived of the miracle as the form for revolution, a suspension of the sovereign’s suspension. Samuel Weber trenchant-ly summarized this Schmittian-Benjaminian conundrum as follows: “does the decision take place by determining the exception, or does the exception take exception to decision itself?” Agamben has famously argued for the state of exception, but his use of this term and its relation to Benjamin and Schmitt has come under much criticism. See Samuel Weber, “Taking Exception to Decision: Theatrical-Theological Politics: Walter Benjamin and Carl Schmitt,” in *Walter Benjamin, 1892-1940*, ed. Uwe Steiner (New York: Peter Lang, 1992), 123–138 (citation at 136). Adam Kotsko makes an analogous critical point concerning Giorgio Agamben’s reading of Walter Benjamin in his essay, “On Agamben’s use of Benjamin’s ‘Critique of Violence’,” *Telos* 145 (Winter 2008): 119–129.

function of the 1870s] ... . In other words, ‘historical time’ is so severely turned at every ‘moment’ that its ‘course’ cannot be sketched, represented, or even imagined.”

So this collection opens with a “turned” account, “Transmedieval Mattering and the Untimeliness of the Real Presence,” which is a critical review essay of an innovative study of the quantum physicist Neils Bohr (1885-1962) brought into contact with two other major texts on the cultural politics of mattering by Jane Bennett and Eric Santner. I read these contemporary narratives of mattering with a formative medieval treatise authored by Lanfranc (1005-89) (erstwhile Archbishop of Canterbury and royal justice to the English monarchy). Lanfranc championed as orthodoxy the physical mattering of the flesh and blood of Christ in the bread and wine of the sacrament of the Eucharist. The juxtapositions are not capricious. Instead, I argue that Lanfranc, by binding the orthodox doctrine of the physical mattering of the Eucharist (the flesh and blood of Christ) to the body of the sovereign, condemned those who denied such mattering to treason (the unique crime against sovereignty). This essay argues that it is precisely the medieval concept of the Real Presence that haunts the studies by Bennett and Santner. It further asks how a quantum notion of mattering might interrupt a biopolitics of the Real Presence entangled in contemporary theories of sovereignty. “Transmedieval Mattering” aims to argue for the untimeliness of the theological and sovereign concept of the Real Presence—a medieval apparatus of mattering and sovereignty—that continues to haunt the discourse of virtual and material objects and their biopolitics today—the death inhabiting to “make live.”

With Chapter 2, the volume turns to a prototype of the larger project, “Arthur’s Two Bodies and the Bare Life of the Archives,” first drafted in 2006 and published in 2008. This study represents an early effort to question the modern and secularizing claims made in contemporary theoretical and historiographical debates over sovereignty, particularly over

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49 Fenves, “Renewed Question,” 524.
the terms of “bare life” and the “king’s two bodies”—terms typically regarded as signs of the early modern turn to the sovereign. What troubled me when I began this essay was the way in which fictions of the earlier twelfth century (notably, Geoffrey of Monmouth’s *A History of the Kings of Britain*), with its intense interest in massacres mounted on new and devastating fictional scales, performed the convergence of three critical aspects of political theology: 1) the papal designation, in 1063, of Muslims as the “enemy” [*hominès sacri*] of Christendom. Pope Alexander II (d. 1073) declared that Muslim blood could be shed by Christians without any taint or sin; 2) the precocious theological conceptualization of a twin body for the king [*gemma corpora*]; and 3) the inauguration of legislation in medieval Christendom declaring Jews to be the slaves [*servi*] subject to the regional leader (king, or bishop, duke, etc).

My exploration of the political theological fiction of the once and future body of Arthur foregrounded by Geoffrey of Monmouth, and the theological and legal speculation carried out by Geoffrey’s own clerical coterie regarding the relation of sovereign power and Jews, led to my deep questioning of the dominant temporal paradigm of biopolitics as a sign of the modern, or as a static “arch-ancient thing,” as Derrida would have it. The material and virtual events of the early twelfth century taught me that medieval Christian sovereignty fabricated itself on what can be understood as neighbors as collateral damage: the naming of Muslims as the enemy of medieval Christendom and designating European Jews as *servi* (or *hominès sacri*), subject to the sovereign state of exception (the vicissitudes of expulsion being a recurring example of this across Western Christendom).

In Chapter 4, “Dead Neighbor Archives: Jews, Muslims, and the Enemy’s Two Bodies,” I look under the hood of the typological-machine of contemporary periodizations of sovereignty, especially in its turn to the messianic theology of the Apostle Paul (most notably in the work of Jacob Taubes, Giorgio Agamben, Alain Badiou, Kenneth Reinhard, Eric L.
Santner, and Slavoj Žižek), where the ghost of Carl Schmitt’s work on political theology and sovereignty consistently hovers. My analysis traverses a deconstruction of two images: Benjamin’s image of the chess-playing automaton, known as “the Turk,” that introduces his “Theses on a Philosophy of History,” and the Romanesque image of the Mystic Mill conjured by Taubes in his discussion of the political theology of Paul and in his critique of Schmitt. I show how their use of such images is surprisingly structured by medieval typological notions of sign and fulfillment. Despite their involvement in this medieval typological thinking, however, I further show how their works, and their close readers, such as Agamben, anxiously foreclose the “medieval,” rather than addressing its collateral archives. The traumatic cost of this foreclosure of the medieval in contemporary theories of sovereignty and biopolitics is then exposed in a reading of two major treatises: Against the Jews and their inveterate obstinacy and Against the Saracens [Islam] as a sect and heresy, authored by Peter the Venerable (1122-60), powerful Abbot of the monastery of Cluny in Burgundy. I conclude by asserting “that in order for there to be a relation between philosophy and theology that is not a murderous typological one, we need to traverse the symbolic process whereby medieval Christian typology excarnated Jews and Muslims.” Collateral archives are the archives of the excarnated—those archives made to die so that secularism can be made to live.

A major proof-text of contemporary debates over sovereignty is William Shakespeare’s tragedy, King Richard II. Ernst Kantorowicz dramatically opened his study of the king’s two bodies with his reading of that play, and most contemporary theorists, notably Eric L. Santner, have simply adopted his reading. In Chapter 5, “Tears of Reign: Big Sovereigns Do Cry,” I read King Richard II past the famous deposition scene with its broken mirror (Act IV), at which point Kantorowicz and Santner stop, in order to explore the play’s abundant archive of tears. The aim of the chapter is to show how contemporary discourses on sovereignty and biopolitics serve as ongoing sovereign border technologies between the
death in “to make live” and “to make die.” I show how Shakespeare’s archive of tears can provide a way of seeing collateral archives and their queer untimeliness in both medieval political theology and contemporary biopolitics.

In his groundbreaking book, *Homo Sacer: Sovereign Power and Bare Life* (1998), Agamben excavated the Roman juridical notion of *homo sacer*, the one who could be killed without taint of homicide, but who could not be sacrificed. Chapter 6, “Undeadness and the Tree of Life: Ecological Thought of Sovereignty,” explores what it would mean to diffract the category of *homo sacer* with a collateral archive of *res sacra* (a thing that may be cut, but may not be sacrificed). I return first to the fearful sovereign symmetry proposed by Michel Foucault—the classical sovereign who could “make die” and “let live,” and the so-called modern biopolitical sovereign who can “make live” and “let die.” The concept of *res sacra* offers a way of re-reading the historiography of two noted medieval artifacts devoted to a political theology of the Tree of Life: an early medieval stone sculpture called the Ruthwell cross and the 12th-century carved walrus ivory known as the Cloisters Cross. The carved stone trees speak of radical exposure to the state of exception, the scene of the Crucifixion. They were re-excavated and debated by German-Jewish art historians exiled at the Warburg Institute (London) in the 1930s and 1940s (and beyond to Ernst Kantorowicz’s belated intervention in the debate in 1960s). 50 This splice asks how

these talking trees serve as aerials that transmit a trauma, such that it becomes transitive, or what Bracha Ettinger has called “transtraumatic.”

Their transmission of the sovereign cut paradoxically opens up a linked border space between talking trees and German-Jewish scholars in exile. The cutting of ivory in the Cloisters Cross shows how sovereignty could be Judaized and Jews could be biopoliticized in this traumatic juncture of sovereignty and biopolitics in the twelfth century.

Unlike the Rankean historian vilified by Benjamin in his “Theses on the Philosophy of History,” my critique of medieval Christian sovereignty has embraced archives of collateral damage. These are, indeed, the archives of the “victors” cut out as dead time. But by reading the dead time of collateral archives, an infra-red exposure glows to reveal how Muslims and Jews came to be gathered up by medieval Christian sovereignty into categories of “enemy” and servi—the collateral damage of Christendom’s sovereignty. The collateral archive matters, because it is on the paperwork of lawsuits, debt transactions, tax lists, chronicles, expulsion orders, romances and other fictions, that Christian sovereignty constituted itself on the naming of the enemy (Muslims) and the state of exception, declaring Jews (again) as servi, or slaves. My analysis is epistemological. Of course, Jews and Muslims did live peaceably at moments in Western Christendom. But Christian sovereigns always wielded the potential to name the en-


52 See also Chapter 2 in this volume, “Arthur’s Two Bodies and the Bare Life of the Archives.”
emy and call the state of exception (and they did so, as this collection demonstrates). It is the constitution of this sovereign potential for collateral archives that is the subject of this collection. I have dubbed this sovereign potential “excarnating” in order to show how Christian orthodoxies of incarnation and Real Presence from the eleventh century onward could only manifest themselves as a function of excarnating sovereignty directed against Muslim and Jews and those Christians who came to be labeled as unorthodox.

The final chapter of this collection, “Doing Dead Time for the Sovereign: Archive, Abandonment, Performance,” returns to the question of the poetic history of the collateral archive and asks what performance might have to do with reading the collateral archive. The chapter questions the typology of empty and messianic time intrinsic to Benjamin’s writing and raises a third term, “dead time,” as intrinsic to the collateral archive and as an important component of the death in “to make live.” I show how the ontology of dead time enabled the virtual fabrication of the panopticon, an apparatus that Foucault argued structured biopolitics by its production of the “population” and its surveillance. Mary Ann Doane, as we have seen, has defined dead time as that “in which nothing happens, time which is in some sense ‘wasted,’ expended without product.”53 Thus, dead time can be imagined as the close neighbor to medieval acedia. The “ambiguous negative value” of acedia provided me with a performative energy in 2003 for working with the inmates of Mountjoy Prison, Dublin to piece together the public exhibition, Cell. Cell is the performance of the collateral archive entangled among inmates, spectators, prison guards, and historian. Once entangled, even for a moment, the collateral archive is exposed in the infra-red of performance. This is not the “swallowing up” of divine violence performed on the Koh rah brothers, or the carnage that immobilized Niobe. Instead, it was a performance that for a moment takes place in the

53 Doane, The Emergence of Cinematic Time, 160.
fleeting light of justice during the dead time of evening lockdown. The closing words of that essay provide my conclusion to this introduction: “It was indeed only a ‘minor’ interruption of the Panopticon, a refusal of the elision of dead time. We knew that after Cell each of us would return to marking our own dead time, but becoming ‘minor’ is a powerful means by which the spectacle of abandonment can be momentarily suspended by problematizing it by threading thought through space and time along coordinates different from the optics and scriptures of political theology.”