

“Mochlos; or, The Conflict of the Faculties”

by

Jacques Derrida

(Translated by Richard Rand and Amy Wygant)

If we could say *we* (but have I not already said it?), we might perhaps ask ourselves: where are we? And who are we in the university where apparently we are? *What* do we represent? *Whom* do we represent? Are we responsible? For what and to whom?¹ If there is a university responsibility, it at least begins with the moment when a need to hear these questions, to take them upon oneself and respond, is imposed. This imperative for responding is the initial form and minimal requirement of responsibility. One can always not respond and refuse the summons, the call to responsibility. One can even do so without necessarily keeping silent. But the structure of this appeal to responsibility is such — so anterior to any possible response, so independent, so dissymmetrical in its coming from the other within us — that even a nonresponse is charged a priori with responsibility. And so I proceed: what represents university responsibility? This question presumes that one understands the meaning of ‘university,’ ‘responsibility’ — at least if these two concepts are still separable. The university, what an idea! It is a relatively recent idea. We have yet to escape it, and it is already being reduced to its own archive, to the archive of its archives, without our having quite understood what had happened with it. Almost two centuries ago Kant was responding, and was responding in terms of responsibility. The university, what an idea, I was just wondering. This is not a bad idea, says Kant, opening *The Conflict of the Faculties* (*Der Streit der Fakultäten*, 1798). And, with his well-known humor, abridging a more laborious and tortuous story, he pretends to treat this idea as a find, as a happy solution that would have passed through the head of a very imaginative person, as the invention, in sum, of a fairly rational device that some ingenious operator would have sent to the state for a patent. And, in the West, the state would have adopted the concept of this very ingenious machine. And the machine would have marched along. Not without conflict, not without contradiction but, perhaps, simply, due to the conflict and the rhythm of its contradictions. Here is the opening of this short work that I wanted to invite to our commemoration, with that sense of vague disquiet that arises when, responding to the honor of an invitation from friends, one brings along, as an afterthought, some parasite with a weak command of table manners. But for this symposium, finally, it is not Socrates, it is Kant, and he says:

It was not a bad idea [kein übler Einfall], *whoever first conceived and proposed a public means for treating the sum of knowledge (and properly the heads who devote themselves to it* [eigentlich die derselben gewidmeten Köpfe]), *in a quasi industrial manner* [gleichsam fabrikenmässig], *with a division of labor* [durch Vertheilung der Arbeiten] *where, for so many fields as there may be of knowledge, so many public teachers* [öffentliche Lehrer] *would be allotted, professors being as trustees* [als Depositeure], *forming together a kind of common scientific entity* [eine Art von gelehrtem gemeinen Wesen], *called a university (or high school* [hohe Schule]), *and having autonomy (for only scholars* [Gelehrte] *can pass judgment on scholars as such); and, thanks to its faculties (various small societies where university teachers are ranged, in keeping with the variety of the main branches of*

¹ Jacques Derrida’s paper was delivered on 17 April 1980 at Columbia University, for the centenary of the founding of its Graduate School.

knowledge), the university would be authorized [berechtigt: Kant is being precise, the university receives its legitimate authorization from a power which is not its own] to admit, on the one hand, student-apprentices from the lower schools aspiring to its level, and to grant, on the other hand — after prior examination, and on its own authority [aus eigener Macht, from its own power] — to teachers who are ‘free’ (not drawn from the members themselves) and called ‘Doctors,’ a universally recognized rank (conferring upon them a degree) — in short, creating [creiren] them.²

Kant underlines the word ‘creating’: a university is thus *authorized* to have the autonomous power of *creating* titles. The style of this declaration is not merely one of a certain fiction of origin: the happy idea of the university, one fine day, at some date, passing through someone’s head, with something like the fictive possibility of an anniversary — this is what Kant seems to be evoking here. Indeed, further on in his text, after dropping the rhetoric of an introduction, it is his first move to set aside the hypothesis of a somewhat random find, of an empirical, even an imaginative, origin to the university. Certain artificial institutions, he goes on to say, have as their foundation an idea of reason. And the university is an ‘artificial’ (*künstliche*) institution of this kind. Kant begins by recalling this fact for those who would like to forget it, believing in the naturalness of the place and the habitat. The very idea of government is founded on reason, and nothing in this respect depends on chance. Says he,

For this reason it must be said that the organizing of a university, with respect to its classes and faculties, was not just a matter of chance, but that the government, without showing any special wisdom or precocious knowledge for doing so, was, from a particular need that it felt (for influencing the people through various teachings), able to fasten a priori upon a principle of division that harmonizes happily [glücklich] with the principle currently in force.

And Kant is well aware that he is in the process of justifying, in terms of reason, what was a *de facto* organization determined by the government of his day, as if by accident its king were a philosopher. Of this he is evidently aware, since he promptly excuses himself in a tone, as it were, of denial: ‘But I will not, for all that, speak in its favor as if it had no fault.’³ Within the introductory fiction, Kant had multiplied his rhetorical precautions, or rather he had somehow guaranteed the analogical statements with, so to speak, a real analogy: the university is analogous to society, to the social system it represents as one of its parts; and the teaching body represents, in one form or another, the goal and function of the social body — of, for example, the industrial society which will receive, in less than ten years’ time, the great model of the University of Berlin; this, even now, remains the most imposing reference for what has been left us of the concept of the university. Here, then, is the series of analogies: within the university, one would treat knowledge a little *like* an industry (*gleichsam fabrikenmässig*); the professors would be *as* trustees (*als Depositeure*); together they would form a kind of essence or collective scholarly entity which would have its own autonomy (*eine Art von gelehrtem gemeinen Wesen ... die ihre Autonomie hätte*). As for this autonomy, fiction and hypothesis are more prudent still. In itself, autonomy is doubtless justified by the axiom stating that scholars alone can judge other scholars, a tautology that may be thought of as linked to

² Immanuel Kant, *The Conflict of the Faculties/Der Streit der Fakultäten*, trans. Mary J. Gregor (New York: Abaris Books, 1979), p.23. Translation modified throughout.

³ *Ibid.*

the essence of knowledge as knowledge of knowledge. When, however, the issue is one of creating public titles of competence, or of legitimating knowledge, or of producing the public effects of this ideal autonomy, then, at that point, the university is no longer authorized by itself. It is authorized (*berechtigt*) by a non-university agency — here, by the state — and according to criteria no longer necessarily or finally those of scientific competence, but those of a certain performativity. The autonomy of scientific evaluation may be absolute and unconditioned, but the political effects of its legitimation, even supposing that one could in all rigor distinguish them, are nonetheless controlled, measured, and overseen by a power outside the university. Regarding this power, university autonomy is in a situation of heteronomy, an autonomy conferred and limited, a representation of autonomy — in the double sense of a representation by delegation and a theatrical representation. In fact the university as a whole is responsible to a non-university agency. Kant knew something of this. And if he did not know it a priori, experience recently taught him a lesson. The King of Prussia had just recalled him to order. A letter from Friedrich Wilhelm reproached him for abusing his philosophy by deforming and debasing certain dogmas in *Religion within the Limits of Mere Reason*. Among us, perhaps, in 1980, there may be some who dream of receiving such a letter, a letter from a prince or sovereign at least letting us locate the law in a body and assign censorship to a simple mechanism within a determined, unique, punctual, monarchical place. For those who dream of so reassuring a localization, I shall therefore provide the pleasure of citing a sentence unimaginable today from the pen of a Carter, Brezhnev, Giscard or Pinochet, or even, perhaps, from that of an ayatollah. The King of Prussia reproaches the philosopher for having behaved in a manner impardonable, literally ‘irresponsible’ (*unverantwortlich*). This irresponsibility Friedrich Wilhelm analyzes and divides into two. The accused appears before two juridical agencies. He bears, in the first place, his inner responsibility and personal duty as a teacher of the young. But he is also answerable to the father of the land, to a sovereign (*Landesvater*) whose intentions are known to him and ought to define the law. These two responsibilities are not juxtaposed, but are instead subordinated within the same system:

You must recognize how irresponsibly [wie unverantwortlich] you thus act against your duty as a teacher of the young [als Lehrer der Jugend] and against our sovereign purposes [landesväterliche Absichten] which you know well. Of you we require a most scrupulous account [literally, an assuming of your responsibility, Verantwortung] and henceforth expect, so as to avoid our intense displeasure, that you would henceforth lapse no longer into such error, but rather would, as befits your duty, put your prestige and talent to the better use of better realizing our sovereign purpose; contrariwise, upon measures unfailingly disagreeable, you, persisting in your disobedience, would attend.⁴

Kant cites this letter and justifies himself at length, in the Preface and finally beyond the Preface to *The Conflict of the Faculties*. Whatever one thinks of his system of justification, the nostalgia that some of us may feel in the face of this situation perhaps derives from this value of responsibility: it was thought at one time that responsibility was there, at least, for the taking — for something, and before some determinable someone. One could at least pretend to know whom one was addressing, and where to situate power; a debate on the topics of teaching, knowledge and philosophy could at least be posed in terms of

⁴ *Ibid.*, p. 11.

responsibility. The agencies invoked — the state, the sovereign, the people, knowledge, action, truth, the university — held a place in discourse that was guaranteed, decidable, and, in every sense of this word, ‘representable’; and a common code could guarantee, at least on faith, a minimum of translatability for any possible discourse in such a context. Could we say as much today? Could we understand ourselves, so as to debate about the responsibility proper to the university? I am not asking myself whether we could produce or simply spell out a consensus on this subject. I am asking myself beforehand if we could say ‘we’ and debate together, in a common language, about the general forms of responsibility in this area. Of this I am not sure, and herein lies a being-ill doubtless more grave than a malady or a crisis. We may all experience this to a more or less vivid degree, and through a pathos that can vary on the surface. But we lack the categories for analyzing this being-ill. Historical codes (and, a fortiori, historical datings, references to technical events or to spectacular politics, to the great unrest, for example, of ‘68), philosophical, hermeneutic, and political codes, etc., or even, perhaps, as performing instruments of decidability, codes in general — all seem powerless here. It is an im-pertinence of the code, which can go hand in hand with the greatest power, that lies, perhaps, at the source of this being-ill. For if a code guaranteed a problematic, then we in the university would feel better about ourselves, whatever the discord of the positions held, or the contradictions of the forces present. But we feel bad about ourselves, who would dare to say otherwise? And those who feel good about themselves are perhaps hiding something, from others or from themselves.

Celebrating the anniversary of a university’s founding, if one ignores the secondary gains that attend such commemorations, should suppose a confirmation, the renewing of a commitment, and, more deeply, the self-legitimation, the self-affirmation of the university. I just uttered the word ‘self-affirmation.’ Regarding the university, we hear it at once as translation and reference. This is the title of Heidegger’s sadly celebrated discourse upon taking charge of the Rectorate at the University of Freiburg-im-Breisgau on 27 May 1933, *The Self-Affirmation of the German University (Die Selbstbehauptung der Deutschen Universität)*. If I dare to convoke here this great ghost and sinister event, it is not merely because, in doing so, I can avail myself of a pretext here for paying homage to Columbia University, for the welcome it managed to extend to intellectuals and professors emigrating from Nazi Germany. It is also because, however one judges it in terms of political circumstances (necessarily a very complex evaluation, one that I shall not attempt at this time), Heidegger’s discourse on the self-affirmation of the German university undoubtedly represents, in the tradition of the *Conflict of the Faculties* and the great philosophical texts concerning the University of Berlin (Schelling, Fichte, Schleiermacher, Humboldt, Hegel), the last great discourse in which the Western university tries to ponder its essence and its destination in terms of responsibility, with a stable reference to the one idea of knowledge, technology, the state and the nation, up to the very limit at which a memorial gathering of thought makes a sudden sign toward the entirely-other of a terrifying future. Unable though I am to justify this hypothesis here, it seems to me that Heidegger, after this discourse, eventually goes beyond the limits of this still very classical concept of the university, one that guided him in *What Is Metaphysics?* (1929); or at least that the enclosure of the university — as a common place and powerful contract with the state, with the public, with knowledge, with metaphysics and technology — will seem to him less and less capable of matching a more essential responsibility, one which, before having to answer for knowledge, power, or something or other determinate, or to respond as a being or determinate object in the face of a determinate subject, must first respond *to* being, *from* the call of being, and must ponder this coresponsibility.

But, once again, essential as it may seem to me, I cannot explore this path today. I shall try, shall we say, to keep a constant, if oblique and indirect, link with its necessity. When one pronounces the word ‘responsibility’ today in the university, one no longer knows for sure with what concept one can still regulate it. One hesitates at least between three hypotheses.

1. One can treat responsibility as a theme precisely academic. One would exhume this archived *topos*, whose code would no longer be our own, along the lines of a celebration, a birthday. In the course of a school exercise, one might, as a historian or philologist, embroider the topic with flowers of rhetoric, paying tribute to a secular institution which, though not entirely of its own time, would, for all that, not have aged, in a word, altogether badly. Within this hypothesis, that of commemorative aestheticism and all it supposes of luxury, pleasure and despair, one would still suppose that events of the past century, and especially of the most recent postwar era, would have ruined the very axiomatics of a discourse on responsibility — or, rather, of the discourse *of* responsibility. Given a certain techno-political structure of knowledge, the status, function and destination of the university would no longer stem from the juridical or ethico-political language of responsibility. No longer would a *subject*, individual or corporate, be summoned in its responsibility.

2. A second hypothesis, that of a tradition to reaffirm: one would then recall that more than a century ago, at the moment when Columbia’s Graduate School was founded, the question of knowing for what, and to whom, a professor, a faculty, etc., is responsible, was posed within a philosophical, ethical, juridical, and political problematic, within a system of implicit evaluations, within an axiomatics, in sum, that survives essentially intact. One could posit secondary adaptations as a way to account for transformations occurring within the interval.

3. Keeping its value and meaning, the notion of responsibility would have to be re-elaborated within an entirely novel problematic. In the ties of the university to society, in the production, structure, archivization and transmission of knowledges and technology (of knowledges as technologies), in the political stakes of knowledge, in the very idea of knowledge and truth, lies the advent of something entirely other. To respond, what to respond about, and to whom, is a question perhaps more lively and legitimate than ever. But the ‘what’ and the ‘who’ would have to be thought entirely otherwise. And (a more interesting corollary, this) they could, from out of such an otherness, lead us to wonder what once they might have been, that ‘who’ and that ‘what.’

Would these three hypotheses exhaust, in principle, all possibilities of a typical questioning about university responsibility? I am not sure of this, nothing in this domain seems to me assured. Everything seems to me obscure, enigmatic, menaced at once and menacing, in a place where danger today is concentrated the most. The Western university is a very recent *constructum* or artifact, and we already sense that its model is *finished*: marked by finitude, just as, at the instauration of its current model, between *The Conflict of the Faculties* (1798) and the foundation of the University of Berlin (10 October 1810, at the close of the mission entrusted to Humboldt), it was thought to be ruled by an idea of reason, by a certain link, in other words, with infinity. Following this model, at least in its essential features, every great Western university was, between 1800 and about 1850, in some sense re-instituted. Between that moment and the founding of Columbia’s Graduate School, the time elapsed was less than between the last war and the present day. It is as if, with a minor delay, we were celebrating tonight the birthday of modern universities in general. Whether

involving an anniversary or a university, all this turns, as they say in French, very fast. For me, there arose the idea of reopening with you *The Conflict of the Faculties* because the *fatum* of responsibility seems inscribed there at the origin, on the very eve of the modern university, in its pre-inaugural discourse. It is inscribed there in language receiving from Kant its first great illustration, its first conceptual formalization of major rigor and consequence. There, at our disposal, we find a kind of dictionary and grammar (structural, generative, and dialectical) for the most contradictory discourses we might develop about — and, up to a point, within — the university. I do not call this a Code, precisely because the *The Conflict of the Faculties* situates the Code and a written Code (*Gesetzbuch*)⁵ within a tightly circumscribed and determined part of the university, within the faculties called ‘higher’ — essentially instruments of the government (the faculties of theology, law and medicine). If *The Conflict of the Faculties* is not a code, it is a powerful effort at formalization and discursive economy in terms, precisely, of formal law. Here, again, Kantian thought tries to attain to pure legitimation, to purity of law, to reason as the court of last resort. The equivalence between reason and justice as ‘law,’ as ‘right,’ finds its most impressive presentation here. For us, however, most often and in a manner still dominant, the discourse of responsibility makes an appeal, in a mode we find tautological, to a pure ethico-juridical agency, to pure practical reason, to a pure idea of the law, and correlatively to the *decision* of a pure egological subject, of a consciousness, of an intention that has to respond, in decidable terms, from and before the law. On this I do insist: it is thus for us most often and most prevalently, though the bond is not indissoluble for all eternity. It is not natural, it has a history. One can doubtless imagine dissolving responsibility’s value by relativizing, secundarizing or deriving the effect of subjectivity, consciousness or intentionality; one can doubtless decenter the subject, as is easily said, without retesting the bond between, on the one hand, responsibility, and, on the other, freedom of subjective consciousness or purity of intentionality. This happens all the time and is not altogether interesting, since nothing in the prior axiomatics is changed: one denies the axiomatics *en bloc* and keeps it going as a survivor, with minor adjustments *de rigueur* and daily compromises lacking in rigor. So coping, so operating at top speed, one accounts and becomes accountable for nothing: not for what happens, not for the reasons to continue assuming responsibilities without a concept. Conversely, would it not be more interesting, though difficult and perhaps impossible, to think of responsibility — a summons, that is, requiring a response — as no longer passing, in the last instance, through an ego, an ‘I think,’ an in-tention, a subject, an ideal of decidability? Would it not be more ‘responsible’ to try pondering the ground, in the history of the West, on which the juridico-egological values of responsibility were determined, attained, imposed? There is perhaps a fund here of ‘responsibility’ which is at once ‘older’ and — to the extent it is conceived anew, through what some would call a crisis of responsibility in its juridico-egological form and its ideal of decidability — is *yet to come*, or, if you prefer, ‘younger.’ Here, perhaps, would be a chance for the task of thinking what will have been, up to this point, the representation of university responsibility, of what it is and might become, in the wake of upheavals no longer to be concealed from ourselves, even if we still have trouble analyzing them. Is a new type of university responsibility possible? Under what conditions? I know nothing about this, though I know that the very form of my question still constitutes a classical protocol, of a type precisely Kantian: in posing thus my question I continue to act as a guardian and trustee responsible for traditional responsibility. Kant in effect tells us the conditions under which a rational university will, according to him, have been possible. Reading him today, I perceive his assurance and his

⁵ Ibid., pp.36 ff

necessity much as one might admire the rigor of a plan or structure through the breaches of an uninhabitable edifice, unable to decide whether it is in ruins or simply never existed, having only ever been able to shelter the discourse of its non-accomplishment. This is the uncertainty with which I read Kant, but I shall spare you further considerations of the pathos of this uncertainty, the intermittent despair, the laborious or ironic distress, the daily contradictions, the desire to challenge and militate on several fronts at once, so as to save *and* to risk, etc. From the depths of this uncertainty I still believe in the task of another discourse on university responsibility. Not in the renewal of the contract in its old or barely renovated forms; but since, concerning entirely other forms, I know nothing clear, coherent or decidable, or whether such forms will ever be, or whether the university as such has a future, I continue to believe in the interest of light in this domain — and of a discourse attaining, tomorrow, to the novelty of the problem. This problem is a task, it remains for us a *given-to*, to what I do not know, to doing or thinking, one might have once said. I say so not just as a member of the university. It is uncertain that the university itself, from within, from its idea, is equal to this task or this debt; and this is the problem, the breach in the university's system, in the internal coherence of its concept. For there may be no possible inside to the university, and no internal coherence to its concept. And so I mention this task both as a university person taking care not to deny his membership (since the one coherent attitude, for someone refusing commitment on this point, would amount, in the first place, to resigning), and as a non-member sensitive to the very fact that, nowadays, the university as such cannot reflect, or represent itself, or change into one of its own representations as one of its possible objects. With a view to this other responsibility, I shall hazard a contribution that is modest, preliminary, and above all in keeping with the time at our disposal here, which no one in decency should exceed. With this economy and these rhetorical constraints taken into account, I set myself the following rule: to try to translate *The Conflict of the Faculties* in part, and under the heading of an introductory or paradigmatic essay, so as to recognize its points of untranslatability, by which I mean anything that no longer reaches us and remains outside the usage of our era. I shall try to analyze those untranslatable nodes; and the benefits that I anticipate — if not in the course of this brief effort, then at least in the systematic pursuit of this kind of reading — will be an inventory not merely of what was and no longer is, or of certain contradictions, laws of conflicts, or antinomies of university reason, but of what, as well, may exceed this dialectical rationality itself; and the untranslatability we experience may signal an incapacity, perhaps, of the university to comprehend itself in the purity of its inside, or to translate and transmit its proper meaning. And this, perhaps, from its origin. Will it suffice today to speak of contradiction in the university? Is it not the first interest of the Kantian text to recognize a conflict at the university's very interior? Kant foresees its inevitable recurrence, a necessity somehow transcendental and constitutive. He classes the different types and places of contradiction, the rules of their return, the forms of their legality or illegality. For he wishes at all costs to *state the law*, and to discern, to decide between legal conflicts and between illegal conflicts that would set into opposition the faculties of the university. Kant's principal concern is legitimate for someone intending to make the right decisions: it is to trace the rigorous limits of a system called 'university.' No discourse would be rigorous here if one did not begin by defining the unity of the university system, in other words the frontier between its inside and its outside. Kant wishes to analyze conflicts *proper* to the university, those arising between the different parts of the university's body and its power, here meaning, namely, the faculties. He wants to describe the process of these *internal* contradictions, but also to class, to hierarchize, to arbitrate. But even before proposing a general division of the teaching body, and before recognizing the two major classes of faculties, higher

and lower, that can confront each other, Kant encounters a prior, if not a pre-prior, difficulty, one that we today would sense even more keenly than he. As one might expect, this difficulty involves the definition of a certain outside maintaining with its inside a link of resemblance, participation and parasitism that can produce an abuse of power, an excess that is properly political. An exteriority, therefore, within the resemblance. It can take three forms. Only one of these seems dangerous to Kant. The first is the organization of specialized scholars into academies or societies. These ‘workshops’ do not belong to the university, Kant is content to mention them. He does not envisage any collaboration, any concurrence, any conflict between the university and these scientific societies. And yet these do not, as do the private amateurs that he mentions in the same passage, represent a state of nature in science. These institutions, which are also among the effects of reason, play an essential role in society. Nowadays, however — and this is a first limit to the translation of the Kantian text in our politico-epistemological space — there can be very serious competition and border-conflicts between non-university centers of research and university faculties claiming at once to be doing research and transmitting knowledge, to be producing and reproducing knowledge. These issues are no longer isolated or circumscribed when they involve the politics of scientific research, including all socio-technical strategies (military, medical or other, with such limits and categories losing all pertinence nowadays) and all information technology at the intra- or interstate level, etc. A whole field is largely open to the analysis of this university ‘outside’ that Kant calls ‘academic.’ In the days of Kant, this ‘outside’ could be confined to the margin of the university. This is no longer so certain or simple. Today, in any case, the university is what has become the margin. Certain departments of the university at least have been reduced to that condition. The state no longer entrusts certain investigations to a university that cannot accept the structures or control the techno-political stakes. When regions of knowledge can no longer give rise to the training and evaluation properly belonging to a university, then the whole architectonics of *The Conflict of the Faculties* finds itself menaced, and with it a model regulated by the happy concord between royal power and pure reason. The *representation* of this model remains almost identical throughout the West, but the link to power, and to the investigations it programs in research academies and institutes, differs widely between states, regimes and national traditions. These differences are marked by interventions on the part of the state and of public or private capital. They cannot fail to reverberate in the researchers’ practice and style. Certain objects and types of research escape the university. Sometimes, as in certain Eastern countries, the university is totally confined to the pursuit of reproducible teaching. The state deprives it of the right to do research, reserved for academies without teachers. This arises most often from calculations of techno-political profitability as figured by the state, or by national (or international), state (or trans-state) capitalist powers, as one might imagine happening with the storage of information or the constitution of data banks, where the university member has to surrender any representation as a ‘guardian’ or ‘trustee’ of knowledge. Certainly such representation *once constituted* the very mission of the university. But with the library no longer being the ideal type of archive, the university no longer remains the center of knowledge, and can no longer provide its subjects with a representation of that center. And since the university, either for reasons of structure or from its attachment to old representations, cannot avail itself of certain kinds of research, or operate within them, or transmit them, it feels menaced in certain places around its own body; menaced by the development of the sciences, or, a fortiori, by questions *from* science and *on* science; menaced by what it sees as a devouring margin. A singular and unjust menace, it being the constitutive faith of the university that the idea of science is at the basis itself of the university. As such, how could that

idea menace the university in its technical development, to the point where no one can any longer separate knowledge from power, reason from performativity, metaphysics from technical mastery? The university is a (finished) product, I would almost call it the child of an inseparable couple, metaphysics and technology. At the least, the university furnished the space or the topological configuration for such an offspring. It is a paradox that, at the moment when such offspring overflows the places assigned it, and the university becomes small and old, its 'idea' reigns everywhere, more and better than ever. Menaced, as I said a moment ago, by a devouring margin, since non-university research associations, public, official or otherwise, can also form pockets within the university campus. Certain members of the university can play a part there, irritating the insides of the teaching body like parasites. In tracing the system of the pure limits of the university, Kant wants to track any possible parasiting. He wants the power to exclude it — legitimately, legally. Now the possibility of such parasiting appears wherever there is language, which is also to say a public domain, publication, publicity. Wishing to control parasiting, if not to exclude it, is to misunderstand, at a certain point, the structure of language acts. (If, therefore, as I note in passing, analyses of a deconstructive type have so often had the style of theories of 'parasitism,' it is that they too, directly or indirectly, involve university legitimation.)⁶ We are still on the threshold of *The Conflict of the Faculties*. Kant has more trouble keeping a second category on the outside. But in naming it, he seems very conscious this time of political stakes. It has to do with the 'lettered' class: *die Litteraten (Studirte)*. These are not scholars in the proper sense (*eigentliche Gelehrte*), but trained in the universities, they become government agents, diplomatic aides, instruments of power (*Instrumente der Regierung*). To a large extent, they have often forgotten what they are thought to have learned. The state accords them a function and power to its own ends, not to the ends of science: 'Not,' says Kant, 'for the great good of the sciences.' To these former students he gives the name of 'businessmen, or technicians of learning' (*Geschäftsleute oder Werkkundige der Gelehrsamkeit*). Their influence on the public is official and legal (*aufs Publicum gesetzlichen Einfluss haben*). They represent the state and maintain redoubtable power. In the examples cited by Kant, it seems that these businessmen of knowledge have been taught by the three faculties called 'higher' (theology, law, medicine). They are ecclesiastics, magistrates and doctors, who are not educated by the philosophy faculty. Nowadays, to be sure, in a class so defined of businessmen or technicians of knowledge, we would have to inscribe a massively larger variety and number of agents — on the outside, on the border, in university places. They are every responsible figure in the public or private administration of the university, every 'decision-maker' in matters of budgets and the allocation or distribution of resources (bureaucrats in a ministry, 'trustees,' etc.), every administrator of publications and archivization, every editor, journalist, etc. Is it not, nowadays, for reasons involving the structure of knowledge, especially impossible to distinguish rigorously between scholars and technicians of science, just as it is to trace, between knowledge and power, the limit within whose shelter Kant sought to preserve the university edifice? We shall return to this question. It is always, in fact, as a matter of 'influence over the general public' that Kant elaborates his problem. Businessmen of science are redoubtable for having an immediate tie to the general public, which is composed, not of the ignorant, as the term is often rendered in translation, but,

⁶ See, for example, Jacques Derrida's *Of Grammatology*, trans. Gayatri Chakravorty Spivak (Baltimore: Johns Hopkins University Press, 1976), notably p.54; *Plato's Pharmacy* (in *Dissemination*, trans. Barbara Johnson (Chicago: University of Chicago Press, 1981), p.128; *Signature Event Context*, in *Margins of Philosophy*, trans. Alan Bass (Chicago: University of Chicago Press, 1982), and *Glas*, trans. John P. Leavey, Jr., and Richard Rand (Lincoln: University of Nebraska Press, 1987).

as Kant crudely says, of ‘idiots’ (*Idioten*). In fact, since the university is thought to lack any power of its own, it is to the government that Kant appeals to keep this class of businessmen in line (*in Ordnung*), since they can at any time usurp the right to judge, a right belonging to the faculties. Kant asks of governmental power that it create, on its own, conditions for counter-power, that it ensure its own limitation and guarantee to the university, which is lacking in power, the exercise of its free judgment in deciding the true and the false. The government and the forces it represents, or that represent it (civil society), should create a law limiting their own influence, submitting statements of a constative type (those claiming to tell the truth), or indeed of a ‘practical’ type (insofar as implying a free judgment), to the jurisdiction of university competence, and to something within it, we shall see, which is finally most free and responsible in respect to the truth: the philosophy faculty. The principle of this demand may seem exorbitant or elementary — one or the other, one as well as the other — and it already had, under Friedrich Wilhelm, no chance of being applied, and not for reasons of empirical organization alone, which thereafter could only become aggravated. One would have to imagine today a control exercised by university competence (and, in the last instance, by philosophical competence) over every declaration coming from bureaucrats or subjects representing power directly or indirectly, the dominating forces of the country as well as the forces dominated, insofar as they aspire to power and contribute to political or ideological debate. Nothing would escape it — not a single position adopted in a newspaper or book, on radio or television, in the public pursuit of a career, in the technical administration of knowledge, in every stage between the research known as ‘basic’ and its civil, police, medical, military, etc., ‘applications,’ in the world of students and non-university teaching (instructors at elementary or high school, of whom Kant, in this very place, has, strangely, nothing to say), among all ‘decision-makers’ in matters of bureaucracy and university accounting, etc. In short, no one would have the authority to use his or her knowledge *publicly* without being subject, by law, to the control of the faculties, ‘to the censorship of the faculties,’ as Kant literally says. This system has the appearance and would have the reality of a most odious tyranny if (1) the power of judging and deciding here were not defined by a respectful and responsible service to *truth*, and if (2) it had not been stripped, in principle and structure, of all executive power, all means of coercion. Its power of decision is theoretical and discursive, and limited to the theoretical part of the discursive. The university is there *to tell the truth*, to judge and to criticize in the most rigorous sense of the term, namely to discern and decide between the true and the false; and when it is also entitled to decide between the just and the unjust, the moral and the immoral, this is so insofar as reason and freedom of judgment are implicated there as well. Kant, in fact, presents this requirement as a condition for struggles against all ‘despotisms,’ beginning with the one that could give control inside the university to those direct representatives of the government that members of the higher faculties are (theology, law, medicine). One could play endlessly at translating this matrix, this model, combining its elements into different types of modern society.

One could also therefore legitimately entertain the most contradictory of evaluations. Kant defines a university that is as much a safeguard for the most totalitarian of social forms as a place for the most intransigently liberal resistance to any abuse of power, resistance that can be judged in turns as most rigorous or most impotent. In effect, its power is confined to a power-to-think-and-judge, a power-to-say, though not necessarily to say *in public*, since this would involve an *action*, an executive power denied the university. How is the combination of such contradictory evaluations possible for a model that is one and the same? What must be such a model, to lend itself thus to this? I can only

sketch out an answer here to this enormous question. Presuppositions in the Kantian delimitation could be glimpsed from the very start, but today they have become massively apparent. Kant needs, as he says, to trace, between a responsibility concerning truth and a responsibility concerning action, a linear frontier, an indivisible and rigorously uncrossable line. To do so he has to submit language to a particular treatment. Language is an element common to both spheres of responsibility, and one that deprives us of any rigorous distinction between the two spaces that Kant at all costs wanted to dissociate. It is an element that opens a passage to all parasiting and simulacra. In a way, Kant speaks only of language in *The Conflict of the Faculties*, and it is between two languages, between one of truth and one of action, between one of theoretical statements and one of performatives (mostly of commands) that he wishes to trace the line of demarcation. Kant speaks only of language when he speaks about the ‘manifestation of truth,’ or ‘influence over the people,’ or the interpretation of sacred texts in theological terms, or, conversely, in philosophical terms, etc. And yet he continually effaces something in language that scrambles the limits which a criticist critique claims to assign to the faculties, to the interior of the faculties, and, as will be seen, between the university’s inside and its outside. Kant’s effort — such is the scope of a properly philosophical project and the need for a judgment capable of deciding — tries to limit the effects of confusion, simulacrum, parasiting, equivocality and undecidability produced by language. In this sense, the philosophical demand is best represented by an information technology which, while appearing nowadays to escape the control of the university — in Kantian terms, of philosophy — is its product and its most faithful representative. This is only apparently paradoxical, and it is in facing the law of this apparent paradox that an ultimate responsibility would be, if such a thing were possible, there for the taking today. The force of parasiting inhabits natural language beforehand, and is common to both the university and its outside. An element of publicity, the necessarily public character of discourse, especially in the form of the archive, designates an unavoidable *locus* of equivocation that Kant would like to reduce. Whence the temptation to transform, into a reserved, intra-university and quasi-private language, the discourse, precisely, of universal value which is that of philosophy. If a universal language is not to risk equivocation, it has, at the least, not to be published, popularized or divulged to the general public, which would necessarily corrupt it. In his response to the King of Prussia, Kant defends himself thus:

As a teacher of the people I have, in my writings, and particularly in the book On Religion Within the Limits, etc., contravened none of the supreme and sovereign purposes known to me, in other words I have done no harm to the public religion of the land; this is already clear from the fact that the book does not pertain thereto in any way, being, for the public, an unintelligible and closed book, a mere debate between faculty scholars, of which the public takes no notice; the faculties themselves, to be sure, remain, to the best of their science and conscience, free to judge it publicly; it is only the appointed public teachers (in schools and from the pulpit) who, by any outcome of such debates as the country’s authority may sanction for public utterance, are bound.⁷

It is, then, the *publication* of knowledge, rather than knowledge itself, which is submitted to authority. Reducing publication so as to save a rigorous discourse, i.e. a rational, universal and unequivocal discourse, in science and in

⁷ Kant, *The Conflict of the Faculties*, p.15

conscience — this is a double bind, a demand in contradiction with itself, intrinsically in conflict with itself, as if, *within* the Kantian text, it were already not translatable from itself into itself. This contradictory demand was not satisfied in the time of Kant. How could it be today, when the fields of publication, archivation and media-processing expand as strikingly as have, at the other end of the spectrum, the overcoding and hyperformalization of languages? Where is the beginning of publication? There is seriously and essentially still more. The pure concept of the university is constructed by Kant on the possibility and necessity of a language purely theoretical, inspired solely by an interest in truth, with a structure that one today would call purely constative. This ideal is undoubtedly guaranteed, in the Kantian proposal as such, by pure practical reason, by prescriptive utterances, by the postulate of freedom on the one hand, and, on the other, by virtue of a *de facto* political authority supposed in principle to let itself be guided by reason. But this in no way keeps the performative structure from being excluded, in principle, from the language whereby Kant regulates both the concept of the university and what within it is purely autonomous, namely, as will be seen, the ‘lower’ faculty, the faculty of philosophy. I let myself be guided by this notion of performativity, not because it strikes me as being sufficiently clear or elaborated, but because it signals an essential topic of the debate with which we are engaged. In speaking of performativity, I think as much of the performativity, or output, of a technical system, a place where knowledge and power are no longer distinguished, as of the Austinian notion of a language act not confined to stating, describing, or saying that which is, but capable of producing or transforming, into itself alone, under certain conditions, the situation of which it speaks: the founding, for example, of a Graduate School — not today, when we can constate it, but a century ago, within a very determined context. Interesting and interested debates that are being developed more and more around an interpretation of the performative power of language seem linked, in at least a subterranean way, to urgent politico-institutional stakes. These debates are being developed equally in departments of literature, linguistics and philosophy; and in themselves, in the form of their interpretative statements, they are neither simply theoretico-constative nor simply performative. This is so because the performative is not *one*: there are various performatives and there are antagonistic or parasitical attempts to interpret the performative power of language, to police it and use it, to invest it performatively. And philosophy and politics — not only general politics but also a politics of teaching and knowledge, a political concept of the university community — are engaged there every time, whether or not one is conscious of the fact. A very symptomatic form nowadays of the political implication that has always been at work, at all times, in every university gesture and utterance. I am speaking not just of those acts for which we have to take a politico-administrative responsibility: requests for funding and their awards, the organization of teaching and research, the granting of degrees, and, especially, the enormous mass of evaluations, implicit or declared, to which we commit ourselves, each bearing its own axiomatics and political effects (the dream, here, of a formidable study, more than sociological, of the archive of these evaluations, including, for example, the publication of every dossier, jury report and letter of recommendation, and the spectrum analysis, dia- and synchronic, of all codes in conflict there, intersecting, contradicting and overdetermining one another in the twisting and mobile strategy of interests great and small). No, I do not think only about this, but more precisely as well about the concept of a scientific community and a university that ought to be legible in every sentence of a course or seminar, in every act of writing, reading or interpretation. For example — but one could vary examples to infinity — the interpretation of a theorem, poem, philosopheme or theologeme is only produced by simultaneously proposing an institutional model, either by consolidating an

existing one that enables the interpretation, or by constituting a new model to accord with it. Declared or clandestine, such a proposal calls for the politics of an interpretative community gathered around the text, and indeed of a global society, a civil society with or without a state, a veritable regime enabling the inscription of that community. I shall go further: every text, every element of a corpus reproduces or bequeathes, in a prescriptive or normative mode, one of several injunctions: come together according to this or that rule, this or that scenography, this or that topography of minds and bodies, and form this or that type of institution so as to read me and write about me, organize this or that type of exchange or hierarchy to interpret me, evaluate me, preserve me, translate me, inherit from me, make me live on (*überleben* or *fortleben* in the sense that Benjamin gives to those words in *Die Aufgabe des Übersetzers*). Or inversely: if you interpret me (in the sense of decipherment or performative transformation), you shall have to assume one or another institutional form. But it holds for every text that such an injunction gives rise to undecidability and the double bind, both opens and closes, that is, upon an overdetermination that cannot be mastered. This is the law of the text in general – not confined to what one calls (up from) written works in libraries or computer programs – a law that I cannot demonstrate here but must presuppose. Moreover, the interpreter is never subjected passively to this injunction, and his own performance will in its turn construct one or several models of community. And different ones for the same interpreter – from one moment to the next, from one work to the next, from one situation or strategic evaluation to the next. Those responsibilities are his. It is hard to speak generally on the subject of what for, or before whom, they are taken. They involve the content and form of a new contract every time. When, for example, I read some sentence from a given text in a seminar (a reply by Socrates, a fragment from *Capital* or *Finnegans Wake*, a paragraph from *The Conflict of the Faculties*), I do not fulfill a prior contract, I can also write, and prepare for signature, a new contract with an institution, between an institution and the dominant forces of society. And this operation, as with any negotiation (pre-contractual, in other words continually transforming a prior contract), is the moment for every imaginable ruse and strategic ploy. I do not know if there exists today a pure concept of a university responsibility, nor would I know, in any case, how to express, in this place or within the limits of this lecture, all the doubts I harbor on this subject. I do not know if an ethico-political code bequeathed by one or more traditions is viable for such a definition. But today the minimal and in any case the most interesting, most novel and strongest responsibility, for someone attached to a research or teaching institution, is perhaps to make this political implication, its system and its aporias as clear and thematic as possible. In speaking of clarity and thematization, even when those thematizations assume the most unexpected and convoluted pathways, I still appeal to the most classical of norms, but I doubt that anyone could omit to do so without, yet again, putting into question every thought of responsibility, as one may naturally always wish to do. By the clearest possible thematization I mean the following: that with students and the research community, in every operation we pursue together (a reading, an interpretation, the construction of a theoretical model, the rhetoric of an argumentation, the treatment of historical material, and even of mathematical formalization), we argue or acknowledge that an institutional concept is at play, a type of contract signed, an image of the ideal seminar constructed, a *socius* implied, repeated or displaced, invented, transformed, menaced or destroyed. An institution – this is not merely a few walls or some outer structures surrounding, protecting, guaranteeing or restricting the freedom of our work; it is also and already the structure of our interpretation. If, then, it lays claim to any consequence, what is hastily called deconstruction *as such* is never a technical set of discursive procedures, still less a new hermeneutic method operating on archives or utterances in the shelter of a

given and stable institution; it is also, and at the least, the taking of a position, in work itself, toward the politico-institutional structures that constitute and regulate our practice, our competences, and our performances. Precisely because deconstruction has never been concerned with the contents alone of meaning, it must not be separable from this politico-institutional problematic, and has to require a new questioning about responsibility, an inquiry that should no longer necessarily rely on codes inherited from politics or ethics. Which is why, though too political in the eyes of some, deconstruction can seem demobilizing in the eyes of those who recognize the political only with the help of prewar road signs. Deconstruction is limited neither to a methodological reform that would reassure the given organization, nor, inversely, to a parade of irresponsible or irresponsibilizing destruction, whose surest effect would be to leave everything as is, consolidating the most immobile forces of the university. It is from these premises that I interpret *The Conflict of the Faculties*. I return to it now, though in truth I do not believe I ever left it. Kant, then, wanted to make a line of demarcation pass between thinkers in the university and businessmen of knowledge or agents of government power, between the inside and the outside closest to the university enclosure. But this line, Kant certainly has to recognize, not only passes along the border and around the institution. It traverses the faculties, and this is a place of conflict, of an unavoidable conflict. This frontier is a front. In effect, by referring himself to a de facto organization which he seeks, in keeping with his usual line of argument, not to transform but rather to analyze within its conditions of pure juridical possibility, Kant distinguishes between two classes of faculty: three higher faculties and a lower faculty. And without treating this enormous problem, he hastens to specify that this division and its designations (three higher faculties, one lower faculty) are the work of the government and not of the scientific corporation. Nonetheless he accepts it, he seeks to justify it within his own philosophy and to endow this *factum* with juridical guarantees and rational ideals. The faculties of theology, law and medicine are called 'higher' because closer to government power; and a traditional hierarchy holds that power should be higher than non-power. It is true that Kant does not hide something later on; his own political ideal tends to favor a certain reversal of this hierarchy:

Thus we may indeed eventually see the last becoming first (the lower faculty becoming the higher faculty), not in the exercise of power [my emphasis, and Kant, even with this reversal, remains true to the absolute distinction between knowledge and power] but in giving counsel [and counsel, as he sees it, is not power] to the authority (the government) holding it, which would thereby find, in the freedom of the philosophy faculty and the insight it yields, a better way to achieve its ends than the mere exercise of its own absolute authority.

Kant's model here is less the philosopher-king of Plato than a certain practical wisdom of the British parliamentary monarchy, mentioned in a lengthy, amusing footnote to the 'General Division of the Faculties.'⁸ Since this ideal reversal has not occurred, things being, that is, what they actually are, the higher faculties are those that train the agents of the government and anyone else with whose help the government brings off its 'strongest and most lasting influence' over the general public. And so the government controls and oversees those higher faculties that represent it directly, even if it does not itself teach. It sanctions doctrines, and can require that some be advanced and others withdrawn, whatever their truth may be. This makes up a part of the contract signed between the higher faculties and the government. If, be it said in passing, this sole

⁸ Ibid., pp.59, 27.

Kantian criterion were kept (representing the interests of state power and of the forces sustaining it), would one be assured nowadays by a boundary between the higher faculties and the others? And could one limit the higher faculties, as before, to theology, law and medicine? Would one not find some trace of that interest or that representation of power within the lower faculty, of which Kant says that it should be absolutely independent of governmental commands? The lower (philosophical) faculty should be able, according to Kant, to teach freely whatever it wishes without conferring with anyone, letting itself be guided by its sole interest in the truth. And the government should arrest its own power, as Montesquieu would say, in the face of this freedom, should even guarantee it. And it should have an interest in doing so, since, says Kant with the fundamental optimism characterizing this discourse, without freedom truth cannot be manifested, and every government should take an interest in the manifesting of truth. The freedom of the lower faculty, though *absolute*, is a freedom of judgment and intra-university speech, a freedom to speak out on *that which is*, through judgments essentially theoretical. Only intra-university speech (theoretical, judicative, predicative, constative) is felt to recognize this absolute freedom. Members of the 'lower' faculty cannot and should not as such give orders (*Befehle geben*). In the last instance, the government keeps by contract a right to control or censure any who would not, in their statements, be constative, or not, in a certain sense of this word, representational. Think of the subtleties in our current interpretations of nonconstative utterances, and the effect these would have on such a concept of the university and its ties to civil society and state power! Imagine the training that would have to be reserved for censors or government experts charged with verifying the purely constative structure of university discourses. Those experts, where would they be trained? By what faculty? By the higher, or the lower? And who would decide? In any case, and for essential reasons, we do not have at our disposal today the truth about performative language, or any legitimate or teachable doctrine on the subject. What follows from this? Every discussion on the subject of *speech acts* (relations between acts of language and truth, acts of language and intention, 'serious' and 'non-serious,' 'fictive' and 'non-fictive,' 'normal' and 'parasitic' language, philosophy and literature, linguistics and psychoanalysis, etc.) has politico-institutional stakes that we should no longer hide from ourselves. These concern the power or non-power of academic discourse, or of research-discourse in general. The division between two classes of faculties must be pure, inaugural and rigorous. Instituted by the government, it must still proceed from pure reason. It does not permit, in principle, any confusion of boundary, any parasitism. Whence the untiring, desperate, not to say 'heroic' effort by Kant to mark off juridical frontiers: not only between the respective responsibilities of the two classes of faculties, but also between the types of conflict that cannot fail to arise between them in a kind of antinomy of university reason. Faculty class struggle will be inevitable, but juridism will proceed to judge, discern and discriminate, in a manner decisive, decidable and critical, between conflicts legal and illegal. A first frontier between classes of faculties reproduces the limit between action and truth (a statement or proposition with truth-value). The lower faculty is totally free where questions of truth are concerned. No power should limit its freedom of judgment in this respect. It can doubtless conform to practical doctrines as ordained by the government, but should never hold them as true *because* dictated by power. This freedom of judgment Kant takes to be the unconditioned condition of university autonomy, and that unconditioned condition is nothing other than philosophy. Autonomy is philosophical reason insofar as it grants itself its own law, namely the truth. Which is why the lower faculty is called the philosophy faculty; and without a philosophy department in a university, there is no university. The concept of *universitas* is more than the philosophical concept of a research and teaching institution; it is the concept of

philosophy itself, and is Reason, or rather the principle of reason *as an institution*. Kant speaks here not just of a faculty but of a ‘department’: if there is to be a university, ‘some such department’ of philosophy has to be ‘founded’ (*gestiftet*). Though inferior in power, philosophy ought ‘to control’ (*controlliren*) all other faculties in matters arising from *truth*, which is of ‘the first order,’ just as *utility* in the service of government is of ‘the second order.’⁹ That the essence of the university, namely philosophy, should also occupy a particular place and a faculty within the university topology, or that philosophy in and of itself should represent a special competence – this poses a serious problem. It did not escape Schelling, for example, who objected to Kant about it in one of his *Vorlesungen über die Methode des akademischen Studiums* (1802). According to him, there cannot be a particular faculty (or, therefore, power, *Macht*) for philosophy: ‘Something which is everything cannot, for that very reason, be anything in particular.’¹⁰ It is a paradox of this university topology that the faculty bearing within itself the theoretical concept of the totality of university space should be assigned to a particular residence, and should be subject, within the same space, to the political authority of other faculties and the government they represent. In principle, this is conceivable and rational only to the degree that the government *ought* to be inspired by reason. And in that ideal case, there should be no conflicts. But there are, and not just contingent or factual oppositions. There are inevitable conflicts, and even conflicts that Kant calls ‘legal.’ How can this be? It stems, I believe, from the paradoxical structure of those limits. Though destined to separate power from knowledge and action from truth, they distinguish sets that are each time somehow in excess of themselves, covering each time the whole of which they should figure only a part or a sub-set. And so the whole forms an *invaginated pocket* on the inside of every part or sub-set. We recognized the difficulty of distinguishing the inside from the outside of the university, and then, on the inside, of distinguishing between the two classes of faculties. We are not done, however, with this intestine division and its folding partition on the inside of each space. The philosophy faculty is further divided into two ‘departments’: the *historical* sciences (history, geography, linguistics, humanities, etc.) and the *purely rational* sciences (pure mathematics, pure philosophy, the metaphysics of nature and morals); pure philosophy, on the inside of the so-called philosophy faculty, is therefore still just a part of the whole whose idea it nonetheless safeguards. But insofar as it is *historical*, it also covers the domain of the higher faculties. ‘The faculty of philosophy,’ writes Kant, ‘can therefore require all disciplines to submit their truth to an examination.’¹¹ Due to this double overflowing, conflicts are inevitable. And they must also reappear inside each faculty, since the faculty

⁹ ‘Whereas the utility the higher faculties promise the government is of secondary importance. We can also grant the theology faculty’s claim that the philosophy faculty is its handmaid (though a question remains, whether the servant is the mistress’s torchbearer or trainbearer) [*ob diese ihrer gnädigen Frau die Fackel vorträgt oder die Schleppe nachträgt*], provided it is not driven away or silenced. For her very modesty – merely being free, and leaving others free, to find the truth for the benefit of all the sciences and to set it before the higher faculties to use as they will – must commend it to the government as above suspicion, indeed, as indispensable.’ Second Section, ‘The Concept and Division of the Lower Faculty,’ *ibid.*, p.45.

¹⁰ ‘To the extent that the sciences obtain, through and in the state, an effectively objective existence, and to the extent that they become a power [*Macht*], the associations formed by each in particular are called faculties. As for their mutual relations – and a comment here is particularly necessary since Kant, in his work on *The Conflict of the Faculties*, strikes us as having treated the issue from an altogether unilateral point of view – it is clear that theology, as a science where the heart of philosophy is found to be objectified, should occupy the first and highest place; and to the extent that an ideal power [*Potenz*] is higher than a real one, it follows that the faculty of law precedes the faculty of medicine. As for a faculty of philosophy, however, it is our thesis that there is not, nor can there be, any such thing, the proof lying in the simple fact that something which is everything cannot, for that very reason, be anything in particular.’ Friedrich Schelling, *Vorlesungen über die Methode des akademischen Studiums* (Jena: University of Jena, 1802).

¹¹ Kant, *The Conflict of the Faculties*, p.45

of philosophy is itself divisible. But Kant also wishes to construct a limit between legal and illegal conflicts. An illegal conflict merely sets into opposition, and in public, various opinions, feelings, and particular inclinations. Though always involving influence over the public, such a conflict cannot give rise to juridical or rational arbitration. It primarily concerns a demand from the public, which, considering philosophy to be nonsense, prefers to approach the higher faculties or scientific bureaucrats in its demand for pleasures, short-cuts, or answers in the form of fortune-telling, magic or thaumaturgy. The people seek clever leaders (*kunstreiche Führer*), ‘demagogues.’ And members of the higher faculties, such as theologians, can, just as well as the bureaucrats educated by those faculties, answer that demand. In the case of these illegal conflicts, the philosophy faculty as such is, according to Kant, absolutely impotent and without recourse. The solution can only come from beyond— this time, once again, from the government. And if the government does not intervene, if it takes, that is, the side of particular interests, then it condemns the faculty of philosophy, meaning the soul itself of the university, to death. This is what Kant calls the ‘heroic’ way— in the ironic sense of heroic medicine— which ends a crisis by means of death. Some might be tempted into a headlong recognition of the death of philosophy that others among us oppose in several Western countries, notably in France.¹² But things do not let themselves be taken so simply in this Kantian schema. The ‘illegal’ conflict is only of secondary interest to Kant: putting individual inclination and particular interests into play, it is pre-rational, quasi-natural, and extra-institutional. It is not properly a university conflict, whatever its gravity may be. Kant devotes longer analyses to the legal conflicts that properly arise from university reason. These conflicts surge inevitably from within, putting rights and responsibilities into play. The first examples that Kant gives— the ones that visibly preoccupy him the most— pertain to the sacred, to faith and revelation; it is the responsibility of the philosophy faculty ‘to examine and judge publicly, with cool reason, the origin and content of a certain supposed basis of the doctrine, unintimidated by the sanctity of the object, for which one presumably feels something, having clearly decided (*entschlossen*) to relate this supposed feeling to a concept.’¹³ Such a conflict (with, for example, the higher faculty of theology) reintroduces feeling or history into a context where reason alone should be; it still harbors within itself something natural, since it opposes reason to its outside. It is still a parasiting of the legal by the illegal. But Kant does not wish to recognize this, or in any case to declare it. He imagines instances of interior arbitration, with sentence and arrest pronounced by a judge of reason in view of a ‘public presentation of the truth’ (*öffentliche Darstellung der Wahrheit*). This trial and this arbitration should remain interior to the university and should never be brought before an incompetent public that would change it back into an illegal conflict, and feed it to factions, to popular tribunes, notably to those that Kant calls *Neologists* (*Neologen*), ‘whose name, rightly detested, is nonetheless ill understood, when applied indiscriminately to all who propose innovations for doctrines and formulae (for why should the old ways always be taken as better?).’¹⁴ It is because they *ought* by right to remain interior that these conflicts *ought* never to disturb the government, and they have to remain internal *for that reason*: never to disturb the government. And yet Kant is obliged to recognize that this conflict is interminable and therefore insoluble. It is a struggle that eventually destabilizes departmental regimes, constantly putting into question yet again the borders where Kant would constantly contain antagonism. Kant

¹² See, for example, the works and struggles of GREPH (Groupe de Recherches sur l’Enseignement Philosophique) in *Qui a peur de la philosophie?* (Paris: Flammarion, 1977). See also *Les Etats généraux de la philosophie* (Paris: Flammarion, 1979).

¹³ Kant, *The Conflict of the Faculties*, p.55

¹⁴ *Ibid.*, p.57.

further refines upon this antagonism of the conflict of the faculties, saying that it 'is not a war' (*kein Krieg*), proposing for it a solution that is properly parliamentary: the higher faculties would occupy, says he, the right bench of the parliament of science and would defend the statutes of the government. 'But in as free a system of government as must exist where truth is at issue, there must also be an opposition party (the left side), and that bench belongs to the philosophy faculty, for without its rigorous examinations and objections, the government would not be adequately informed about things that might be to its own advantage or detriment.' Thus, in conflicts concerning pure *practical* reason, the inquest and the *formal* charge of the trial would be confined to the philosophy faculty. But in matters of *content*, which touch on the most important questions for mankind, the preliminary hearing falls to the higher faculty, and particularly to the faculty of theology (see 'The Conclusion of Peace and Resolution of the Conflict of the Faculties').¹⁵ And yet, despite this parliamentary juridism, Kant is obliged to admit that the conflict 'can never end,' and that the 'philosophy faculty is the one which ought to be permanently armed for this purpose.' The truth under its protection will always be threatened because 'the higher faculties will never renounce the desire to govern' or dominate (*Begierde zu herrschen*).¹⁶ I break off brusquely, the university is for closing, it is very late, too late for this Kantian discourse, which is perhaps what I meant to say. But know that the sequel, which I have not discussed, is most interesting and least formal, the most informal. It deals with the actual *content* of conflicts among theologians, jurists, doctors, and the technicians or bureaucrats they train. You have wondered all along, I am sure, where, as we say nowadays, I was coming from, which side was mine in all these conflicts, (1) to the right of the boundary or (2) to its left, or (3) more probably, as various others would (rightly or wrongly) suppose, a tireless parasite moving in random agitation, passing over the boundary and back again, either seeking (no one would know for sure) to play a mediator treating of perpetual peace, or seeking to reignite the conflicts and wars of a university sick from the very outset with apocalypse and eschatology. These three hypotheses, whose responsibility I leave in your hands, all appeal to the system of limits proposed by *The Conflict of the Faculties*, and they all let themselves be constrained by it still. Here it will have been my responsibility, whatever the consequences, to pose the question of the right to the law: what is the legitimacy of this juridico-rational and politico-juridical university system, etc.? The question of the right to the law, of the founding or foundation of the law, is not a juridical question. And a response cannot be either simply legal or simply illegal, simply theoretical or constative, simply practical or performative. It cannot take place either inside or outside the university bequeathed us by tradition. This response and responsibility in regard to such a founding can only take place in terms of foundation. Now the foundation of a law is no more a juridical or legitimate matter than is the event of a university's founding a university or intra-university event. If there can be no pure concept of the university, if, within the university, there can be no pure or purely rational concept of the university, this — to speak somewhat elliptically, given the hour, and before the doors are shut or the meeting dismissed — is due very simply to the fact that the university is *founded*. An event of foundation can never be comprehended merely within the logic that it founds. The foundation of a law is not a juridical event. The origin of the principle of reason, which is also implicated in the origin of the university, is not rational. The foundation of a university institution is not a university event. An anniversary of the foundation may be, but not the founding itself. Though such a foundation may not be merely illegal, it also does not arise from the internal

¹⁵ *Ibid.*, pp.57–58. On matters of content, see p.111.

¹⁶ *Ibid.*, p.55.

legality it institutes. And while nothing may seem more philosophical than the foundation of a philosophical institution, whether it involves a university, a school, or a department of philosophy, the foundation of the philosophical institution as such can never be *already strictly* philosophical. We are here in that place where the founding responsibility occurs by means of acts or performances — which are not just acts of language in the strict or narrow sense, and which, though evidently not constative utterances regulated by a certain determination of the truth, are also perhaps not simply linguistic performatives; this last opposition (constative/performative) still remains too closely programmed by the very philosophico-university law — in other words by reason — that is being opened to challenge here. Such a challenge would not belong to a philosophical setting merely, and would no longer be a theoretical question in the style of Socrates, Kant, Husserl or others. It would be inseparable from novel acts of foundation. We live in a world where the foundation of a new law — in particular a new university law — is necessary. To call it *necessary* is to say in this case *at one and the same time* that one has to take responsibility, a new kind of responsibility, and that this foundation is already well on the way, and irresistibly so, beyond any representation, any consciousness, any acts of individual subjects or corporate bodies, beyond any interfaculty or interdepartmental limits, beyond the limits between an institution and the political places of its inscription. Such a foundation cannot simply break with the tradition of an inherited law, or submit to the legality that it authorizes, even among those conflicts and forms of violence that always prepare for the instauration of a new law, or a new epoch of the law. Only within the epoch of the law is it possible to distinguish legal from illegal conflicts, and, above all, as Kant would wish, conflicts from war. How do we orient ourselves toward the foundation of a new law? This new foundation will negotiate a compromise with the traditional law. Traditional law should therefore provide, on its own foundational soil, a support for leaping to another place for founding, or, if you prefer another metaphor to that of the jumper planting a foot before leaping — of ‘taking the call on one foot’ (*prenant appel sur un pied*) as is said in French — then we might say that the difficulty will consist, as always, in determining the best lever, what the Greeks would call the best *mochlos*. A *mochlos* could be a wooden beam, a lever for displacing a boat, a wedge for opening or closing a door, something, in short, to lean on for forcing and displacing. When one asks how to be oriented in history, morality or politics, the most serious discords and decisions have to do less often with ends, it seems to me, than with levers. For example, the opposition of right and left, in this originally parliamentary sense, is perhaps largely, if not entirely, a conflict between several strategies of political *mochlos*. Kant serenely explains to us that, in a university as in a parliament, there ought to be a left (the philosophy faculty, or lower faculty: the left is down for the moment) and a right (the class of higher faculties representing the government). When I asked an instant ago how we should orient ourselves toward the foundation of a new law, I was citing, as you doubtless recognized, the title of another small work (1786) by Kant (*How to Be Oriented in Thinking? Was heisst: Sich im Denken orientieren?*). This essay speaks, among other things, of the paradox of symmetrical objects as presented in yet another essay of 1768 (*Foundation for the Distinction of Positions in Space: Von dem ersten Grunde des Unterschiedes der Gegenden im Raume*), namely, that the opposition of right and left does not arise from a conceptual or logical determination, but only from a sensory topology that has to be referred to the subjective position of the human body. This was evidently related to the definition and perception, ultimately specular, of the left and right sides. But if I quickly displace myself at this point from speculation to walking, then indeed, as Kant will have told us, the university will have to go on two feet, left and right, each foot having to support the other as it

risers with each step to make the leap. It involves walking on two feet, two feet *with shoes*, since it turns on an institution, on a society and culture, not just on nature. This was already clear in what I recalled about the faculty parliament. But I find its confirmation in an entirely different context, and you will certainly want to forgive me this rather rapid and brutal leap; I am authorized by the memory of a discussion, held in this very place some two years ago with our eminent colleague, Professor Meyer Schapiro, on the subject of certain shoes in Van Gogh. This was concerned, in the first place, with the Heideggerian interpretation of that 1935 painting, and with knowing whether those two shoes made a pair, or two left shoes, or two right shoes, the elaboration of this question having always seemed to me one of greatest consequence. Treating of the conflict between the faculty of philosophy and the faculty of medicine, and after speaking about the power of the human soul to master its morbid feelings, after involving us in dietetics, his hypochondria, sleep and insomnia, Kant proceeds to offer the following confidence, to which I shall add, out of respect for your own sleep, not one word. I only underline the *mochlos* or *hypomochlium*:

Since insomnia is a failing of weak old age, and since the left side is generally weaker than the right, I felt, perhaps a year ago, one of those cramplike seizures and some very sensitive stimuli. ... I had to ... consult a doctor. ... I soon had recourse to my Stoic remedy of fixing my thought forcibly on some neutral object ... (for example, the name of Cicero, which contains many associated ideas ...).¹⁷

And the allusion to a weakness of the left side calls for the following note:

It is sometimes said that exercise and early training are the only factors that determine which side of a man's body will be stronger or weaker, where the use of his external members is concerned — whether in combat he will handle the sabre with his right arm or with his left, whether the rider standing in his stirrup will vault onto his horse from right to left or vice-versa, and so forth. But this assertion is quite incorrect. Experience teaches that if we have our shoe measurements taken from our left foot, and if the left shoe fits perfectly, then the right one will be too tight; and we can hardly lay the blame for this on our parents, for not having taught us better when we were children. The advantage of the right foot over the left can also be seen from the fact that, if we want to cross a deep ditch, we put our weight on the left foot and step over with the right; we otherwise run the risk of falling into the ditch. The fact that Prussian infantrymen are trained to start out with the left foot confirms, rather than refutes, this assertion; for they put this foot in front, as on a hypomochlium, in order to use the right side for the impetus of the attack, which they execute with the right foot against the left.¹⁸

¹⁷ Ibid., p. 193

¹⁸ Ibid. Redundancy. Let us repeat here the name of Polyphemus. *Mochlos* is also the name for the 'wedge' or wooden lever that Ulysses — or the ruse of No One, *outis*, *Metis* — puts into the fire before driving it into the pupil of the Cyclops (*Odyssey* 9.375–88).