

## This and That

“French Theory” has become a convenient shorthand to refer to the work of a varied number of hugely influential twentieth-century theorists, not least in the United States, such as philosophers Michel Foucault (1926-1984), Jacques Derrida (1930-2004), and Gilles Deleuze (1925-1995); literary critic Roland Barthes (1915-1980); and psychoanalyst Jacques Lacan (1901-1981). “French Theory” entered the United States on the occasion of a 1966 conference at Johns Hopkins University featuring Derrida, Barthes, and Lacan, amongst others. U.S. intellectuals had their first opportunity to be exposed to “French Theory” on French soil on the occasion of two summer schools that the late Sylvère Lotringer, a native of France and long a professor of French literature and philosophy at Columbia University, organized at Reid Hall (Paris) in 1973 and 1974. In a memoir, Lotringer describes Reid Hall as “a gracious eighteenth-century retreat”: “American Beginnings”, in Anaël Lejeune, Olivier Mignon, and Raphaël Pirenne (eds), *French Theory and American Art* (Berlin: Sternberg Press, 2013), p. 53. See generally François Cusset, *French Theory: How Foucault, Derrida, Deleuze, & Co. Transformed the Intellectual Life of the United States*, transl. by Jeff Fort (Minneapolis: University of Minnesota Press, 2008 [2003]).

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Michel Foucault, *Les Mots et les choses* (Paris: Gallimard, 1966), p. 7.

“This book has its place of birth in a text from Borges. [...] This text quotes ‘a certain Chinese encyclopaedia’ where it is written that ‘animals divide into: a) belonging to the Emperor, b) embalmed, c) tamed, d) suckling pigs, e) sirens, f) fabulous, g) stray dogs, h) included in the present classification, i) that agitate themselves like madmen, j) innumerable, k) drawn with a very fine camelhair brush, l) *et cetera*, m) that have just broken the water jug, n) that from a long way seem as flies’. In the wonderment of this taxonomy, that which one reaches in one leap, that which, owing to the parable, is indicated to us as the exotic charm of another thought, is the limitation of ours: the stark impossibility of thinking *that*”.

“Ce livre a son lieu de naissance dans un texte de Borges. [...] Ce texte cite ‘une certaine encyclopédie chinoise’ où il est écrit que ‘les animaux se divisent en: a) appartenant à l’Empereur, b) embaumés, c) apprivoisés, d) cochons de lait, e) sirènes, f) fabuleux, g) chiens en liberté, h) inclus dans la présente classification, i) qui s’agitent comme des fous, j) innombrables, k) dessinés avec un pinceau très fin en poils de chameau, l) *et cætera*, m) qui viennent de casser la cruche, n) qui de loin semblent des mouches’. Dans l’émerveillement de cette taxinomie, ce qu’on rejoint d’un bond, ce qui, à la faveur de l’apologue, nous est indiqué comme le charme

exotique d'une autre pensée, c'est la limite de la nôtre: l'impossibilité nue de penser *cela*". (Note that Foucault himself emphasizes the Latin expression and the final word of the quotation.)

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The Argentine writer Jorge Luis Borges (1899-1986) originally published "El idioma analítico de John Wilkins" ("The Analytical Language of John Wilkins"), the text that draws Foucault's attention, in February 1942. Wilkins (1614-1672) was an Anglican clergyman and philosopher who attempted the framing of a universal language. Wilkins's enterprise, released in 1668, assumed a specific organization of the world into forty categories and many further sub-divisions. In his essay, Borges claims that Wilkins's arrangement reminds him of a classification that Franz Kuhn allegedly attributed to a Chinese encyclopaedia, the "Emporio celestial de conocimientos benévolos" ("The Celestial Emporium of Benevolent Knowledge"). In the absence of any evidence that Kuhn (1812-1881), a philologist and comparatist, ever translated a Chinese encyclopaedia, the taxonomy is thus regarded as pertaining to Borges's imagination. (Indeed, Borges regularly mixed fact and fiction.) Borges's short story has been read as illustrating the singular enculturation of any attempt to classify the world.

For the list in the original Spanish, see Jorge Luis Borges, "La langue analytique de John Wilkins", in *Œuvres complètes*, ed. by Jean-Pierre Bernès, vol. I (Paris: Gallimard, 1993), p. 749 ["los animales se dividen en a) pertenecientes al Emperador, b) embalsamados, c) amaestrados, d) lechones, e) sirenas, f) fabulosos, g) perros sueltos, h) incluidos en esta clasificación, i) que se agitan como locos, j) innumerables, k) dibujados con un pincel finísimo de pelo de camello, l) etcétera, m) que acaban de romper el jarrón, n) que de lejos parecen moscas"].

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Now, let us deconstruct Foucault's "that" as he writes of "the stark impossibility of thinking *that*". It is fair to say that Foucault is thinking of marking a contrast between "that" and "this", an opposition revolving around the idea of proximity. In a nutshell, "this" is closer than "that". To say that I think like this, and that I can think like this, refers to what is close to me, what is familiar, not necessarily intimate, but proximate. Contrariwise, the word "that" implies a distance. Foucault's "stark impossibility of thinking *that*" thus purports to indicate a distantiating, which the italics are meant to accentuate (if you will, on account of the italics the "that" recedes even further into the distance). In effect, the thinking that strikes Foucault as being so strange is happening somewhere else. Indeed, one could summarize the

antithesis between “this” and “that” in terms of “here” and “there”, that is, “here” and “elsewhere” (again, an italicized “elsewhere” would be even further away).

I want to argue that there is a spontaneous tendency on the part of an interpreter faced with a “that” appearing to him unfathomable, impossible, to reframe it in more familiar language so that that other world can make sense to him, somehow. “That” is therefore destined to become “this” (which, as it happens, is precisely the imperial or colonial motion). In other words, I hold that an interpreter is unlikely to content himself with the mystery of otherness, a situation that would effectively prove unbearable to him. Rather, one bringing to bear the least curiosity (and interpreters are, perforce, curious beings) will try to tame otherness interpretively. To return to the veil, the burkini, and the handshake, a U.S. interpreter, for example, will readily frame these situations on his terms: they will promptly become illustrations of affronts to freedom of religion or freedom of speech, instances of insensitivity, intolerance, or, perhaps, xenophobia. Effectively, the “that” is reframed as a “this”. If you will, the interpreter is apprehending the foreign way now facing him, that way of thinking, that thought to which it is impossible for him to ascribe any (meaningful) meaning because it exists “out there”, so as to make sense of it. He approaches it as a challenge, as a provocation, perhaps. In the process, as he appropriates or assimilates it, he moves the “that” to a “this”. What is impossible to think can now be recast in language that is familiar to him, within his culture (denial of freedom of religion/speech, xenophobia, and the like). However, as “that” finds itself reframed as “this”, the interpreter’s thought is effectively asserting itself imperially or colonially. It is, literally, taking hold of “that” to reenact it as “this”. In the process, interpretive thought erases the “thatness” of the “that”, it effaces its singularity. It engages in a form of epistemic violence — an epistemicide — towards it. We no longer have the “handshake” case as an instance of refusal to integrate into French Republican values for reasons ranging from shallow caprice to dangerous subversion (which is the French understanding of the decision), but as an instance of religious or discursive repression — in effect, discrimination. Along the way, the interpreter forces the other into his normative “pigeon-holes” so that he can (meaningfully) make sense of otherness on his terms, so that otherness can (meaningfully) make sense *to him*.

No matter how seemingly reasonable and habitual, I find this approach objectionable as it stands for distortion of thought and ethnocentricity. One is no longer accounting for the “that” that there is, there, but for a “that” which has effectively been pressured to fit into “thisness”, to conform to the interpreter’s “this”. For the U.S. interpreter, what the French are doing does not have to do with “integration into Republican values”. This is not it. Rather, the three interventions I discuss are against freedom of religion and freedom of speech. I argue that the U.S.

interpreter, if he is going to do justice to the singularity of French law, of the other law, must resist the motion from “that” to “this”. He must resist the imperial or colonial streak in his thought, the inflexion in his thought that would readily seek to “master” the other, that would fall for the classificatory impulse that would “pigeon-hole” the other into this category or under this label. In other words, the U.S. interpreter must resist seeing French law through an epistemic order that would deliver it to him on his terms. French legal culture and U.S. legal culture are different worlds-in-the-law. And it cannot be just for the U.S. interpreter to “filter” French legal thought through his own ways so that upon arrival, there is effectively a taming of otherness taking place with a view to ensuring that otherness is confined, that there is not too much of it, that there is no excess or surfeit of it. The otherness that makes it through the epistemic crossing would be the otherness that fits the interpreting culture’s understanding of the world. In this way, the other law would be kept in epistemic check. *Quaere*: how much of this epistemic strategy — this similarization, this commensuration — has to do with the desire to protect the epistemic stability of the “importing” model, to avoid anything that would prove too menacing or disturbing?

I claim, vigorously and rigorously, that the U.S. interpreter must do precisely the opposite of what the conquest paradigm would suggest. Instead of making the heterogeneous homogeneous, he must proceed in reverse: he must bring the “this” towards the “that” even as the “that” remains unavailable to him as epistemic possibility since, as a U.S. interpreter who cannot jettison the full range of the predispositions into which he has been educated, socialized, and institutionalized (these having been in-corporated and now being a constitutive part of his identity), he can never get to think like the French. Concretely, the idea must be to frame French thought the way the French think even as the U.S. interpreter cannot make any (meaningful) sense of this thinking given that it exceeds what is possible for him to think within his culture. “That” thought, no matter how impossible to him, must now become inscribed by him as a possibility. The impossible becomes possible (if as impossibility) — *pace* Kant, who held that there is no sense in saying you ought to do what you cannot do (the idea being that “ought” implies “can”). Otherwise said, the U.S. interpreter must at once convey otherness-in-the-law and let it continue to occupy a place that is epistemically different and incommensurable vis-à-vis the one he himself occupies.