

Earthly Plenitude: An Essay on Sovereignty and Labor

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Jacques Maritain



Georges Bataille

This paper is part of a larger, book-length study on two apparently unrelated concepts, sovereignty and labor, whose link must be temporarily, that is, analytically, established and then dissolved in a new synthesis, the reduction of the former to the latter. To be sure, a proper understanding of the problem investing sovereignty and labor can only be acquired through an analysis which includes a history, cursory though it might be, of the concept of sovereignty from Jean Bodin to Carl Schmitt, as well as aspects of the juridical critique of the concept of sovereignty. This I will endeavor to provide in the larger study I mentioned above. In the present paper, I will limit myself to the philosophical critique of the concept of sovereignty made by Jacques Maritain, but I will include several references to Schmitt. I will also deal with the special use that Georges Bataille makes of the concept of sovereignty. This is important because it is here that the link between sovereignty and labor becomes visible. My critique of Bataille, which in part relies on Maritain's conceptual framework, seeks to show that the concept of sovereignty is untenable even in the unorthodox form presented by Bataille himself and to establish the ontology of labor as the only criterion, the only site, for an alternative way of thinking, not simply about democracy, but about *common* life.

When I started writing this paper, I thought I would find myself in general agreement with Bataille's position. However, I soon realized that that was not possible, and that the critical stance I was forced to take widened my disagreement with him in the course of my writing — a fact that made me rewrite sections of the essay several times. Bataille's book on sovereignty ends, very mystically and cryptically, with the sentence: "sovereignty is NOTHING" (1993: 430). To this he arrives by claiming the necessity of renouncing sovereignty. But for him, one must renounce sovereignty "in a sovereign manner" (p. 325), as a sovereign subject, in line with the equation of sovereignty with subjectivity that he proposes. It is easy to see that there is here no real renunciation. Sovereignty becomes *ordinary* and *common*, it becomes *nothing* in a sense; but then why cling to it? Bataille does not explain that, and notwithstanding the many fascinating sections of his work, one is ultimately left with a sense of utter confusion, and, at times, of dismay. I believe that for Bataille sovereignty is the link, the middle term, between the objectivity of power represented by communism, where sovereignty and power coalesce (pp.351-357), and Nietzsche's subjectivism, in which sovereignty operates as the grounding of a new concept of art, one reaching into the *common* and the *possible* (pp. 416-423). In this sense, Nietzsche's philosophy, "the only one apart from communism" (p. 373), seems to complement the philosophy of communism itself. I have no problems with this; my questions have only to do with Bataille's inability to completely dismantle and dispose of the concept of sovereignty.

1.

According to Carl Schmitt (2005), the concept of sovereignty, as used in political philosophy and in juridical theory, is the secularization of a theological concept. For Schmitt, this suffices to grant it, particularly in political philosophy and state theory, full validity; it seems that its theological provenance is a good enough proof, as against the critique of the concept often coming from jurisprudence, of its soundness. However, Jacques Maritain, while also recognizing the link between theology and political philosophy with respect to the concept of sovereignty, thinks very differently about this. To be sure, like Schmitt, Maritain sees the limits of a juridical critique of the concept, but he brings this insight to a completely different end. In fact, while Schmitt offers a

defense of the concept of sovereignty, Maritain holds that a correct philosophical analysis points to the necessity of its elimination.

In his analysis of sovereignty — a chapter of *Man and the State* (1998) first published in 1951 and also included in W.J. Stankiewicz (ed.), *In Defense of Sovereignty* (1969) — Jacques Maritain holds that sovereignty is another name for absolutism and that, as such, it must be discarded from the discourse on the political sphere — discarded, as we shall soon see, not because it is obsolete, but because it is wrong. In the conclusion of the essay he says that “we have to discard the concept of Sovereignty, which is but one with the concept of Absolutism” (p. 49). Writing from the point of view of a Catholic philosopher, Maritain thinks that the concept of sovereignty (more precisely, “genuine Sovereignty”) makes sense in the spiritual sphere, that is, the sphere of theology: “In the spiritual sphere there is a valid concept of Sovereignty” (*ibid.*). This is so because in that sphere we have the concept of *separation*, which is necessarily included in that of sovereignty: “God, the separate Whole, is Sovereign over the created world” (*ibid.*). For Maritain, “with Sovereignty separation is required as an *essential* quality” (p. 35). However, this is not the case in the political sphere, where the separation and transcendence posited by the theorists of sovereignty — Jean Bodin (1530-1596) being the first among them — to justify the concept of sovereignty itself is in reality the result of a philosophical (logical and metaphysical) error. To be sure, Maritain says that for Bodin — “the father of the modern theory of Sovereignty” (p. 30) — “the king did not possess supra-mundane Sovereignty, which has absolutely nothing above itself. God was above the king, and the supreme power of the king over his subjects was itself submitted to ‘the law of God and nature,’¹ to the requirements of the moral order. But the king was Sovereign, the king was possessed of human Sovereignty” (pp. 30-31).

The error lies in mistaking the position of the (human) sovereign as *above the peak* rather than *at the peak* (p. 36) — that is, inside and outside at the same time — and in overlooking the medieval notion of *vicariousness*, according to which the prince is the “vicar of the multitude” and not truly divided from it. Thus the right that the prince exercises is the right of the people (*ibid.*), regardless of the fact that the people have divested themselves of it. As is often the case, when we start from a wrong premise, a

¹ This is Bodin’s expression, from *Les six Livres de la république*, Book I, chapter 8.

whole argument can follow that has internal logical coherence. But this coherence is only apparent, for it lacks ontological substantiation. Thus, as Maritain says, Bodin's position — of which he offers a close textual reading — is “perfectly clear” (p. 34). And I need here to quote at length this extremely important and clear passage:

Since the people have absolutely deprived and divested themselves of their total power in order to transfer it to the Sovereign, and invest him with it, then the Sovereign is no longer a part of the people and the body politic: he is ‘divided from the people,’ he has been made into a whole, a *separate* and transcendent whole, which is his sovereign living Person, and by which the other whole, the immanent whole or the body politic, is ruled from above. When Jean Bodin says that the sovereign Prince is the image of God, this phrase must be understood in its full force, and means that the Sovereign — submitted to God, but accountable only to him — transcends the political whole just as God transcends the cosmos. Either Sovereignty means nothing, or it means supreme power *separate* and *transcendent* ... and ruling the entire body politic *from above*. That is why this power is absolute (ab-solute, that is non-bound, separate), and consequently unlimited, in its extension as well as in its duration, and not accountable to anything on earth (p. 34; Maritain's emphasis).

But this is not truly the case even of the modern ‘absolute’ monarch. Indeed, in the next section, on Hobbes, Maritain says that the concept of sovereignty, absent in the Middle Ages — where “St. Thomas treated of the Prince, not of the Sovereign” (p. 36) — relates to *absolute monarchy* (*ibid.*).² Thus, if it is true that with modernity “an essence other than common humanity was to be ascribed to the person itself of the Sovereign” (p. 35), it is not as true that this ascription is justified by anything other than an error of evaluation of the ontological nature of that concept. What Maritain really holds and demonstrates is that the absoluteness of absolute power is untenable from an ontological point of view. The “absolute” monarch, with his *divine right* typical of Louis XIV (p. 37), does *not* have absolute power, if words are to have a meaning. And since absolutism

² On the prehistory of the concept of sovereignty, see also Hinsley's lucid chapters in *Sovereignty* (1966).

and sovereignty go together, having “been forged together on the same anvil” (p. 53), it follows that the human sovereign is not sovereign. For Maritain — he concludes thus his analysis — the two concepts of sovereignty and absolutism “must [also] be scrapped together” (*ibid.*).

To get a better understanding of Maritain’s radical move and conclusion, we need to consider the presuppositions of his argument, based as they are on an endeavor of semantic and conceptual rectification. However, as I have already suggested, at stake here is really a question of ontology — the ontology of the concept, which includes, and is included in, the ontology of being. And since we are here speaking of political ontology and of history, it is historical being, history itself, which must hereby be ‘rectified’. The categories handed down from past history still shape our present and future, our mental habits as well as our everyday practices. It is then not simply a question of precision and clarity that we are here examining. Maritain’s effort and endeavor reach into the region of historical being with a force capable of erasing the preconditions of the repetition of an error which becomes historical truth and of replacing them with a new structure and a new vision — structure and vision of immanence, of earthly and secular plenitude, notwithstanding his distinction between the spiritual and political spheres before which we have to part from him. But history does not have less truth only because it is based on an error. The point is then not that of changing the contingent in it, as one would do in rewriting history, but of changing — to use Duns Scotus’s notion — the *contingently caused*, namely, the source of necessity.

It is in this sense, precisely, that Maritain starts his essay — after briefly reviewing some important studies of the concept of sovereignty from the point of view of juridical theory — by calling attention to the need of a philosophical investigation of the concept itself (pp. 28-29). Thus he immediately argues that

political philosophy must get rid of the word, as well as of the concept, of Sovereignty — not because it is an antiquated concept, or by virtue of a sociological-juridical theory of “objective law”; and not because the concept of Sovereignty creates insuperable difficulties and theoretical entanglements in the field of international law; but because, considered in its genuine meaning, and in

the perspective of the proper scientific realm to which it belongs — political philosophy — this concept is intrinsically wrong and bound to mislead us...” (p. 29).

Interestingly, in the above passage Maritain has a footnote that refers to Hugo Preuss, who drafted the constitution of the Weimar Republic and to whom Carl Schmitt also refers in his *Political Theology*. For Maritain, Preuss only rejects the concept of sovereignty because it is antiquated, not because of its inherent, philosophical and political, inadequacy. Yet, Maritain and Preuss agree as to the end of their critique, that is, the abolition of the concept of sovereignty. Schmitt, who is critical of Preuss and is interested in defending the concept of sovereignty, says: “Preuss rejected the concept of sovereignty as a residue of the authoritarian state and discovered the community, based on associations and constituted from below, as an organization that did not need a monopoly on power and could thus also manage without sovereignty” (2005: 25). But for Schmitt, Preuss’s organic theory of the state, with its rejection of sovereignty, is precisely what must be avoided. Sovereignty for Schmitt is the decision that establishes the exception. The exception is to politics and law what the miracle is to theology: “The idea of the modern constitutional state triumphed together with deism, a theology and metaphysics that banished the miracle from the world” (p. 36). Famously, for Schmitt, “Sovereign is he who decides on the exception” (p. 5). This is how his *Political Theology* starts. This formula, however, which sounds definitive and profound, is highly problematic and ultimately void. Following Maritain, we can say that in the field of politics, the equation of sovereignty and decision, of decision and exception, or rather, the equation of sovereignty and exception by means of decision, is untenable, or it makes no sense. What kind of decision does Schmitt have in mind? Obviously, the decision of the sovereign. But in what sense is this decision equal to the *separation* that for Maritain is necessarily included in the concept of sovereignty? To be sure, “decision” always means “separation,” for it literally points to a “cutting off,” a “cutting away from,” which, precisely, separates. Thus all decisions we make in practical life separate us from whatever remains undecided, the immense potential that we might have considered in the process of deliberation. Yet, notwithstanding the fact that each and any decision we

make is, by virtue of its singularity and uniqueness, exceptional, none may be sovereign, unless we extend the latter concept to include any singularity. In that case, we would all be sovereign, and, again, the concept would become irrelevant. In truth, the separation which characterizes sovereignty is only a theological concept, and Maritain is right in pointing out that its political use is based on a mistake. This is particularly clear when, at the end of his *Political Theology*, Schmitt speaks of de Maistre and Donoso Cortés. For de Maistre, sovereignty is the same as *infallibility*, and for him “making a decision is more important than how a decision is made” (pp. 55-56). For Donoso Cortés, decisionism is dictatorship, and dictatorship is the only solution to the endless talks that characterize liberalism. But the pretense to infallibility, defended with army and police, does not make infallibility a valid concept; nor does dictatorship ever separate itself enough from those upon whom it imposes itself to avoid a multitude of other decisions, of counter-decisions, capable of making it collapse. What de Maistre and Donoso Cortés mean by decision is brute force, which is not an acceptable political concept. It is also very problematic to say that what counts is making the decision, regardless of its modality and nature. One could say, with Walter Benjamin, that the decision that brings about a state of exception must be weighed as to its universality or lack thereof, and that it is only thus that it can be granted ontological validity or not (Benjamin 1978: 277-300).

After a careful examination of Jean Bodin’s theory, Maritain asks the question of the meaning of sovereignty and says that it means two things: “First, a right to supreme independence and supreme power which is a *natural* and *inalienable* right. Second, a right to an independence and a power which in their proper sphere are supreme *absolutely* or *transcendently*, not *comparatively* or as *topmost part* in the whole” (p. 38). On the basis of this twofold definition, he goes on to show that neither the body politic nor the state is sovereign; nor are the people. He holds that the body politic has a right to *full autonomy*, which is what sovereignty should give way to in the political sphere; and he insists that this autonomy must be both internal and external (pp. 40-43). “The right of the body politic to such full autonomy derives from its nature as a perfect or self-sufficient society” (p. 41); whereas one can speak of “limited autonomy” when a body politic enters a federal political society. This right of the body politic to full autonomy is, Maritain says, a *natural* and *inalienable* right (*ibid.*), and in this sense it “implies the *first*

element inherent in genuine Sovereignty” (p. 42). Yet, if this part of the concept of sovereignty, its first meaning, corresponds to that of full autonomy, full autonomy itself is a more precise and certainly correct expression. What is important, however, is that the second element of the meaning of sovereignty be not implied in it. The reason for this is central in Maritain’s argument, and it is repeated twice: “For it is clear that the body politic does not govern itself *separately from itself* and *from above itself*” (p. 42). This means that “its supreme independence and power are only comparatively and relatively supreme” (*ibid.*), not *absolutely* or *transcendently* supreme, as required by the genuine concept of sovereignty.

In reality, from the point of view of a thoroughly immanent philosophy, the concept of a *supreme* power in its absolute and transcendent character is evidently untenable; and so is, from the point of view of a radical ontology of labor, with which we shall soon deal, even the comparative and relative character of a supreme power. In this sense, although Maritain’s critical analysis of the concept of sovereignty goes a long way to show how untenable this concept is in the political sphere, more is needed to truly *radicalize* political theory and practice. Certainly, Maritain’s argument shows great force in that it denies the state any sort of genuine sovereignty; and to the state neither the first nor the second meaning of sovereignty belongs, the state itself being an “instrumental agency” of the body politic (p. 43). But he places a lot of importance on the functions of the state and still retains the notion of the state’s supreme authority, which should “in no way be called sovereignty” (p. 24); he thus misses the more radical view, present in Hinsley’s analysis for instance, that the notion of “a final and absolute political authority in the community” (1966: 17), which accompanies the emergence of the state, constitutes the germ of the concept of sovereignty. I am saying that Maritain’s analysis, fundamental for his critique of sovereignty in the political sphere, finds its limit in the displacement of the concept onto the sphere of transcendence³ and in his insistence on the necessity³ of non-sovereign, yet supreme state power. Differently from the state, the people, just like the body politic, lack the second meaning of sovereignty, and in their case, too, it is of

³ “We may dislike the State machinery; I do not like it. Yet many things we do not like are necessary, not only in fact, but by right. On the one hand, the primary reason for which men, united in political society, need the State, is the order of justice. On the other hand, social justice is the crucial need of modern societies. As a result, the primary duty of the modern State is the enforcement of social justice” (Maritain 1998: 20).

full autonomy that one can speak. It is here that Maritain repeats the reason for the inapplicability of the concept of sovereignty to a self-sufficient entity, and, in the last analysis, of its non-interchangeability with the concept of full autonomy. He says that “it would be simply nonsensical to conceive of the people as governing *themselves separately from themselves and from above themselves*” (1998: 44) — a nonsensicality that he attributes to Rousseau and his concept (Maritain says “myth”) of *Volonté Générale* (*ibid.*).

The philosophy of Maritain is genuinely concerned with democracy, though certainly not with radical or direct democracy. He presents a clear concept of representative democracy, whereby the power of the state is an instrumental function of the power of the people and the body politic, which directly emanates from the people themselves. For Maritain, the state is necessary to ensure a system of social justice. But the people are “above the State, the people are not for the State, the State is for the people” (p. 26). The concept of the people, “the highest and noblest” of the basic concepts he analyzes — Maritain says in chapter 1 of *Man and the State* — “means the members organically united who compose the body politic;” whereas the body politic “means the whole unit composed of the people” (*ibid.*). For Maritain, “the people are the multitude of human persons who, united under just laws, by mutual friendship, and for the common good of their human existence, constitute a political society or a body politic” (*ibid.*). There is an idealistic element in this definition because very often, if not always, the situation in which the people find themselves, and thus the formation of a body politic, is strongly determined by the institutional powers of the state and its economic structures. Maritain is aware of this, and he calls for a renewed form of the state, one which brings the state “back to its true nature” (p. 27), whereby its only function becomes that of the exercise of justice and of facilitating the free development of the body politic. For this to become a reality, the state must be “freed from the notion of its so-called sovereignty” (*ibid.*), for, as we have seen, for Maritain the state has no real sovereignty. The state, as Maritain says in the last chapter of his book, must be freed of its Hegelian or pseudo-Hegelian characteristic of being considered as a person or a supra-human person and be only understood as the highest part of the body politic (p. 195). Indeed, for Maritain the fact remains that the people “have a special need of the State” (p.

26); however, it is political society (and, in the last analysis, the people themselves) that must exercise a control over the state itself precisely in order to impede the formation of the state's spurious sense of sovereignty. In this sense, "it is necessary that many functions now exercised by the State should be distributed among the various autonomous organs of a pluralistically structured body politic" (p. 27). The idealistic moment I have underlined above is also one in which a greater radicality is reached. Yet some problems also arise, and I would say that the main problem that Maritain faces here, in addition to his defense of the state, is that of the justification of the law — the just laws under which the people are united, for this *under* risks to reinscribe within his discourse the notion of sovereignty he wants to discard.

It is evident that with Maritain the critique of sovereignty is not at all a question of terminology, although some questions arise as to his ability to effectively overcome the concept. For us, the critical approach represents a way of revealing, beyond its juridical use, the philosophical grounding of the concept of sovereignty and of disposing of it within the context of a radical ontology of labor, for it is by labor that the social texture that precedes and sustains the various institutional entities (among which the state and its pretence to supreme authority and sovereignty) is formed. Our endeavor is that of producing such ontology — a philosophy of labor capable of overcoming all theoretical positions in which the concept of labor, if philosophically employed at all, always occupies a marginal space. In this endeavor, we start from the Marxian approach, as well as from the anarchist theoretical and practical experience, to find ways of radicalizing and re-proposing such positions based on labor in the new world economy and culture. The effort to radicalize presupposes clarity, and radicalizing the philosophy of labor means, first and foremost, dispensing with the concept of sovereignty, grasping the force of the alternative concepts of independence and full autonomy, self-sufficiency and self-determination, the concept of the solitude of labor and of its return to itself, to its dignity and freedom. It is in this sense that Maritain's contribution becomes important, for it provides a guide in that direction. In emphasizing the notions of *separation* and *transcendence* always included in the concept of sovereignty — an inclusion whereby all spurious usages of the word "sovereignty" always involve its *genuine* concept — Maritain's analysis brings to the fore a major problem of political philosophy and

certainly one to be reckoned with by all attempts at producing a true philosophy and practice of the common,⁴ a theory and practice of radical social change. For a philosophy of immanence, which a radical ontology of labor ought to be, the implications of Maritain's analysis, in itself not concerned with establishing a philosophy of immanence, are clear: any use of the concept of sovereignty inscribes political thought in the order of the transcendent.

As Maritain says, "No doubt it is permissible to use the term Sovereignty in an improper sense, meaning simply either the natural right of the body politic to full autonomy, or the right which the state receives from the body politic to topmost independence and topmost power ... Yet in doing so one runs the risk of becoming involved in the worst confusion, since the word Sovereignty always connotes obscurely its genuine, original meaning" (p. 43). He also explicitly says: "The question is not a question of words only. Of course we are free to say 'Sovereignty' while we are thinking full autonomy..." (p. 49). The point is that thinking the concept of full autonomy, of separation in solitude, yet within a context of social and historical relations, a sort of monadic separation, is not the same as thinking an absolute that, as such, remains beyond the sphere of historical and social, temporal and human relations. As I have noted, for Maritain, this is the sphere of the spiritual, so much so that "in the last analysis, no earthly power is the image of God and deputy of God" (p. 50). For us, however — given the fact that we place ourselves on the plane of immanence, of earthly plenitude, of the "absolute secularization and earthliness of thought" (to use Gramsci's explanatory expression for 'historicism'), of the "humanism of history" (Gramsci 1971: 465) — thinking full autonomy without sovereignty is the essential requirement for a true philosophy of labor. The same can be said of the essential requirement for a philosophy of the common, which is really one with the philosophy of labor, and which also cannot be adequately thought unless the concept of sovereignty is overcome and discarded.

2.

In his Nietzsche-inspired philosophy *against servility*, in the space of turbulence it opens up, Georges Bataille also deals with the concept of sovereignty in important ways.

⁴ For the philosophy of the common, and its advantage over a theory of democracy, see Negri (2003).

Indeed, volume three of *The Accursed Share, Sovereignty*, offers an interesting, though unusual, analysis and employment of the concept. In the first part of the volume, which bears the title of “What I Understand by Sovereignty” and the subtitle of “Theoretical Introduction,” Bataille says: “The sovereignty I speak of has little to do with the sovereignty of States, as international law defines it. I speak in general of an aspect that is opposed to the servile and the subordinate” (1991: 197). However, as we shall see, Bataille’s use of the concept of sovereignty is ultimately mistaken, not because used in a way other than usual, but because in his case too the concept of full autonomy or, as he himself holds, of *subjectivity* would be sufficient, and indeed more adequate, to describe the conceptual and practical reality to which he attaches the name of sovereignty. In Bataille, the mistake has to do not only with the critique of the concept of sovereignty that we have already seen in reading Maritain, but also with an equivocation on the concept of *the useful*, and in particular of useful labor. It seems to me that Bataille understands the words “useful” and “servile” as synonyms, but it is evident that they are not. Thus, when he says that sovereignty indicates the condition of “that which does not serve” — a definition which is formally correct and punctual — two equally important points of criticism must be made. One has to do with the fact that Bataille does not distinguish between the two senses of “to serve,” which means “to be a servant” but also “to be of use.” From the point of view of a radical ontology of labor, which is the direction toward which Bataille moves, the critique of that concept makes sense only insofar as “servility” is under attack; however, to extend the critique, as Bataille does, to the concept of the “useful” is a dangerous move because it raises the question of the status of labor, or of all doing for that matter. The other point of criticism, which follows directly from the first, involves the concept of living labor. Here, it is clear that Bataille did not consider the fundamental difference between ontology and political economy, that is, between productive labor as a category of capital and its more essential, living and creative aspect that makes capital itself want it.⁵

Bataille’s mistake occurs precisely because he subsumes the notions of freedom, autonomy, and subjectivity under the concept of sovereignty. Although his use of sovereignty is unorthodox, it still has a regard for its formal definition: the one first given

⁵ In this respect, see my book on the ontology of labor (Gulli 2005).

by Jean Bodin, crystallized in the Westphalian form of the modern state, and hence in international law. We have seen Maritain's critique of this. We can also add at this point that, although there are times when a struggle for sovereignty might appear to be progressive, for instance in wars of liberation and for self-determination, the fact remains that the concept of sovereignty always carries with it something of a reactionary nature. Once subsumed under the concept of sovereignty, liberation, autonomy, independence and self-determination are institutionalized and lose their fundamentally progressive and revolutionary character. They do not belong to the *schema* of sovereignty, as Bataille thinks. These are immanent and concrete forms of the general concept of freedom; whereas sovereignty always implies a structure of domination. Indeed, one of the requirements of radical political ontology is the elimination of the concept of sovereignty. As Michel Foucault says: "In political thought and analysis, we still have not cut off the head of the king" (1990: 88-89). Bataille's influence on Foucault is well-known, and this statement is conceptually very close to Bataille's figure of the "acephalous." So what I am saying is not that Bataille argues for a philosophy of domination, but rather that he does not realize that the concept of sovereignty must be, to say the least, disambiguated. To be sure, Bataille tries to transform sovereignty into a revolutionary category, and he equates it with subjectivity. But this cannot be done. The source of Bataille's confusion lies in the fact that in the concept of sovereignty the two senses of "to serve" are actually suspended or eliminated: the sovereign is truly he who does not serve in the twofold sense of not being servile and of not being of any use. The sovereign, in fact, is completely useless, a mere parasite. Distinguishing between a traditional concept of sovereignty and a different, revolutionary one — as Bataille does — does not help. As we have seen with Maritain, to be useless is what most essentially pertains to the concept of sovereignty itself — a concept which must be discarded. It would be meaningless and wrongheaded to recuperate and apply it to situations to which it would be repugnant. If sovereignty points to the condition of that which does not serve in an absolute sense, it cannot be applied to revolutionary subjectivity which, in radical rupture with the paradigm of servility, does not forfeit *use* and *usefulness*, but valorizes them for itself, the other, and the world. But we should substantiate our argument with a close reading of passages from *The Accursed Share*.

In volume one of *The Accursed Share, Consumption*, the concept of sovereignty is presented within the definition of a general economy in which, precisely, “the ‘expenditure’ (the ‘consumption’) of wealth, rather than production, [is] the primary object” (Bataille 1991: 9). Sovereignty, which will be given as “primordial” and irreducible in the third volume of the work (Bataille 1993: 284), is here described as “man’s return to himself” (1991: 140). However, it seems to me that sovereignty is neither primordial/irreducible, nor is it a return. What is primordial and irreducible is a being-there, an open and perhaps disquieting sense of finitude, the solitude which more than with sovereignty can be equated with subjectivity, the many solitudes which posit the conditions for the coming of language culture and a world, the common obscure intuition of a project and a *telos*, dictated by need and desire, to which labor will give content and form. Similarly, the return cannot be to sovereignty or be sovereignty itself; it must instead reach into something more essential than sovereignty (which is, as we have seen, a useless concept) — perhaps a return to a labor without sovereignty, a life without sovereignty: a return that for now we can only term aesthetic-ethical. But it is the nature of such a return that we need to understand and describe.

Bataille’s inversion of the primacy of the terms of political economy on the one hand and of ethics and political philosophy on the other, that is, his emphasis on consumption rather than production and on that which does not serve (the sovereign) rather than the useful, has the unwanted consequence of obscuring the importance of his discovery of a radical subjectivity, arising with the “effervescence of life” (p.10), arising *as* that effervescence, pure movement, dynamism, and (excess of) energy. This *radix* that Bataille is nonetheless able to point out requires that — if it is to be fully grasped and experienced — the ontological structure of its constitution be also shown. This structure cannot be other than a *neither/nor* that neutralizes all thought of a primacy and that, in particular, discards the concept of sovereignty as well as the idea of a relationship of opposition between production and consumption (for, as Marx shows in the *Grundrisse*, they cannot be understood in that relationship but as moments of the same process, and one cannot be without the other). Only thus will this radical subjectivity, which is the real object, as well as the subject, of Bataille’s work, acquire full stature and luminosity.

To be sure, Bataille takes important steps in that direction, but it does not seem to me that he actually gets there. Thus, when still in the preface he introduces the notions of “productive expenditure” and “nonproductive expenditure,” he does not theorize the neutrality of consumption and/or production. And yet he is on the way toward it, that is, toward the logic of neither/nor, as the following passage clearly shows: “But real life, composed of all sorts of expenditures, knows nothing of purely productive expenditure; in actuality, it knows nothing of purely nonproductive expenditure either” (p. 12). But Bataille does not realize that he is using “productive” and “nonproductive” in a sense dictated solely by the logic of capital, and that only by following the route of their double negation an exit from that logic could be found.

The ambiguity between political economy and other aspects of life is all contained in Bataille’s central notion of *surplus*. Indeed, when surplus is used as excess of energy in the general sense of life activity, it has a different value than when it is used as a strictly economic category. In fact, not all economies are based on the existence (the production and consumption) of a surplus. As M. Sahlins says in *Stone Age Economics*, “The DMP [Domestic Mode of Production] is intrinsically an anti-surplus system” (1972: 82; brackets added). To this we must add that the notion of excess of energy is always problematic. In fact, how can energy be excessive? Or perhaps a better question would be: In what sense can one speak of excess? The answer to this question is that one can speak of excess only in a relative sense. Absolutely, there is no excess, as there is no surplus. The problem, rather, is finding the proper channels of use for what is otherwise understood and expended as excessive. Life needs all of life’s energy. The world could use the excessive, as it could use the extraordinary. In fact, neither one nor the other has to be constructed as such, but both of them could be liberated into practical and poetic use in the construction of a different everydayness, one in which, above all, there is no longer poverty. The anti-surplus system proper to the domestic mode of production of which Sahlins speaks is not one in which there is scarcity, but rather one in which an adequate balance between production and consumption is attained. In such a system, energy is not wasted, but it is put to a different use, and that is, the construction of *the good life*. Certainly, it is not the capitalist system that can serve as a model for the equilibrium proper to the concept of the good life. With its unevenness between

production and consumption, its pathologies within the sphere of circulation and in distribution, its crises due to overproduction, its constant drive for profit and its intrinsic need of a system of exploitation, capitalism is bound to create a logic of surplus and excess which is then often accepted in the light not of its contingency, but of a metaphysical necessity — as if life itself were excessive. But life is what it is, and even in its effervescence and explosions moves from the neutrality of its potency, as Spinoza notably shows. This potency knows nothing of excess or surplus. It then falls upon men and women in the world to choose between a way of immanence, a materialist thought, or that which points to a beyond — to which excess and surplus also belong — typical of traditional metaphysics; to choose, that is, between this earthly plenitude, the many earthly plenitudes of our finitude and contingency, or the path that leads into nothing, already forbidden by Parmenides himself.

Perhaps we can say that Bataille's emphasis on consumption is too strong. Certainly, as Marx (1973) shows, consumption is part of production, and there is *expenditure* in both. But consumption cannot be hypostatized; it cannot be understood outside of the process of production. The point is, obviously, that of distinguishing between ways in which production takes place, that is, modes of production. Thus, even the gift economy described by Marcel Mauss (1990), which has consumption as its central moment in the form of the potlatch, is understood as a system of production and reproduction — not of inert commodities, of course, but of living social and spiritual relations which the things exchanged precisely produce. This shows that consumption does not happen for its own sake, but, as Marx says, it is itself productive — though not necessarily in a capitalist sense. Bataille is not mistaken when he describes the *profitless* way in which consumption as freedom and as destruction takes place. Indeed, he points out that “[f]rom the standpoint of profit the pyramid is a monumental mistake” (1991: 119). Yet, “profitless” is not the same as “useless.” And once the latter category is redefined and broadened, the act of consuming in freedom and destruction may have a higher value, from a social and spiritual point of view, than the mere and “proper” use of what has been produced — when “proper” is taken in its most empirical and commonsensical way. In fact the proper use of something is that which engenders the trajectory of a return, which is the only route to a renewed subjectivity: the return to itself

of energy, that for which alone there was expenditure — a return that requires an act of productive consumption, “productive” because upon the return a space of difference, not one of identity, opens. Bataille is aware of this, and in the preface to the second volume of *The Accursed Share* he says that he wants to show that “it is *useful* to have useless values” (1993: 16). These useless values, the values which are consumed outside of a relationship of servility, are subjective values. The subjectivity so linked to consumption is what Bataille calls sovereignty.

For Bataille, in the modern world, sovereignty is the return of human dignity, what might counter the process that reduces human beings to things, reification (1991: 131). This is a concrete possibility, for, notwithstanding the reduction to a thing brought about by alienation, “thought does not at all abandon, in the face of industrial development, man’s basic desire to find himself (to have a sovereign existence) beyond a useful action that he cannot avoid” (p.134). Here again we see the problem caused by the separation of the unity of life activity into the two different spheres of the useful (that which serves) and of the sovereign (that which does not serve). Unaware of the problem, Bataille believes that sovereignty is the same as the “free disposition of himself” that for Marx “man” will acquire in the communal mode of production. Bataille says that in this situation a “new chapter would begin, when man would finally be free to return to his own intimate truth, to freely dispose of the being that he *will be*, that he is not because he is servile” (pp. 135-136). However, what here really opens up is the space, not of sovereignty, but of potentialities and the *could*, hence of real freedom. In fact, to see sovereignty as “man’s return to himself” (p. 140), or to speak of “the return of being to full and irreducible sovereignty” (p. 189), that is, to say that the return is that whereby a distance and a relation of externality is created, a measure of power is imposed by man over himself, is, as Maritain notes with respect to the notion of the sovereignty of the people, “nonsensical” (1951: 44). In the notion of human beings making a decision about themselves, yet “separately from themselves and from above themselves” (*ibid.*; emphasis removed) — as it would be the case in a situation of sovereignty, the structure of servility remains, and it is only freedom that is lost.

The concept of the return, which together with that of negation is very important in Bataille’s philosophy of the “totality of the possible” presented in the second volume

of *The Accursed Share* (1993: 77) — or the “totality of the Real,” which is the same as the object of desire (p. 111) — does not show its full capacity if only employed in the movement toward sovereignty. I cannot here deal extensively with Bataille’s use of the dialectic to trace the twofold movement of the return. However, it is important to say that there is, first, a negation of nature, the negation of the given as a revolt and a refusal, and, at a later stage, the negation of that negation, one whereby nature is not found again in its purity, as it were, but rather as “transfigured by the *curse*, to which the spirit then accedes only through a new movement of refusal, of insubordination, of revolt” (p. 78). The negation of the negation, which opens the space of the *sacred* (or divine), of nature transfigured — a movement of transgression — is an apparently solely destructive movement, but it is in reality a movement toward freedom, the movement of the revolution. It is the elimination of any sovereign condition, not its implementation and upholding; it is the elimination of the exception, which is one with the sovereign (as Carl Schmitt notably holds), precisely because everything becomes exceptional, extraordinary. If we need a name, we call it *haecceitas* and say that it is, not a regime of exception (pointing toward a transcendence of sort), but the regime of the *principle of individuation*, an immanent movement, which, insofar as it individuates the specificity of the human being, that is, its singularity, gives rise to the condition of subjectivity. Individuation, not sovereignty, names the condition of the subject and constitutes its ground. This must be so if one is to avoid solipsism and be instead able to see, in the complex reality of subjectivity, the commonality and universality which it always carries with it. In this sense, Paolo Virno speaks of a “*pre-individual reality*, that is to say, something common, universal and undifferentiated” (2004: 76) that lies at the origin of the process of the constitution of subjectivity. This pre-individual reality is for Virno biological, linguistic, and historical, that is, having to do with the “prevailing relation of production” (p. 77). With a reference to the French philosopher Gilbert Simondon, Virno explains that “*individuation is never concluded*, that the pre-individual is never fully translated into singularity” (p. 78). Thus, Virno says that “according to Simondon, the *subject* consists of the permanent interweaving of pre-individual elements and individuated characteristics; moreover, the subject *is* this interweaving” (*ibid.*). We see how distant this is from a theory of sovereignty and of exception, where what is singular

and unique would stand by itself, hypostasized in the most traditional sense of metaphysics, necessarily needing what is not sovereign. In fact, singularity itself cannot be thus hypostasized. Virno says: “It would be a serious mistake, according to Simondon, to identify the subject with one of its components, the one which is singularized. The subject is, rather, a composite: “I,” but also “one,” unrepeatable uniqueness, but also anonymous universality” (*ibid.*). To say that the subject is “I,” but also “one” does not imply, of course, that it is the result of the juxtaposition of two unrelated elements. Rather, the emphasis is on the concept of interweaving. This is what makes the subject. This, not identity or identification, is what individuation brings about. Thus, as the movement toward freedom (and dignity), as the movement of the revolution, the return does not lead toward sovereignty and power, but rather toward its dissolution or anti-power (dignity), as used by John Holloway in *Change the World without Taking Power* (2005). In Holloway too, the revolutionary subject is something different from a mere “I,” or from any other identitarian formula. He calls it an “undefined, indefinable, anti-definitional ‘what’” (p. 150), exemplified by the faceless Zapatista rebels. What this *structure*, this *interweaving*, names is the capacity for autonomy, that is, the ability to follow the law dictated by the return itself — a return to human dignity. It is a law which speaks with one voice, the voice of human dignity, and in this sense it is univocal, universal and common. But this autonomy, which comes to full light in the solitude of the return, and which can be approximated to an idea of self-discipline and self-governance (but even these concepts fall short of saying what it is), has nothing to do with sovereignty, nothing to do with power as domination, nor does it reproduce the structure of which servility is necessarily an element.

Bataille also uses the concept of autonomy, which, he says, is “the same thing as man himself” (1993, 91). But the problem is, precisely, that he equates it with the concept of sovereignty. The same is true of the concept of the totality, in which, outside mere intellectual life, one finds the unity of subject and object. But this is, again, a *sovereign* totality for Bataille. The concept of *surplus*, or excess, is fundamental in the constitution of these realities: autonomy, sovereignty. As it is fundamental to Bataille’s emphasis on eroticism: it is the consumption of the surplus (of production) that constitutes the concrete totality in which man loses himself (p.119), precisely by

accomplishing the return. However, the return, to what is sacred or simply animal, the return to a transfigured self, eludes the concept of the sovereign because the surplus, the excess, the “more” that opens what-is to its hidden potential, always happens in the modality — to borrow an expression from William Burroughs — of “not really being there.” This is not, of course, in line with Bataille’s understanding of the erotic experience, where the other too obviously occupies the place of the object. It is rather a situation in which the other displaces one’s subjectivity by re-constituting it — really, this is the return, what returns, which is never the same, it cannot be the same. But precisely because of this, all claims to sovereignty are lost. The concrete totality, made of possibilities in addition to what-is, as well as the autonomy of a transfigured subject, a transparent agent, remains. But how could the self-determined movement of what being displaced returns be sovereign? Of course, Bataille’s concept of sovereignty is different from the Schmittian concept, and, in Bataille, the sovereign does not decide on the exception. But as we have seen with Maritain, there really is no need of this term once it is voided of its conceptual substance. Instead, what being displaced returns, what strives to end its state of alienation, the subjectivity of labor regaining its hidden power, crosses the totality of a waste land, where the excess, the surplus, the potential, the “more,” seem to have imploded: this is, yes, the sign of sovereignty, as real subsumption to be sure (all is subsumed under what-is; the potential of labor under capital), but the point, precisely, is to go against it and found something new.

3.

Bataille tries to move beyond old conceptions of power and domination without renouncing sovereignty. To the contrary, and precisely by identifying in the renunciation of sovereignty the new form of sovereignty itself, he upholds it as coterminous with subjectivity and communism. Traditionally, sovereignty and domination are different concepts. There can be domination without sovereignty, but there cannot be sovereignty without domination. Sovereignty is the way in which domination is institutionalized.⁶ In his unorthodox use of the concept, Bataille opposes sovereignty to labor and servitude in a way that echoes Hegel’s dialectic of master and slave, of desire and labor, but is really a

⁶ In this sense, see Hinsley (1966).

Nietzschean torsion of it. In fact, for Hegel, the slave is the ultimate bearer of power — the power of labor whereby the dialectic is overturned. Labor becomes the mediation between dependence and independence. In fact, “work forms and shapes the thing” (Hegel1977: 118), where the thing is the object of the master’s desire. The thing has the character of *independence*, which desire fails to attain in an immediate fashion. By interposing the mediating action of the slave between the desire of the thing and the thing’s independence, the master leaves the latter to the slave, “who works on it” and “takes to himself only [its] dependent aspect and has the pure enjoyment of it” (p. 116; brackets added). However, the slave “*qua* worker, comes to see in the independent being [of the object] [his] *own* independence” (p. 118; last brackets added). Indeed, the slave “realizes that it is precisely in his work wherein he seemed to have only an alienated existence that he acquires a mind of his own” (p. 119). Alexandre Kojève is correct in saying that “in the long run, all slavish work realizes not the Master’s will, but the will — at first unconscious — of the Slave, who — finally — succeeds where the Master — necessarily — fails” (1980: 30). However, with Bataille’s confusion between the “useful” and the “servile,” that is, with his inability to distinguish, in what opposes sovereignty, the two — up to a point intertwined — moments of liberating labor and mere servitude, things must stand under a completely different light. By offering this criticism of Bataille I do not mean to imply that a transitional period of “mere servitude” is acceptable in view of a liberated future. Rather, I mean to challenge the view that labor is absolutely the same as servitude, and that liberation means liberation from labor, rather than through labor. In his study of sovereignty, Bataille says: “What distinguishes sovereignty is the consumption of wealth, as against labor and servitude, which produce wealth without consuming it” (1993: 198). He is referring here, more specifically, to the consumption of the *surplus* of production, the excess. He continues: “The sovereign individual consumes and doesn’t labor, whereas at the antipodes of sovereignty the slave and the man without means labor and reduce their consumption to the necessities, to the products without which they could neither subsist nor labor” (*ibid.*). If this were simply a description of economic and social life under capital, then it would be accurate. The problem is that for Bataille the exit from this situation does not depend on the potentialities of labor and useful doing, but rather on the unequivocal triumph of the

already dominant modality of sovereignty, though conceived in a non-traditional way. Bataille says: “Let us say that the sovereign (or the sovereign life) begins when, with the necessities ensured, the possibility of life opens up without limit” (*ibid.*). But it is easy to see that this is a description, not of sovereign life, but of the good life for everybody. I must repeat what I have already said: sovereignty only works within a logic of domination, and it is that logic’s institutional form. The logic of domination cannot allow the good life for everybody, for that would be a contradiction in terms. However, necessities should generally be ensured, and the limitless potentialities of life should open up for all. Bataille is absolutely correct in pointing out this need, in suggesting this possibility. But he is mistaken in thinking that this should or could happen under the aegis of sovereignty, in the form of sovereignty. The mistake lies in the equation of utility and productivity, for, as he says “...we may call sovereign the enjoyment of possibilities that utility doesn’t justify (*utility being that whose end is productivity itself*)” (*ibid.*; emphasis added). But this is incorrect; first, because, if anything, productive activity is that whose end is utility, and second because, particularly under capital, the link between means and end is suspended. Bataille concludes: “Life beyond utility is the domain of sovereignty” (*ibid.*).

If it is true that the worker “works in order to eat, and he eats in order to work” (p. 199) — a truth which is at the basis of the Marxian notion of alienation — it is not as true that eating without working — as Bataille’s concept of sovereignty suggests — would be the solution. Even when one agrees that it is important “to enjoy the present time without having anything else in view but the present time” (*ibid.*), it is difficult to see why this present time should not also include the moment of labor — of non-alienated, creative labor, of course — and why Bataille would call this enjoyment, again, “sovereign”.

Bataille presents a generic conception of alienation, and his critique of production does not have to do with the specificity of capital, but it is a critique of production as such. Thus, when he thematizes the question of time, and particularly the time of labor, he does not see the difference between the reification always taking place under the capitalist mode of production and the “liberating activity” which, according to Marx, labor, as an “overcoming of obstacles,” essentially is (1973: 611). Bataille says:

In efficacious activity man becomes the equivalent of a tool, which produces. The implication of these facts is quite clear: the tool's meaning is given by the future, in what the tool will produce, in the future utilization of the product; like the tool, he who serves — who works — has the value of that which will be later, not of that which is. . . . The basic loss of value resides in the fact that man becomes a thing. Not entirely perhaps, but always (1993: 218).

Linked somewhat incongruously to the theme of death, the anguish of death, this passage shows once again Bataille's confusion between 'use' and 'servility', production as creation and production as subordination.⁷

The world of subordination is the world of practice, which is opposed to sovereignty (p. 222). Certainly, and notwithstanding my criticism, Bataille says something important and that goes to the innermost depth of social life and existence in general. Thus, it is true that "the laboriously peaceful life" (p. 221) must be refused in order to exit a world of practice as subordination; and so must the fear of death. Obscured by the language of sovereignty, what Bataille says still points to a radical ontology which, notwithstanding his attacks on "humiliating labor" (p. 227), can be called ontology of labor. Indeed, all humiliating labor, all servility, must be eliminated — in this Bataille is absolutely correct. However, what remains after that elimination, is not mere passivity, consumption, and thing-like existence. The subjectivity that Bataille ascribes to the concept of sovereignty, the individual form of activity, creative, poetic doing, far from being negations of the concept of labor as such, negate, precisely, the logic of domination, the world of subordination institutionalized in the form of sovereignty. Bare life may very well be what stands opposite sovereign power and thus completes its concept; but this is so precisely from the point of view of one and the same logic — the logic of sovereignty. Outside it, there is the active life, of doing and labor, geared toward the joy, the happiness, otherwise denied. This is true not only from the point of view of the ethics of individuality, but also from the world historical perspective,

⁷ The theme of death, the fear of death, is also central in Hegel's dialectic of master and slave. It is only after that experience that the slave's process of self-recognition begins. For Bataille it is only what impedes sovereignty.

or the general economy with Bataille, of those agglomerates, those “cold monsters” for Nietzsche, that go under the name of states. But here we see how necessary the elimination of sovereignty becomes, for as F.H. Hinsley explains, “the origin and history of the concept of sovereignty are closely linked with the nature, the origin and the history of the state” (1966: 2).

After a critique of traditional sovereignty, in which he also presents the axiom that “Nothing sovereign must ever submit to the useful” (1993: 226), Bataille challenges the fact that sovereignty be reserved for the exception — a “slippage,” he calls it (p. 239). Sovereignty should instead be the ordinary and universal condition, but this precisely makes the concept irrelevant and useless. For instance, he defines sovereignty as “being generally the condition of each human” (p. 282). Sovereignty is then the same as subjectivity, or, more precisely, individuality. It takes on the form of traditional sovereignty when it becomes the prerogative of one subject for whom all others are objects who recognize him (in the Hegelian sense, says Bataille in a footnote) as the sovereign, while recognizing themselves in him. But it can also take on a more diffused, common form when each person is a subject and thus sovereign (pp. 241-246).

Bataille should here distinguish between sovereignty and subjectivity, and his analysis would truly acquire a radical, revolutionary character. He should do so also because he is aware that “the world of sovereignty as a whole” (p. 252) must be opposed. But why oppose sovereignty with sovereignty? The “categorical no” that the rebel says (there is here a reference to Albert Camus) may very well be “the full truth of the subject” (*ibid.*). It is certainly a decision, but it does not follow from this that there is something sovereign in it. True, the decision separates, but the separation points to a condition of individuation and simple difference, not to one qualified as a position of superiority and supremacy, which is what sovereignty always necessarily implies. Bataille’s equation of sovereignty and subjectivity, that is, the modality whereby sovereignty becomes ordinary and common, finds its truth in the concept of communism. For Bataille, sovereignty as subjectivity is “no longer alive except in the perspective of communism” (p. 261). And he defines communism as “that vast world where what is sovereign must come back to life, in new forms perhaps, but perhaps in the most ordinary form” (p. 262). We have already seen the conceptual problems associated with this idea

of sovereignty, or with sovereignty in general. To this, we must add Bataille's very acritical appreciation of communism in the Soviet Union and under Stalin — acritical also because of his equation of the sovereign with the unproductive. Indeed, Bataille sees in the unproductive the only alternative to the productive. He thus misses the truth that the category of the unproductive forms part and parcel of the same logic of productivity that privileges the productive. He does not even consider the more fundamental, ontological category of the “not productive” (Marx 1973: 308), or what I have called “neither-productive-nor-unproductive,” that is, the logic of neither/nor, of neutrality, which constitutes the ontological ground of productivity *and* unproductivity under capital, as well as of forms in which production is immediately a creative act (Gulli 2005). To be sure, a move in that direction takes place in Bataille with the concept of *renunciation*, which really goes past the dichotomy of the productive and unproductive. Here, Bataille comes close to giving up completely the concept of sovereignty. But, rather awkwardly, he gives it up while retaining it as the most fundamental category of his general economy. Thus, after having argued that there is nothing personal in sovereignty, that it is not “the autonomous decision of an individual” (1993: 311), he says that the task of the individual is, precisely, to renounce sovereignty “in a sovereign manner” (325). If traditionally one renounced sovereignty by giving it to another (e.g., the king), the new sovereignty requires renunciation as such, for its own sake: sovereignty is placed in renunciation. But the truth is that, renounced in a sovereign manner, sovereignty is, in the last analysis, not renounced at all.

4.

The idea of this essay was to examine Maritain's and Bataille's views of sovereignty in order to show the inadequacy of the concept in the sphere of radical political ontology and of the ontology of labor in particular. I have chosen Maritain because through his analysis, based on a philosophy of transcendence, and perhaps precisely because of this, the irrelevance of the concept of sovereignty in political thought is made absolutely evident. Maritain does not renounce all forms of sovereignty. He says that sovereignty belongs only to the sphere of the spiritual, of theology, of transcendence. For him sovereignty means absolute separation and a standing outside of

the order upon which it is imposed. However, the supreme political authority, which for Maritain belongs to the state, is at the peak of that order, but it essentially belongs to it, and it derives its nature from it. I accept Maritain's elimination of sovereignty from the political sphere and his emphasis on full autonomy and self-sufficiency. But I disagree with him as to the necessity of the state institution endowed with supreme authority. It can be argued that this authority is still another name for sovereignty, and that, therefore, Maritain undoes what he has accomplished.

I have then dealt with Bataille because his work presents a very unusual notion of sovereignty, equated in turn with consumption, subjectivity, communism, and finally the renunciation of sovereignty itself. The merit of Bataille's philosophy is that it moves on the plane of immanence and contingency and it struggles to forge a completely new vision of human existence — one that touches upon the sacred and the animal aspects of it, without privileging either. Yet Bataille's argument for a new notion of sovereignty is not successful. When he speaks of renouncing sovereignty in a sovereign manner, his attempt to move beyond a commonly accepted view, a strong prejudice in philosophy and political thought whereby the lack of sovereignty is a sign of servility, becomes very clear. He certainly means that sovereignty must be renounced without exchanging it with servitude. But there are two problems here: one, with which I have extensively dealt above, has to do with his equation of labor with servitude and their opposition to sovereignty; the other, which directly follows from the former, has to do with the idea that there is no exit from the sovereignty/servility dichotomy other than the paradoxical figure of a symbolic renunciation.

My view is that the dichotomy itself collapses as soon as one renounces one of its terms. The elimination of servility is also the elimination of sovereignty, and sovereignty itself, a rotten concept no matter what form it takes on, becomes absolutely useless when, to refer to Hegel again, the dialectic of master and slave is overturned. In fact, more than an overturning there is here a dismantling of the whole machinery of domination. The labor that remains, which "forms and shapes the thing," is neither servile nor sovereign. It is the common, ordinary labor that founds a new, immanent plenitude.

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