

Toward a Minor History of Neofascism and Hate in Postfascist Society

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ABSTRACT

This dissertation examines the repertoire of governmental responses to neofascism and hate in post-World War II Europe and North America, focusing on the way in which they are problematized within the contexts of democratic political behaviour, free and restricted speech, criminality, and multicultural relations. Materials examined include academic literatures, state commissioned reports, media coverage, court cases, remedial programs for hate offenders and autobiographical materials. Governmental responses are marred by a series of impasses that demonstrate the constitutive inability of post-war authorities to respond to the political element at the core of neofascism and hate. Attempts to address them as pathological social phenomena or simply as criminal or legally actionable forms of speech and behaviour fail to recognize their properly *political* force. In particular the neofascist problem reveals the limits of, and what occurs at the limits of, the technological mode of government, the biopolitical administration of life, and the sovereign structure of political community. This phenomenon has been the uncanny product of *postfascist society*, a society whose ethico-political structure revolves around the express prevention of the return of Fascism in its various guises. It institutionalizes and naturalizes the cut produced by Fascism's exclusion from legitimate politics, inadvertently creating the conditions for neofascist revivals that exploit the discontents of this process. To initiate the critical thought necessary to prepare a way out of the impasses of postfascist politics – to begin to think what it would mean to live in a *non-fascist* as opposed to a postfascist society - - I present a minor analysis of the lines of transformation that animate the relationship between postfascism and neofascism. This analysis reveals the diabolical properties of the emerging politics of the exception, a politics with clear analogues in the current 'war on terror,' in which the distinction between Fascism and liberal democracy becomes increasingly difficult to sustain. It also reveals a line of becoming that indicates the possibility of embracing a truly nonfascist sociality. The pathway beyond fascism does not and cannot pass through the repertoire of postfascist solutions but only through a singular assemblage of revolutionary forces that would have as their effect a *non-fascist* form of life.

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Thank you Edith and Samuel.

Preface

After-Auschwitz

The exception is more interesting than the rule.¹

Whoever fights monsters should see to it that he does not thereby become a monster.²

My working hypothesis will be that the peculiar capacity of Hate speech to communicate and for forms of neofascism to function in the specific ways that they have done in recent years is contingent on the means by which Fascism has been marginalized throughout the postwar period. This is of course an irony because it was felt that only through the relentless suppression of Fascism that universal principles of *humanity* could transcend the condition of irrational violence and provide the basis for a new world order. As Adorno put it in *Negative Dialectics*, the anti-fascist pact that decided the war also contained the immanent demand that thought and ethical practice rethink the ethico-political contract that would govern postwar life. "A new categorical imperative has been imposed by Hitler upon unfree mankind: to arrange their thoughts and actions so that Auschwitz will not repeat itself, so that nothing similar will happen."³ The form given to postwar democratic community has been defined by this ethico-political claim in as much as it has been defined by anything: a claim we will call the after-Auschwitz ethic. This was the logic behind what Hannah Arendt felt was the one impressive juridical innovation of the Nuremberg Trials: the category of crimes against humanity.⁴ It was at this point that Fascism and inhumanity were permanently linked.

Today however, it is as if that which was disavowed for so long has become, through a series of mysterious circumstances, one of the singular siren calls that define the current epoch. This is the strange fruit of our failure to think clearly about the

¹ Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Cambridge, Mass.: MIT Press, 1985 (1922)), p. 15.

² "Wer mit Ungeheuern kämpft, mag zusehn, daß er nicht dabei zum Ungeheuer wird." Friedrich Nietzsche, *Jenseits Von Gut Und Böse* (Frankfurt: Insel Verlag, 1984), IV: 146, p. 82.

³ Theodor W. Adorno, *Negative Dialectics* (New York: Seabury Press, 1973), p. 365.

⁴ Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (New York: Viking Press, 1965), p. 255.

fascist phenomenon after the defeat of the Nazis or about the meaning of the gesture towards the universal contained in the juridical concept of crimes against humanity. While Fascism remains murky and dimly understood so does the concept of humanity that has been the ethico-political cornerstone of liberal democratic responses to it. Instead of an order firmly grounded on the lessons of the Nazi experience and the Holocaust, what has emerged over the last 20 years is an experience of the world vastly more unstable, vastly more dangerous; where those in the heart of Europe especially are forced to confront a nauseating return of fascist violence at the core of their societies, to wonder who they are again in the absence of the comforting modes of distanciation which had enabled the violent legacy of fascism to be safely expelled from their homelands.

There are two further elements to this claim: firstly, that even uncompromisingly liberal or democratic responses to Fascism have been complicit with the resurgence of neofascism as a return of the repressed; and secondly, that the entry into what might be called a non-fascist era can only begin by demarcating and deconstructing the singularity of the neofascist assemblage -- that which links the fascist utterance and responses to it to a variety of sites, themes and technologies of power in modern political community. We need to rethink how our responses to Fascism and neofascism, which alternate between the dogged affirmation of liberal democratic juridical principles and procedures and the demand for Fascism's unqualified suppression through anti-fascist direct actions, operate on an unexamined and pre-established ethico-political position. We need to rethink the processes of codification, distanciation and government through which we understand Fascism today.

For its part, liberal democratic politics responds to neofascism as a limit case to its own administrative rationality and normative conditions of rule. It has come to mark a border between legitimate and illegitimate political expression. In this respect Fascism becomes a classic constitutive other in postwar politics: an impossible

remainder or exception from another era which must be excluded, opposed and denounced but which, by persisting, profoundly “makes trouble” for the naturalness, lawfulness, universality and ethical certainty of the liberal democratic project. This experience of modern politics and its limit is a sign of our rootedness in what could be called a postfascist culture: a culture still crucially defined in important respects in relation to Fascism.⁵

An era *beyond* Fascism awaits a new clarity regarding the relationship between Fascism and modern postwar politics, one in which, to paraphrase Michel Foucault, we might find ourselves less interested in reestablishing the limits of political legitimacy and more in the promise of an other freedom to be discerned in the events through which these limits came to be formed.⁶ Consequently, it is not sufficient to accept that neofascism has been or continues to be a marginal political program. We must be willing to inquire into the way that neofascist events actually redefine the sites of political expression; how the neofascist assemblage opens on one side onto the preestablished strata that define the political coordinates of liberal democracy (totalitarianism/democracy, tyranny/freedom, irrational violence/reason, race hatred/humanity, etc.) while on the other it opens onto those processes which are continually dismantling these coordinates, carrying our forms of life and sociality towards unassigned territories and unforeseeable destinies.⁷ To the degree that the issue is misrepresented, Fascism will continue to find the symbolic resources to make its appeal.

⁵ For the term “postfascist culture” as used here see Reed Way Dasenbrock, “Slouching toward Berlin: Life in a Postfascist Culture,” in *Fascism's Return: Scandal, Revision, and Ideology since 1980*, ed. Richard Joseph Golsan (Lincoln: University of Nebraska Press, 1998). The rootedness and continued complicity of the contemporary cultural and ethico-political form of life in the 20th century experience of Fascism, Nazism and the Holocaust is the subject of a large literature on the question of what it means to live “After Auschwitz.” For a summary of this literature, see Rolf Tiedemann, “Introduction,” in *Can One Live after Auschwitz? A Philosophical Reader*, ed. Rolf Tiedemann (Stanford, Calif.: Stanford University Press, 2003). David Carroll, “Foreword,” in *Heidegger and “the Jews”* (Minneapolis: University of Minnesota Press, 1990). Naomi Mandel, “Rethinking ‘after Auschwitz’: Against a Rhetoric of the Unspeakable in Holocaust Writing,” *boundary 2*, no. 28 (2001).

⁶ See Michel Foucault, “What Is Enlightenment?,” in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon Books, 1984).

⁷ See Gilles Deleuze and Felix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia* (Minneapolis: University of Minnesota Press, 1987), p. 4.

1.0 On the Antinomies of Neofascism

1.1 *The Return of the Repressed in Social Life*

Today it seems that, along with the protracted political stasis that characterized the Cold War era, the anti-fascist pact that defined postfascist society is slowly disintegrating. What has appeared to return over the last two decades of the 20th century is the effectiveness of Fascist ideologemes¹ for re-imagining the political nature of contemporary society and for asserting “solutions” for its endemic problems.

This is perhaps most clearly demonstrated in the evolution of neofascist discourse itself. Recent neo-Nazi and skinhead violence seems disconnected from the classically Fascist libidinal economy structured by the fantasy that the deindividualized little man will be restored to fullness in the violent collective destiny of leader, nation and state.² Rather it becomes effective as a contact high or an exercise of “excessive, non-functional cruelty:”³ a temporary phantasmagoric means for addressing the problems of otherwise non-viable and thoroughly decentred young male identities. The violence and ideology are “just for kicks.”⁴ In a sense the neo-Nazi accepts the

¹ By “ideologeme” one refers to the smallest possible unit of ideological signification. It is used here to indicate each element’s independence within the family of elements that are usually used to define Fascism as an ideology. Jameson for example uses the concept of the ideologeme to refer to the “minimal units” or conceptual “raw material” in literary narratives which link the “pseudoideas” that are part of the literary theme to the “protonarratives” that (potentially) express class antagonisms and class “fantasies.” Frederic Jameson, *The Political Unconscious: Narrative as a Socially Symbolic Act* (Ithaca, NY: Cornell University Press, 1981), p. 87. Julia Kristeva uses the term in a similar way to indicate the minimal elements that work as organizing functions, principles of transformation, and sites for a text’s implication in the wider social and historical collection of texts (the “intertext”): Julia Kristeva, “From Symbol to Sign,” in *The Kristeva Reader*, ed. Toril Moi (New York: Columbia University Press, 1986). A similar concept is at work in the 14 elements Umberto Eco uses to define “ur-fascism.” Each element indicates “a way of thinking and feeling, a group of cultural habits, of obscure instincts and unfathomable drives” that exists as a proto-ideological emotive basis for Fascism. Umberto Eco, “Ur-Fascism,” *The New York Review of Books*, June 22 1995, p. 12.

² Theodor Adorno, “Freudian Theory and the Pattern of Fascist Propaganda,” in *The Essential Frankfurt School Reader*, ed. Andrew Arato and Eike Gebhardt (New York: Urizen Books, 1978 (1951)).

³ Slavoj Žižek, *The Ticklish Subject: The Absent Centre of Political Ontology* (London; New York: Verso, 1999), p. 201.

⁴ One of the motives in McDevitt and Levin’s typology of hate crimes: “thrill crimes” “triggered by an immature desire to display power and to experience a rush at the expense of somebody else”. Jack McDevitt, Jack Levin, and Susan Bennett, “Hate Crime Offenders: An Expanded Typology,” in *Hate and Bias Crime: A Reader*, ed. Barbara Perry (New York: Routledge, 2003), p. 111. See also first person accounts by young neo-Nazis such as those reported in Robin Ostow, “Ne Art Bürgerwehr in

postmodern condition by rejecting the grand narrative of Nazi ideology – the coming homogeneous *Volksgemeinschaft* -- while nevertheless defining a more effective *political* position by challenging the state's "monopoly of the legitimate use of physical force," no matter the ideological content of the cause.⁵ This is done characteristically by terrorizing immigrant populations, by openly demonstrating in the streets, by attacking anti-fascist groups, by defiling cultural and religious spaces, by appropriating the banished symbols of the Nazi rule, and by ignoring juridical codes, working equally inside and outside the prison system.⁶

Similarly, the new racism, no longer posed in terms of a stubborn countermodernity or arguments based on biological rank, becomes effective in an era of identity politics by representing itself as an affirmation of the (eroded) rights and values of the "white race" rather than a hatred of the "coloured races." It simply "reflects" a new political realism concerning insurmountable cultural differences between natural communities, an idea already present in the tradition of ethical relativism in liberal anthropology.⁷ As Etienne Balibar puts it, in this new racism

Form Von Skins': Young Germans on the Streets in the Eastern and Western States of the Federal Republic," *New German Critique* 64 (1995). Or, in Ingo Hasselbach and Tom Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi* (New York: Random House, 1996).

⁵ See Hans Magnus Enzensberger, *Civil Wars: From L.A. To Bosnia* (New York: New Press, 1993), pp. 139-44. This "monopoly of the legitimate use of physical force" is of course how Weber distinguishes the specific nature of the modern state from other institutions and forms of association and is what Enzensberger sees at stake in neo-Nazi violence in Germany. Max Weber, "Politics as a Vocation," in *From Max Weber: Essays in Sociology*, ed. Hans Heinrich Gerth and C. Wright Mills (New York: Oxford University Press, 1946), p. 78.

⁶ George Steinmetz, "Fordism and the (Im)Moral Economy of Right-Wing Violence in Contemporary Germany," *Research on Democracy and Society* 2 (1994). Eliot Neaman and Hajo Funke, "Germany: The Nationalist Backlash," *Dissent* 40, no. 1 (1993). Marina Adler, "Xenophobia and Ethnoviolence in Contemporary Germany," *Critical Sociology* 22, no. 1 (1996). Christopher Husbands, "Militant Neo-Nazism in the Federal Republic of Germany in the 1990s," in *The Far Right in Western and Eastern Europe*, ed. Luciano Cheles, Ronnie Ferguson, and Michalina Vaughan (London; New York: Longman, 1995). Ruud Koopmans, "Explaining the Rise of Racist and Extreme Right Violence in Western Europe: Grievances or Opportunities?," *European Journal of Political Research* 30 (1996). John Hagan, Hans Merckens, and Klaus Boehnke, "Delinquency and Disdain: Social Capital and the Control of Right-Wing Extremism among East and West German Youth," *American Journal of Sociology* 100, no. 4 (1995).

⁷ Etienne Balibar, "Is There a 'Neo-Racism'?", in *Race, Class, Nation: Ambiguous Identities*, ed. Etienne Balibar and Immanuel Wallerstein (London: Verso, 1992). Pierre-André Taguieff, "The New Cultural Racism in France," *Telos* 83 (Spring 1990). Martin Barker, *The New Racism: Conservatives and the Ideology of the Tribe* (Frederick, Md.: Aletheia Books, 1981). Alan de Benoist, "Three

culture also functions like a nature, "a way of locking individuals and groups a priori into a genealogy, into a determination that is immutable and intangible in origin." But it does so effectively only in an era of cultural identification, decolonization and of the "division of humanity within a single global space" when the questions of community-belonging and identity have become increasingly uncertain, and therefore increasingly *political*.⁸

Holocaust Denial and the constitutional defense of Hate Speech become effective in discourses by redefining themselves politically as means of protecting the sovereign space of private thought and action (or perhaps even the heterogeneity of language games) from the "totalitarianism" of political correctness and the encroachment of administration into the lifeworld.⁹ "For the sake of freedom, I ask you never to forget what is at stake here. The accused stands in the place of anyone who desires to speak his mind. Even if you don't agree with him, you must take it as a sacred responsibility not to allow the suppression of someone else's honest opinion."¹⁰ If the first irony of the marginalization of Fascism in the post war period has been the concomitant development of its peculiar political effectiveness, its capacity to put the self-evidence of the ethico-political categories of liberal democracy into question, the second irony has to be the infiltration of liberal democratic thought into the Fascist, or neofascist self-understanding. Holocaust Denial is a key strategic site in any politics

Interviews with Alan De Benoist," *Telos* (Winter93/Spring94). Geoff Harris, *The Dark Side of Europe: The Extreme Right Today* (Edinburgh: Edinburgh University Press, 1994). Howard Winant, "Behind Blue Eyes: Whiteness and Contemporary U.S. Racial Politics," *New Left Review* 225 (1997).

⁸ Balibar, "Is There a 'Neo-Racism'?", pp. 21-22.

⁹ Deborah Lipstadt, *Denying the Holocaust: The Growing Assault on Truth and Memory* (New York: Free Press, 1993). Pierre Vidal-Naquet, *Assassins of Memory: Essays on the Denial of the Holocaust* (New York: Columbia University Press, 1992). Paula Brook, "Freedom's Just Another Word...", *Saturday Night* 112, no. 9 (November, 1997). Dorothy E. Smith, "Politically Correct': An Organizer of Public Discourse," in *Writing the Social: Critique, Theory, and Investigations* (Toronto; Buffalo: University of Toronto Press, 1999). Roger Eatwell, "How to Revise History (and Influence People?), Neo-Fascist Style," in *The Far Right in Western and Eastern Europe*, ed. Luciano Cheles, Ronnie Ferguson, and Michalina Vaughan (London; New York: Longman, 1995).

¹⁰ From Doug Christie's final address to the jury in defending Ernst Zundel's right to publish the Holocaust denial pamphlet "Did Six Million Really Die?" as quoted in Gabriel Weimann and Conrad Winn, *Hate on Trial: The Zundel Affair, the Media, Public Opinion in Canada* (Oakville, Ont.: Mosaic Press, 1986), p. 26.

that would resurrect the Fascist tradition but it is a site in which the defenders of this tradition find themselves in odd coalitions with civil liberties organizations defending their constitutional right to freedom of speech and articulating their Fascist program through the hegemonic categories of liberal democracy. This site is in no small part the space that allows two distinct discourses in postwar Fascism to coincide: the fierce anti-state, individualist, or survivalist type of white supremacist *ethos* that was expressed most cogently in William Pierce's *Turner Diaries* and its evocation of a private guerilla war against the "Zionist Occupation Government" (ZOG) and the anti-Hate legislation, anti-desegregation, anti-affirmative action discourse that coalesces around the ideologeme of the extinction of the white race. The juridical mechanisms designed to criminalize Holocaust Denial, hate speech and hate crime become sites where the embattled and marginalized white man heroically defends his race against the anonymous and secretly manipulated mechanisms of a state apparatus bent on extinguishing and miscegenating the white race.

Finally, the ethnocentric and authoritarian platforms of the radical right become effective in electoral politics by politicizing immigration and adversarial culture respectively. The current orthodoxy is to argue that this cannot be understood except on a terrain defined by a new political cleavage structure in post-industrial, post-materialist Western democracies.¹¹ The postmaterialist politics of the new social movements – greens, feminists, gay rights, anti-racist, etc. -- is countered by a similarly postmaterialist constituency of neo-conservatives and über-neo-conservatives. Both sides of the postmaterialist cleavage offer solutions to the dismantling of community, techno-bureaucratic nihilism and hypermodernizing neoliberal economic policies by emphasizing "quality of life" issues rather than economic and security issues. Where

¹¹ Hans-Georg Betz, *Radical Right-Wing Populism in Western Europe* (New York: St. Martins Press, 1994). Herbert Kitschelt and Anthony J. McGann, *The Radical Right in Western Europe: A Comparative Analysis* (Ann Arbor: University of Michigan Press, 1995). Michael Minkenberg, "The New Right in Germany: The Transformation of Conservatism and the Extreme Right," *European Journal of Political Research* 22 (1992). Piero Ignazi, "New Challenges: Postmaterialism and the

the new social movements articulate their position around maximum individual autonomy, democratization and inclusive concepts of citizenship however, the New Radical Right calls for a new authoritarianism, limitations on diversity, and narrow, exclusive definitions of citizenship rights. Quality of life is linked to the discipline of life and in this way the new right political parties are able to abandon many of the corporatist policies of the old right and embrace the disciplines of the market and neoliberal platforms (i.e. the "cultural" discipline is embraced while the disruptive and chaotic effects of global capital and neo-liberal policies are ignored). They are new because they combine "promarket and authoritarian appeals"¹² as a backlash against the libertarian, democratizing and inclusive politics of the new social movements. From this perspective the new Fascism cannot be understood within the modern frame of 20th century ideological conflicts, but only on a postmaterialist terrain where aspirations to transform the fundamental nature of capitalist society have been supplanted by new antagonisms over 'choice' of lifestyle, quality of life, and cultural expression.

The picture which emerges from these transformations or adaptations of the Fascist paradigm is of a postmodern Fascism which is heterodox in form and ideology. It appears nevertheless to have a core 'articulation' which convincingly organizes a current set of concerns in a manner that appeals to a newly mobilized constituency of people.¹³ It would appear that the ideologemes themselves have been reassembled in a new *social machine* which is, no doubt, fueled by nostalgia to some degree but is also thoroughly of the present. The factor we need to consider is how this articulation is 'fixed' by, and how it becomes uniquely effective only within, postfascist liberal democracy. The core that unifies the heterodox elements of contemporary neofascism is defined the shifty parameters of the political, of the *political event* in which the

Extreme Right," in *Developments in West European Politics*, ed. Martin Rhodes, Paul Heywood, and Vincent Wright (New York: St. Martin's Press, 1997).

¹² Kitschelt and McGann, *The Radical Right in Western Europe: A Comparative Analysis*, p. 20.

¹³ On the "organizational complexity and ideological heterogeneity" of postwar Fascisms see Roger Griffin's overview and attempt to produce a typology of nostalgic fascisms, mimetic fascisms, and neo-

ethico-political order of postfascist society is exposed and put into question. To elaborate further, I would argue that the core of neofascism is not ideology, not atavistic or material interests, nor nostalgia, but the energies released in the politicization of the 'cut' that defines postfascist society – the cut that expelled Fascism from the horizon of political possibility and expelled the desires that allowed the masses to want it (i.e. as Wilhelm Reich argued, at some point the masses came to desire their own repression). Around this cut that is made to return neofascism is able to articulate its antagonism. What we need to grasp is how this antagonism between Fascism and postfascism is both bound to new conditions and tied to the old; not exactly or only a return of the repressed but the index of a newly emergent sociality.

In each neofascist event the political character of a social problem is identified and redefined in terms of a troublesome excess of immigrants, race mixing, vice, crime, protest culture, special interest demands, or disorder, etc. and the impossibility (at least for liberal democratic regimes of governance) of imposing the necessary limits, decisions, boundaries or closure to solve the problem. This was always an ideologicomic sequence basic to Fascism, especially to the degree that the units of analysis used to characterize the problem were defined in terms of race or ethnicity. But it is applied to a new situation. It perhaps goes without saying that the key neofascist move in the 1980s and early 1990s was to recodify or "quilt" any number of social problems such as unemployment, deindustrialization, housing shortages, lack of community values, race and ethnic relations, drug use, crime, sexual permissiveness, rights to collective welfare, etc. into the overdetermining signifier of uncontrolled immigration (in Europe) or failed affirmative action/assimilation programs (U.S., Canada). Against this unendurable excess, the idea of natural and insurmountable cultural/racial differences is able to define salient political subject positions through which individuals situate themselves in a community, and situate their community within a firm interpretation of

fascisms. Roger Griffin, "Non-European and Post-War Fascisms," in *The Nature of Fascism* (London: Pinter, 1991).

the social world. As suggested by Laclau's analysis of classical Fascist ideology, the result is to again racialize the category of "the people" as the basis of a new populist rhetoric, but according to the new racism of incommensurable cultural traditions.¹⁴ In Alain de Benoist's version of the new right program for example, the new right is "against racism" and "for the right to difference;" "against indifferenciation and uprooting" and "for clear and strong identities."¹⁵

The Fascist solution which emerges "rationally" from this way of problematizing the issues is therefore to combine some sort of platform of ethnic or racial re-segregation with ways of foreclosing the transcendental, universalistic space of ethical reason in which liberal forms of deliberation take place. Its political strategies alternate between street violence, propaganda, legal action, and formal political mobilization. They represent the front of a war (which they of course define as a racial war): a true "politics of the cudgel and the double-breasted suit."¹⁶ The space in which this war is waged however is mystified and remains hidden from us, and from the combatants themselves.

To understand the effectiveness of these Fascist ideologemes today, as a means that is of grasping "what our present is," we might take a cue from Foucault's analysis of the antagonism of strategies that characterizes the return of neofascism.¹⁷ What neofascism signifies is not principally the immanent resurrection of the totalitarian state but an attack on the techniques of power that, through the postfascist reference to the era of Fascism, attempt to turn individuals into subjects. Neofascism is a

¹⁴ Ernesto Laclau, *Politics and Ideology in Marxist Theory: Capitalism, Fascism, Populism* (London: NLB, 1977).

¹⁵ Alain de Benoist and Charles Champetier, "The French New Right in the Year 2000" *Telos* 115 (Spring, 1999): 117-145.

¹⁶ The "politics of the cudgel and the double-breasted suit" was the phrase used to describe the political strategy of the Italian neofascist Giorgio Almirante after his election as leader of the MSI in 1969, i.e. "a double strategy combining the toleration and stirring-up of violence in the streets and at the same time seeking respectability under the slogans of law and order." Harris, *The Dark Side of Europe: The Extreme Right Today*, p. 110.

¹⁷ Michel Foucault, "What Our Present Is," in *The Politics of Truth*, ed. Lysa Hochroth and Sylvère Lotringer (New York: Semiotext(e), 1997). Michel Foucault, "The Subject and Power," in *Power:*

disqualified and disorganized set of strategies that resist the effects of these disciplinary powers. They resist the means used to categorize individuals and tie them to their identities and their communities. They resist the normalizing effects of “the law of truth” imposed on them; the demand that they recognize in themselves and that others recognize in them some sort of unsustainable ‘unreason’ at the core of their being.¹⁸ They do so by violently asserting a set of inflexible, hard-core counter norms: the white race, the rooted culture, the virile man, the God given sexuality, the chosen nation, etc. This is a strategy, however incoherent it appears from the outside. It does not simply express an irrationality or a hatred but a counter-memory of the 20th century with its own local history of struggles and subjugated knowledges, its own modulations and reversals, its own tactics of response and engagement. It is thus in the antagonism between these strategies that a certain fragility in the postfascist order becomes discernable, a fragility that is also marked by the acute sensitivity with which the reemergence of neofascism is received. Behind the alternation between coarse retrenchments of categories (“You Fascist!” “You Liberal!”) are the “perpetual relations of force” and “memory of hostile encounters” that define both the limit and the point of application of the disciplinary powers through which we have emerged today as *postfascists*.

This appreciation of the antagonism of struggles means stepping back from the analytical move that characterizes Fascist Studies. To begin by drawing the comparison between contemporary neofascism and classical Fascism and then to determine its threat by determining its continuity (or lack of continuity) with the ideologies, political organizations, and social conditions of the interwar years is to begin from a set of premises that in turn need to be explained. What are the conditions of the objectivity of Fascist Studies? Fascist Studies understand the return of Fascism as a return of a repressed irrationality: the return of irrational and discredited eugenical fantasies, the

Essential Works of Michel Foucault 1954-1984, Volume Three, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000).

return of irrational and volatile political *desires*, the return of irrational and irreducible economic contradictions: ultimately the return of the enigmatic traumas around which the modern age revolves. It produces the problem of neofascism through a set of molar conceptual oppositions¹⁹ whose effectiveness itself finds its source elsewhere. In a perfect circularity, the binary opposition between liberal democracy and Fascist totalitarianism, on which the intelligibility of its propositions depends, becomes a metonym that supports and is supported by a series of corollaries: reason/the irrational, universal values/racist particularities, idealism/realism, tolerance/violence, rule of law/*raison d'etat*, civility/hatred, etc. What is constructed through these efforts is the subject-identity of postfascist society: a subject that cannot but continue to define its borders by producing the Fascist as a dangerous individual. Neofascist politics gains its efficacy in its efforts to reverse these strategies.

1.2 *From the Margins to the Center: The Politics of Universal and Particular*

At a remove, what strikes us as both disturbing and uncanny in this situation is how an historical and apparently discredited ideologemic sequence has proven effective when the context of the social problem is *not* the treaty of Versailles, the Bolshevik revolution, the hyper-inflation of Weimar Germany, the Great Depression, the industrialization of Italy, the lack of rooted democratic traditions, etc. It is a sequence which is also amenable to the present context usually defined in sociological terms by the post-Fordist, knowledge-based, disorganized society, by the process of irreversible multiculturalism, cosmopolitanism and globalization (of capital, populations, democratic values, media images, etc.), by the emergence of a second modernity of

¹⁸ Foucault, "The Subject and Power," p. 331.

¹⁹ The term "molar" is borrowed from chemical terminology to refer to the properties of a mass of matter as opposed to the properties of matter at a molecular level. Deleuze and Guattari use the term to refer to social or political principles of organization that attribute the qualities of a mass to a multiplicity or assemblage, i.e. they are regarded as divisible, unifiable, hierarchical, quantifiable, etc.

reflexivity and risk management shorn of the misguided certainties of the earlier modernity and its ideologies, or by the postmodern *Götterdämmerung* of fragmented identities, local narratives and simulational systems of representation. This would be consonant with the claims of David Harvey or Fredric Jameson that the postmodern resurgence of particularisms, of which the combination of virulence and place-based narratives of neo-Nazism would be one species, *is the culture of global capitalism* and not a means of resisting it.²⁰ Global capitalism is simultaneously globalizing/abstract and localizing/particular. Therefore, as a mystification of the *actual* global space within which we live politically and economically, our postmodernist and multicultural sensibility privileges the particularistic/local over the abstract/global in precisely the same way that classical European Fascism and anti-Semitism turned to “place specific myths ... in opposition to the rational utilitarianism of Enlightenment thought.”²¹ But we suspect that the critical content of this claim, a pathos for the blocked emancipatory aspirations of modernity, (and of revolutionary Marxism in particular), works only because Harvey and Jameson buy into a postfascist paradigm in which the reference point for the failure of comprehensive, universalizing, or internationalist projects of emancipation is Fascism.

The problem for us lies more in the unanticipated consequences that Harvey and Jameson’s framework itself produces: a problematization which wagers the credibility of universalistic and rational principles (truth, tolerance, human rights, social justice, neutral deliberation, etc.) against the ever resurgent irrationality of particularism. Inadvertently, by attempting to articulate a new critical apperception of the totality of global capitalism as the proper total space of political action (Jameson’s “postmodern

The division of labour in a bureaucracy or the organization of land or political units in a state are prominent ways of conceptualizing the political multiplicities at a molar level.

²⁰ David Harvey, *The Condition of Postmodernity: An Enquiry into the Origins of Cultural Change* (Cambridge, Mass., USA: Blackwell, 1989). Frederic Jameson, "Postmodernism, or the Cultural Logic of Late Capitalism," *New Left Review* 146 (July/ August 1984). See also Slavoj Žižek, "Multiculturalism, or, the Cultural Logic of Multinational Capitalism," *New Left Review* 225 (1997).

²¹ Harvey, *The Condition of Postmodernity: An Enquiry into the Origins of Cultural Change*, p. 277.

hyperspace" as the opaque-sublime "world space of multinational capital"²²), they fall into the trap of staking the politics of an ever more unimaginable struggle for universal, global emancipation²³ against the various forms of particularist politics that assert more primordial, more immediate, fundamentalist or naturalized forms of identification. The same problem besets what Žižek calls "the liberal-democratic horizon" of politics in which the coordinates of political thought are captured by the opposition between totalitarianism and liberal democracy.²⁴ The particular affirmations of universality that characterize liberal democracy (the neutrality of the law, the technical and normalizing procedures of administration, the constitutional rights of the individual, the unprejudiced inclusion and recognition of multicultural identities, the proceduralism of democratic and legal processes, etc.) confront the antagonism of any politics with a substantial content (in which an 'ethic of absolute ends' supplants the democratic rules that protect neutrality) with the same categories. In these models the esteem of the particular entails a suspension of the universal which cannot but be a fascistic vision of totalitarian, fundamentalist uniformity.

What remains unthought and literally unthinkable here however is the way in which the category of the universal itself is always the product of some initial exclusion of an unassimilable 'outside,' of some embrace of a particular content, and is thus inherently unstable and susceptible to fundamentalist challenges.²⁵ It can function as a universal only by concealing the trace of its particular content (eg. that the democratic citizen with rights and freedoms is ultimately the patriarchal male bourgeois) and when it is forced to engage in a political contest it can no longer be universal; it articulates its universality against some opposing position, which is to say that the conflict is no

²² Jameson, "Postmodernism, or the Cultural Logic of Late Capitalism," pp. 83, 92.

²³ Unimaginable does not mean that the analysis is incorrect of course, just that it becomes increasingly difficult to see how practically such a politics can be pursued, by which social agents, in which locations, and against which foes.

²⁴ Slavoj Žižek, *Did Somebody Say Totalitarianism?* (London; New York: Verso, 2001), p. 3.

²⁵ Even in the transcendence of a universal justice *to come* – the rationality of the republic of letters, the perpetual peace of Kant's cosmopolitanism, the emancipated labour of Marx's communism, the end of

longer between universal and particular but between two (or more) particular identities or fundamentalisms. They come into dispute without a common universal context to define the ground rules in which the dispute can be resolved. The gesture towards the universal is not sufficient to suppress the politics of naturalized or fundamental identities because it is always in the position of either concealing its own naturalized, fundamentalist content or of excluding the unassimilable identity of the Other.

The universal and the particular are part of a single structure that returns. This is the danger of the present moment defined by the resurgence of fascisms and fundamentalisms of all sorts. Ultimately as Umberto Eco suggests, one of any number of ideologemic elements can serve as the crucible for the formation of a Fascist politics,²⁶ but what becomes interesting to us is the way in which the social problems of our era are somehow already amenable to a Fascist "solution." Or to put the question the other way around, we become interested in the degree to which a discourse on Fascism contributes in fact to producing the ethico-political field of this already existing, "natural" context of globalization, reflexive identities, multiculturalism and postmodernity.

To move then from what is still perhaps a constituency at the margins of political community to the center, we need to recognize how the return of elements that were present in classical statements of Fascist ideology like racialized identity, organic community, virile decisiveness, state idolatry, aggressive militarism, ascetic sacrifice, authoritarian order, etc. have become central in making a series of contemporary events thinkable *as problems*. Now at the end of the Cold War, during which we were entranced by the master narrative of East and West, communism versus capitalism, it becomes increasingly legitimate to re-imagine issues in reference to the category of Fascism, not least in the new narrative of East and West: the civilized democracy of the new world order versus the irrational, Fascist-like barbarianism of fundamentalist

time of Christian millenarianism, etc. -- the particular to be excluded, and which stains the justice of the future, is the present moment.

fanaticism. The constituent antagonisms which are taken to characterize the post-Nation State, post-Cold War order – the globalization of democracy and the international rule of law vs. entrenched (Fascist-like) tyrannies and fundamentalist terrorism; the universalization of the commodity market vs. the (Fascist-like) recrudescence of ethnic nationalism and identity politics; the inclusive logic of liberal multiculturalism vs. the (Fascist-like) new segregationism of ethnic/racial identity politics (Benoiste’s “differential racism”); the norm of universal human rights vs. the (Fascist-like) non-democratic traditions of non-Western peoples; the Weimarian indecisiveness of institutionalized global governance vs. the “decisive” but ultimately arbitrary (Fascist-like) resort to military intervention²⁷ -- are all stated in terms of the unfortunate but self-evident realism of the Fascist side of the problem.

Inscribed within each of these antagonisms is the problem that at least some people view the problematic in Fascist terms. Typically a valued attachment to the idea of a natural (i.e. depoliticized), homogeneous community is seen as systematically threatened and displaced by the modernizing destruction and miscegenation of communities, traditional order, sacredness, ritual, etc., necessitating simultaneously decisive action, a kind of populist reaffirmation of the people, and the singling out of *the people’s enemy*: the Bosnian, the Jew, the Black, the Muslim fundamentalist, the asylum seeker, the foreigner, the “special interests,” the “professional” politician, etc.²⁸ The Fascist move, reiterated here in the contemporary context in full force, is to displace the source of this disruptive modernization in the nihilistic, amoral drives of capital accumulation – in which “all that was solid melts into air” – onto an antagonistic and corrupting agency. We tend to view this from the moral authority of a universalistic position while nevertheless taking the “Fascist” side as a self-evident if

²⁶ Umberto Eco, “Ur-Fascism,” *The New York Review of Books*, June 22, 1995: 12-15.

²⁷ Richard Joseph Golsan, “Introduction,” in *Fascism’s Return: Scandal, Revision, and Ideology since 1980* (Lincoln: University of Nebraska Press, 1998).

²⁸ This, in other words, is the classical philosophical problem of the one and the many. In the context of the problem of Canadian diversity see Chapter 3 in Richard J. F. Day, *Multiculturalism and the History of Canadian Diversity* (Toronto; Buffalo: University of Toronto Press, 2000).

not more “realistic” response to global confusion. If in each case the Fascist way of posing the problem is associated with irrationality, violence, and evil, it is also marked simultaneously as a pessimistic realism concerning the inevitability of violent ethnic/racial conflict. As such it serves as a means of demonstrating why the progressive and universalistic discourse of reason, morality, social justice, freedom, tolerance and dialogue is needed. But it also serves subtly as a means of displacing it by showing how it is *not universal*. The “impossible” reemergence of Fascism in the contemporary era, (given the Holocaust and the brutality of the Fascist regimes), seems to demonstrate how a truly universal reason or social justice is itself impossible.

As the metaphor of the return of the repressed suggests, therefore, what returns is not necessarily “Fascism,” as if Fascism had some simple clear meaning or fixed form of organization, but the return in distorted form of a *structure* in which the limits of modern political community *as such* are continuously reiterated. Rob Walker characterizes this structure usefully in terms of a fundamental ambiguity in the formation of the modern state, one in which the *universalistic* claims of post-Christian, post-Feudal “man” to establish a secular society of truth, justice and beauty are thwarted by the *particularistic* forms, means and political *space* in which these ambitions are pursued. In Walker’s case these form as implications of the principle of state sovereignty.²⁹ It is the act of violent exclusion which perpetually returns as the condition of any political act.

The pessimistic conclusion that Walker and others draw is that to the degree that we remain politically and *ontologically* under the sign of sovereignty and state-

²⁹ R. B. J. Walker, *Inside/Outside: International Relations as Political Theory* (Cambridge [England]; New York: Cambridge University Press, 1993). Walker argues that if the early modern conception of sovereignty offered an “elegant” spatial solution to the “tension between the universalistic claims of Christianity and Empire and the competing claims arising from participation in a particular statist community,” (Ibid., p. 61) or even of the “primary ontological question about the relation between universality and particularity,” (Ibid., p. 64) it did so by constructing a fundamental spatial/temporal paradox whereby “*universalistic* aspirations to the good, the true and the beautiful may be realizable, but only within a *spatially delimited* territory” (Ibid., p. 62, *my emphasis*). In a sense, the idea of the universal, the possibility of ethics, and political life itself are only thinkable to the degree that one is

centred politics/sociality, the limit to every humanizing, ethical or global project will be the crisis in which the (particular) state is forced to reiterate its narrow, particularistic interests against a threat from the outside. But it also must compulsively produce and yet continually fail to capture the outside as its condition of existence, as the means different each time of maintaining its internal cohesion and “arborescent” (hierarchical/binary) structure. Classical Fascism’s blunt claim for the collectivity to assert its right to a singular sovereign destiny is simply an extreme example of this, just as the impossibility of achieving consensus or homogeneity within the modern collectivity without using coercion or terror marks the limit of every unavowedly particularistic or sovereigntist project.

Following Carl Schmitt, we might call this structure which returns the *return of the political* to designate the reoccurrence of *the exceptional* or extreme moment of conflict when the state is forced to reiterate its political identity against an internal or external enemy.³⁰ The specificity of the political for Schmitt is defined by the sovereign decision on the exception in the always immanent case in which a distinction “of utmost intensity” between friend and enemy becomes necessary. To the degree that the sovereign is confronted with a critical situation in which its authority is endangered or for which no general norm can found to bind the parties together peaceably, it is forced to make the “decision” which ultimately involves designating an us (who live within the law, within reason, within a single value orientation) and a them (who are intent on negating our way of life): a public and a public enemy. All political conflict in which sovereignty is considered indivisible (or an “identity,” a political position, an interest, etc.) tends to this extreme *limit* of political reason and compromise in which deciding such an irreconcilable friend-enemy grouping becomes necessary.

comfortably ensconced in the security of a lawful territory from which various troublesome Others are excluded.

³⁰ Carl Schmitt, *The Concept of the Political*, trans. J. Harvey Lomax (Chicago: University of Chicago Press, 1996 (1932)). Chantal Mouffe, *The Return of the Political* (London; New York: Verso, 1993).

It is for this reason that “*the exception is more interesting than the rule.*”³¹ The exception brings the conditions of the rule into focus. Under normal conditions we expect routine social and political affairs to be regulated and managed according to custom, law, institutional guidelines and the like, while the political is deferred. As Schmitt points out, under liberal democratic rule, conflicts lose their strictly political character and are recharacterized in terms of pluralistic conflicts of interest between competing individuals or political associations. But under exceptional situations (and ultimately under conditions of immanent international or civil war), it is the nature of the rule, of what constitutes the “regular situation” of public order and security, of what constitutes the identity of the people, or of what constitutes the content of legitimately pluralistic debate, etc. that is put into question. Neofascism becomes the exception that puts liberal democratic rule into question through its sheer incommensurability. In this *political* situation we become aware of the contingency of the social order and of the inadequacy of our frameworks for describing it. The chilling sense of circularity, groundlessness and instability that this spells for modern political community might be summed up in the Schmittian slogan: “Sovereign is he who decides on the exception.”³² The decision is simultaneously without grounds and grounding.

The confrontation between the universalization of constitutional democracy and neofascism (as one form of intransigent particularism) partakes in this structure therefore, but not simply to the degree that in the contemporary situation neofascism is the political formation *par excellence* which appears symptomatic of the disturbing exception to reasonable modes of social organization. They partake because expressions of Fascism cannot be assimilated into the pluralistic, multicultural ethos of post war liberal democracy. They repeatedly force its self-conceived order of balanced,

³¹ As Schmitt goes on to say, “The rule proves nothing; the exception proves everything: It confirms not only the rule but also its existence, which derives only from the exception. In the exception the power of real life breaks through the crust of a mechanism that has become torpid by repetition.”

³² Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, p. 5. Schmitt clarifies this point further in his argument to establish the ontological priority of the existential political *decision*

countervailing interests to become *political* in Schmitt's sense. Each neofascist event must be designated as exceptional, requiring a sovereign decision and administrative response. To take the example of freedom of expression, even this quintessential liberal affirmation of the absolute right to speak, as Stanley Fish argues, relies on a prior, political act of exclusion which "literally carves out the space in which expression can then emerge."³³ This is explicit in the Canadian Charter of Rights and Freedoms where Section 1 subjects constitutionally protected rights to the proviso that they conform to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." The demonstrable justification relies on a *sovereign* decision about what goes in a free and democratic society and where its reasonable limits lie. As Fish says, "every right and freedom [t]herein granted can be trumped if its exercise is found to be in conflict with the principles which underwrite the society."³⁴ The contention is not that Fascist expression is excluded *per se* -- this remains an indeterminate point in the confrontation between Hate laws and freedom of speech -- but that the Fascist *principle* for governing speech in a society is inadmissible. Fascist speech becomes political because it is not merely an expression of opinion on an undelimited terrain of speech but a collective enunciation which brings a whole *other* field of politics into existence in its expression: it is a *politics generating enunciation*.³⁵ By generating a conflicting ethico-political context or mode of evaluation it creates a situation of antagonism that prevents the suturing of the social. It makes liberal society impossible. It forces a sovereign political decision to be made concerning the identity of the plurality and the principles that are going to underwrite society. Ultimately, the issue of Fascism becomes a pole of attraction where romantic

over the juridical *norm*: "For a legal order to make sense, a normal situation must exist, and he is sovereign who definitively decides whether this normal situation actually exists" (Ibid., p. 13).

³³ Stanley Eugene Fish, *There's No Such Thing as Free Speech, and It's a Good Thing, Too* (New York: Oxford University Press, 1994), p. 103.

³⁴ Ibid., p. 105.

³⁵ On the concept of collective enunciation see Gilles Deleuze and Felix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia* (Minneapolis: University of Minnesota Press, 1987).

politics (Schmitt) and violence can counter the administrative and economic rationalities of normalizing rule.

It is to the degree that the political in this sense remains unacknowledged and disavowed that it returns in a distorted form as a conflict between an incomprehensible Fascism (why can't they see that they are acting just like fascists?) and reason itself. Our insistence on mischaracterizing the political nature of Fascism -- it is disruptive, irrational, racist, evil, criminal, perverse, etc., i.e. anything but "political" -- is why its manifestations seemed so unanticipated in the 1980s and 1990s and why it returns as a return of the repressed. As Chantal Mouffe argues, "it is the incapacity of liberal thought to grasp [the nature of the political] and the irreducible character of antagonism that explains the impotence of most political theorists in the current situation."³⁶ The structures which constitute the many ways in which the political as such is excluded or disavowed nevertheless pivot on an irreducible moment of the political.

It is in this relation between the political and non-political that we can begin to theorize how democratic responses to Fascism have been complicit with the resurgence of Fascism as a return of the repressed. We begin to see how Fascism is constituted simultaneously as an object of governmental interventions, taking the form of more or less institutional responses to "the exception," and of moral discourse concerning what is legitimate and illegitimate, permissible and impermissible. It is by treating Fascism as non-political that it becomes manageable -- the object of juridical or administrative strategies. This is how our current experience of Fascism has been formed, including the representations of fascists we entertain and even the image which fascists have of

³⁶ Mouffe, *The Return of the Political*, pp. 1-2. She goes on to say that if we remain within a liberal democratic conception of "rationalist, universalist and individualist" politics we "cannot but remain blind to the specificity of the political in its dimension of conflict/decision" and will be left "unprepared in the face of unrecognized manifestations of antagonism" (Ibid., p. 2). The problem specific to the end of the Cold War is that it is much easier for the radical right to define its enemy than it is for the liberals or moderate right who defined Communism as the Other of democracy. "For [the radical right] has already found its enemy. It is provided by the 'enemy within', the immigrants which

themselves. But insofar as this “postfascist” formation is a product of a *strategic* gambit of administrative management, it is always subject to instability and reversal.

1.3 *Looking Awry: Toward a Minor History of neo-Fascism*

“Only that which has no history is definable”³⁷

But we have perhaps already fallen into a trap of posing the problem at too general a level and according to an overly mysterious logic of a structure or limit which is both present and unacknowledged, deep and on the surface of current affairs, without precise location and everywhere, a hidden manipulator and the object of unmanipulated knowledge claims. There is something in the phenomena we have been describing that eludes these central themes of political thought.

I would therefore also like to propose a counter-strategy to the preceding analysis of the politics of the universal and particular. Loosely borrowing from Žižek, we might call this a strategy one of “looking awry” to signify the way in which a privileged domain of discourse is revealed more clearly from a frame of reference considered marginal to the main issues.³⁸ I propose that looking at neofascism from the point of view of its small role in the formation of the postfascist state, postfascist governmental practice, and postfascist identity is a type of looking awry.

In approaching the question of ‘what our present is,’ neofascism must strike us as an irreversibly minor phenomenon, hardly the issue that it was between the First and Second World Wars. But I would like to argue that this way of thinking mistakenly begins with the belief that the return of Fascism signifies a threat that radiates from the

are presented by the different movements of the extreme right as a threat to the cultural identity and national sovereignty of the ‘true’ Europeans” (Ibid., p. 4).

³⁷ Friedrich Wilhelm Nietzsche, *On the Genealogy of Morals*, trans. Walter Arnold Kaufmann (New York: Vintage Books, 1967), p. 80.

³⁸ Slavoj Žižek, *Looking Awry: An Introduction to Jacques Lacan through Popular Culture* (Cambridge, Mass.: MIT Press, 1991).

center, from the control of the state, to endanger the freedom, democracy, rule of law, culture and thought that characterize our ethico-political form of life after-Auschwitz. Rather we need to be much clearer on neofascism as a *minoritarian* political form. From the point of view of the series of responses to neofascism and of their odd impasses, many general claims concerning the relationship between the European or Western Fascist legacy and contemporary neofascism can be reexamined.

This entails taking "minor" in two senses of the word. Firstly, in terms of "majoritarian" politics, neofascism is minor in the sense of not being high on the list of pressing issues that are generally in the democratic public consciousness. We have to work on the basis of a paradox in which neofascism appeals only to a small number of people but at certain moments carries significant symbolic currency in the representation of political and social culture. It is a minor phenomenon but also a continual reminder of the fracture of the postwar imaginary; an imaginary that opens up from the premise that Fascism was an aberrant exception that has been left behind in the dustbins of history and moves on to the view that a public consensus on social justice exists. Add to that the fact that in the West as a whole neofascism is at best a social movement which sometimes gains political representation in the state. More often it enters into political representation as a social problem or as a relatively isolated event to which liberal democratic institutions respond with regulatory strategies, police actions, laws, pedagogical efforts, or special tribunals. As such there is a limit to the degree to which we can view the contemporary neofascist scene through the lens of the struggles against historical Fascism.³⁹

But we should also examine the concept of "minor" in the sense that Deleuze and Guattari develop the term when they write:

minorities are not necessarily defined by the smallness of their numbers but rather by becoming or a line of fluctuation, in other words, by the

³⁹ See discussions on Alain de Benoist and Le Pen's *Front National* in Paul Piccone, "Confronting the French New Right: Old Prejudices or a New Political Paradigm?," *Telos* 98-99 (Fall/Winter 1994). Pierre-André Taguieff, "Discussion or Inquisition? The Case of Alain De Benoist," *Telos* 98-99 (Winter 1993-Fall 1994).

gap that separates them from this or that axiom constituting a redundant majority.... What defines minority, then, is not the number but the relations internal to the number.⁴⁰

What is of interest to a historian of the minor is not principally the identity or even the aspirations of minority groups nor the enumeration of marginal issues but the way in which the major or standard categories (or axioms) in which the social is delimited are unhinged, deviated or deterritorialized by events that do not fit their prescriptions. The minor refers to the processes of minoritarian-becoming which in the case that concerns us here involves the elements of the neofascist problem that, in however standardized a manner it is represented, continually put the methods used to govern it into question. It is not the neofascists themselves who form the minority we are interested in but the neofascist *events* that in subtle ways disrupt the political configuration and expose openings for *other*, even revolutionary, politics that have long been paved over.⁴¹ The minor history of neofascism seeks to trace the movement of that which eludes the codes of social science, law, police, and morality, etc. to reveal the “line of flight” or transformation along which the postfascist society and its boundaries or categories are traveling.

If thus far we have emphasized what Deleuze and Guattari call the “molar lines” or major distinctions that define the problem of neofascism – in the first place the opposition between Fascism and liberal democracy, but also the oppositions between universal and particular, inside and outside, rule and exception, history and structure (or the return of the same) that define the coordinates of the problem – it is to establish the terrain on which the return of neofascism is a problem that is irresolvable. The postfascist condition: if not liberal democracy (and all of its attributes: law, freedom,

⁴⁰ Deleuze and Guattari *A Thousand Plateaus*, p. 469.

⁴¹ Looking forward to the concluding chapters of this dissertation, the example of the ex-neo-nazi Ingo Hasselbach becomes something more than a case study of the process of taking leave from the neofascist life. It is the difficulty of responding to neofascism that we are interested in. Thus in Hasselbach’s example, it is his attempt to respond to his former neo-nazi self, the way he re-engages in another relation to the self, the way he ‘becomes other’ (or fails to) that defines the problem of neofascism as an event in the manner we are interested in.

rationality, tolerance, inclusion, humanity...), then Fascism. The minor history shows instead the minoritarian becoming; not the static categories in which the system is overcoded but the ways in which “what is primary in a society are the lines, the movements of flight” in which the social field is constituted.⁴²

In this regard the coupling of neofascism and responses to it must be regarded as a *micropolitics*. It operates on the borders of the moral and the political, the legitimate and the conditions of legitimacy, marginal practices and official knowledges, public law and its *obscene supplement*: the transgressive “illegal enjoyments” of violence and hatred that emerge when identification with the official law fails.⁴³ Beneath the comprehension of modern politics at its limits are the responses to a fundamental experience⁴⁴ which in recent years, as an invention specific to the postfascist era, we attempt to identify the psychological, social and political truths of *hatred* as an assemblage of affects. This would be a point of departure for Deleuze and Guattari’s analysis of Fascist and revolutionary investments of desire, those components which are not easily mapped onto ideological positions but which continually reproduce the pole of the embattled microfascist in everyday life – even in those who are not prepared to directly say, “I stand for Fascism and the master race” – and another “schizonomadic” pole where desire escapes this investment: “flows capable of hallucinating history, of reanimating the races in delirium, of setting continents ablaze.”⁴⁵

The response to neofascism or race hatred is thus never really a response to one single thing, nor is it systematic or unified in and of itself. It is a set of strategies that trace the uncertain fluidity of postfascist life. Neofascism, understood as a series of

⁴² Gilles Deleuze and Claire Parnet, *Dialogues* (London: Athlone Press, 1987), p. 135.

⁴³ Slavoj Žižek, “Superego by Default,” in *The Metastases of Enjoyment: Six Essays on Woman and Causality* (London; New York: Verso, 1994), p. 135.

⁴⁴ Foucault, “The Subject and Power,” p. 329.

⁴⁵ Gilles Deleuze and Felix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia* (Minneapolis: University of Minnesota Press, 1983), p. 105.

events of 'return' and official response,⁴⁶ becomes the *differend* which is distorted in the liberal democratic representation of the political but not eliminated.⁴⁷ It follows its own path of perverse becoming which continually alters the sites of political expression, transforming our experience of the power and purview of the state, the lines between public and private, the difference between criminal and political violence, the identity we assume as members of a political community, and what we take to be non-negotiables to maintain the habitability of society.

"Minor" in this regard is not so much an issue of scale as an issue of how neofascism defines a line of flight or a point of disruption in the official formations of knowledge, power and ethical practice. In the minor analysis the practices in which something is marginalized or becomes marginal are not seen as functions that allow the central powers, the dominant ethico-political forms of life, or the impasses and the politics of the sovereign decision to be reaffirmed, (i.e. in the manner that Durkheimians argue that crime functions to reestablish a society's commitment to its normative values). The minor element is that which affects the dominant political structures and languages with a high coefficient of deterritorialization. It reveals the forces at work in the construction of the majoritarian political language, the language of distinct borders and hierarchical categories, and also reveals the larger assemblages in which these forces lead away, metamorphosize, and evoke new sets of powers -- diabolical *and* revolutionary.

For Deleuze and Guattari, an *expression* of minor politics is therefore one which not only emerges from some sort of minority position or from the margins of political or social community but one which also uncannily (a) uses the dominant political forms to express itself while simultaneously constructing another politics within them; another trajectory and form of life that deforms them from the inside; (b)

⁴⁶ Here we might name the neonazi actions in Rostock and Hoyersverda as emblematic, but also cases like Ernst Zundel's "false news" trial (1985), the crossburning in R.A.V. v. St. Paul Minnesota, or James Byrd, the black man in Texas beaten unconscious and dragged to death behind a truck.

draws individuals directly into a political immediacy (rather than serving as mere political opinion) in the sense that the limits of the social milieu in which the expression is made are also brought profoundly into question and do not remain in the background, (“one reaches the boundary soonest in politics,” the place where things “connect[...] up with other similar things”); and (c) expresses itself in a way that is always already collective -- in which “everything takes on a collective value” even if the collectivity is yet to be brought into existence.⁴⁸ It evokes the trajectory of emergence of “another possible community.” The question for us is whether and how we can see the problem of neofascism working in this way.

In the case of Kafka’s work as a minor literature, Deleuze and Guattari use “minor” in a positive or affirmative sense to refer to a revolutionary becoming in language that eludes and scrambles structures of control and containment. If statements, expressions or discourses constitute rules or “the real instructions” for the operation the “machines” through which social organization is accomplished on an ongoing basis, Kafka’s writing performs a very particular operation with respect to the social, bureaucratic, and libidinal machines of the early era of technological society.⁴⁹ It articulates both the coming dangers of the technological bureaucratic order and the means of its dismantling. Deleuze and Guattari argue that Kafka’s expression of dislocation (as a Czech Jew writing in the ‘paper language’ of the Austrian administration), his precise and arid use of the German language, his scenarios of bureaucratic proliferation and desire, etc. transform the literary expression from the staid function of representation to the indexical function of the assemblage of coming powers. Rather than performing the function of representing an already existing reality or experience, his writing indexed both the “diabolical” powers of Stalinism, Fascism and American capitalism that were “knocking at the door” and the revolutionary forces

⁴⁷ Jean-François Lyotard, *The Differend: Phrases in Dispute* (Minneapolis: University of Minnesota Press, 1988).

⁴⁸ Gilles Deleuze and Felix Guattari, *Kafka: Toward a Minor Literature* (Minneapolis: University of Minnesota Press, 1986), pp. 16-18.

that anticipate and elude them. It acted as a set of instructions that disassembled the bureaucratic ethos and reassembled it as a set of forces in motion, the ultimate effect of which being the discernment of a line of flight out of the bureaucratic confines of the new powers.

Does it make sense to talk about neofascism as a subversive force in this way, with all its attachment to “molar” or majoritarian concepts of state, *Volk*, race, virility, purity, etc.? I think so, but in a much darker sense, because again it is a mistake to talk about neofascism either in terms of a direct historical continuity with historical Fascism or of the isolated ambitions of a band of marginals. It is *neofascism as an event* or as a *series of events* which provoke official responses -- the imposition of governmental or administrative powers and specialized knowledges -- that define the singular nature of neofascism in the contemporary world. Neofascism and the responses to it are elements of a single assemblage, an “event-response,” in which the exception is decided over and over again but in a way which I find continuously eludes the frameworks which trap it within fixed systems of representation or particular governmental strategies. It is an event which in a sense is continually refused and concealed to the degree that it has the potential to expose what Reiner Schürmann calls the tragic condition of being: the originary strife (to which Fascism and liberalism ultimately attempted to respond and eliminate).⁵⁰ It marks both the set of impasses that confront the organization of politics in the postfascist era – the sites where the political returns and gets captured by the sovereign structure – and the line of flight on which the revolutionary forces “to be constructed” might be released. Our goal therefore will be to write a history of neofascism in postwar liberal democracy, but one which reflects equally on the way neofascist events and responses to them have been a minor current in the transformation

⁴⁹ Deleuze and Guattari, *Ibid.*, p. 82.

⁵⁰ Reiner Schürmann, “Technicity, Topology, Tragedy: Heidegger on ‘That Which Saves’ in the Global Reach,” in *Technology in the Western Political Tradition*, ed. Arthur M. Melzer, J. Weinberger, M. Richard Zinman, Michigan State University. Political Science Dept., and Symposium on Science Reason and Modern Democracy (Ithaca, N.Y.: Cornell University Press, 1993).

of the postfascist identity, postfascist governmental practices and postfascist social and political discourses.

1.4 *The Antinomies of Neofascism: Approaches and Premises*

The project to be developed in the following pages is one which I hope will permit us to escape the pre-political, unexamined grounds that inform the "obvious" representations of Fascism we continue to accept today and the less than obvious grounds for the "return of the repressed" that they reproduce. I hope to avoid the pitfalls of a form of critique which, to paraphrase Foucault, "says both too much and too little."⁵¹ That is, as opposed to an analysis of neofascism's socio-economic determinants, its ideological appeals or of its mobilization of resources and constituencies, I propose to explore the singularity of the neofascist event and responses to it in the postwar era. The conventional models of sociological analysis presuppose too much and obscure their own implication in the issues surrounding the reemergence of neofascism. In particular, we need different tools to understand the specific *efficacy* of the Fascist "problem" in a variety of sites, the transformations each neofascist event effects in the forms and categories of political expression, and what might be involved in envisioning the entry into a non-fascist era.

I began by stating three hypotheses: (a) that the means by which Fascism and neofascism have been marginalized in the postfascist era are paradoxically the same means that have enabled neofascist groups and Hate speech to achieve their *political* effects; (b) that even uncompromised liberal democratic responses to neofascism have therefore been complicit with the latest resurgence of neofascism (dating from the 1980's to the present); and (c) that the work to leave the legacy of Fascism behind, to escape this strange complicity and entanglement with Fascism that characterizes

⁵¹ Michel Foucault, "Two Lectures," in *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*, ed. Colin Gordon (New York: Pantheon Books, 1980), p. 102.

postfascist society, requires a thorough deconstruction of the neofascist *event*: the event of neofascist return which involves the actions of neofascists and racists themselves, but more crucially perhaps the event encapsulated by the responses of authorities and antifascist groups to these actions. The form these responses take have become indices of the emergent properties of the present moment (of the war on terror or the frailty of the program to export democracy, for example) and of the return of the political.

I propose therefore to write a history of neofascism that differs significantly from those accounts that trace the evolution of Fascist, racist and neofascist political parties, groups, personalities, and ideologies. Rather it is a history of the responses to neofascist events, and of the ways in which neofascism and hate have been problematized as a result, that is my central concern. The neofascist event/response becomes a means of examining the ethico-political commitments of postfascist society and the conditions of its curious impasses when it comes to resolving the issues associated with neofascism. It becomes a means of looking awry at postfascist society, of examining the center from the margins.

To this end the analyses in the following chapters play two critical strategies off of one another. One I have indicated by the analysis of the neofascist event as a return of the repressed in social life. This is evidently an analysis that works on the scaffolding of majoritarian political concepts but in an attempt to read them against themselves and show the impasses or 'the repressed' of modern political life. By 'return of the repressed' I do not mean to reinforce the concept of Fascism/neofascism as an emblem of the irrational or of the pathological against which the rationality or the 'normal' development of postfascist, liberal democratic society could be asserted. What returns as the repressed is not Fascism or race hatred *per se* but the impasses or limits of modern solutions to long standing political dilemmas, the contradiction between *the universal* (the rational grounds of political legitimacy, spiritual/metaphysical belief in an underlying oneness, claims of truth or ethical/judicial right action) and *the particular* (the rootedness of identity in blood, soil or race, etc., the bounded political-

territorial spaces which 'stain' aspirations to the universal by being its conditions of realization) being a case in point.

The immanent, ever present potential for impasse in the way modern political life is organized is the source of the return we have been calling "the political." It is the site where we must come head to head with Carl Schmitt, as he is one of the most perspicacious readers of the political in the 20th century. In this chapter I have already suggested that the intensification and inassimilability of neofascist activities provoke liberal democracy to suspend its universalist rationality and act politically. In Part 2, I expand this theme by pursuing the confrontation between Fascism and liberal democracy in three areas that are crucial to the ethico-political structure of modern politics. The analyses disinter the impasses which emerge with respect to (a) the technical government of society, (b) competing juridical and biopolitical modes of power, and (c) the sovereign decision on the exception. The argument I make is that each of the impasses define an antinomial 'terrain of undecidability' that continually brings the political out of concealment and provokes the sovereign decision in a manner that can only throw the distinction between rationality and irrationality, liberal democracy and Fascism into doubt. The analysis of the impasses that surround the response to neofascism will be one means of using the neofascist event to look awry at the central features of modern life.

The second strategy is the one I have been calling a minor history. If the first strategy is to reveal the points of impasse or return that characterize postfascist society, the second is to begin to align our thought with the forces that will lead us beyond them. It is to write a set of instructions for disassembling the machine.

My minor analysis begins therefore by proposing that we rethink what we mean when we talk about the "problem of neofascism" or the "problem of hate." If we were to begin by thinking of these as "social problems" in the manner of conventional sociology then we would silently presuppose the entire social context in which they appear to us as problems, as well as the outcome of a social problem approach, namely, "let's

develop the technical knowledge and the social apparatuses we need to fix the problems.” More specifically, in the four fields of specialized knowledge that I follow in Part 2 – the political science of extreme right parties and social movements, the criminology of hate crime, the jurisprudence of hate speech, the sociology of multiculturalism and diversity -- the perception of neofascism, its visibility as a social problem, silently presupposes the context of technology, biopolitics and sovereignty, which are precisely the things we need to examine.

From the point of view of a minor analysis however a problem is first of all a *problematization*. It comes to existence as a profound questioning. It is not primarily a problem to be solved, (a problem that is posed in a manner that immediately proposes a solution), like a math problem for which a specific solution exists or could exist.⁵² It comes to existence in a way that puts the social order into question. A problem *moves* the social order, puts its mechanisms and its categories into question. As Deleuze and Guattari remind us, problems are projectiles.⁵³ They are *problēmas*, that is, they throw the conditions of our existence down before us. They throw us. The task of a minor history therefore is to make our thought “ballistic” as well, to catch a glimpse of the line of flight that is put into motion in the neofascist event, to see what new forms of sociality emerge in the fine texture of the problematization of neofascism and hate, to align our thought with a ‘war machine’ that can make use of this movement to define a trajectory beyond the impasses of postfascist society.

Before continuing to Parts 2 and 3 where the analysis follows these two strategies in more detail, I would like to outline three premises that underlie my arguments there. These remain more or less implicit in my analysis but are crucial to understanding the methodological and analytical decisions that define the course I have

⁵² In a certain way math problems, like the conventional understanding of social problems, are not problems at all. Their problematic nature is entirely exhausted in their solution. More importantly, they are *conceptualized* in this way no matter how impossible they are to solve in reality. In any case, it is the conditions of such a way of understanding problems, and of understanding the social through them, which is of interest to me.

taken. These premises are: (a) that before seeking to determine the social reality or essence of neofascism one must examine its social surfaces, how it acts as an *index or working component of larger assemblages* that it allows us to discern; (b) that the social reality or essence of neofascism is not simply there to be observed through social scientific procedures but is produced within particular *strategies of government* that deploy the social sciences; and (c) that these assemblages and governmental strategies have only become possible on the basis of *an event*, the emergence of something new, and that this event can only be revealed and denaturalized on the basis of a genealogical analysis of its emergence. I have elaborated on these three premises below.

The Indices of the Assemblage:

In the first place, the meaning of Fascism in the postwar era must be regarded as a product of the modes of government and of the relations of knowledge, power and ethical self-formation used to distance it and overcome it. Its reality is constructed within particular practices of government. This poses a difficulty in determining in a precise manner what exactly neofascism is, as any characterization of it is always already internal to a formation of discourse and power. Thus the first move in the argument that follows is to adopt an almost positivist program that begins by suspending essential definitions of Fascism -- its place in modernity, its historical continuity, its diabolical identity, its depth, its meaning, its logic, etc. -- in order to proceed to an analysis of its "empirical" surfaces -- the different sites, problematics, themes, images, representations, and ethical arguments to which the signifier "Fascism" has been connected. In other words one does not begin with an equation between Fascism and modernity, Fascism and the state, Fascism and capitalist crisis, Fascism

⁵³ Gilles Deleuze and Felix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia* (Minneapolis: University of Minnesota Press, 1987), p. 395.

and the expression of threatened white male identity, Fascism and totalizing metanarrative, nor even Fascism and “the political.” Nor does one begin with Fascism as a distinct form of social movement, an analytical concept or generic ideal type.⁵⁴

These constructs are what need to be explained.

What is necessary is a “history of the social surface”⁵⁵ or a history of the *postfascist assemblage* which traces how the signifier “Fascism” has been used in connection with different elements, at different times, in a variety of articulations and perhaps subtly transformed each time in a way that accounts for the elasticity of the term. In Part 2 I will be particularly interested in the way the signifier Fascism is used to fix the potentially polysemic discourses surrounding the legal responses to hate speech, the regulatory responses to immigration and institutional racism, and community responses to hate crime in three government reports. It receives a particular reading in these reports that is not always explicit but is nevertheless fundamental to how the issues of hate speech, etc. are prepared as objects of specific governmental strategies of control. In a parallel manner in Part 3 I examine the autobiography of ex-neonazi leader Ingo Hasselbach to see how the concept of Fascism is defined and used in the context of the ethical work he uses to leave the neonazi movement. Fascism is prepared in a particular way in order to ground the specific self-concept and the specific ascetic practices Hasselbach uses to reconstruct himself as a postfascist subject.

⁵⁴ On the attempt to find a rigorous definition of neofascism or the extreme right as an ideological position or coherent political family see the following: Klaus von Beyme, “Right Wing Extremism in Post-War Europe,” *West European Politics* 11, no. 2 (1988). Meindert Fennema, “Some Theoretical Problems and Issues in Comparison of Anti-Immigrant Parties in Western Europe,” *Barcelona: Working Papers Series, Institut de Ciències Polítiques i Socials* 115 (1996). Piero Ignazi, “The Silent Counter-Revolution: Hypotheses on the Emergence of Extreme Right-Wing Parties in Europe,” *European Journal of Political Research* 22, no. 3-34 (1992). Cas Mudde, “Right-Wing Extremism Analyzed: A Comparative Analysis of the Ideologies of Three Alleged Right-Wing Extremist Parties (Npd, Ndp, Cp’86),” *European Journal of Political Research* 27 (1995). Cas Mudde, “The War of Words Defining the Extreme Right Party Family,” *West European Politics* 19, no. 2 (1996). On approaching Fascism as an ideal type, see especially Roger Griffin, *The Nature of Fascism* (London: Pinter, 1991).

⁵⁵ Jacques Donzelot, *The Policing of Families* (New York: Pantheon Books, 1979), p. 7.

The elemental component of this assemblage is the binary opposition between Fascism and liberal democracy without which these articulations would no longer be intelligible. The concept of *postfascism* denotes the way in which the ethico-political forms of postwar political community refer incessantly, though frequently only as a subtext, to the experience of Fascism. We cannot assume that “Fascism” or “liberal democracy” always denote the same thing, nor that the particular valences and associations they make have not changed substantially over the course of the last 60 years. The opposition is therefore best thought of as part of an assemblage in the sense of an index, or a set of instructions, for the way in which a myriad of heterogenous components are connecting with one another on an ongoing basis: signs, statements, social forms, locations, passions, personnel, institutions, rationalities, etc.⁵⁶ As a methodological proviso then, I do not presume an internal coherence or necessary relationship between any of the elements of the postfascist assemblage. They simply “correlate” and any perception of unity or “logic” comes from outside, from precisely the place that needs to be examined.

Strategies of Government:

Secondly, an account needs to be provided of the particular *efficacy* of the Fascist assemblage. We would like to know how it actually works within postwar society, what uses it is put to, what operations it supports, in what frame of reference it can communicate, and in what strategies it is integrated *as a problem*.

From the perspective of the literature on governmentality we might see this issue as one concerning the various means by which government seeks to influence, direct or control the relations between the governors and the governed, or the ways

⁵⁶ On this idea of assemblage (machinic assemblage of desire, collective assemblage of enunciation) see Chapter 9 (pp. 81-88) in Deleuze and Guattari, *Kafka: Toward a Minor Literature*. And, Chapter 4 (pp. 75-110) in Deleuze and Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia*. See also

individuals act upon themselves in the context of a discourse on Fascism.⁵⁷ Fascism in the postwar era does not seem as significant as a general threat to democracy (although it might prove premature to say so), as it does as a target for a variety of governmental practices and rationalities. With the defeat of “historical” Fascism, it seems mistaken to analyze contemporary neofascism in Europe and North America in terms of its capacity to form a certain type of totalizing regime or a certain type of repressive function in coalition with capital. Rather it seems significant to us now mostly in terms of the “problem of Fascism” and how it is represented as posing problems for government in the broadest sense of the term – the government of speech in the public sphere, government of relations between identifiable ethnic/racial populations, the government of political passions and the political party system, the “ethical” government of ourselves as non-fascists or anti-fascists, etc. Neo-Fascist events in the Post War period take on significance especially to the degree that they pose a new (although perhaps minor) set of problems for the general questions of “how to govern” or how to “conduct the conduct” of modern citizens, and on what grounds to do so. We must therefore examine how Fascism and neofascism become the objects of specialized knowledge (in Fascist Studies, Hate criminology, jurisprudence, and sociology, etc.), how they generate sites for governmental intervention (to protect targeted communities from Hate crimes, to educate children about ethnic tolerance, to limit the public profile of neo-Nazi groups, to create the social conditions in which the appeal of Fascism is

Michel Foucault, "Nietzsche, Genealogy, and History," in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon Books, 1984).

⁵⁷ There is now a large literature following from Foucault's concept of governmentality. See especially Nikolas S. Rose, *Powers of Freedom: Reframing Political Thought* (Cambridge, United Kingdom; New York, NY: Cambridge University Press, 1999). Mitchell Dean and Barry Hindess, *Governing Australia: Studies in Contemporary Rationalities of Government* (New York, NY: Cambridge University Press, 1998). Andrew Barry, Thomas Osborne, and Nikolas S. Rose, *Foucault and Political Reason: Liberalism, Neo-Liberalism, and Rationalities of Government* (Chicago: University of Chicago Press, 1996). Mitchell Dean, *Governmentality: Power and Rule in Modern Society* (London; Thousand Oaks, Calif.: Sage Publications, 1999). Barry Hindess, *Discourses of Power: From Hobbes to Foucault* (Oxford, UK; Cambridge, Mass., USA: Blackwell Publishers, 1996). Graham Burchell, Colin Gordon, and Peter Miller, eds., *The Foucault Effect: Studies in Governmentality: With Two Lectures by and an Interview with Michel Foucault* (Chicago: University of Chicago Press, 1991).

minimized, etc.) and how they also problematize our collective identity and the “modality” within which we constitute ourselves as ethical (i.e. non-fascist) citizens.⁵⁸

Within the terms of the literature on governmentality, then, we can look on these effects in light of three types of question:

1) How are Fascist events conceptualized by authorities as problems that concern government? What types of problem are they thought to be?

2) How do official responses to Fascism develop into specific “technologies” of rule: mechanisms like hate crime laws (and their enforcement), tribunals, targeted community services, restorative justice initiatives, pedagogical techniques, and anti-racist programs, etc.? How do these specific technologies define and redefine the targets of disciplining and normalizing forms of power and what are their effects?

3) How might we distinguish between different *ethoi* of problematization and technique? What are the different ethical ideals with which they invest the issue of Fascism and invite us to become moral subjects of our own actions with respect to the collectivity of others? What are the different ways in which we are led to understand our own self-conduct in relation to Fascism?

Genealogy:

Thirdly, an account needs to be provided of the *emergence* of the contemporary Fascist problem/assemblage. This is a different problem than that denoted in the governmental literature and poses more of a genealogical question. Even in his most “governmental” lectures, Foucault argues that it is not sufficient to simply enumerate different modes and sites of governmental problematization, different governmental strategies, different technologies for “solving” these problems, and different epochal typologies, rationalities or “diagrams” of power (sovereign, disciplinary, biopolitical,

⁵⁸ On the centrality of ethics in the “governmentalization of the state” see Michel Foucault, “On the Genealogy of Ethics,” in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon Books, 1984).

pastoral, neo-liberal, modulating, etc.).⁵⁹ It is necessary to provide an account of the conditions of their emergence, a form of analysis which Foucault refers to in different places as a "genealogy," a "critical historical ontology" or a "history of the present moment."⁶⁰ The capacity of governmental technologies to represent themselves as rational responses to already existing problems, or the capacity of specialized knowledges to make claims of truth about an already existing reality, have to be understood as the effect of *the events* in which new forms of political practice, new forms of knowledge, and new links between knowledge and coercion emerge. Genealogy is that "meticulous and patiently documentary" analysis which reveals in the already existing, the lineage of antagonistic contestations, the "repeated play of dominations," the emergence of exceptions which have had to have been decided, in order for the practices and modes of thought we take to be natural to be generated.⁶¹

In other words, the focus turns away from the description of *assemblages* and *governmental practices* to a different set of questions about the conditions under which specific governmental problematizations, strategies, and practices become effective, begin to make sense, and are able to draw upon a worldview or definition of the situation which has already come to seem natural or obvious. In our case we want to be able to ask how and at what point Fascism came to denote a "subject" with a certain set of attributes (totalitarian, anti-democratic, evil, irrational, racist, anti-humanist, etc.), how it came to mark the limits of legitimate politics, how it came to have significations which were of strategic value in certain governmental practices, how the grounds and

⁵⁹ Michel Foucault, "Politics and Reason," in *Politics, Philosophy, Culture: Interviews and Other Writings, 1977-1984*, ed. Lawrence D. Kritzman (New York: Routledge, 1988). Michel Foucault, "Governmentality," in *The Foucault Effect: Studies in Governmentality: With Two Lectures by and an Interview with Michel Foucault*, ed. Graham Burchell, Colin Gordon, and Peter Miller (Chicago: University of Chicago Press, 1991). Michel Foucault, "What Is Critique?," in *The Politics of Truth*, ed. Sylvère Lotringer and Lysa Hochroth, *Semiotext(E) Foreign Agents Series* (New York: Semiotext(e): Distributed by the MIT Press, 1997).

⁶⁰ See in particular the essays and interviews in Michel Foucault, *The Politics of Truth*, ed. Sylvère Lotringer and Lysa Hochroth, *Semiotext(E) Foreign Agents Series* (New York: Semiotext(e): Distributed by the MIT Press, 1997). Foucault, "Two Lectures." Foucault, "Nietzsche, Genealogy, and History."

⁶¹ Foucault, "Nietzsche, Genealogy, and History."

sites of political expression shift subtly in the process of each neo-nazi event, and how all this now appears to us as natural and uncontested.

Genealogy is crucial to the critical mode of analysis to be presented here. To emphasize *the events* in which new forms of political practice, new forms of knowledge, and new links between knowledge and coercion emerge as the privileged domain of analysis, to disinter or historicize their ontological conditions, is to "grasp things in their essential instability" as Foucault puts it, to reveal the lack of closure, the unfinishedness, the unresolved antagonisms, or the fragility of the events in which discourses on Fascism and the technologies of power associated with them are enabled and established. This is what Foucault means when he defines genealogy as the form of analysis in which we can "separate out, from the contingency that has made us what we are, the possibility of no longer being, doing, or thinking what we are, do, or think."⁶² Rather than a form of critique in which a normative model of the new man or new society is erected, and in which the structures of technological enframing, the biopolitical norm and the sovereign exception return in all their fury, genealogy is the critical practice in which it becomes possible to envisage the reversability or disappearance of a power/knowledge formation: in our case, the strange complicity between the liberal administration of freedom and the Fascist claim for authentic community. This would herald the entry into what might be called a *non-fascist era*.

⁶² Foucault, "What Is Enlightenment?," p. 46.

Part Two

2.0 The Government of Hate

2.1 The Problem of Neofascism and Hate:

As a first approximation, weapons have privileged relation with projection. Anything that throws or is thrown is fundamentally a weapon, and propulsion is its essential moment. The weapon is ballistic; *the very notion of the problem is related to the war machine.*

Deleuze and Guattari¹

What kind of problem is neo-fascism? What is the significance of neo-fascism in the contemporary *Lebensführung*? For the political scientist it is taken to be a problem posed by the threat of political extremism in a democratic constitutional order.² For the legal scholar it is taken to be a problem of regulating the coexistence of Hate Speech and the right to free speech.³ For the criminologist it is taken to be a problem concerning the status of hate as a special category of criminal motivation.⁴ For

¹ Gilles Deleuze and Felix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia* (Minneapolis: University of Minnesota Press, 1987), p. 395.

² Hans-Georg Betz, *Radical Right-Wing Populism in Western Europe* (New York: St. Martin's Press, 1994). Luciano Cheles, Ronnie Ferguson, and Michalina Vaughan, eds., *The Far Right in Western and Eastern Europe* (London; New York: Longman, 1995). Herbert Kitschelt and Anthony J. McGann, *The Radical Right in Western Europe: A Comparative Analysis* (Ann Arbor: University of Michigan Press, 1995). Paul Hainsworth, ed., *The Extreme Right in Europe and the USA* (New York: St. Martin's Press, 1992). Peter H. Merkl and Leonard Weinberg, eds., *Encounters with the Contemporary Radical Right, New Directions in Comparative Politics* (Boulder: Westview Press, 1993).

³ Richard Delgado and Jean Stefancic, *Must We Defend Nazis?: Hate Speech, Pornography, and the New First Amendment* (New York: New York University Press, 1997). David Matas, *Bloody Words: Hate and Free Speech* (Winnipeg: Bain & Cox, Publishers, 2000). Laurence R. Marcus, *Fighting Words: The Politics of Hateful Speech* (Westport, Conn.: Praeger, 1996). Rita Kirk Whillock and David Slayden, eds., *Hate Speech* (Thousand Oaks, Calif.: Sage Publications, 1995).

⁴ This is a literature that has two streams. The first conforms to a kind of critical political psychology of the hate criminal or of the 'hater' more generally, starting with the *Studies in Prejudice* tradition and *The Authoritarian Personality*: See: Theodor W. Adorno, *The Authoritarian Personality* (New York: Norton, 1982). Eric Hoffer, *The True Believer: Thoughts on the Nature of Mass Movements* (New York: Harper, 1951). Bob Altemeyer, *Enemies of Freedom: Understanding Right-Wing Authoritarianism* (San Francisco: Jossey-Bass Publishers, 1988). Raphael S. Ezekiel, *The Racist Mind: Portraits of American Neo-Nazis and Klansmen* (New York: Viking, 1995).

Criminology gradually loses its overtly political stance to attempt a criminologization of the problem. See: Mark S. Hamm, *American Skinheads: The Criminology and Control of Hate Crime* (Westport, Conn.: Praeger, 1993). John Hagan, Hans Merckens, and Klaus Boehnke, "Delinquency and Disdain: Social Capital and the Control of Right-Wing Extremism among East and West German Youth," *American Journal of Sociology* 100, no. 4 (1995). Jack McDevitt, Jack Levin, and Susan Bennett, "Hate Crime Offenders: An Expanded Typology," in *Hate and Bias Crime: A Reader*, ed. Barbara Perry (New York: Routledge, 2003). Kellina Craig, "Examining Hate-Motivated Aggression: A Review of the Social Psychological Literature on Hate Crimes as a Distinct Form of Aggression," *Aggression and Violent Behavior, A Review Journal* 7, no. 1 (January 2002).

The second stream queries or promotes the special status of the hate motivated crime within the law: James B. Jacobs and Kimberly Potter, *Hate Crimes: Criminal Law & Identity Politics* (New

the anti-fascist activist it is taken to be a problem of how to defend targeted communities, the order of society, and the project of social justice from a covert and diffuse internal enemy: a conspiratorial anti-society or “web of hate” that bears the discourse of violent race war.⁵

As provocative and developed as these four literatures have become in recent years, the ambivalent political consequences they produce lead us to believe that they have overlooked an essential component of the problem of neofascism. (1) The analysis of political extremism presupposes a model of sovereign power *that is no longer in effect* and produces a strategically dangerous politics of moral exclusion as a result, just as vectors of popular passion and enthusiasm elude its analytical categories and constituencies of voters disaffiliate from the pluralistic regulatory practices that have controlled the political party system in postwar democracies.⁶ (2,3) The problematization of hate speech and hate crime becomes intensely ambiguous in societies where free speech and free conscience are both “fundamental” and yet understood to involve vaguely delimited responsibilities and constraints. In responding

York: Oxford University Press, 1998). Barbara Perry, ed., *Hate and Bias Crime: A Reader* (New York: Routledge, 2003). Phyllis B. Gerstenfeld and Diana Ruth Grant, eds., *Crimes of Hate: Selected Readings* (Thousand Oaks, Calif.: Sage Publications, 2004). Phyllis B. Gerstenfeld, *Hate Crimes: Causes, Controls, and Controversies* (Thousand Oaks, CA: Sage Publications, Inc., 2004).

Where the two literatures converge is the nexus of juridical and governmental thought that focus on the social danger and/or legal admissibility of the hateful motives that define a neo-fascist type.

⁵ Warren Kinsella, *Web of Hate: Inside Canada's Far Right Network* (Toronto: Harper Perennial, 1995), p. 3. The following are representative of the popular, activist and academic anti-fascist literature in which this version of the neo-fascist problem is articulated: Stanley R. Barrett, *Is God a Racist?: The Right Wing in Canada* (Toronto: University of Toronto Press, 1987). Sara Diamond, *Roads to Dominion: Right-Wing Movements and Political Power in the United States* (New York: Guilford Press, 1995). Aurel Braun and Stephen J. Scheinberg, *The Extreme Right: Freedom and Security at Risk* (Boulder, Colo.: Westview Press, 1997). James Coates, *Armed and Dangerous: The Rise of the Survivalist Right* (New York: Hill and Wang, 1987). Alec G. Hargreaves and Jeremy Leaman, *Racism, Ethnicity, and Politics in Contemporary Europe* (Aldershot, England; Brookfield, Vt., USA: E. Elgar, 1995). Geoff Harris, *The Dark Side of Europe: The Extreme Right Today* (Edinburgh: Edinburgh University Press, 1994). Martin A. Lee, *The Beast Reawakens* (New York: Routledge, 2000). Dave Renton, *Fascism: Theory and Practice* (London; Sterling, Va.: Pluto Press, 1999). James Ridgeway, *Blood in the Face: The Ku Klux Klan, Aryan Nations, Nazi Skinheads and the Rise of a New White Culture* (New York: Thunder's Mouth Press, 1995). Michael Schmidt, *The New Reich: Violent Extremism in Unified Germany and Beyond* (New York: Pantheon Books, 1993).

⁶ On disaffiliation of a right wing constituency from the political system see summary in Betz *Radical Right-Wing Populism in Western Europe* Op. cit. (pp. 33-41). On the government of political passions as a condition of securing the democratic political processes and institutions see Barry Hindess, "Politics and Governmentality," *Economy and Society* 26, no. 2 (1997).

to hate speech and hate crime the law is repeatedly forced to cross over from its order-preserving image to an *instituting* in which a new, undefined law, a new 'regular situation', and a new set of powers come into existence.⁷ (4) Finally, the defense of society against the effects of hate seems absolutely vital and yet finds itself pushed up against two limits that threaten to reverse its intent: the limits of 'the political' in which the dangerous Other becomes the enemy and the streets erupt in a war between neonazis and immigrants, antifascists and neofascists (as they did in Berlin in the early 1990s); the limits of constructs like "multiculturalism" and "human rights" which are stripped of their universalism and intrinsic legitimacy and become openly political-strategic (i.e. particularist) moves in the ongoing, *minor* history of struggles and defeats with fascism.

In these literatures, neo-fascism is seen as a problem by virtue of its peculiar capacity to put the governing of different spheres of democratic society into question. The problem of neo-fascism makes previously unproblematic fields of experience problematic, or problematic in a new way. In each neo-fascist event a sphere of the postfascist lifeworld is literally 'thrown out before us' as a *problēma* in the form of a challenge or ethico-political complication.⁸ It becomes a problem in a far more profound way than is usually captured by the concept of a "social problem."

⁷ The literature represents this as a matter of simply deciding for or against either an inclusive model of social justice that would ban hate speech or a legal 'fundamentalism' that would preserve the formal system of the law. It conceals the political fissures that open up whenever the sovereign (in this case the representatives of the law) is forced to decide the undecidable. The situation which emerges as a result is one in which the success of prosecuting hate speech or hate crime laws is increasingly incalculable (a symptom we might interpret as a case in which the law is actually forced to withdraw from a specific area of behaviours and practices, i.e. it becomes an instance of the exception in Schmitt's senses of the term) and where a patchwork of quasi-judicial, quasi-administrative institutions focusing on human rights violations and alternative sentencing practices, etc. come to address the criminal law/constitutional law dilemma. (See sections 2.3-2.4 below).

⁸ In the Oxford English Dictionary it states that a 'problem,' from the Latin *problēma*, and the Greek *πρόβλημα*, is a thing that is thrown out or put forth. See also Leon Kass, "Introduction: The Problem of Technology," in *Technology in the Western Political Tradition*, ed. Arthur M. Melzer, J. Weinberger, M. Richard Zinman, and Political Science Department. Michigan State University (Ithaca, N.Y.: Cornell University Press, 1993), p. 9. In the manner of Heidegger it might be interesting to think about what kind of 'thing' this is, (physical, mathematical, affective, metaphysical, etc.) but the fact that it is thrown is interesting enough. As something that is thrown, the problem has the qualities of a projectile, which give it a different relationship to the space of a society than the problem as a 'solving' which establishes or reestablishes an "interiority" as Deleuze and Guattari put it. The problem is not reducible

On one hand the situation provokes a series of “technical” responses. The question of *how* to respond to this problem, this situation, this event, prompts an official deliberation that is constrained in advance by technicality, i.e. the laying down of rational, coherent, and circumscribed conditions that secure the effectiveness of particular techniques or policies in each specific area. Neo-fascism thereby appears as a domain of subjects, practices and ideas marked off as a special object of governmental knowledges, strategies and interventions: What is the nature of neo-fascist political extremism and what is the best way to limit its appeal and sources? What mechanisms can we use to effectively eliminate Hate speech from the public sphere? What techniques can we best use to guard against hate crime, to reduce the influence of neo-fascist organizations on youth, or to reform those on the path to racial violence? Through what means can we successfully defend the civility of society against Hate? In fact these types of response to it bring to light the ways in which the security of democratic processes and institutions, the regulation of speech, the formation of types of criminality, or the defense of social solidarity *are* discrete domains subject to specific technical-governmental practices and concerns. This will be the theme of Section 2.2 below.

On the other hand, as Michel Foucault notes, to problematize a domain also reveals a problem posed to *politics*, both in the sense of the limits of proposed solutions in resolving a problem completely (thus calling for a political solution of some sort) but also in the sense of revealing the unstable relation of forces at work in the political

to its solution (the various actual or possible forms of exclusion and discipline that characterize responses to the ‘neofascist problem’) but opens up a line of thought or practice in the middle of the social formation that is indeterminate, that operates in an extrinsic relation to the outside of the social model as if in an unbounded or “smooth space.” It has a projective quality that cuts through existing categorizations and points towards a thinking that discovers and invents new possibilities of life. The trick is to try to discern in ‘the problem’ the new, the unprecedented, and the singular – the *event* of the problem – that indicate its pathways, openings and becomings *and* its agitation against and within the boundedness of determinate social-political forms. As Deleuze puts it, “problems are of the order of events.” Gilles Deleuze, *Difference and Repetition* (New York: Columbia University Press, 1994), p. 188.

⁹ For further elaboration on the question of how the political activity and enthusiasm of the governed potentially threaten the operation of political processes and institutions and therefore become a problem of government administration, see Hindess, “Politics and Governmentality.”

context of the “problem” itself: its contingency, its heterogeneity, its singular political formations, its strategies, its points of resistance, its aporias.¹⁰ It “induces a crisis in ... previously silent behaviour, habits, practices, and institutions.”¹¹ It *throws* them into disorder (or into a different order). That neofascism can be approached from various angles as a problem confronting democratic process, speech, criminality, or society attests to an underlying series of ethico-political commitments that sustain the ability to construct it as an object with a particular valence or significance for contemporary types of society. To follow Foucault on this point then, it is necessary to think the problem of neo-fascism as a problem that puts these commitments and their ethico-political context to a test.

2.2 Neofascism as Exception: Problem Spaces and Aporias:

Nevertheless, it is a testament to the difficulties authorities and experts encounter in responding to neo-fascism that the ethico-political context of this problematization remains murky and dimly understood. In the Western tradition there has perhaps always been something elusive about the ethico-political coordinates of political life – the relation between the activities that found or maintain the coherence of its ethics, politics and knowledge (its *Lebensführung* or way of life) and the political space of its ‘polis’ that always borders on non-politics, other politics, the nomadic, the barbarian or the enemy. It becomes a particularly difficult terrain to think through in the liberal democratic model that gives form to postfascist society. Where *ethos* is a quality of the private sphere of civil society, *politics* a quality that inheres in the struggle between interests to control the actions of the state, and *knowledge* an objectivity about the world that must remain independent of both, the relationship between the three elements of the ethico-political is easily cast in terms of a series of oppositions or mutual exclusions. Ethics, politics and truth seem to be separate and

¹⁰ See Michel Foucault, “Polemics, Politics, and Problematizations,” in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow (New York: New Press, 1997), pp. 114-15.

¹¹ Michel Foucault, *Fearless Speech*, ed. Joseph Pearson (Los Angeles, Ca[lif.]: Semiotext(e): [Distributed by MIT Press], 2001), p. 72.

autonomous concerns. This is a reification that prevents us from seeing what is at stake in the response to neo-fascism.

The problem of neo-fascism becomes a key to understanding the conditions of contemporary rule then because if it is possible to speak in general of an underlying relationship between ethics, knowledge and political action which gives form to postfascist community and self-conduct, it does not seem possible to examine it unless it is in those moments of exception to the rule, those sites of ambiguous problematization, when authorities are forced to act and make the legitimation of their actions explicit. The neo-fascist event is one of those exceptions. For the analysis of neo-fascism, as for Carl Schmitt's analysis of the political, *the exception is more interesting than the rule*. This is because the existence of the exception indicates an originary scene of politics: a moment when the contours of the political context are brought out of concealment and reinstated.

I would like to follow two lines into the ethico-political context of postfascist society. The first line goes via the *problem space* within which neo-fascism and Hate Speech become visible as problems and the second via the series of aporias the problems expose. In terms of the problem space, we need to think about how this space exists within or alongside the ethico-political space in which we live; how in an uncanny sense this space fixes the ethico-political coordinates of postfascist society. In the remainder of Part 2 I would like to review four possibilities that might be characterized in terms of their relationship to the themes of technology, biopolitics, the sovereign exception, and the event.

Technology: Is the problem space simply the designated site of a *social* problem, held 'unproblematically' within the purview of governmental operations and the juridical apparatus – a space that effectively encloses the problem of neo-fascism by reducing it to the search for technical solutions?

Biopolitics: Or is it a space that is more complex, formed in the overlap between sovereign and biopolitical powers: a space mutually defined by proscribed

behaviours in the sovereign domain of the law (a domain that has perhaps already lost its coherence and independence as Foucault suggests) and by 'abnormality' in the biopolitical field of the population, anchored by knowledges and powers that seek to grasp life in its problematic or transgressive effervescence?

Sovereignty: Or is it a space of exception, like the camp analyzed by Giorgio Agamben, in which the inassimilable 'excess' of neofascism is simultaneously *banned* from normative/lawful society and held within it (as its hidden "regulator" enabling its continuity in an era when the exception has become the rule)?

Event: Or can we begin to think of the space temporally as the site of an event, a projectile, a *problēma* – a trajectory of events and responses – that cuts into history, changing the coordinates of the ethico-political context, disrupting the way that social problems are governed and exceptions decided, (while opening onto terrains of sociality that are still obscure and yet to come)? In the problem it poses to politics, could it be a space or rather an index of the minor-becoming that gingerly and fleetingly, albeit ironically, offers a glimpse of a future *non-fascist* sociality?

The second line into the ethico-political context of postfascist society goes via a line of genealogical critique. That is to say, one attempts to discern in the event of the emergence of these new problem spaces both the conditions of its emergence as something singular (i.e. that it is not self evident, or natural, or simply 'normal' to pose the problem of neofascism in precisely these terms) and the conditions of the limits or impasses that characterize postfascist responses to it: the moments of exception, excess, aporia or undecidability where its political nature is revealed. It is therefore important not to dismiss the cracks that appear in the response to neofascism. In taking them seriously, the conditions of acceptability that allow the liberal democratic model of government to be the privileged bulwark against fascism become evident. We need to be more precise about the ethico-political effects of the responses to neofascism.

A genealogy of the modes of response would not however simply show that postfascist society is contradictory or aporetic but how the aporias themselves indicate

what is unstable and unfinalized in the multiple elements that produce the discourses and coercive mechanisms of postfascist society. The aporias are indications of the “non-place” to which Foucault refers, an open space of battle where forces are arrayed against one another and where the singularity of the postfascist ethos finds its definition.¹² It would also be critical therefore in the sense of illuminating the point of *crisis*, the turning point, the separating, judging, and deciding that go into the moment of decision. In the responses to the exception of neo-fascism are revealed the fragility of the technical, biopolitical and sovereigntist commitments of postfascist society and of the mechanisms that foreclose the emergent, emancipatory possibilities of a non-fascist way of life.

2.3 *Fascism vs. Democracy: The Enduring Structure*

In the first place, at a seemingly banal level, to problematize neo-fascism is to presuppose that the distinction between neo-fascist and non-neo-fascist (e.g. democratic) social and political forms can be made. In the language of structuralism, the formal/differential binary structure between the signifiers “neo-fascism” and “democracy” is the elementary condition of being able to formulate any of the numerous postwar discourses on neo-fascism and Hate Speech. The ‘positive’ or empirically observable elements of the problem of neo-fascism are governed by a signifying structure which is in itself in a sense ‘absent’ but nevertheless functions as the condition of experiential reality.

On the basis of this elementary distinction we can derive a series of secondary oppositions that provide the specialized knowledges of political science, hate criminality, hate speech and anti-fascist activism with their intelligibility. If we think about the rise of extreme right political movements, for example, we find in the comparative politics literature a series of distinctions that enable the difference between political extremity (violent, anti-constitutional, irrational, etc.) and ordinary

¹² See Michel Foucault, "Nietzsche, Genealogy, and History," in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon Books, 1984), pp. 84-85.

political party competition to be drawn.¹³ Similarly, if we think about the scene of hate crime we find in the criminological literature a series of distinctions being drawn between crimes motivated by hate and ordinary crimes, racial violence and pecuniary 'random' violence, and criminality based in a hateful (authoritarian) personality and purely instrumental or essentially different criminal dispositions. The same differential structure governs the capacity of hate speech and anti-fascist activists to define their objects and guide coherent interventions into the problem.

In fact, posing the problem of neo-fascist events continually reiterates a species of inside/outside claim concerning the borders of political legitimacy and illegitimacy, ordinary and hateful crime, what can and cannot be said under the aegis of free speech, acceptable and unacceptable forms of sociality. It does not require an extraordinarily close reading of the literature to see that a more primary opposition between classical fascism and liberal democracy (and their correlates: totalitarianism/open society, authoritarianism/liberty, will to power/equality, race war/universal human rights, etc.) lies behind and seeps into these claims. This is often explicit. The capacity to draw the initial distinction enables these particular contents to be articulated.

But the banality of the structuralist type of claim here, confronted with which one is always inclined to say, "yes, but so what?" is belied by the richness of structuralism's ontological paradoxes. As Macherey put it, the idea of there being an underlying structure that distributes the narrative elements in an account implies that it is already fully coherent or worked out prior to being articulated.

It goes back to the entirely unscientific hypothesis that the work has an intrinsic meaning (though this does not imply that this meaning is

¹³ On trying to define the extremity of the extreme right family see Meindert Fennema, "Some Theoretical Problems and Issues in Comparison of Anti-Immigrant Parties in Western Europe," *Barcelona: Working Papers Series, Institut de Ciències Polítiques i Socials* 115 (1996). Christopher T. Husbands, "The Other Face of 1992: The Extreme Right Explosion in Western Europe," *Parliamentary Affairs: A Journal of Comparative Politics* 45, no. 3 (1992). Piero Ignazi, "The Silent Counter-Revolution: Hypotheses on the Emergence of Extreme Right-Wing Parties in Europe," *European Journal of Political Research* 22, no. 3-34 (1992). Cas Mudde, "The War of Words Defining the Extreme Right Party Family," *West European Politics* 19, no. 2 (1996).

explicit); paradoxically, this enables it to be read before it has ever been written.¹⁴

The structure pre-exists the work. It is always possible to perform a structuralist analysis, to extract a secret underlying structure (or a structure that is at least unexaminable from within a particular work) that explains the compositional decisions governing the whole. But the existence of the structure represents an enigma that puts the structuralist enterprise into doubt.¹⁵ How can the structure precede the work?

It becomes necessary to ask how a specific differential structure comes into existence in the first place. Similarly, the capacity to pose the problem of neo-fascism rests somehow on its *prior* distanciation as a problematic other or exception to the norm. In Heideggerian language, the problem is disclosed within a space that has already 'come to presence,' has already been thrown. The problem *space* within which authorities can articulate a discourse and a response to neo-fascism must somehow already exist prior to any attempt to think the problem, define the terms in which we engage the problem, set up explanatory models to account for the causes of the problem, or make differentiations between separate instances of the problem. Or to reverse this proposition, through its exclusion neo-fascism is, in at least a minor way,¹⁶ a means by which normal and legitimate social life, the identity of the political community, and moreover the position of authority from which experts and officials speak, are produced. In other words, the problem of neofascism needs to be raised in the context of a question concerning the position from which authorities are able to

¹⁴ Pierre Macherey, "Literary Analysis: The Tomb of Structures," in *A Theory of Literary Production* (London ; Boston: Routledge & Kegan Paul, 1978), p. 141.

¹⁵ Macherey's response to this dilemma is to turn his attention firstly to the theological tenor of structuralist thought, namely its own presuppositions of harmony, unity and interiority, and then to the fictive or ideological nature of the work's supposed coherence, how its order always masks a deeper political-economic disorder revealed in the work's silences: "the active presence of a conflict at its borders." *Ibid.*, p. 155.

¹⁶ It is minor in the sense that there are of course numerous exclusions that serve to define the limits and borders of 'legitimate' political life and neo-fascism is probably not the most important one. At the same time it is minor in the sense of being caught up in Deleuze and Guattari's minoritarian becomings. One needs to examine the effects of this specific exclusion to get a sense of its capacity to pose a problem that connects to seemingly unrelated spheres of our collective experience, i.e. the political party system, the use of speech, the formation of criminality, the conditions of social solidarity.

generate and maintain the distancing, how the authority of this position is established and maintained, how the awkward logical *complicity* between norm and exception, self and other, can be continually refused (if they are in a sense mutually defining or mutually constitutive), the conditions under which the distancing continues to work, the historical moment or *event* in which they became possible, and therefore, more menacingly perhaps, the future moment in which they may no longer be possible, when liberal democracy and fascism are indistinguishable.¹⁷

The crux of the issue is to come to terms with this *event* in which the opposition between neo-fascism and liberal democracy was established and became naturalized. Only on the basis of this event of distancing is it possible to pose the postwar problem of neo-fascism as a problem *internal* to the government of society or to think through the various meanings of the prefix "neo" in regard to "classical" fascism. It is only on the basis of the event in which fascism is transformed from the register of the political, as a contending assemblage of political solutions to the problems of modernity (alongside communism, social democracy and liberalism), to the register of the criminal as a problematic site of governmental intervention, that we can speak of "the problem of neo-fascism." At one point it was not at all obvious that fascism, neo-fascism or anti-Semitism were common criminal matters. The genealogical endeavor is to ask about the precise conditions under which this criminalization became obvious and acceptable and by this means to grasp what is most singular about the postfascist assemblage.¹⁸ Again, it is perhaps not so controversial to point to the occurrence of such an event as the ground of the current possibility of formulating the problem of

¹⁷ It is useful to avoid the language of Durkheimian functionalism here and not to rest with the proposition that however the obvious "deviance" of neo-fascism came to be established, incidences of neofascism have their function of reproducing the borders of normalcy and the reproduction of social solidarity (whose content, other than mere togetherness, can also be taken to be obvious, i.e., the subjects, institutions and culture of liberal democracy). This sociology prevents us from thinking about the *event* in which the distancing became possible and the means by which a particular binary opposition represents itself as universal. By ignoring the event, the instability of what certainly does become a function within a system is not thought radically as the condition of an 'other' politics or an 'other' community to come.

¹⁸ Michel Foucault, "What Is Critique?," in *The Politics of Truth*, ed. Sylvère Lotringer and Lysa Hochroth, *Semiotext(E) Foreign Agents Series* (New York: Semiotext(e): Distributed by the MIT Press, 1997), p. 54.

neo-fascism, but it is necessary to see it for what it is – an abrupt transformation in the “sense” given to fascism and thereby to neo-fascism and its correlates -- and to explore its implications in the formation of modern and postmodern forms of life. In bringing fascism and neo-fascism within the technical purview of liberal governmentality, their continuing political capacity to put liberal democracy itself into question is disavowed and remains unintelligible.

2.4 *Towards a Critique of the Government of Hate:*

In the second place, if one strand of the postfascist context remains the ethical demand “that Auschwitz not repeat itself,” as Adorno put it,¹⁹ at the heart of the ethico-political response to that calamity is a fundamental ambiguity over how to depart finally from the modern conditions which made Auschwitz possible. It is necessary to come to terms with three of these conditions: the problem of technology/rationalization and the dissolution of ‘organic’ bonds, the biopolitical specification of populations, and the sovereign decision and the sovereign space of politics. Auschwitz would not have been possible without Nazism’s particular response to these conditions: its objectifying technological administration,²⁰ its racialization of the population,²¹ and its totalitarian endorsement of the ‘abyssal’ sovereign decision (in the dynamism of the state as movement).²²

But these three conditions also correspond to three disavowals that are manifest in postfascist responses to neo-fascism. Firstly, the element of radical political contestation over the nature and form of society represented by neo-fascists is disavowed through neutral or technical administrative procedures of criminalization and problematization. Secondly, the moralizing discourses used to denounce and exclude

¹⁹ Theodor W. Adorno, *Negative Dialectics* (New York: Seabury Press, 1973), p. 365.

²⁰ Zygmunt Bauman, *Modernity and the Holocaust* (Ithaca, N.Y.: Cornell University Press, 1989).

²¹ Robert Proctor, *Racial Hygiene: Medicine under the Nazis* (Cambridge, Mass.: Harvard University Press, 1988). Robert Jay Lifton, *The Nazi Doctors: Medical Killing and the Psychology of Genocide* (New York: Basic Books, 1986).

²² See Carl Schmitt, “State, Movement, People: The Triadic Structure of the Political Unity,” in *State, Movement, People: The Triadic Structure of the Political Unity: The Question of Legality*, ed. Simona Draghici (Corvallis, OR: Plutarch Press, 2001).

neofascism mischaracterize the biopolitical procedures of intervention deployed at the level of the 'life' of the population. Thirdly, the ability to define postfascism as the normal order of contemporary social life, and the normalizing procedures that continually produce it, conceal the deep state of emergency of modernity in which, as Walter Benjamin put it, *the exception has become the rule*.²³ The entire problematization of neo-fascism operates on an obligatory and unthought distancing of neo-fascism from the normal conditions of social life in a way that enables us to overlook how the issue continually produces exceptional moments that exceed or suspend the rules. In these moments of decision the exception becomes the norm and the promise of universal rationality is tied to a particular *extra-rational* moment that exceeds it.

The chapters that follow trace the way in which the ethico-political constellation of postfascist society is disrupted by neo-fascist events. These disruptions reveal its limits and the limits of its after-Auschwitz ethic. This is a constellation that is still crucially defined by commitments to technical rule, biopolitical normalization and sovereign politics. At the core of these disruptions is the uncanny effect produced by the distancing between fascism and liberal democracy. This structure alternately emerges as a politics (when the fascist position begins to undermine the self-evidence of liberal democratic rule) or threatens to implode (at the points where fascism and liberalism begin to converge and become indistinguishable).

The method to be pursued here is to note the ways in which the neo-fascist event works as an exception to the normalcy that this distancing helps to hold in place. In Chapter 3, I analyse contemporary attempts to approach the problem of neo-

²³ "Thesis 8" from Benjamin's *Theses on the Philosophy of History* reads as follows: "The tradition of the oppressed teaches us that the 'state of emergency' in which we live is not the exception but the rule. We must attain to a conception of history that is in keeping with this insight. Then we shall clearly realize that it is our task to bring about a real state of emergency, and this will improve our position in the struggle against Fascism. One reason why Fascism has a chance is that in the name of progress its opponents treat it as a historical norm. The current amazement that the things we are experiencing are 'still' possible in the twentieth century is *not* philosophical. This amazement is not the beginning of knowledge—unless it is the knowledge that the view of history which gives rise to it is untenable." Walter Benjamin, "Theses on the Philosophy of History," in *Illuminations* (New York: Harcourt, 1968), p.257.

fascism *technically* and try to show how they evoke a dangerous return to a moment of irresolution in the thematization of modern technology that remains with us from the first decades of the 20th century.

In Chapter 4, I argue that the condition of technical interventions into society and of the 20th century technological problematic is the emergence of biopolitics, but a biopolitics which itself is riven by competing 'fascist' and 'liberal' specifications of the life of the population and by competing solutions to the potentially *demonic* combination of sovereign and biopolitical powers.

In chapter 5, I argue that in order to understand the specificity of the neo-fascist problem as an object of these political technologies and biopolitical powers it is necessary to come to grips with how it works politically. In practice its politics are not defined by overt political programs, threats to the state and society, or even by the diagrams of knowledge/power/technique with which authorities respond to it, but by the way the event of its appearance in each particular instance provokes a moment of sovereign decision. Its politics are revealed in the moment of pure political excess when the regular situation and the normal rule of law open onto the conditions of their "infinite dislocation," when the sovereign defines the space of juridical rule by defining the exception to which it does not apply, as Agamben argues.²⁴ It has the uncanny capacity to reveal the aporetic, undecidable moments in the schemas of modern technology and biopolitics and to force a decision to be made which is neither technical nor biopolitical but in fact generative of technologies and new powers.

To grasp this situation the new forms of institutionalization and governmentality that emerge around the response to neo-fascism must be examined in their emergent qualities, not as continuities of existing technical and biopolitical forms. They define a line of flight that portends "diabolical powers to come."²⁵ In decisive

²⁴ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, Calif.: Stanford University Press, 1998), pp. 19-20.

²⁵ For the development of this idea of the diabolical powers to come in relation to "revolutionary forces to be constructed" see Gilles Deleuze and Felix Guattari, *Kafka: Toward a Minor Literature* (Minneapolis: University of Minnesota Press, 1986), p. 18.

respects postfascist society is tied both to the thanato-politics of fascism and to something else less well defined, something that continues to wrap itself in the language of universal rationality but is decidedly more sinister.

In this way the analyses of technology, biopolitics, and the political that follow resemble the column of turtles on which the earth rests. The neo-fascist's and our own inscription into the postfascist society is mediated by the social and political technologies that continue to produce it as a technological order. The condition of the technical order is the centrality of the sciences of population in the exercise of biopolitics. The condition of biopolitics is the sovereign decision that separates life from bare life. But then the condition of the sovereign decision becomes a problem. It must be derived from a topology that becomes extremely difficult to grasp. We must imagine the last turtle to be standing on a terrain that oscillates between ground and abyss, inside and outside. In Agamben's formulation it is a 'space' that contains the outside within itself. The question we are asking is whether the foundation of this column necessarily rests on this abyssal decision on the exception -- a return of the repressed in the form of a politics that always reaffirms the sovereign moment of decision -- or whether this structure can be dissolved? This question sums up the nature of a project that takes the turn to a non-fascist sociality to be an urgent problem but one for which our political and social thought is still inadequate.

Particularly at the present moment, it seems possible to accept the self-congratulatory equation of bourgeois liberal democracy with crusades against ethnocentric violence and recidivism in the name of universal human rights, multiculturalism, the ethos of tolerance and rational democratic governance etc. This self-understanding of our time -- our "mode of relating to contemporary reality"²⁶ -- is only possible if one does not note the ways in which the form of democratic society remains deeply attached to a technological mode of relating to the entities around us, to the perilous reorganization of the lifeworld and community according to competing

²⁶ Michel Foucault, "What Is Enlightenment?," in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon Books, 1984), p. 38.

biopolitical imperatives (including those of global capitalism), and to the capacity to define states of exception and sovereign 'rights' of intervention into social life ("*a right of the police*" as Hardt and Negri say).²⁷

The problem turns on the fundamental orientation of our ethico-political existence to the seemingly indissoluble relationship of life and politics. Agamben puts the matter presciently when he writes "Today politics knows no value (and consequently no non-value) other than life, and until the contradictions that this fact implies are dissolved, Nazism and fascism – which transformed the decision on bare life into the supreme political principle – will remain stubbornly with us."²⁸ As an ethico-political project, does bourgeois liberal democracy not remain within the horizon of the same dilemmas regarding the technical/commercial world order, the 'mass' form of community, the biopolitical normalization of the modern subject, the sovereign account of the people's destiny, and the politics generating moment of sovereign decision that spawned fascism in the first place?

²⁷ Michael Hardt and Antonio Negri, *Empire* (Cambridge, Mass.: Harvard University Press, 2000), p. 17.

²⁸ Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 10.

3.0 Technology

3.1 *The Technical Problem: The Question Concerning Neofascism*

[I]f man – if we, as living, speaking, working beings – became the object for several different sciences, the reason has to be sought not in an ideology but in the existence of this political technology which we have formed in our own societies.¹

In the first instance, what does it mean to say that the problem of neo-fascism has become a technical problem? It means initially that in whatever guise it enters into the public realm as a concern, neo-fascism becomes the object of several different specialized sciences and of calculated administrative, juridical and therapeutic strategies of response. It is a problem that calls for a *measured* response, one that might form the foundation for an unbiased and practical solution outside of the messy irrationality of political, moral or ideological conflicts. To view the problem of neo-fascism as a technical problem is to search for the appropriate mechanisms to respond to it according to non-political criteria such as efficiency, effectiveness, or rational consistency, etc. and to accept therefore the usefulness of the distinction between the technical and the political. Neo-fascism is a social problem that needs to be managed, not a political insurgency that puts the social formation into question. To say that the problem of neo-fascism has become a technical question means that it takes form within the horizon of a technical mode of rule where politics and ethics are no longer *in question* in any meaningful way.

Thus the way in which the problem is conceptualized is intimately related to a number of dilemmas that continue to define the relationship between technology and the modern condition; the reliance of modern political forms of society on technical mechanisms of rule being chief among them.

The general outline of this problem is familiar to students of sociology through Weber's rationalization thesis. The uniqueness of modernity as a "life order", but also its particular antinomies and limits, in a sense its impossibility and its continued

¹ Michel Foucault, "The Political Technology of Individuals," in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000), p. 417.

production of moments of excess and exception, are defined by the ineluctable processes of the differentiation and rationalization of spheres and conduct of life. On one side, just as the Gods flee and the world becomes disenchanted and masterable by calculation, legal-rational forms of continuous administration supplant older forms of government and become permanent or “practically unshatterable”² by virtue of their “technical superiority.”³ The spaces where a non-technical reason might autonomously exist become increasingly curtailed and invisible as they become superfluous to the rational organizing principles of the modern order. Zygmunt Bauman’s analysis of the Holocaust rests entirely on this point: the conditions under which a substantive ethical standpoint might have countered the implementation of the Final Solution were/are systematically eroded by modern principles of rational organization.⁴

Yet on the other side the order remains bound to the irrational, the un-administrable and the non-technical nevertheless: the lingering *spirit* of capitalism, the passions that temper the sobriety of the political leader, the irreconcilability of ultimate values (i.e. the “ethical irrationality of the world”),⁵ the diabolic forces lurking in the use of violence (as the means of domination specific to the state), or the existential nature of the “calling” to an ethic adequate to face (or give face to) these conditions.⁶

The problem of neo-fascism is related to this dilemma in the way that it appears to upset the normative state of rational procedures and continually brings technical rule back to the point of its irrational caesura. Neo-fascism appears as a problem right at the point of “proportion” in what Weber calls the “the total ethical economy of human

² Max Weber, *From Max Weber: Essays in Sociology*, ed. Hans Heinrich Gerth and C. Wright Mills (New York: Oxford University Press, 1946), pp. 228.

³ *Ibid.*, p. 217.

⁴ Bauman, Zygmunt. *Modernity and the Holocaust*. Ithaca, N.Y.: Cornell University Press, 1989.

⁵ Max Weber, “Politics as a Vocation,” in *From Max Weber: Essays in Sociology*, ed. Hans Heinrich Gerth and C. Wright Mills (New York: Oxford University Press, 1946), p. 122.

⁶ The same *topos* is posed from another perspective by Adorno. In the technological will to *identify* and render the contents of world transparent, positive, orderly and manipulable, he finds a kernel of non-identity or negativity in the sensuous object that simultaneously eludes technological control and conditions it. Theodor W. Adorno, *Negative Dialectics* (New York: Seabury Press, 1973). Or, as Jean Baudrillard puts it, “It is through the subtraction of the remainder that reality is founded and gathers strength.” Jean Baudrillard, *Simulacra and Simulation* (Ann Arbor: University of Michigan Press, 1994), p. 143.

conduct," where the rational calculability of technological rule is balanced by the non-rational passion and existential stand of the political calling.⁷

In the following I would like to examine the ambiguities of treating neofascism as an object of technical rule and the conditions under which it returns as a political force that puts technical rule into question. The problem can be put in the context of the competing responses to the dangerous relation between modern social technologies and politics, or how the demonic potential of 'total mobilization' acts as a limit to political possibility. Firstly I examine the *topos* on which the problem of technological rule has been conceptualized in the 20th century through a brief examination of Weber's rationalization thesis, Foucault's concept of governmentality, and Heidegger's assessment of the great danger of technological enframing. I argue that the problematization of technology always revolves around the opposition between technological systems/prostheses and the humanness of humanity, and how this opposition is threatened. If neofascism is able to disturb technological rule it is because it cannot entirely be reduced and confined in a technical manner to a social problem but embodies a 'human moment' that threatens to repoliticize technology itself.

This makes it necessary to examine more closely the way in which liberal democracy has appropriated technological rule. It is evident in three state commissioned reports on the problem of hate and neofascism that I look at that this appropriation passes through a concept of liberal governmentality; more specifically, a rationality of government that coordinates the indirect rule of autonomous population processes by extracting and defining 'spontaneous' norms of social behaviour. The repoliticization of this mode of rule reveals the unresolved impasses concerning the use of technology in the 20th century. The antagonism between liberalism and Fascism is an antagonism between two different responses to the human/technology dilemma: one which seeks to extract impersonal norms of 'self-directing' rule from the population processes themselves while the other seeks to wed the powers of technology to the

⁷ Weber, "Politics as a Vocation," p. 117.

project of forging an authentic community. The problem of neofascism must be reconceptualized therefore, not simply in terms of the failure of technical modes of response to it, but in the way that it marks the reemergence of the politics of technology.

3.2 *Technical Rule: Weber, Foucault, Heidegger:*

Machines are social before being technical.... [T]here is a human technology which exists before a material technology.⁸

Max Weber is clearly the touchstone for thinking about these dilemmas. In asking about the fate of human forms of life in the face of the rationalization of the social order -- an "order ... now bound to the technical and economic conditions of machine production"⁹ -- Weber constructs a social *topos* in which ethical and political deliberations are opposed to, but also progressively contingent on, rational means of continuous administration.

This dilemma is also where Foucault's governmentality lectures and the thought that they prompted seem most at home. In Foucault's analysis we find a means to go beyond Weber's reliance on the "ideal type" and bureaucracy to understand crucial distinctions in the way power is organized through the social technologies of technical rule. In the lecture entitled "Governmentality" Foucault isolates the element of economy as the key dimension of modern modes of government.¹⁰ He did not particularly mean, to be sure, the sphere of activity that today is delimited often in a reified way as *the* economy -- the sphere of production and circulation of goods, services and labour -- but the mode of rationality to be applied to the exercise of

⁸ Gilles Deleuze *Foucault* (Minneapolis: University of Minnesota Press, 1988), p. 39.

⁹ Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. Talcott Parsons (New York: Scribner, 1958), p. 181.

¹⁰ Michel Foucault, "Governmentality," in *The Foucault Effect: Studies in Governmentality: With Two Lectures by and an Interview with Michel Foucault*, ed. Graham Burchell, Colin Gordon, and Peter Miller (Chicago: University of Chicago Press, 1991). See also Michel Foucault, "Omnes Et Singulati": Toward a Critique of Political Reason," in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000). Michel Foucault, "The Subject and Power," in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000).

government. The principle of this economy according to Foucault (quoting Guillaume de La Perrière¹¹) is that “government is the right disposition of things, arranged so as to lead to a convenient end.”¹²

The origins of the “art of government” have as their source the “introduction of economy into political practice.”¹³ Eco-nomy involves an elaboration of the correct rules, or “injunctions” (*nomos*), that are needed to address *the specific reality of a sphere or milieu (eco) of behaviour*.¹⁴ The key point is that the calculus that comes to direct governmental interventions is determined by knowledge of specific realities which are recognized to be *external* to government. This calculus becomes increasingly and more exactly technical or rational in Weber’s sense when the object of government shifts from the operation of a household to the problem of population. The care for the population, the optimization and perfection of its processes, relies increasingly on a “statistics” (i.e. literally a “science of the state”¹⁵) or knowledge of its objective processes and regularities. The population and its different processes become manageable, or ‘arrangeable to a convenient end’, when they are attributed a reality *sui generis* as Durkheim would later say, a reality with analyzable regularities that must be taken into account in order for them to be governed effectively.

To return to the technical nature of the problem of neo-fascism then, the technical approach and rational means of continuous administration gain coherency with respect to its issues to the degree that the problem can be set within a circumscribed sphere of activity of the population. As I have suggested, the spheres of

¹¹ La Perrière is important to Foucault’s argument here because his *Miroir Politique* (1567) is exemplary for Foucault of a certain stream of anti-Machiavellian literature. It enables him to contrast Machiavelli’s political rationality – the *raison d’Etat* that conceptualized the relation of a (transcendent) sovereign to his territory/people – with the emerging rationality of *government per se* and its relation to the new problems of population. Guillaume de La Perrière, *Le Miroir Politique* (Paris: 1567).

¹² Foucault, “Governmentality,” p. 93.

¹³ *Ibid.*, p. 92. In Foucault’s genealogy, this followed from the application of the techniques and “meticulous attention” used to manage and develop a prosperous household to the management of the state and later to the management of the different activities that characterized the life of the population.

¹⁴ See Peyman Vahabzadeh’s discussion of the idea of economy and an “economy of presence” in Peyman Vahabzadeh, *Articulated Experiences: Toward a Radical Phenomenology of Contemporary Social Movements* (Albany: State University of New York Press, 2003), pp. 114-15.

¹⁵ Foucault, “Governmentality,” p. 96.

activity that are brought into focus in deliberations on the problem of neofascism, (although not always very coherently), are the spheres of political party competition, criminal behaviour, circulation of speech, and social heterogeneity. This observation opens up the tendency in Weberian thought to reduce rationality or technology to one single dominant form of conduct or *Lebensführung* that subsumes all others. As Foucault argues, it is not rationality itself which is key to understanding the technical nature of power but the specific rationalities in operation in different fields, especially those that have as their point of reference a “fundamental experience” like madness, crime, or sexuality (or in our case, hate).¹⁶ Yet despite the way Foucault manages to separate what is singular in a variety of competing rationalities of rule they still have a common technical mode of *alētheia* (revealing) and concealment.¹⁷ The technical or economical aspect of government relies on treating the ‘external’ situations and subjects to be governed as governable “material” as it were (only the particular *technologies* of rule are diverse).¹⁸ The problem of neo-fascism is therefore a technical issue to the degree that as a problem encountered in this technical frame, neo-fascism is localized within spaces designated by government or in what more narrowly speaking

¹⁶ Foucault, "The Subject and Power," pp. 328-29. The point is that governmentality must be grasped in its mutable, *strategic* qualities. It is not a social form that establishes itself as the logic of modern society in all of its institutional apparatuses, but the multiplicity of ways of acting upon the activities of others to achieve certain outcomes, i.e. it is a term used to describe the *variety* of technologies used to rule different domains of existence.

¹⁷ For Foucault, ‘government’ is immediately a technical matter: the application of systematic rationales, of calculated means and ‘technical’ mechanisms, and of continual reflections on outcomes to the problem of the “conduct of conduct.” Government or the question of how to govern extends, therefore, to any situation in which conduct comes into question. Of course, in Foucault’s post-sovereignist model of power, government is not simply a property or agency of ‘the state’ (to whom these reports are ultimately addressed) but a set of practices or technologies in use everywhere where people attempt to control the conduct of others or themselves. As Foucault insists, strategies of government are diffused throughout the entirety of relations of society, and it is by no means certain that the enumeration of forms of government is best accomplished by examining those that seem central or dominant. Government is coextensive with the social.

¹⁸ What is ‘revealed’ in the situations to be governed is their technically manipulable qualities and resistances. What is concealed is the Heideggerian ‘Being’ or manner in which they come to presence. The argument forwarded here is that this coming to presence is the site of *the political*, which ultimately, to borrow another phrase from Heidegger, cannot be thought technically.

Andrew Barry calls *technological zones*: “*striated space[s]* in which difference is reduced.”¹⁹ It is a problem to be governed, not a problem that challenges government.

The Weberian dilemma concerning technology is reposed in Foucault’s analysis in the relationship between the technical government of different aspects of the life and the ethos of government that continually seeks to limit it. “Governmentality,” as opposed to the other rationalities of rule that Foucault analyses (police, discipline), is a mode of rule that incorporates a sustained reflection on these limits and thus a continual reflection on its own economy with respect to domains and outcomes. The range of possible responses to neo-fascism are disciplined in this technical mode by the imposing reality of the independent processes that underlie each particular sphere of activity (i.e. the mobilization of public sentiments through political party competition, the ‘free’ circulation of speech, the enticements to criminal and non-criminal career paths, the relations between diverse communities). The one who governs is not free to respond in just any way. Rather government involves a continual movement back and forth between the calculated implementation of regulatory and disciplinary technologies to achieve certain ends (e.g. to rehabilitate hate criminals, to reduce social tensions that lead to fascist outbursts, etc.) and the continuous assessments that fold back on the technologies; evaluating their efficiencies, effectiveness, limits and excesses; incorporating a line of modification and experimentalism into their stratagems. (This is a point to which we will return in the next chapter in the discussion of biopolitics.)

So on one hand, if the development of governmentality as a form of political rationality governing the activities in different independent spheres of existence (from the government of oneself, to the running of the family, to the methods of securing

¹⁹ Andrew Barry, *Political Machines: Governing a Technological Society* (New Brunswick, NJ: Athlone Press, 2001), p. 43. The technical zone refers to those “more or less uniform” spaces that establish or maintain a set of parameters required for technologies to work (e.g. in the world of computers, a uniform ‘space’ is in a sense created by the use of common operating systems). Barry’s interest is to show how the technological zones, as spaces of governmentality, exceed the sovereign ‘zones’ established by territorial borders and thereby complicate the relation between the technical and the political. In our case we are interested in the way the relationship between knowledge and power in postfascist society creates uniform spaces for governmental intervention using human or political technologies of rule.

against risk, to the complexity of acting upon the many centers from which *the* economy is directed) is multiform in its strategies and techniques, it still gains its efficacy by transforming these operations into technical operations. On the other hand, its specific rationality, which Foucault elsewhere characterizes as a mode of *critique* -- the art of not being governed too much²⁰ -- does not discredit the use of technology in solving social problems like neo-fascism or hate but defines a continuous delimitation of its interventions on the basis of an ambiguous calculation, using the ambiguous resources of ethics, truth, or the 'critical attitude' to determine where the 'too much' resides.²¹ This relationship between technique and critique strikes one as an echo of the Weberian *topos* in which the leader's "here I stand, I can do no other" rests on the undetermined point of proportion between passion and rational calculation.

Ultimately to say that neo-fascism is a technical problem might also mean, to put the problem in Heideggerian terms, that it is now *only* revealed to us in a technological manner, as an element embedded within discrete spheres of technical or administrative competence. We cannot but take it up in a way that is conditioned by the technological "enframing" or *Ge-stell* characteristic of modern thought.²² Nothing

²⁰ Michel Foucault, "What Is Critique?," in *The Politics of Truth*, ed. Sylvère Lotringer and Lysa Hochroth, *Semiotext(E) Foreign Agents Series* (New York: Semiotext(e): Distributed by the MIT Press, 1997), p. 29.

²¹ This is reminiscent of Foucault's own resort to a kind of heroic but hardly coherent Weberian existentialism to define this limit in the case of the Iranian revolution. See Michel Foucault, "Useless to Revolt?," in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000).

²² Heidegger describes technology as an enframing or *Ge-stell* in "The Question Concerning Technology". He argues that it is mistaken to view technology simply as a type of human activity, instrument, or means used to achieve certain ends. It is rather a mode of revealing and harboring, or *alētheia*. Like the word *Gestalt*, which is commonly used in English to describe a form or a frame that is greater than the sum of the contents it arranges, Heidegger's use of the *Ge-stell* refers to the enframing or technological mode in which the world is revealed. The translator notes though that the word carries more connotations than just a framework of some kind but an active calling-forth that assembles, orders and gathers as it reveals. For Heidegger, technology is a type of revealing which has the character of a "challenging forth" or "setting upon." It sets upon and violates nature by revealing it only in its aspect of "standing reserve" or source of resources. It "puts to nature the unreasonable demand that it supply energy that can be extracted and stored as such." (p. 14). The enframing or *Ge-stell* is understood as "gathering together" that in turn "sets upon" humans to reveal the world technologically, i.e. as a resource or standing-reserve (*Bestand*). (See translator's footnote, n. 17, p. 19). Therefore, we are ourselves, in our primary self-understanding, taken up in this way. Martin Heidegger, "The Question Concerning Technology," in *The Question Concerning Technology, and Other Essays* (New York: Harper & Row, 1977).

becomes manifest that is not already marked by the task of global technological mastery. In defining the problem of neo-fascism, the formative questions "What *is* neo-fascism?" or "What *is* hate speech?" for example already rely on a preconceived notion of "being" in the use of "is." Namely neo-fascism is an entity "set in place" (*gestellt*)²³ as a fixed ideological position, a criminal activity, a psychological disposition, a definable speech act – i.e. *an object* – but one whose identity and significance is already fixed or reified within a technical way of conceptualizing politics or society. How do we know what type of criteria suffice to define neo-fascism or hate speech except by reference to the fields of specialized knowledge in which these distinctions are given significance? It is only re-presented, that is, it only becomes visible as an element within an already constituted "ground plan" or object sphere.²⁴ Its "being" may be described as irrational (in Adorno, for eg.) but, to the degree that it appears to us at all, it appears as an object that "stands by" among others. Only as such can it be subject to the rigor of modern research, disassembled into its constituent parts (its ideological appeals and political constituencies, the economic forces operating on political 'interest formation,' its organizational structures and resource mobilizations, etc.) and thereby be taken up, ordered and acted upon rationally in a technical field as part of the "calculable coherence of forces"²⁵ that make up the world as a standing-reserve (*Bestand*) of exploitable resources. The great danger according to Heidegger is that the technological disclosure of the world, by being ever more 'correct' in the sense of its

²³ See the discussion of the verb *stellen* (past participle: *gestellt*) as meaning "set in place" in Martin Heidegger, "The Age of the World Picture," in *The Question Concerning Technology, and Other Essays* (New York: Harper & Row, 1977), p. 127. To be set in place means to be understood in the context of an already existing "object sphere" (as defined by a scientific discipline like physics, history, or sociology). The singularity of the coming to presence of something is erased when it only appears in the guise of an object defined by that discipline with qualities that are predetermined as relevant to knowledge about it, however much a thing might differ in any particular case. To be set in place means that its qualities can always be "calculated in advance" in a predictive science or "verified" by disciplinary calculations in a historical science.

²⁴ Heidegger's distinction is between representational thinking, which always re-presents "whatever is" by bringing it into established ways of thinking, and preparatory thinking, which prepares or builds an "abode in the midst of whatever is" for the singular coming to presence of Being through language. *Ibid.*, p. 120., and Martin Heidegger, "The Turning," in *The Question Concerning Technology, and Other Essays* (New York: Harper & Row, 1977), p. 40.

²⁵ Heidegger, "The Question Concerning Technology," p. 21.

increasing capacity to manipulate, will no longer recognize any limits or any outside to its will to power. All humanity faces the threat that it will itself be taken as simply part of the standing-reserve – as ‘human resources’ or ‘social capital’ – while at the same time, other non-technological modes of revealing are “driven out.”²⁶

I have been arguing that the dilemmas concerning the relationship between technology and modern society come into being on the basis of a particular *topos* for thinking about the form of modern society: one in which the human and the technological are simultaneously entwined and irreconcilable. One forms a limit for the other but in the pessimistic cast of Weber’s thought the foundations for the human limit to unlimited technical control become increasingly circumscribed. In Heidegger’s language any possible humanism is already prefigured and contained in the ability to “set upon” the world as an object sphere subject to technical operations.

Conceptualizing the problem of neo-fascism *technically* partakes in the same *topos*. It is by suppressing the non-identical or political excess that is generated in the antagonism between fascism and liberalism, that neo-fascism becomes a manageable social problem. It becomes technical. In the most extreme instance, the fact that technical responses to neo-fascism are available to authorities can be taken as one instance or indication of the spectre of the fully post-political “technological society,” a spectre whose conceptualization is itself indebted the very same Weberian *topos* in the form of a kind of undecidable dilemma: the opposition between an irreducible element of humanity and the machinic conditions of modern life.²⁷

²⁶ Ibid., p. 27.

²⁷ In the classic analyses of Jacques Ellul and Langdon Winner, the “technological society” refers to the way in which technology so alters the ethico-political conditions of modern life that they are completely identified with a purely technical mode of existence. By ‘technology’ Ellul and Winner clearly do not simply mean technical devices or the field of engineering but forms of knowledge, skills, and assemblages of people and things that make ‘instrumentality’ itself possible and effective in social as well as physical tasks. The conduct of life is restructured to enable the fullest control at the highest efficiency at the least possible cost and difficulty (Jacques Ellul, *The Technological Society* (New York: Knopf, 1964), p. 21.), while the sedimented, organic basis of sociality— its ties to custom, community, place, language, ethos -- is destroyed and then reintegrated from above. Particularistic ties and identities are replaced by a technically manipulable mass. Ultimately, the use of technology presupposes the standardization of social and cultural reality, because it relies on controlling the context or conditions under which it is applied: “technologies are structures whose conditions of

3.3 *The Human Moment and the Limits of Technological Rule:*

The ways out of the technological society revolve around the vigorous defense of the human moment -- the sensual, the affective, the ethical, the political, the spiritual, the poetic, etc. -- which in turn form a paradox that destabilizes the rule of modern society. How do we act to sustain or privilege the human moment in a way that does not rely on or even intensify technical means?

The problem of neo-fascism is also implicated in this critique of the technocratic order, but oddly. In the manner of an exception to the rule, the ethico-political contours of this critique are brought into focus by the problem of neo-fascism. As I will argue more thoroughly in the next section, the problem of neofascism is localized as a problem that affects the operation of different spheres of activity in the population. But it is a problem that is essentially different from other social problems that are treated in the same manner. Firstly, to the degree that the criteria of what we would deem useful knowledge about neo-fascism are technical and scientific -- to the degree that our response to it relies on determining its nature objectively in order to insure the coherence, effectiveness, and efficiency of our interventions -- then neo-fascism is presented in the form of a question concerning technology within a horizon that opens onto the spectre of the technological society.

There is, therefore, a *Clockwork Orange* type of scenario immanent in our problematization of neo-fascism, one in which the pacification and reintegration into society of the "droogs" and "the ultraviolent" through behaviour modification techniques (as just one, albeit intense example of technological intervention), operates as a metaphor for both our horror of, and ineluctable commitment to, the technologies through which our security and our capacities to respond to social problems are formed.

operation demand the restructuring of their environments". Langdon Winner, *Autonomous Technology: Technics-out-of-Control as a Theme in Political Thought* (Cambridge, Mass.: MIT Press, 1977), p. 100.

In the technological society the entire way of being in the world is characterized by the effort to order all aspects of existence toward efficiency, ease, and control. When social life is organized in order to sustain the operation of technical systems rather than vice versa, technology has become "autonomous" as Winner put it. It is no longer answerable to a reflection on the ends and purposes of technology.

To ask what it means to say that the problem of neofascism is technical then is to ask about the 'economy' that governs our thought on the political and the technical.

Clockwork Orange is interesting as a film because it pushes the issue of technological excess to its extreme, but holds the solution to finding a correct balance between technology and humanity in ironic abeyance.²⁸ The point the film opens up is not simply that a technology of intervention fails, or that technology is too limited to resolve matters that pertain to a whole, integrated human soul, but that the *underlying framework* of the technological dilemma is in itself the source of the excess. The vigorous defense of the human moment and the utter dehumanization of the technological society are poles in the same, *partial* framework. As such a balance between them is always unstable, always contingent on another scene.

The technical response to neofascism works in the same way. It is entangled in a dilemma that cannot be resolved technically. Therefore the excess of fascism's 'human' moment – its politics, its capacity to put liberal democratic techniques of government into question, its production of a fissure in the ethico-political solidarity of postfascist society, etc. – appears to return as a repressed content of technological society.

This 'oddness' points to a second unique aspect of the problem of neofascism. The significance of neo-fascism in the contemporary *Lebensführung* can be defined in part by the instability of its position with respect to the spectre of the fully post-political, technological society. If it is correct to say that the official responses to neo-fascism are sustained by the principle that hate crime needs to be addressed through techno-rational means, or that the 'objective' problem of neo-fascism is correctly framed only with respect to the disruption it produces in the regular operation of various spheres of activity of the population, (our examples: democratic party

²⁸ In the scenario Alex's 'humanity' is crippled by being subjected to aversion therapy, e.g. his love of Beethoven becomes subject to the same nauseating behavioural modification effects as his desire for violence. But, the perverse, manipulative core of his humanity, not contained in the isolated symptoms the treatment seeks to modify, reemerges unscathed. The perverse element returns; the rehabilitation fails; the core of Alex remains intact but becomes more sophisticated and more dangerous.

competition, the circulation of speech, control of criminality, the formation of social solidarity), neo-fascism remains difficult to think as a social problem because of the way it eludes and destabilizes this technical framework. It can be treated as a social problem – a problem whose place in the ongoing organization of concerted actions (the social) defines the particular way in which its component parts are laid bare in an eminently socio-technical way – but only by suppressing the unique features of the problem it poses.

Two points: Parallel to the *Clockwork Orange* scenario is neo-fascism's intrinsically ambiguous relationship to technology. How does it fit within the technological society problematic? In analyses that maintain the identity between classical and contemporary fascisms, it can be seen alternately as an anti-modernist response to the processes of technological rationalization, an aberration in the unfolding of modern rationality, a wholly *irrational* commitment to action, sacrifice and pre-rational mythic solidarity, a movement or form of political practice that *uniquely* exploits technology and the already alienated conditions of mass society, a force that produces massification and the technical will to power in and of itself, a political wager wholly commiserate with the techno-ideological interests of capital to have "capitalism without capitalism" (i.e. without the disruptive effects of crisis and capital mobility or of the erosion of substantive values through commodification), and a sign of the apocalyptic completion of the project of Western techno-science: ultimately the exemplar of "the forsakenness of modern man in the midst of what is" (Heidegger) or of a collective will to suicide (Virilio).²⁹ Moreover, from an intertextual point of view, the problematic in a sense demands that they be seen as all of these things simultaneously. Thus the shiftiness of the whole problematic of the technical form of modern society can be brought to a head with the problem of fascism/neo-fascism. How

²⁹ Martin Heidegger, "The Self-Assertion of the German University," in *The Heidegger Controversy: A Critical Reader*, ed. Richard Wolin (Cambridge, Mass.: MIT Press, 1993), p. 33. Paul Virilio, "The Suicidal State," in *The Virilio Reader*, ed. James Der Derian, *Blackwell Readers* (Malden, Mass.: Blackwell Publishers, 1998). See also Gilles Deleuze and Felix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia* (Minneapolis: University of Minnesota Press, 1987), pp. 230-31.

can we think fascism simultaneously as reaction to the emerging technological society, its opposite, its condition of coming to existence and its apocalyptic completion? How can we think fascism, to put it more bluntly, as both the irrational political other of liberal democratic society and as a hyper-rational articulation of its same commitment to technicity?³⁰

Secondly, there is an unavoidably political aspect of neo-fascism that underlies both the *Clockwork Orange* dilemma and its ambiguity as the object of technical intervention. As I argued in the introductory section, the problem of neo-fascism has to do with its incommensurability with the liberal democratic order. It is an exception. The aspect of this exceptionality that I have been trying to illuminate here has to do with the way neo-fascism puts the technological government of liberal society into question. It does so because it represents a fundamentally different and incompatible response to the technical conditions of modernity. It represents an antagonism that opens up over the question of technology. This is a point that we will turn to below but the implication is that technology, rationalization, 'economic' government, total administration, technological enframing, etc. do *not* represent the evacuation of politics from public life – as harbingers of the completion of the post-political society – but are themselves directly political. If neo-fascism seems to stand simultaneously for the deep, violent and irrational identificatory processes of premodern, pastoral, organic solidarity *and* for the distancing and objectifying gaze on the Other which underlies the hyper-rationalizing technophilia of total mobilization and the camps, it is because its logic can not be 'objectively' represented in the language of a politics antagonistic to it. The emergence of neo-fascism as a problem thus signifies not only the breakdown of the neutralizing techniques of post-political politics but a blind-spot that is invisible to its "objective" knowledges.

³⁰ This suspicion has been articulated in different ways but see especially Zygmunt Bauman, *Modernity and the Holocaust* (Ithaca, N.Y.: Cornell University Press, 1989). Philippe Lacoue-Labarthe, *Heidegger, Art, and Politics: The Fiction of the Political* (Oxford, UK; Cambridge, Mass.: B. Blackwell, 1990).

The “field of experience”³¹ in which we encounter the problem of neo-fascism is doubly informed by the constitutive dilemma of technology and modernity in that it has been for a long time a principal concern of critical theorists and others to interrogate technology to understand the form of domination instituted by classical fascism (i.e. the notion of fascism as pure instrumentality and manipulation), while at the same time the contemporary problematization of neo-fascism strips it of its non-technical political and ethical implications in treating it purely as a “social problem” to be regulated. In both cases neofascism is presented as a thoroughly technological creature stripped of its own ‘human moment’ in a way that makes it a pure object of unlimited technical intervention into the social. The neofascism issue is not alone in this. But if it has become a true exception it offers a singular vantage point into the way in which objective knowledge, rational technique, relations of power, and forms of relation with oneself and others (i.e. games of truth, social technologies, politics and ethics) are held together in postfascist society. To put the problem in these terms, it allows us to pose the Nietzschean question anew: where the technical response to social problems is dominant, what forms of life and sociality follow from its privileging?

Precisely because neo-fascism operates as an exception, the question of what it means to respond to the problem of neo-fascism in this way is also to ask about the significance, necessity, and perhaps contingency of ‘technique’ in the formation of modern postfascist society. How does the problem of neofascism as “a domain of acts, practices, and thoughts that seem ... to pose problems for politics”³² upset or unbalance the set of analyses set into motion by 20th century thought on the problem of

³¹ Again a Foucaultian term that refers to the way in which any experience is defined by three fundamental elements: “a game of truth, relations of power, and forms of relation to oneself and others”. Michel Foucault, *Ethics: Subjectivity and Truth*, ed. Paul Rabinow, trans. Robert Hurley and Others (New York: New Press; Distributed by W.W. Norton, 1997). In our case, the experience we have of the problem of neo-fascism is defined by implication of social scientific truths (political science, critical and constitutional legal studies, criminology, and the anti-fascist orientation in social critique), in juridical and biopolitical strategies of power and postfascist ethics.

³² Michel Foucault, "Polemics, Politics, and Problematizations," in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow (New York: New Press, 1997), p. 114.

technology? How does it force us to renew our thought on the Weberian *topos* that continues to define the relationship between technology and the modern condition?

3.4 *Governing Hate:*

The paradigmatic example of the technical approach to neo-fascism and Hate is the state commissioned report. While it takes the technical issue of how best to control neo-fascism and places it into juridical zone of concern (not without creating a certain indeterminacy between the relative competencies of technical-administrative processes of order and juridical processes of law, as we will see later), the report is largely an exercise in establishing the norms and sites of intervention that will enable effective technical procedures to be defined. They operate therefore at a level somewhere between the very broad diagrams of power that Foucault analyses – governmentality, discipline, biopolitics, police, etc. – and the very local level of ‘policy’ where recommendations are turned into technical assemblages: i.e. the arrangements in which the actions of actual personnel and actual subjects, the application of specialized knowledges, and the set of interventional techniques are coordinated. They define instead the rationales of government, the set of instructions that puts it into motion. In the case of the three state commissioned reports I am examining, the problem is presented in the mode of a government of social processes, though the specifics of each report differ markedly.³³

The point that I would like to argue here is that this method for thinking the government of hate from a social point of view has broader implications for the possible outcomes of technical government today. Ultimately it is also a set of instructions that outlines the ways in which neofascism is able to take its revenge, not so much through its own explicit political programs, but by defining with unusual

³³ On “government from a social point of view” see Nikolas S. Rose, *Powers of Freedom: Reframing Political Thought* (Cambridge, United Kingdom; New York, NY: Cambridge University Press, 1999), pp. 119-33. In the following I conflate Rose’s distinction between social government and “technologies of community” to emphasize the way ‘the social’, conceptualized as a socio-technical field of intervention, still underlies the conceptualization of the government of hate in both modes of government.

intensity a site for a return of the political that puts government by technique into question.

It is crucial therefore to come to grips with the relationship between the type of analysis evident in the reports and the mechanisms of power deployed in postfascist society. This is also a question concerning the link between technology and power, although not power in the sense of a capacity to prohibit, coerce or punish, nor technology in the sense of the pure instrumentality of means. It is a question of the way in which power operates through the "action of the norm" in various spheres of activity in the population.³⁴ By establishing norms to guide governmental thought on its interventions the reports create the means through which the social fields affected by hate can be conceptualized as objects of power or management. They also define the line along which this power becomes reflexive and calculated; able to engage in a continuous back and forth reflection on the economy and effectiveness of its strategies and on the categorization and sites of existence of its objects.³⁵ In Habermasian terms we might almost want to say that the state commissioned report represents the happy marriage between the hermeneutical dialogues that seek normative clarity on postfascist values and the dream of technological transparency in which control could be exercised without friction.³⁶ At the same time, however, it is necessary in the analysis of the "action of the norm," as the particular type of truth generated by these reports, not to obscure how power and the political operate in this process. In abbreviated form, it is necessary to see how power in postfascist society operates to defer the political.

To take three quite different examples, *The Report to the Minister of Justice of the Special Committee on Hate Propaganda in Canada* (1965),³⁷ *The Report of the*

³⁴ Michel Foucault, *The History of Sexuality, Volume Two: The Use of Pleasure*, trans. Robert Hurley (New York: Pantheon Books, 1978), p. 144.

³⁵ François Ewald, "Norms, Discipline and the Law," *Representations* 30 (Spring 1990).

³⁶ Jürgen Habermas, "Technical Progress and the Social Life-World," and "The Scientization of Politics and Public Opinion," in *Toward a Rational Society: Student Protest, Science, and Politics* (Boston: Beacon Press, 1970).

³⁷ Special Committee on Hate Propaganda in Canada, "Report to the Minister of Justice of the Special Committee on Hate Propaganda in Canada," (Ottawa: R. Duhamel, Queen's Printer, 1966).

European Parliament's Committee of Inquiry into Racism and Xenophobia (1990),³⁸ and *The Report of the National Inquiry into Racist Violence in Australia* (1991),³⁹ the problem is to find adequate legal or criminal law *measures* to respond to social concerns about the circulation of hate messages in Canada, the accommodation of foreigners and immigrants in the European Community, and the increase of hate-motivated crime in Australia, respectively. The reports are 'technical' in the sense that they provide a means of introducing unity (through their procedures of arriving at norms) and calculation into the response to the problem of neofascism. They develop an economy in which a social scientific specification of the population and a juridical codification of the hate crime are superimposed. They attempt to determine both effective responses to the problem and effective measures to introduce 'proportion' into the responses.

The thinking in the reports is therefore technical in three senses. They involve: (a) a technical assessment of the most effective and efficient ways to intervene into different spheres of social life to control or eliminate hate crime (an instrumental-administrative technicality or *Zweckrationalität*), (b) a technical formulation of a law in a way that establishes a clear, non-contradictory code and makes it compatible with other laws and universal ethical principles (a formal-juridical technicality), and (c) a technicality both administrative and juridical in which it becomes possible to appraise the effectiveness and goals of the law itself as an extra-juridical *norm of regulation* in the different spheres of social activity in which it intervenes. The 'action of the norm' at work in these technical practices is principally one of preparing the conditions under which agreement on the response to neofascism can be reached and implemented. This

Interestingly, the special committee formed under Dean Maxwell Cohen included a young Pierre Elliot Trudeau, then associate professor of law at the University of Montreal.

³⁸ Comments here are based on an adapted version of *The Report of the European Parliament Committee of Inquiry into Racism and Xenophobia* published under the following title: G. Ford, *Fascist Europe: The Rise of Racism and Xenophobia* (London: Pluto Press, 1992).

³⁹ Canada, "Report to the Minister of Justice of the Special Committee on Hate Propaganda in Canada." Human Rights and Equal Opportunity Commission, "Racist Violence: Report of the National Inquiry into Racist Violence in Australia," (Canberra: AGPS, 1991).

passes through a mode of government that uses the law as an instrument in its strategies to act upon in the social logic that sustains neo-fascism.

In all three senses the thinking is also technical in that it *presupposes* the social as a zone of intervention or legal regulation that is amenable to technical procedures. It operates according to an image of the 'objectness' of the social in its normative processes: as a level of existence with knowable, if fragile, regularities and realities and with predictable factors of risk. The opaqueness of the social dimension of the reports' targets is countered by a production of knowledge that seizes upon the social as series of overlapping zones of sociality or attachment. Each zone in which fascism poses a threat to society has its own discernable rules that define the autonomy and distinctiveness of its social processes. The expert knowledge of these rules comes to serve as the anchoring point for the techniques of government and for the effectiveness of hate crime laws. In the Canadian report these are the social-psychological structures of interpersonal communication that enable the transmission of hate messages; in the European report, the institutionally entrenched structures of racial and ethnic differentiation that distort the circulation of labour; in the Australian report, the inter-community structures that reproduce tensions in the formation of collective identities.

On the other side of the governmental economy, the opaqueness of these social structures and processes that continually eludes control or knowledge must be seen in its link to that aspect of the social which "cannot be gotten around" as Heidegger might put it. It is a function of how the social *comes to presence* or appears in this objectness in the first place and as such is bound up with the question of the political nature of neofascism. Again the political nature of the problem concerns how the commitment to government from a social point of view is endangered by the existence of neofascism as an exception. What is at stake is not just the disruptions the neofascists inflict on normal, postfascist civility, but the standpoint from which the social comes to appear in its problematic nature in the first place.

As an aside, it is interesting to note how the figure of the neo-nazi is in each report relegated to a relatively small part of a larger problem. The acts of a few neo-nazis or even the rise of a constituency willing to support extreme right political parties are dismissed as being relatively insignificant in and of themselves. In the words of the Australian National Inquiry, the role of organized extremist groups "is essentially one of inciting and maintaining prejudice" rather than producing racist violence per se, which "is essentially a product of community prejudice, spontaneous outbursts of aggression against people and property, and institutionalized discrimination."⁴⁰

Similarly, the Canadian special committee notes that:

However odious the behaviour of the [extremist 'hate'] groups and however offensive the materials they distribute, the Committee believes that none of the organizations represent today a really effective political or propaganda force and that, in any case, very few individuals as such are involved.⁴¹

But the neo-nazi serves as the example that brings the ethico-political parameters of the issue into view nevertheless. The ability to make the distinction between neo-nazis and non-neo-nazis provides the matrix that allows the normative state of postfascist society to be carved out as a homogeneous space (i.e. homogeneously *post-fascist*). It is clear that part of the work of these reports is to reconfirm this distinction. In an interesting way that returns to the theme of the universal and the particular, the particular example of the neo-nazi by its exclusion makes the report's abstract and universalistic normativity possible. In this account, the

⁴⁰ Commission, "Racist Violence: Report of the National Inquiry into Racist Violence in Australia," p. 221.

⁴¹ Canada, "Report to the Minister of Justice of the Special Committee on Hate Propaganda in Canada," p. 14. In its conclusions 1986 European Parliament Committee of Inquiry (the precursor to the Report to be discussed here) also insisted on the marginal nature of the right wing extremist groups:

These [right-wing extremist] groups are in general extremely small. Their multiplicity, due to ideological dissension, constant personal squabbles and occasional outlawing, can hardly describe the smallness of their numbers and the meagerness of their resources. It may be said that the more radical their ideology and behaviour, the more peripheral these groups become. (Geoff Harris, *The Dark Side of Europe: The Extreme Right Today* (Edinburgh: Edinburgh University Press, 1994), p. 240).

possibility of technical thought or of an objective approach to the problem of hate and racism is contingent on the way the neo-fascist comes to stand-in for the universal problem of race hatred per se. A particular content comes to stand-in for a universal notion in a process not unlike Lacan's understanding of how fantasy sutures or supplements the symbolic to cover over its failure to signify. Neo-fascism itself is a *minor* problem but it is a necessary problem for the government of hate. It enables the interventions to solve the problems of how "hate propaganda," "right-wing extremism" and "hate crime" are to be conceptualized, problematized and acted upon in the specific ways outlined in the reports. The figure of the neo-Nazi provides the 'phantasmatic' support to sustain these projects.

3.5 *Three State Commissioned Reports:*

In these reports, to *govern* the aberrant situations associated with neo-fascist activity is to find the correct devices and methods to act upon the conditions under which neo-fascist types of activity and expression become possible. To govern, as Foucault says, is to "structure the possible field of action of others."⁴² In *The Report to the Minister of Justice of the Special Committee on Hate Propaganda in Canada* (1966) the matter is approached directly. It proposes a mechanism that would act directly on the conditions that enable the transmission of hate speech. The report itself has to do with developing the legal mechanisms needed to prohibit the distribution of hate propaganda materials,⁴³ but the purely legalistic discussion of the problem appears in the end to be subordinate to the specific problem of how to act upon the social-psychological conditions under which the communication of hate messages are successful.

⁴² Foucault, "The Subject and Power," p. 341.

⁴³ More specifically the report concludes that new legislation is needed to forbid the circulation of materials advocating genocide, incitement to hatred, and group defamation. Foreshadowing the debates of post-constitutional legal thought (i.e. post-1981), the report also insists that these curtailments be in harmony with "the maximum freedom of expression consistent with its purpose and the needs of a free Society (sic)." Canada, "Report to the Minister of Justice of the Special Committee on Hate Propaganda in Canada," p. 61.

This is clearly the object of the lengthy appendix prepared for the commission by an external expert:

Our analysis will be concerned with the variables affecting the effectiveness of communication as a technique of spreading inter-group hostility, the resulting attitude and behaviour changes on the part of converts to and targets of these communications, and the value and feasibility of possible counter-measures.⁴⁴

This expert analysis involves four social scientific specifications of the problem: (a) the distorted form of reason in the hate communication itself and its use of pseudo-logic to create non-rational emotional appeals, (b) the authoritarian personality characteristics of those “yielders” to “distorted group norms” who are susceptible to hate messages (rigid, conventional, conformist, persuasible, insecure, etc.);⁴⁵ (c) the situational conditions that enable irrational appeals to be persuasive, (frustration, rewards, peer group sanctions, isolation, etc.);⁴⁶ and (d) the social-psychological variables that enable hate messages to affect the personality, attitudes, and behaviours of members of populations who are victimized by hate speech (acculturation to stereotypes, mental strain, devaluation of self, aggression, avoidance, acceptance, etc.).⁴⁷

So aside from recommending new legal measures to ban hateful speech,⁴⁸ the report proposes a series of ‘non-legal’ measures, including a non-legal use of the law, to govern or act upon the circulation of damaging hate messages based on these specifications. More specifically, these are methods of intervention that target the hateful speech act itself.⁴⁹ The report relies on a social psychological literature that

⁴⁴ Ibid., p. 179.

⁴⁵ Ibid., pp. 199-202.

⁴⁶ Ibid., pp. 202-06.

⁴⁷ Ibid., pp. 211-15.

⁴⁸ These recommendations eventually became the basis for the hate propaganda provisions of sections 318-320 in the *Criminal Code* of Canada, adopted by parliament in 1970.

⁴⁹ The ‘non-legal’ methods involve techniques of making explicit vocal disapproval of hate propaganda and prejudice that will act upon the speaker as a social pressure to “restrain or alter his [sic] communications” and upon the recipient to discredit or undermine the hate message in various ways (by discrediting the source or the information itself, showing how hate propaganda attacks values held by the recipient and his/her reference group, emphasizing commonalities and contacts between recipients and members of target groups, inducing or rewarding attitudes in the recipient incompatible

defines the crucial site for accomplishing the communication of prejudice in the cognitive processes of the subject. This social psychological *truth* presupposes and assembles a set of specific institutional technologies in which the government of hate can be proposed. The key point in terms of the governmental response to hate propaganda is to isolate the forces that affect the cognitive dimensions of distorted communication. Essential to this rationale is the proposition that these processes are learned. They are not innate, nor are they permanent. They exist in a field of experience structured by variables which are (in principle) knowable and are subject to techniques of re-education. So for those who might be susceptible to hate propaganda, the dynamic of hate speech is broken down into the situational variables affecting the subject's persuasibility and cognitive dissonance.⁵⁰ The proposed interventions are designed to increase the subject's cognitive dissonance so that the distorted reason of propagandistic appeals cannot reduce the unsavory nature of otherwise unacceptable beliefs. In this model of government the cognitive standing of the subject is the site of intervention. Thus the government of hate relies on a cognitive model of how hate circulates and becomes effective in its message. The ability to distinguish between pursuable and non-pursuable cognitive dispositions becomes the scientific form of knowledge that enables a stratagem for the government of hate to be established, but also for the extension of mechanisms of normalizing power to be extended into the sphere of the circulation of speech more generally.⁵¹

with hate messages, etc.). Canada, "Report to the Minister of Justice of the Special Committee on Hate Propaganda in Canada," pp. 217-20.

⁵⁰ In the appendix to the *Report to the Minister of Justice of the Special Committee on Hate Propaganda in Canada*, Kaufmann defines the term cognitive dissonance as the state in which a subject holds "two beliefs or attitudes [that] are in some way contradictory," a state in which the subject seeks to reduce the dissonance by an act of rationalization. *Ibid.*, p. 208.

⁵¹ It is a testament to the ambivalent consequence of conceiving the problem of the government of hate in social-psychological terms however that the authors note that: "No single non-legislative counter attack on hate propaganda can be either foolproof or readily practicable on a large scale". *Ibid.*, p. 31. One might add that nor would the concerted application of all the non-legislative means be foolproof or practicable. There is firstly the intrinsic social scientific dilemma of the differing levels of analysis or of how the recommended measures, posed at the level of the social psychology of the speech act, could effectively reach their intended targets on a macro or society wide scale. The social *in toto* is conceptualized as a disciplinary enclosure; a dream of technical-disciplinary powers but also an impossibility. There is also the problem the authors note that each of the measures is curiously

One consequence of determining the response to hate propaganda in this manner is that the authors begin explicitly to conceive the effectiveness of law in normative rather than in police enforcement or juridical terms, as a social technology of cognitive dissonance that has legislative sanction but operates as a tool for intervening in or regulating the circulation of speech. Again from the appendix:

The law, as seen in this context, derives its importance not from its functions as a punishing, rehabilitating, or deterrent agent, not even from that of providing just compensation, but rather from its unique opportunity to codify, clarify, and impose rules of social interaction."⁵²

The hate law then can be formulated in juridical terms as the means of proscribing rights or prohibiting the illegal act of promoting hate *and* in socio-technical terms as a technology of political strategy. In particular, its value as a technical instrument is understood in terms of its ability to bridge the gap between the micro level of social interaction and the macro level of the defense of society. As a social technology it intervenes to restructure the social interaction itself by undermining the informal normative supports that might sustain hate speech.⁵³ This is its "declarative function."⁵⁴

The report reasons that if the effective communication of hate depends on cues of approval or ambivalence in the scene of its utterance, the hate law, as a "highly formalized" norm of disapproval, becomes an authoritative source of disapproving cues

reversible: there is "a boomerang effect" in which the intervention potentially strengthens prejudices rather than alleviates them. *Ibid.*, p. 218. The use of the law to reinforce legitimate norms becomes an onerous, alien intrusion by the state into the 'private' opinions of individuals, a case of powerful special interests or secret conspirators manipulating the state, for example.

The ground of both of these dilemmas is the one that unsettles the application of the technical form of rule to racist propaganda. The specification of the conditions under which prejudice is communicated is posed at the interpersonal level of social life (personality formation, cognitive dissonance, situational conditions) where the macro-level defense of society reaches its limit. In the economy that governs this thought, both the legislative and non-legislative mechanisms of government are not fine enough when their target is the minutia of human psychology. There is a disproportion between the state and its possible instruments and the micro-site of the intervention. In liberal thought in particular, government reaches its limits in the private sphere of personality formation, conscience, face-to-face contacts and spontaneous communication. This has its parallel of course in the juridical discourse where the right to free speech – the irreducible freedom of the individual conscience – limits regulation of behaviours through criminal law (i.e. a problem that evokes juridical technicality).

⁵² *Ibid.*, p. 223.

⁵³ *Ibid.*, p. 221.

⁵⁴ The declarative function of the law is its role in codifying, clarifying and sanctioning rules of social interaction. *Ibid.*, p. 223.

or "public conscience" that will act to restrain or modify the speaker's utterances. As a norm bent to instrumental ends, the hate law is conceived as a technology of social government designed to intervene directly upon the conditions in which hate is communicated. So if on one hand the technical aspect of the report is juridical -- it weighs and adjudicates an antinomy found in the law between "legitimate and illegitimate public discussion"⁵⁵ or between allowing the maximum freedom of speech and the need to curtail hate speech -- on the other hand it reflects a particular social technology. The report establishes the ground for a social scientific assessment of the declarative function of the law, or of its effectiveness as a pedagogical or normative tool in those processes that otherwise enable the transmission and reproduction of hate speech.

In *The Report of the European Parliament's Committee of Inquiry into Racism and Xenophobia* (1990) on the other hand, the focus of the concern with governing is more oblique. While the report outlines in detail the causes and implications of the rise of the extreme right in Europe, especially as a political force, its primary thrust is to establish norms that could enable a consistent European response to the problem. The report is not as occupied with finding methods to directly act upon or restrain the extreme right and organized racists (although this is clearly the overarching goal) as it is with structuring the activities of legislators and enforcement agencies in the various states that make up the European Union.

The problem is taken up in the context of studying the uneven implementation of the 1986 *Joint Declaration against Racism and Xenophobia*, (itself based on an earlier commissioned report of the Committee of Inquiry into the Rise of Racism and Fascism in Europe: the "Evrigenis Report").⁵⁶ The technical issue is how to establish effective norms to regulate E.U. responses to the existence of discrimination, xenophobia, the rise of the extreme right, the foreigner 'problem' and hate crime across

⁵⁵ Ibid., p. 60.

⁵⁶ "Committee of Inquiry into the Rise of Fascism and Racism in Europe: Report on the Findings of the Inquiry," (Luxembourg: European Parliament, 1985).

the various state jurisdictions. The spheres of life to be governed include relations between Europeans and non-Europeans, the circulation of citizens, immigrants and labourers within the E.U., and the formation of attitudes towards foreigners. But underlying these the crucial problem is conceptualized in terms of “institutionalized racism” or the way in which institutional categories in individual states and Europe-wide government reproduce the inferior status of migrants, foreign residents, and asylum seekers (thereby undermining attempts to eliminate the conditions of hate crime).⁵⁷ The technical problem is cast as one of how to govern those sovereign moments of prerogative of government agencies, legislators and law enforcement organizations in which inhere (a) failures to implement the Joint Declaration, (b) perverse implementations of the declaration (which saw, for example, a Belgian anti-racism law used to convict a North African youth for calling a politician a racist),⁵⁸ (c) local laws that appear to undermine the E.U. declaration, and (d) local non-compliance with the declaration. Aside from the general process of harmonization of laws, the focus of the report is on the techniques to be deployed to create an institutional means of establishing a norm itself (i.e. “a prior communication and consultation procedure on migration policies in relation to non-member countries”)⁵⁹ and to monitor its execution. In the end, the authors propose a kind of self-checking mechanism whereby non-governmental organizations and individuals, or ideally an “intercommunity forum” of minority and ethnic associations, could hold member states accountable to the declaration. In Foucault’s terms, they emphasize the mechanism of governmentalization in which government policy is subject to a continuous process of assessment and modification vis-à-vis the reality of the independent processes outside of its competence, namely those processes which structure the experience of ethnic minorities, refugees and guestworkers in Europe.

⁵⁷ Ford, *Fascist Europe: The Rise of Racism and Xenophobia*, p. 90. See Stanley R. Barrett, *Is God a Racist?: The Right Wing in Canada* (Toronto: University of Toronto Press, 1987), especially Chapter 11. for the use of this concept in the context of the Canadian extreme right.

⁵⁸ Ford, *Fascist Europe: The Rise of Racism and Xenophobia*, p. 51.

⁵⁹ *Ibid.*, p. 91.

There are again therefore three technical components to the report. The social scientific component analyses the social factors that have led to the development of "the foreigner problem." The technical zone is thereby specified particularly in terms of the factors governing the circulation of labour in the E.U. and the 'institutionally racist' mechanisms that distort this circulation. The juridical component involves a discussion of the technical-legal impediments to implementing and codifying common E.U. policy (the 1986 *Joint Declaration against Racism and Xenophobia*) across different jurisdictions. Finally, there is a component in which the law functions directly as a normalizing procedure. The report recommends the development of a mode and mechanism of governmental reflection (the "intercommunity forum") through which the effectiveness of legal procedures to combat the sources of right wing extremism can become measurable, modifiable, and responsive to concerns of targeted communities. The erratic implementation and enforcement of the *Joint Declaration* by local authorities would be monitored and disciplined by the intercommunity forum.

In the third example, the 1991 *Report of the National Inquiry into Racist Violence in Australia*, the technical problem of government is to develop strategies to combat racially motivated harassment and violence. These include legislative reforms in criminal and civil law, changes to institutional and policing policies, and codes of practice for media reporting on race and ethnicity issues. Key to these however is the series of technical strategies that are designed to operate on the social nature of the problem. In this case the social zone of behaviour that defines the site of the problem is not the cognitive processes of interpersonal communication, nor the sovereign prerogatives of functionaries in overlapping administrative jurisdictions, but the fragile social fabric of inter-community relations in a heterogeneous society.

The report claims that "despite its ethnic diversity... Australia remains remarkably free of ...severe racial tensions."⁶⁰ Nevertheless for the authors the problem of the persistence of racially motivated harassment and violence is an intolerable

⁶⁰ Commission, "Racist Violence: Report of the National Inquiry into Racist Violence in Australia," p. 259.

situation and they formulate it in terms of the link between its moral unacceptability (“racism and racist violence [must be made] totally unacceptable in contemporary Australia”)⁶¹ and a series of extra-moral social risks to Australian society: social disintegration, reduced foreign investment, diminished international reputation, etc.⁶² The sphere that is problematized by racially motivated crime is the sphere in which social cohesion is generated. The report reiterates in several places that the response to the problem has to be conceptualized at a social level, and more particularly at the level of “community relations”⁶³ rather than at the level of “isolated acts of maladjusted individuals.”⁶⁴ For the authors, “community relations” refer specifically to the fragile dynamic of exchanges between groups that exists at the “local community level” – at the level of “people’s everyday lives” – in which an uncertainty over groups’ identities and statuses is always at play, (even in seemingly marginal disputes over “noise, pets, children’s quarrels and so on”).⁶⁵ The threat of even minor racial tensions is therefore a threat to an already existing social technology, namely the multicultural solution to the problem of diversity, and its ethico-political commitment to a postmodern *Sittlichkeit* based on diversity *and* equal and mutual recognition.⁶⁶

⁶¹ Ibid., p. 268.

⁶² The report also lists risks to the economy and Australia’s human rights reputation, but in the report these risks are premised on the threat to social cohesion posed by racial violence and the corresponding problems confronting the workforce participation and security of targeted minorities. For example, attacks and propaganda directed against the Asian minority and immigrants which played prominently in Asian newspapers during the time that the report was being written were seen to threaten Asian investment and immigration to Australia. Ibid., pp. 259-268. The report noted, “On purely economic terms, Australia cannot afford to be perceived by its Asian-Pacific neighbors as being a racist country”. Ibid., p. 264.

⁶³ Commission, “Racist Violence: Report of the National Inquiry into Racist Violence in Australia,” pp. 373-74. In fact in the chapter “strategies to confront racism” the report is not exclusively concerned with the problem of community relations. The chapter also includes separate sections on strategies for institutional or structural change and for strategies for changing media representations. The chapter before it is concerned, like the other reports we have looked at, with legislative reform (as well as the practices of the police themselves). The unifying theme of the report appears to be how these various spheres of concern are conceptualized in terms of “multiculturalism” and the paramount “social risk” of “deteriorating community relations”. Ibid., p.267. The rationales for governing the problem of racial violence and harassment in the different spheres are focused on the central concern with governing community relations.

⁶⁴ Ibid., p. 259.

⁶⁵ Ibid., pp. 374-75.

⁶⁶ See Richard J. F. Day, *Multiculturalism and the History of Canadian Diversity* (Toronto: University of Toronto Press, 2000).

The technical issues of formulating a response to racially motivated violence consequently revolve around the complexity and opaqueness of the sphere of the social or of community relations as a site of governmental action rather than the “maladjusted” individual typical of law enforcement, psycho-therapeutic or cognitive strategies. As an indication of this complexity, the report notes mildly that “[p]roblems of community relations are not the result of attitudes alone, but rather the complex historical, structural, institutional and cultural factors [a] community relations program must be multi-faceted, and must be based on a balanced approach to the various factors which cause problems of community relations.”⁶⁷ At a minimum, the social technologies designed to deliver an ethical, multicultural solution to the problem of community relations are constrained by the possibility of their creating unintended consequences: for example, the renewed ghettoization of ethnic communities in public housing policy or the reinforcement of traditional ethnic stereotypes by stigmatizing ‘problem’ neighborhoods and areas.⁶⁸ The technical solution proposed by the report is the development of a “national community relations strategy”⁶⁹ that would work on or ‘structure the possible field’ of community relations through a series of normative policy directives for legislators, civil servants and police. To cope with a kind of postmodern recognition of the plurality of the social, however, the report recommends the creation of “local coordinating committees” capable of resolving grievances in forms sensitive to the specific conditions in specific locations. In assessing the nature

⁶⁷ Commission, "Racist Violence: Report of the National Inquiry into Racist Violence in Australia," p. 374.

⁶⁸ To take two examples, the very simple solution proposed to the problem of having to deal with racist neighbors in public housing (the “strategic placement policies”) is to allow tenants who have been targeted and harassed more flexibility in choosing who they live beside. Nevertheless, as a social technology, this solution has to balance the ability to segregate targeted groups from racist tenants with the problem of creating renewed ethnic ghettos and becomes much more complex to administer (especially when ... see themselves more as property managers than as ...). Similarly, the “local area strategies” involve striking “local community coordinating committees” with detailed knowledge of conditions in their locale to coordinate the activities of local authorities, listen to grievances, and find solutions to tensions appropriate to the local situation. The problem is that with limited resources the local area strategies would have to target only geographical areas with high special needs, but without reproducing the status of certain neighborhoods as problem areas.

⁶⁹ Commission, "Racist Violence: Report of the National Inquiry into Racist Violence in Australia," p. 374.

of multicultural social solidarity, the report appears to develop a model of intervention in some ways the direct opposite to that exemplified in the European report: not harmonization but local determinism.

The crucial point in all three reports though is that the social interventions they recommend, as rudimentary as they are, are derived from the specific ways in which social science is used to define the site of the problem. Each of the reports labours to define a model that will enable governmental procedures to be chosen and evaluated whether the social is conceptualized in terms of the processes governing cognitive factors of communication, institutional factors of sovereign decision making, or dialogic factors of community identity. They are not normalizing documents in the sense that they define a definitive social apparatus that would force or discipline neofascists to conform to an acceptable standard of behaviour, but in the sense that they define standard criteria by which the procedures for governing hatred can be decided upon, measured, judged and compared.⁷⁰ It is through the preparation of these models that neo-fascism becomes visible as a problem of a particular sort, i.e. as a *social* problem. The ground on which neofascism and hate are problematized is one in which "the social" is already prepared as a technical object sphere subject to specifically social criteria of intervention.

This in turn provides insight into the paradoxical way that games of truth, relations of power, and the link between self-government and the government of others (i.e. knowledge, politics, and ethics) are held together in postfascist society. If social science grounds the means of intervention into the social by identifying the norms of social action, it does so by providing a means of deriving these norms independently of absolute or substantial moral, legal or metaphysical codes. In social science the norm of social action is derived from the social context. It simply takes measure of what is normal or average in a given social context and does not rely on any external reference (in God, morality, law, metaphysics, etc.). As Ewald puts it, technical normalization is

⁷⁰ See Ewald, "Norms, Discipline and the Law," p. 148.

based solely on establishing a common ground for comparisons and evaluations without reference to universals. It is a measure that simply “expresses the relation of the group to itself” and a means of valorization where “equilibrium has replace[s] the absolute as the value of values.”⁷¹

This immediately appears to conflict with the overt ethical commitments of the reports, each of which begins with the absolute moral claim that racial intolerance is intolerable. In the same manner that Bauman analyses with respect to the Holocaust however, the principles that the reports rely on to derive a norm of action undermine the possibility of organizing a response to neo-fascism based on substantive ethical principles. At the heart of the ethico-political instituting of postfascist society is the paradoxical action of the norm that permits an absolute ‘after-Auschwitz ethic’ to be articulated while simultaneously emptying it of its definitive content. If the benefit of the reports is to shift the issue of the neofascist problem from the potentially divisive and unstable *absolute* value (fascism must be eliminated in all its forms) to the neutrality of a procedure for determining norms of intervention, it also introduces an element of nihilism into the core of the postfascist project: in Nietzschean terms, a will that would rather will nothingness and annihilate all values than not will at all.⁷²

The three reports proceed therefore through a technical mode of deliberation that begins by being an assessment of the legal mechanisms that could be used to prohibit hate speech, discriminatory practices, and violent hate crime (respectively), and ends by becoming a means for establishing normative criteria that, given a social scientific specification of the problem, enable techniques of governmental intervention to be applied. They follow a technical form for the government of hate that involves deriving four standards: (1) a set of procedures for determining the process to codify the ban on neo-fascist activities in statements of law, official policies, codes of conduct, etc. (2) a social scientific specification of the discrete spheres of life in which

⁷¹ Ibid.: p. 152.

⁷² Friedrich Wilhelm Nietzsche, *On the Genealogy of Morals*, trans. Walter Arnold Kaufmann (New York: Vintage Books, 1967), (III, 28), p. 163.

neo-fascism becomes a problem that enables the formulation of calculated strategies of intervention (i.e. in these reports the spheres in which speech circulates, populations and labour migrate and integrate, and community relations develop respectively); (3) the governmental rationale for the mechanisms in which a relationship is formalized between figures of authority and the subjects of intervention (both perpetrators and victims); (4) the normalization of the non-fascist subject: practices of subjectification and normalization through which non-fascist subjects are formed and come to recognize themselves as such.⁷³

In accord with the thematic of technical standardization and control defined by the technological society thesis, the defense of a more human non-fascist society takes the form of an ineluctable commitment to technologies of rule and ultimately to a logic whereby pure technical formalism and standardization gains its effectiveness by transforming the world into a technical order: a sphere of purely technical operations. Against the techno-bureaucratic structures of democratic society, neo-fascism thus appears as an intransigent pathology, a harmful and useless disruption of social processes, an exception, and an incorrigible Otherness.

But the main point to note with respect to our concern with the technical nature of the interventions is the way in which the models of government used in each case disavow the 'human' element of *politics*. The central importance attached to the procedures of defining and deploying universalizable norms in the reports (whether in law, policy or social statistics) stems from their profoundly normalizing model for non-fascist society: the use of the law as an educational norm to intervene in the 'private' communication of hate, the creation of a quasi-governmental intercommunity

⁷³ The first is expressed in a formal, abstract and universalistic language designed to be free of ambiguities or trace of particular interests. It is designed to take account of all contingencies in determining the line between licit and illicit activities in a jurisdiction. The second is expressed in the techniques and countermeasures that are conceivable only on the basis of a social scientific discourse to define, measure, assess and categorize behaviours and to produce different spheres of social life as technical zones. The third and fourth are expressed in the crossover between these two features of technical rule. They correspond to how, as Foucault puts it, "the law functions more and more as a norm, and ... the juridical institution is increasingly incorporated into a continuum of apparatuses (medical, administrative, and so on) whose functions are for the most part regulatory" Foucault, *The History of Sexuality, Volume Two: The Use of Pleasure*, p. 144.

forum to monitor the performance of state agencies across national jurisdictions, or the establishment of local coordinating committees to oversee inter-community relations in local neighborhoods. Government, as we have been using the term, clearly refers to those strategies of acting upon problematic situations associated with neo-fascism, situations that are evidently *out of control* to some degree, external to government, and which viewed from a political angle where the ethico-political foundations of society are at stake refer to fundamental antagonisms. The technical modes of government discussed here defer the political element of the antagonism – the point where the presence of the neofascist prevents liberal, multicultural society from totally being “itself”, from totally hegemonizing its contents, to paraphrase Laclau and Mouffe⁷⁴ -- by substituting for the *political* question of Hate the creation of technocratic guidelines and policies or norms of action. The political nature of the problem is concealed in the separation of technique from politics, and this inheres in the practices whereby the strategies of response to neo-fascism and hate are defined, systematized, operationalized and deployed. The formation of friend/enemy groupings, the antagonism between fascists and liberals, the context generating event of the sovereign political decision, the collective aspect of social contestation are misrepresented and hidden from view. It is impossible to confront the claim the neofascists make as the abject and excluded to a voice let alone to represent themselves as the universal voice of a new (fascist) justice.⁷⁵

But from the perspective of administrators and jurists in technological society politics can only refer to the accidental, the arbitrary, and a dangerous irrationality. It would appear from the method of these reports, as Weber once despairingly proclaimed in a different context, that the ethico-political order of postfascist society is bound to

⁷⁴ Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics* (London: Verso, 1985), p. 125.

⁷⁵ This would be one way of describing the political content of fascism using Rancière's definition of the political. The moment in which a community comes to exist as a political community is the moment in which the excluded articulate their mistreatment and their grievances as mistreatment and grievances of the community as a whole. Politics begins when the excluded – *the demos* -- stand in for the whole. See Jacques Rancière, *Disagreement: Politics and Philosophy* (Minneapolis: University of Minnesota Press, 1999), pp. 9-10.

those “men who need ‘order’ and nothing but order, [who] become nervous and cowardly if for one moment this order wavers, and helpless if they are torn away from their total incorporation in it.” As Weber continues,

That the world should know no men but these: it is in such an evolution that we are already caught up, and the great question is, therefore, not how we can promote and hasten it, but what can we oppose to this machinery in order to keep a portion of mankind free from this parceling-out of the soul, from this supreme mastery of the bureaucratic way of life.⁷⁶

3.6 *The Liberal Response to Technology: Preserving the Empty Space*

“There exists a liberal policy in the form of a polemical antithesis against state, church, or other institutions which restrict individual freedom. There exists a liberal policy of trade, church and education, but absolutely no liberal politics, only a liberal critique of politics.”⁷⁷

In the search for a norm of intervention, the reports articulate what might be called the *liberal* response to modern technology. They are political, therefore, but simultaneously they conceal the coordinates of their politics. Ironically they are political in the *post-political* manner in which they address the problem of hate and neo-fascism. To put the matter less obscurely, the liberalism that provides their governmental logic is one of three great modalities of the 20th century in which a solution to the problem of modern technology was posed and contested. The liberal topology which devolves in various ways on Weber’s existentialist stand – the ethic of responsibility – is not the only way in which the problem of technology has been tackled. It is one response that has existed in a more or less open contest with a revolutionary response (e.g. Lukác’s collective *praxis* that overcomes subject/object dualism) and a fascist response (e.g. Jünger’s “total mobilization” as will to power of a

⁷⁶ Quoted in Robert A. Nisbet, *The Sociological Tradition* (New York,: Basic Books, 1966), p. 299.

⁷⁷ Carl Schmitt *Concept of the Political*, p. 70.

people).⁷⁸ The event which marks the founding of the postfascist era in which we live today is the event in which this open moment of political antagonism becomes invisible. In thinking this event through, the postfascist era can be seen as both a naturalized order and a "concrete strategic field"⁷⁹ subject to reversal. The argument to be forwarded here is that it is especially within liberalism's particular response to the problem of technology that politics itself becomes an impossible, irrational moment, yet one that continually returns and continually transforms the political form of society.

In what follows I would like to outline two points. The first is that the technical nature of the state commissioned reports can be seen to conform to the model of rationalization that Weber presents. The liberal response to hate and neofascism is a continuation of the project of rationalization that defines modernity. The second is that, while this may be so, it does not help us to understand the reports' specificity, their frailty and their reversibility. To do so we must grasp them as a set of tactics, from the point where they open onto a politics that envelopes the technical as such, and not simply as a continuation of processes of rationalization that, after all, could hardly serve to distinguish liberal democracy from fascism and communism.

A key component of the reports, and of contemporary political technologies in general, is the technical and formal nature of decision-making. They rely on accurate knowledge, evidence-based procedures, calculation of outcomes and the application of general legal or administrative rules to particular situations. But as I noted in the last section, also the matrix within which decisions are made -- formal law and rigorously methodical scientific knowledge -- is rational and systematic, based on universal norms of legal/scientific procedure that ensure the calculability, predictability, and formal consistency of the decisions themselves. The reports embody thereby two forms of rationality identified by Max Weber: an *instrumental rationality* that seeks the most expedient solution to problems, while accepting the social context of the problem as a

⁷⁸ See Chapter 1, "Antinomies of Technical Thought: Attempting to Transcend Weber's Categories of Modernity" in John P. McCormick, *Carl Schmitt's Critique of Liberalism: Against Politics as Technology* (Cambridge; New York: Cambridge University Press, 1997).

⁷⁹ Foucault, "What Is Critique?," p. 60.

given, and a *formal rationality* that logically systematizes courses of action and decisions in terms of transparent and purely objective “calculable rules” that are themselves determined on the basis of the universality and impartiality of their application “without regard for persons.”⁸⁰ The two rationalities form a kind of automatic mechanism, each serving to regulate the excess of the other. The instrumental rationality that guides the technological intervention into the world – the pure ability to intervene in, transform, and manipulate human and natural materials -- confronts the formal limits and disinterested proceduralism established by the law and administrative rule, whereas the tendency of the formal systems of law and rule to separate themselves from the actualities of lived experience in an ever more rigid insistence on formal consistency confronts real technical limits of application in which law can no longer perform its function of producing order. It is in seeking a balance between these two components that the reports can articulate normative criteria for intervening into the problem of hate that appear grounded both in universal reason and in a situational pragmatism.

This outcome might be posed as the completion of a *post-political* tendency in which the unstable moment of politics proper can be permanently deferred. Everything always already has its place, its category, its code and its enclosure. There is no *essential* contest. Government simply seeks to return things to a given, statistically measurable, pre-political sociality. It is a normative operation. But this would be to conceal the moment of politics in which what confronts us as technological rule pure and simple is in fact one particular response to the technological. The first condition of this economy in which formal and instrumental technologies balance one another must be sought in the invention of that specific mode of governmental intervention that precludes “particular, individual exceptional measures” as Foucault puts it.⁸¹ By

⁸⁰ Weber, *From Max Weber: Essays in Sociology*, p. 215. One rationality appeals to technological know-how, the other to a system of abstract rules that subsumes all concrete situations to its comprehensive, internally consistent order.

⁸¹ Michel Foucault, "History of Systems of Thought, 1979," *Philosophy and Social Criticism* 8, no. 3 (1981). See comments in Colin Gordon, "Governmental Rationality: An Introduction," in *The*

establishing these two rationalities as means of limiting or managing the arbitrary and potentially excessive exercise of power, the form of governmental action that results acts under a rationale that measures it against the critical attitude in which “there is always too much government.”⁸² This is one aspect of the governmental technology that Foucault calls *liberalism*.⁸³ It operates according to a logic of limits and critique. As Schmitt puts it, “there is no liberal politics, only a liberal critique of politics.”⁸⁴ Yet it is clear that as one particular strategy or rationality of government it emerges as a hegemonic form only as a tactic and only after a protracted struggle with its foes.

The second key to the liberal-democratic version of modern politics is that it produces a rational-legal administration that operates as a mode of rule without a particular substance or ultimate end. Democracy is organized, as Claude Lefort argues, around “an empty place, impossible to occupy, such that those who exercise public authority can never claim to appropriate it”.⁸⁵ In contrast to the monarchical regimes that preceded it, there is no unifying figure of a sovereign to incarnate the political community and provide it with a central and substantial principle of power, law and knowledge. In contrast, “Democracy inaugurates the experience of the ungraspable, uncontrollable society in which the people will be said to be sovereign ... but whose identity will constantly be open to question, whose identity will remain latent.”⁸⁶ In practice, this openness – the society that ‘does not exist,’ of which Laclau speaks approvingly in promoting the idea of a radicalized democracy -- is always fixed by

Foucault Effect: Studies in Governmentality: With Two Lectures by and an Interview with Michel Foucault, ed. Graham Burchell, Colin Gordon, and Peter Miller (Chicago: University of Chicago Press, 1991), p. 19.

⁸² Foucault, “History of Systems of Thought, 1979,” pp. 354-55. Foucault, “What Is Critique?,” p. 29.

⁸³ Moreover, this is what is essential to what we are calling liberal democracy and not the contingent relationship it might bear to the rule of law, the doctrine of the individual, the free market, rational humanism, the neutrality of the state or liberty. As Foucault argues, it is a technology of government that builds in its susceptibility to a reflection on the present moment and although in practice it relies on overdetermined concepts of liberty, individualism, neutral rationality, etc. there can be no fixity to these terms in either Weber’s existentialism nor Foucault’s model of permanent critique.

⁸⁴ Carl Schmitt, *The Concept of the Political*, trans. J. Harvey Lomax (Chicago: University of Chicago Press, 1996 (1932)), p. 70.

⁸⁵ Claude Lefort, *The Political Forms of Modern Society: Bureaucracy, Democracy, Totalitarianism*, ed. John B. Thompson (Cambridge, Mass.: MIT Press, 1986), p. 279.

⁸⁶ *Ibid.*, pp. 303-04.

some content: bourgeois property rights, individualism, the patriarchal family unit, pluralism, universalist rationality, etc. or even, as I have been arguing, *post-fascism*. But these political fixations are in principle contingent, subject to a radical indeterminacy that prevents the instituted forms of society from becoming permanent or the sovereign people from assuming a single, unified, homogeneous identity. (It is to the insecurity that this gap, indeterminacy and uncertainty represents that fascism responds in attempting to actualize a concrete identity of the people and banish the experience of emptiness at the core of society).⁸⁷ If Democracy is a political technology that limits and rationalizes the possible exercise of power by making its purposes and ends dependent on practices of freedom by the citizenry, its practices often become routinized and institutionalized while remaining, especially at the level of the social imaginary, radically open and indeterminate. In deferring its decisions to the action of the norm as we have seen in the state commissioned reports, it neutralizes politics but in an uneasy way. Its tendency towards the self-regulating automata of its mechanisms is 'haunted' by the ever possible return of the political.

So when we return to the question of what it means that neofascism has become a technical problem we find both aspects of its problematization – its technical specificity as a social problem and its ability to put the ethico-political structure of society into question -- conditioned by the way it is taken up within a liberal rationale of rule. The first aspect is defined by specifying how it disrupts the autonomous processes governing different spheres of activity in the population. The technical nature of the issue is not simply one of applying knowledge to determine the most effective means of solving the problem but of developing a procedure of acting upon the independent processes of the population to achieve the desired effect. The technical nature of the issue involves an economy in which ascertaining the intrinsic limit to the

⁸⁷ I will return to this theme in the next section. Lefort argues that fascism or totalitarianism is a response to the paradoxes that democracy creates (see *Op. Cit.* pp. 305-306). Fascism is a response to democracy. The point that I am trying to develop is that the 'problem' that fascism and liberal democracy respond to is a problem embedded in the structure of modern political community more generally. In this section of the dissertation I am trying to view this problem in the aspect that the reliance on modern technology reveals.

responses available to authorities in the recognition that these spheres represent a certain opaqueness vis-à-vis the interventions of government.⁸⁸ The problematic contained in the reports is never principally about the complete elimination of hate and racism from society but about the development of *economic* procedures of control. We see in the form of the reports an underlying rationale that poses the problem technically, but under the constraint of two limits: (a) the constraint of finding a balance between too much government and not enough; (b) the constraint of finding the ethico-political grounds of acting without substituting a particular ethos for democratic openness (i.e. without becoming 'totalitarian'). The development of a procedure for choosing norms or models of intervention in the reports is the means by which these balances can be achieved in a technical manner. Radical democratic openness is *simulated* by the normalizing judgment.

But the second aspect of its problematization, its ability to put the ethico-political structure of society into question, goes to the political nature of the liberal response to technology. This is why neo-fascism is such an interesting problem. It brings to the foreground the antinomical elements that Weber argued were the conditions of technical rule and which reveal it to be contingent on a non-technical decision on the exception (i.e. it does occupy "the place of power" with a particular content). In Weber's analysis there are two conditions of technical rule. In the first place, the depoliticization of the technical rational order depends in fact on an ambiguous relationship between violence and rationality. The means specific to politics

⁸⁸ Mitchell Dean has outlined four limits that define this governmental rationality. The mechanisms of liberal government are restricted by the economic reality of the market (the "ontological reality of scarcity", Mitchell Dean, *Governmentality: Power and Rule in Modern Society* (London; Thousand Oaks, Calif.: Sage Publications, 1999), p. 115.) and therefore by the financial viability of any particular strategy. They are restricted by the "liberal problematic of security" in which the establishment of mechanisms to ensure the security of the autonomous processes on which the continued security of individuals depends is privileged. They are restricted by the form of the norms of intervention, namely the determination of "post-metaphysical" standards or rules from observed regularities existing in the population (i.e. "independent of all philosophical or religious values" Dean, *Governmentality: Power and Rule in Modern Society*, p. 119. Finally, they are restricted by the *social* specification of the processes of the population to be regulated (e.g. rather than biological or psychological processes). They act upon a specifically social order of reality and must respond to a specifically social set of contingencies in their calculations. See chapter 6 "Liberalism" in Dean, *Governmentality: Power and Rule in Modern Society*, pp. 113-30.

is understood to be force/violence (in the last instance at least) while the legitimacy of modern politics relies on its opposite: rational-legal rule. This is another way of describing the limit function of liberal rule: it attempts to limit the use of violence (while nevertheless relying on it).

The ambiguity is extenuated according to the principle of sovereignty. The organization of nation-states into clearly demarcated territorial boundaries in which each state "claims the monopoly of the legitimate use of physical force" is the condition of the security of society and ultimately of the regularity and calculability of social space.⁸⁹ Legal-rational administration as a mode of rule depends on the continued production of borders and of a zone of 'interiority', (maintained by threat of legitimate violence), where its methods can be effective, and yet the limit that divides violence from reason, or a zone of effectiveness from its exterior, is in itself inaccessible to reason.⁹⁰ It proposes a line beyond which normativity, calculability, or economy no longer apply. It is the *condition* of reason, rationality and technology, or of their

⁸⁹ Weber, "Politics as a Vocation," p. 78. Weber sees legal-rational administration chiefly as a means of establishing the "inner justifications" or legitimation of forms of "organized domination," but as recent International Relations theory insists, the production of a space of calculability depends on the continued production (or continued re-enchantment) of a border between inside and outside and the externalization of all that which is purely contingent, violent, unpredictable and uncontrollable. R. B. J. Walker, *Inside/Outside: International Relations as Political Theory* (Cambridge [England]; New York: Cambridge University Press, 1993). David Campbell and Michael Dillon, *The Political Subject of Violence* (Manchester; New York, NY: Manchester University Press; Distributed exclusively in the USA and Canada by St. Martin's Press, 1993). David Campbell, *Writing Security: United States Foreign Policy and the Politics of Identity* (Minneapolis: University of Minnesota Press, 1992). It is on the basis of the sovereign demarcation of borders that security and rational government *inside* nation-states is in principle possible. In the anarchic international space of unprincipled rivalry between states there can be no basis for permanent rational order. Yet the borders do not exist naturalistically as in the realist (or Weberian) account but (a) are the product of state practices like policing, immigration and import regulations, diplomacy, foreign policy, etc., in which concepts of identity and foreignness are produced (b) no longer effectively codify global flows of capital, commodities, labour, media, technologies, or even the technological practices of government that we have been discussing here. Arjun Appadurai, *Modernity at Large: Cultural Dimensions of Globalization, Public Worlds ; V. 1* (Minneapolis, Minn.: University of Minnesota Press, 1996). James Der Derian, *Antidiplomacy: Spies, Terror, Speed, and War* (Cambridge, MA: Blackwell, 1992).

⁹⁰ As Jens Bartelson argues these borders have the quality of a "*parergon*" or the frame-like "line of demarcation" that defines an ontological divide between the class of things that are inside a border and the class of things that are outside it. The line is presupposed by each but it is not itself a member of either class and cannot therefore be understood in their terms. "It is neither inside, nor outside, yet it is the condition of possibility of both. A *parergon* does not exist in the same sense as that which it helps to constitute; there is a ceaseless activity of framing, but the frame itself is never present, since it is itself unframed." Jens Bartelson, *A Genealogy of Sovereignty* (Cambridge; New York: Cambridge University Press, 1995), p. 51.

effective use in government. The existence of such limits *makes no sense* from the point of view of universal criteria of reason, but their establishment reveals the particular *political* content of a given universal rationality.⁹¹ This is an aporia defined by the unstable relationship between violence and reason, or of sovereignty and biopower, (which will be discussed more fully in the next two chapters). The heterogeneous nature of neo-fascism with respect to the space of liberal democratic rule continually reveals this aporia and forces authorities to act in a non-technical, *excessive* manner.⁹²

The second condition of rational-legal administration is “the death of God,” – the empty place of power -- the sidelining of a principled ethos in which the power afforded by rational means could be subordinated to the *telos* of a way of life. In the absence of a foundation of values, “modern law is denied any transcendent normative base” according to Weber.⁹³ Its legitimacy resides in no particular substantial position toward life, nor in any of the “warring Gods” whose conflict becomes irreconcilable as a consequence of techno-scientific disenchantment.⁹⁴ Rational-legal administration is organized around an “empty place.” In the absence of a means whereby consensus on questions of ultimate value is possible, the legitimacy of rational-legal rule is

⁹¹ Stanley Fish’s example from Part One illustrates this point with respect to the concept of free speech. The domain of free speech is paradoxically established by the limits of what can be said. It is dependent on “an exception that literally carves out the space in which expression can then emerge”. Stanley Eugene Fish, *There's No Such Thing as Free Speech, and It's a Good Thing, Too* (New York: Oxford University Press, 1994), p. 103. In the contemporary scene, the domain of free speech is restricted by laws governing libel, copyright, pedophilia, incendiary speech (yelling ‘fire’ in a crowded cinema is a classic example), and, more ambiguously, expressions of hatred, among other examples. Ergo, “there is no such thing as free speech” in any literal or absolute sense.

⁹² It is caught in the eminently political dilemma of having to acknowledge its particularity (i.e. of having to occupy the “empty space” that defines the core of democratic openness) and of having to use violence against internal enemies who do not recognize ‘reason’ and the normative rules governing social processes. The thinking of the human/technology balance becomes correspondingly more difficult: the problematic itself can no longer be viewed as natural/universal, nor can technical problems be simply solved technically. The problematic itself is a product of a decision that must be continually reiterated in the confrontation with the outside. This in brief is how we must approach the political nature of liberal democratic society.

⁹³ William E. Scheuerman, *Between the Norm and the Exception: The Frankfurt School and the Rule of Law* (Cambridge, Mass.: MIT Press, 1994), p. 99.

⁹⁴ See comments in R. B. J. Walker, “Violence, Modernity, Silence: From Max Weber to International Relations,” in *The Political Subject of Violence*, ed. David Campbell and Michael Dillon (Manchester; New York, NY: Manchester University Press; Distributed in the USA and Canada by St. Martin's Press, 1993), pp. 147-48. Derek Sayer, *Capitalism and Modernity: An Excursus on Marx and Weber* (London; New York: Routledge, 1991), pp. 148-55. Bryan S. Turner, *Max Weber: From History to Modernity* (London; New York: Routledge, 1992), pp. 184-200.

established precisely in terms of its technique, (which can be measured in terms of factors of efficiency apart from any assessment of ultimate ends), and its formalism, (its logical coherence and calculability, its "system of abstract rules" capable of "general formulation,"⁹⁵ its "abstract regularity of the execution of authority,"⁹⁶ and its indifference to any particular content or value). All cases and situations are adjudicated according to a logical and transparent system of rules which establish in advance a completely systematic but abstract mathematical matrix for decision making without taking recourse to substantively defensible principles of value, justice, right or the good. The formalism of the system guarantees its autonomy from any particular or substantive value orientation. The post-theistic ideal is thus a form of post-politics in which the machine runs by itself, control has become "automatic," and conflict is limited to disagreements over the appropriate rational means and rules.

The "ethic of responsibility" that Weber asserts as a response to the technological world order and the autonomy of rational-legal administration is not simply a figure of "the human" held out against the overwhelming automatism of technological society. It is a response that defines the political moment of liberalism. On the surface it defines the logic of a permanent limit in the governmental rationale and ethico-political space of liberal rule. In calling for a paradoxical balance between the passionate conviction of an individual existential political stand and the rational, 'relentlessly' realistic calculation of the 'foreseeable consequences' of acting upon it politically, it defines the split in the exercise of power through which liberalism continually defers or displaces the moment of the political. A passion grounded in non-pre-determined values tempers (and is tempered by) the huge powers granted by technical knowledge and organization. In contrast, the ethic of ultimate ends, which takes a substantial value as its goal and "does not ask for 'consequences'" in the means

⁹⁵ Max Weber from *Economy and Society* as quoted in Scheuerman, *Between the Norm and the Exception: The Frankfurt School and the Rule of Law*, p. 270, note 6.

⁹⁶ Max Weber, "Bureaucracy," in *From Max Weber: Essays in Sociology*, ed. Hans Heinrich Gerth and C. Wright Mills (New York, : Oxford University Press, 1946), p. 224.

used to achieve it⁹⁷ is the diabolic danger of a modern politics that has violence/force as its specific means and efficient, rational organization as its unsurpassed mechanism for delivering it. It collapses the distance that enables a limit to technological power or “too much government” to be defined. Liberal politics seeks to preserve the split in power between substantial values and technological power by means of a continual deferral of the decision on the ultimate ends of government. This defines an ethico-political response to technical modernity that distinguishes it from the fascist and revolutionary alternatives. Yet the split itself always produces an excess that cannot be mediated or balanced: again a moment of ‘decision’ that originates outside the erstwhile balance between passionate conviction and realistic calculation. If only in determining in each specific instance where the balance between the two falls, the liberal framework is repeatedly forced to become political in Schmitt’s sense.

So if the problem of fascism has become the object of objective knowledge and neutral administrative procedures it means not so much that neofascism has simply been reduced to an object to be manipulated in a cold and calculated manner, but that the battle of domination and evasion between fascism and liberalism has been reconstituted in terms favourable to the liberal technology of rule. The *steilhartes* casing or armour in liberalism’s solution to the problem of the iron cage is its universalism, formalism, deferral of politics, and normalizing procedures which neo-fascists fight with the particularity of community, national-racial identity, violence, and the *Führer Prinzip*. In two steps we can go from Foucault’s claim that from the moment the equation of nation and state was established, the war that constitutes politics -- the ‘war by other means’ -- is a war caught *within* the purview of the state, a war fought between proponents of a universalistic juridico-technical form of political community and of a particularistic-national form of political collective becoming-identity,⁹⁸ to the claim that, with the subordination of neo-fascism to a technical object of governmental

⁹⁷ Weber, "Politics as a Vocation," p. 120.

⁹⁸ Michel Foucault, *Society Must Be Defended: Lectures at the College De France, 1975-76*, ed. Mauro Bertani, Alessandro Fontana, Francois Ewald, and David Macey, trans. David Macey (New York: Picador, 2003), p. 236.

intervention, society can now be run as a post-political (or biopolitical) technical machine.

As a consequence, we are confronted anew with Foucault's observation about the entwinement of knowledge, power and technique and how it forces us to rethink the relation between the political and the technical in the universalistic form of postfascist society. "There is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations."⁹⁹ The specification of the neo-fascist problem through the formation of discourses and specialized knowledges on Hate depends on local relations of power and global strategies or rationalities of rule having already found an anchor and a target for their operations in the spheres of life where Hate is seen as a problem. In this regard, Weber's rational-legal, rule-bound form of administrative intervention has been a key means by which the types of subjectivity, forms of official inquiry, requirements for specific types of knowledge, parameters for solutions and strategies of prevention, and ultimately the truth about neo-fascism and Hate are defined. It is not a means of legitimating an already existing organized domination, but a technique of domination itself, or at least a means of efficiently acting upon and structuring the possible courses of action of others. It is the avant-garde of a force that continually seeks to sever the equation of the state or society with a particular identity or particular 'substance' in the place of power. The subtext of the state commissioned reports examined above therefore revolves around the *tactical* question of how to regulate the production of subjects who are useful for social interactions in societies organized on the basis of limits to rule (eg. modes of political inscription based on right bearing individuals and multicultural identities) and on keeping the place of power *empty*.

⁹⁹ Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Pantheon Books, 1977), p. 27.

3.7 *The Technological Matrix of Fascism: Reloaded*

Number breaks down unity, destroys identity.¹⁰⁰

But this way of formulating the problem also recalls an earlier problematic: “the encounter between global technology and modern man” in the grips of which, for example, Martin Heidegger was able to speculate about the “inner truth and greatness” of the National Socialist movement,¹⁰¹ Carl Schmitt to forward an argument for the “total state,”¹⁰² and Ernst Jünger to propose “total mobilization” as the solution to the loss of authentic community.¹⁰³ Against the liberal formulation of the problem of technology, the matrix from which the fascist response to technology emerged rejected the unsatisfactory artifice of the responsible *individual* stand and attempted to articulate a new model of national political community as a means of overcoming the alienating effects of the modern technical world order. In his lectures of 1929-1930, Heidegger was already talking about the need for a *Verwalter* (manager) “of the inner greatness of *Dasein* and its necessities” and for an authentic community to bind itself together “in the rooted unity of an essential deed.”¹⁰⁴ The essential deed, the possibility of *collectively* standing in a more originary relation to primal Being, was threatened by rootless forms of technological rationality, materialism, and rule by democratic opinion: “This leaving empty in the end vibrates in our *Dasein*, its emptiness is the staying away of our essential affliction.”

Similarly, Carl Schmitt’s defense of the total state was premised on an irreconcilable and untenable tension between the deep sources of community identity

¹⁰⁰ Lefort, *The Political Forms of Modern Society: Bureaucracy, Democracy, Totalitarianism*, p. 303.

¹⁰¹ Martin Heidegger, *An Introduction to Metaphysics* (New Haven, Yale University Press, 1959), p. 199.

¹⁰² Schmitt, *The Concept of the Political*, p. 19.

¹⁰³ Ernst Jünger, “Total Mobilization,” in *The Heidegger Controversy: A Critical Reader*, ed. Richard Wolin (Cambridge, Mass.: MIT Press, 1993).

¹⁰⁴ From Heidegger’s 1929/1930 lectures as quoted in Michael E. Zimmerman, *Heidegger’s Confrontation with Modernity: Technology, Politics, and Art* (Bloomington: Indiana University Press, 1990), p. 33.

and the modern erosion of state authority by the “auto-organization” or non-political/technical operations of “society.” The state that “presupposes the concept of the political”¹⁰⁵ – the fundamental capacity of the sovereign to decide the exception -- at the same time presupposes the primal *identity*¹⁰⁶ between the ruler and the ruled, state and people (i.e. a concrete and substantive community) that comes into existence through the decision, prior to any kind of routinized, normative or legal order. In his polemic against liberalism, he argues that this identity and its contingency on an underlying decision of “utmost intensity” are concealed and dissipated by the systematic misunderstanding in which liberalism, in both its *laissez faire* and pluralistic guises, reduces the function of the state to an expression and administration of social-economic conflicts. It represents a consistent depoliticization and neutralization of the state and politics in which the social not only penetrates the political but attains priority over it, subsuming concrete and substantive human groupings and acts to the abstract and technical orders and norms of the different social spheres: the economic, the ethical, the pedagogical, the religious, the juridical, etc. Nevertheless, for Schmitt the source of the concrete human community remains the always immanent sovereign decision, the moment of crisis where no previously determined general norms apply in which the distinction that binds individuals into groupings of friends and enemies, selves and others, peoples and aliens must be made.¹⁰⁷ The problem of technology thus

¹⁰⁵ Schmitt, *The Concept of the Political*, p. 19.

¹⁰⁶ In the case of the National Socialist state, as he would argue later in defending the legality of its political reorganization and *Gleichschaltung*, this identity was understood as an ethnic identity. “The *ethnic identity* of the German people, united in itself, is thus the most unavoidable [unumgänglichste] premise and foundation of the political leadership of the German People.” Carl Schmitt, “State, Movement, People: The Triadic Structure of the Political Unity,” in *State, Movement, People: The Triadic Structure of the Political Unity: The Question of Legality*, ed. Simona Draghici (Corvallis, OR: Plutarch Press, 2001), p. 48, italics and brackets in original.

¹⁰⁷ The hegemony of liberalism spells out three dangers for Schmitt: firstly, that in the misrecognition of the political the logic of political events becomes opaque and we lose the life affirming experience of the political; secondly, it does not account for the necessary ascendance of the political in the ‘moment of need’ when even the constitutional state must exercise its “*jus belli*” (just war) and abandon the law which otherwise binds it (i.e. this moment in which constitution expresses the concrete “existence of society itself,” (Ibid., p. 47.) becomes literally incomprehensible); thirdly, that in the subordination of the political to the social, the essentially non-political term “humanity” might be deployed for political means with unprecedented effects of terror:

devolves for him around a distinction between two types of *total state* that define the modern ethico-political condition: the *quantitatively* total in which the state/civil society distinction no longer operates and the state is indiscriminately involved in all spheres of human activity, and the *qualitatively* total in which the sovereign power to decide the exception remains an irreducible quality with the capacity to discipline the “tremendous power” released by technology.¹⁰⁸ Schmitt’s response to the problem of technology was to advocate the politicization of the qualitative total state.

For Jünger the problematic was presented in terms of trying to think through the form of community that would be able to withstand the onslaught of planetary technology.¹⁰⁹ The experience of the First World War had shown that technology,

To confiscate the word humanity, to invoke and monopolize such a term probably has certain incalculable effects, such as denying the enemy the quality of being human and declaring him to be an outlaw of humanity; and a war can thereby be driven to the most extreme inhumanity. *Ibid.*, p.54.

¹⁰⁸ For this distinction in the context of Schmitt’s developmental model of the German state see his essays “The Way to the Total State” (1931) and “Further Development of the Total State in Germany” (1933) in Carl Schmitt, *Four Articles, 1931-1938*, ed. Simona Draghici, trans. Simona Draghici (Washington, D.C.: Plutarch Press, 1999).

¹⁰⁹ In his essay “Total Mobilization” (*Totale Mobilmachung*, 1930) Ernst Jünger wrote:

The abstractness, hence the horror, of all human circumstances is increasing inexorably. Patriotism is being infused with a new nationalism, strongly infused with elements of conscious awareness. In Fascism, Bolshevism, Americanism, Zionism, in the movements of coloured peoples, progress has made advances that until recently would have seemed unthinkable; it proceeds, as it were, head over heels, following the circular course of an artificial dialectic in order to continue its movement on a very simple plane. Disregarding its much diminished allowances for freedom and sociability, it is starting to rule nations in ways not very different from those of an absolute regime. In many cases the humanitarian mask has almost been stripped away, replaced by the half-grotesque, half-barbaric fetishism of the machine, a naïve cult of technique; this occurs particularly where there is no direct, productive relation to those dynamic energies for whose destructive, triumphal course long-range artillery and bomb-loaded fighter squadrons represent only the martial expression. Simultaneously, esteem for quantity [*Massen*] is increasing: quantity of assent, quantity of public opinion has become the decisive factor in politics. For a period of more than a hundred years, the masses, blinded by the optical illusion of the franchise, were tossed around like a ball by the ‘right’ and the ‘left.’ It always seemed that one side offered refuge from the others claims. Today everywhere the reality of each side’s identity is becoming more and more apparent; even the dream of freedom is disappearing as if under a pincers’ iron grasp. The movements of the uniformly molded masses, trapped in the snare set by the world-spirit, comprise a great and fearful spectacle. Each of these movements leads to a sharper, more merciless grasp; forms of compulsion stronger than torture are at work here; they are so strong, that human beings welcome them joyfully. Behind every

including the social and propagandistic technologies used to organize and motivate armies, had surpassed the status of a mere means to be manipulated in the service of the needs of humanity or the nation. Technology now took the form of a *total mobilization* of social, economic and technical resources that molded society into a unity on a perpetual war footing. As befits the *Volkish* discourses of the time, he equates technology with an “abstractness” that disintegrates the foundational sources of value and community, but at the same time he makes it into the principle that mercilessly compels and “molds” the masses into a new vital, concrete uniformity. It is not simply technology but “the readiness for mobilization... present everywhere” that is decisive.¹¹⁰ The German *Volkish* movements had found the source of authentic community in mythical Teutonic folk traditions or the lifeworld of the rural peasant as yet untrammled or disfigured by the rationally integrated organization of mass society. Jünger on the other hand no longer saw the reference point for the spiritual identity of the *Volk* in the “dark, mist-shrouded forests” but in the *Fronterlebnis*, the experience of unity and martial resoluteness that was forged between soldiers of all classes in the trenches amidst the indiscriminate onslaught of modern weaponry (the *Materialschlachten*).¹¹¹ His innovation was thus to place technology in the ambit of the spiritual forces animating German *Kultur* that up until the First World War had been seen to be *threatened* by the ‘foreign’ encroachment of techno-rational Western

exit, marked with symbols of happiness, lurk pain and death. Happy is he alone who steps armed into these places. (Jünger, “Total Mobilization.” pp. 137-138).

¹¹⁰ *Ibid.*, p. 129. This understanding was key to Heidegger’s development of the concept of technology as “enframing” or *Gestell*, which reveals the world as a mere standing-reserve or supply of resources. See Richard Wolin’s introduction to Jünger’s essay in *The Heidegger Controversy*, Jünger, “Total Mobilization,” pp. 119-22 and Chapter 5 in Zimmerman, *Heidegger's Confrontation with Modernity: Technology, Politics, and Art*, pp. 66-75. For Heidegger’s later critique of Jünger’s concept see Heidegger, “The Age of the World Picture,” p. 137, note 21.

¹¹¹ Žižek describes Jünger’s new ethic in Lacanian terms as one example of the 20th century “passion for the real.” The authenticity of the experience of the front which becomes essential for Jünger’s solution to the problem of technology is the direct, face to face, collective experience of death as well as the experience of being an appendage in a vast war machine. The illusory appearances of humanity and symbolic reality are stripped away to reveal their violent, transgressive core. To orient individual and collective life to this ‘vital’ core becomes the ethical source of the new soldier-worker in opposition to the “soulless, external, artificial” forms of democracy and cosmopolitan *Zivilization*. See Slavoj Žižek, *Welcome to the Desert of the Real!: Five Essays on 11 September and Related Dates* (London; New York: Verso, 2002), pp. 5-6.

Zivilization.¹¹² In the context of raising the question of the “great and fearful” form of life adequate to these circumstances, Jünger intimates the ideal reconciliation between the state (which commands the total mobilization), global technology and the deep, destinal identity of *the Volk* (as an expression of its “dynamic energies” and will to power) that provided an original nexus of fascist rhetoric.¹¹³ Under the conditions of modern technology, the *Volksgemeinschaft* merges with modern technology to become a unified and mobilized mass at war, militarily or economically, with other nations. At the same time, the modern *Lebensführung* becomes an ethic of totalitarianism or total mobilization that at the level of the individual revolves around the model of the new man as the soldier-worker – a relation to the self structured by capacity for sacrifice, unquestioning obedience and duty, deferment of pleasure and comfort, machine-like hardness and discipline.¹¹⁴

In the protofascist elements of the thought of Heidegger, Schmitt and Jünger, but also in the series of events capitalized on by the Nazis (agricultural crises, the reparations issue, unemployment and class conflict, the ‘racial defilement’ of German popular culture, the paralysis of the Weimar governments, etc.¹¹⁵) the task of forging or

¹¹² The significant move which places Jünger and the “reactionary modernists” in a different category from the *Volkish* movements, is, as Jeffrey Herf notes, “to have made a virtue out of the necessity of embracing technics by shifting technology out of the sphere of *Zivilization* and into that of *Kultur*. By so doing, they could embrace technology without adopting a rationalist world view in politics and culture.” Jeffrey Herf, *Reactionary Modernism: Technology, Culture, and Politics in Weimar and the Third Reich* (Cambridge; New York: Cambridge University Press, 1984), p. 40.

¹¹³ Jünger did not join the Nazi party however and withdrew from public debate after 1933.

¹¹⁴ Walter Benjamin is clearly correct in finding Jünger’s approach to technology and the “concrete uniformity of the masses” fetishistic. It promotes “a mystical and unmediated application of technology to solve the mystery of an idealistically perceived nature” without considering the rational purposes of technology (i.e. “using and illuminating the secrets of nature via a technology mediated by the human scheme of things”).¹¹⁴ Walter Benjamin, “Theories of German Fascism: On the Collection of Essays War and Warrior, Edited by Ernst Jünger,” *New German Critique* 17 (Spring 1979): pp. 126-27.

Nevertheless this type of demystifying critique neglects the authentic longing for real community and social solidarity that is the non-ideological moment or truth content of fascism/totalitarianism.¹¹⁴ See Slavoj Žižek, “Multiculturalism, or, the Cultural Logic of Multinational Capitalism,” *New Left Review* 225 (1997): pp. 29-30. Slavoj Žižek, *The Plague of Fantasies* (London; New York: Verso, 1997), pp. 21-22. It also tends to mystify its own commitment to a technological order, which, no matter how enlightened and emancipatory in its social logic, simply reproduces the antinomies of the rationalization of social life.

¹¹⁵ On the manipulation of these themes in NSDAP electioneering see Ian Kershaw, *Hitler, 1889-1936: Hubris* (London: Penguin, 2001). Thomas Childers, *The Nazi Voter: The Social Foundations of*

retaining an authentic *Volksgemeinschaft* (national racial community) that could unify the social divisions of German society was posed in opposition to the 'nihilistic' trend of materialism and formalism of modern economic technical rationality. The rationalization of the conduct of life, the disenchantment of the world, the formal proceduralism of the law, the impartial processes of rational administration, the divisiveness of class politics and political party competition, the moral relativism of liberalism and positive law, internationalism and pacifism, etc., were the target of those "conservative revolutionaries" who insisted that the foundation of the unity of a society and of any meaningful form of life lay in affirming the pre-rational essence and homogeneous identity of a people. A similar set of themes lay behind the Italian fascist refusal of bourgeois democracy.¹¹⁶ The Volkish movements, the conservative revolution and ultimately fascism (both German and Italian) thus represented the attempt to work out a solution to the problem of technology that did not rely on the arbitrary and individualistic "liberalism" of Weber's existential-heroic stand but on the reexamination of the "authentic" sources of community in the era of modern technology.¹¹⁷

Karl Löwith argued that the appeal of these ideas at the time was based on the "clear awareness" of the post-WWI generation "of being situated in a crisis—a turning point between epochs; and thus being obliged to confront questions whose nature was too radical to find an answer in the enfeebled, nineteenth century belief in progress,

Fascism in Germany, 1919-1933 (Chapel Hill: University of North Carolina Press, 1983). Larry Eugene Jones, *German Liberalism and the Dissolution of the Weimar Party System, 1918-1933* (Chapel Hill: University of North Carolina Press, 1988).

¹¹⁶ Zeev Sternhell, Mario Sznajder, and Maia Ashãeri, *The Birth of Fascist Ideology: From Cultural Rebellion to Political Revolution*, trans. David Maisel (Princeton, N.J.: Princeton University Press, 1994). A. James Gregor, *The Ideology of Fascism: The Rationale of Totalitarianism* (New York: Free Press, 1969). Mabel Berezin, *Making the Fascist Self: The Political Culture of Interwar Italy* (Ithaca, [N.Y.]: Cornell University Press, 1997).

¹¹⁷ At the same time of course, communist and socialist thinkers were attempting to think through the same problematic, but on the basis of a collective identity defined by concrete historical processes of class antagonism and struggle. The "antinomies of bourgeois thought" on which the technological ability to quantify, calculate and rationalize was founded (i.e. alienated subjectivity and reified labour), could be overcome for someone like Lukács in the creation of a concrete collective standpoint that dialectically united subject and object, or for Gramsci in a counter-hegemonic philosophy of praxis.

culture, and education."¹¹⁸ Whereas the liberal solution to the increasingly technical organization of society rested on maintaining a series of limits – between the technical and the political, the public and the private, society and state, the collective and the individual, etc. as we have seen – the originality of the situation confronting this generation was the question of how to respond to a condition where the divisions that separated spheres of instrumental rationality from the private sphere of freedom and ‘humanity’ were becoming increasingly untenable. The ‘colonization of the lifeworld’ by capital and state bureaucracy rendered the distinction moot. The processes of rationalization that were eroding traditional forms of solidarity also eroded the possibility of a natural non-instrumental bond between people. Simmel had already foreseen this in 1903 when he wrote that the “deepest problems of modern life derive from the claim of the individual to preserve the autonomy and individuality of his existence in the face of overwhelming social forces, of historical heritage, of external culture, and of the technique of life.”¹¹⁹

Thus the issue to which liberalism, communism¹²⁰ and fascism responded in the 1920s was still Weber’s one to a degree: the fate of the *Menschentum* under conditions of modern rationality (Hennis). What form of community or ethico-political order could survive the commercial, technical and bureaucratic rationalization of spheres of life? But the problem surpassed Weber’s to the degree that Weber remained within a liberal tradition and defined the problematic within its terms (as the contemporary problem of technology, especially in the technological society thesis, continues to do today). Weber depoliticizes the problem of rationalization by locating its processes in the independent logic of the social sphere (i.e. in the general processes of modernization

¹¹⁸ Karl Lowith, "The Political Implications of Heidegger’s Existentialism," in *The Heidegger Controversy: A Critical Reader*, ed. Richard Wolin (New York: Columbia University Press, 1991), p. 172.

¹¹⁹ Georg Simmel, "The Metropolis and Mental Life," in *The Sociology of Georg Simmel*, ed. Kurt Wolff (Glencoe, Ill.: Free Press, 1950), p. 409.

¹²⁰ Lukács’ response to Weber’s analysis of rationalization is clearly an attempt during the same time period to articulate a solution to the problem of technology from the left. For a discussion of Lukács’ response in relation to Schmitt’s see McCormick, *Carl Schmitt’s Critique of Liberalism: Against Politics as Technology*.

which for him define the conditions of the political).¹²¹ It is a social force which constrains the political, or to which politics must respond (in the sense of determining how to 'put one's hand on the wheel of history'¹²²) but it is not something which is in itself political. It is constructed as a neutral and soulless mechanism in opposition to the life-spirit of humanity. (It is thus that the antinomies at the core of modernity that he defines so well become antinomies. They become unthinkable within, or at least mark the limits of, sociological thought). On the other hand, the problem of technology confronting the post-WW1 generation opened directly onto the political in the sense that the response to it presupposed an unprecedented or 'undecidable' decision. The decision on technology concerned radically different possibilities for the form of society as a whole, in which Weber's analysis was the product of just one. In other words the 'decision' would determine how technology was to be understood and not the other way around. The problem was therefore not fully understood as one of a struggle between the living spirit of a "full and beautiful humanity" and the "mechanized petrification" of a spiritless technological order.¹²³ This was only a contending perspective. It could be more fruitfully presented as a struggle *between particular* spirits or wills to determine who (or what type of life as Nietzsche might say) would wield the monstrous power of modern technology and in what form. As Carl Schmitt argued, ominously as it turned out:

the present century can only be understood provisionally as the century of technology. How ultimately it should be understood will be revealed only when it is known which type of politics is strong enough to master the new technology and which type of genuine friend-enemy groupings can develop on this new ground.¹²⁴

¹²¹ See Walker's discussion of the elements of modernity and the political in Weber's 1918 lecture "Politics as a Vocation" in Walker, "Violence, Modernity, Silence: From Max Weber to International Relations."

¹²² Weber, "Politics as a Vocation," p. 115.

¹²³ See Weber, *The Protestant Ethic and the Spirit of Capitalism*, pp. 181-82.

¹²⁴ Carl Schmitt, "The Age of Neutralizations and Depoliticizations," *Telos* 96 (Summer 1993): p. 141.

3.8 *The Authentic Community:*

If we view the contemporary problem of neo-fascism from the point of view of ideology critique, it is clear that the central, underlying ideologeme that enables the declared ideological contents of the neo-fascist position to work – its white supremacism, conspiracy theory, anti-liberalism, anti-centralization/bureaucracy, etc. -- is the theme of the lost community. The matrix of this thought couples the (perceived) signs of social disintegration like crime, lack of opportunities, lax attitudes towards morality, race war, etc. to the erosion of the *natural* community which is to be regained through a process of purification. In Žižek's analysis the logic that enables this ideology to operate centers on its kernel of 'extra-ideological truth,' namely the esteem held for an experience of "deep solidarity" in the notion of the "community of the people" and the rejection of the disruptive, irrational effects of capitalism.¹²⁵ This truth is *extra*-ideological in the sense that it represents a genuine desire. Not everything in the concept is manipulated to legitimate domination or racism. It has a genuine, universal content. It is only in the way it is articulated in particular examples of the threat to authentic solidarity – the African American welfare mothers who drain resources from the community, the 3rd world refugees who bear unknown virulent diseases, the special interest groups who demand unearned privileges, the foreigners and immigrants who refuse to assimilate into the cultural traditions, etc. – that it becomes ideological and manipulative.¹²⁶ Žižek's point is that being able to hold to this non-ideological kernel is not a means of remaining outside the illusory lures of

¹²⁵ Žižek, *The Plague of Fantasies*, p. 21. Žižek, "Multiculturalism, or, the Cultural Logic of Multinational Capitalism," p. 30.

¹²⁶ As Žižek puts it, the particular articulations have the function of being elements of fantasy – "the phantasmatic background/support of the universal ideological notion" Žižek, "Multiculturalism, or, the Cultural Logic of Multinational Capitalism," p. 29. – that give the universal concept concrete form. In the case of fascism the concrete form is precisely what enables the structures of domination, exclusion and capitalist exploitation to be legitimated in reference to a notion of organic community and it is therefore over the naturalization of these particular examples, the way they come to self-evidently stand in for the universal concept, that the struggle over ideological hegemony must be waged. If the fantasy of the black, single mother who mooches off the state is the example that supports the notion that the welfare state is a failure, the counter-example of starvation subsistence levels, substandard housing and health care, onerous neo-liberal harassment and surveillance of the most beaten members of society leads the ideological thrust of the concept of social solidarity to be radically altered.

ideology but a means by which ideology actually works and takes hold of the subject. It allows the subject to keep a distance from overtly ideological beliefs while removing the responsibility he or she might feel to act. The point that also needs to be made about the neo-fascist's 'authentic' desire for social solidarity or community is how it becomes a mechanism that resolves the matrix of the technological problematic. It lodges the idea of an organic community of right thinking citizens in the realm of the unthought as a pre-rational condition of thought, or as Nietzsche might say, of "life."¹²⁷ It becomes the basis of being able to imagine the actual, natural, spontaneous solidarity it describes and is thus a means of superceding the technological or the appeal to an abstract rational universalism to come.

This ploy is perhaps the basis that allows the core of the "new racism" to be both compelling (to some) and dissimulating. Against the old racism that was both based on a notion of a biological hierarchy of races and an overt hatred or discrimination against the Other, the new racism argues for a cultural or ethnographical understanding of the incompatible differences between races and the position that, after all, white supremacists are not *against* Blacks, Jews, and foreigners, they are simply proud of the collective accomplishments of the white race. In the proto-eugenicist thought of the Count de Gobineau whose "Essay on the Inequality of Human Races" (1852) seems key to the contemporary 'racialist' thought of groups like the Church of the Creator and the Aryan Nations, the "Aryans" were the "creators of civilization" (while the "yellows" were the copiers and maintainers and the "blacks" the destroyers) and their particular aristocratic virtues could be fostered only by preserving their blood line.

In less crude terms, the German and the French New Right have adopted the new racist rhetoric of the defense and preservation of *equal* cultural differences and identities, what Pierre-André Taguieff calls a "differentialist racism".¹²⁸ Alain de

¹²⁷ Friedrich Wilhelm Nietzsche, *Beyond Good and Evil: Prelude to a Philosophy of the Future*, trans. Walter Arnold Kaufmann (New York: Vintage Books, 1966), p. 12.

¹²⁸ Taguieff defines differentialist racism as:

Benoiste (founder of GRECE: Groupement pour Recherche et d'Etudes par la Civilisation Européenne) reframes the problematic of racial incompatibility, miscegenation and dissolution in terms of a "right to difference" and a "defence of identity" or an "ethnopluralism" that sees its project as the defense of *distinct* minority ways of life against the monoculture of "techno-economic homogenization."

The nation-state was only able to integrate individuals within formal legality. It could never offer anything to communities that wanted to join, as such, with a greater whole. In other words, it is a question of rediscovering the plural identity of the French peoples. This would require a distinction between citizenship and nationality, and not to confuse integration and assimilation as nearly everyone does today from Le Pen to Poperen. For my part, I am thinking of a form of open community which is the opposite of apartheid and which means that the necessary integration does not entail forgetting one's own origins. Maintaining one's roots is a way of resisting dehumanization and over-exploitation.¹²⁹

Nevertheless the segregationist element in this thought remains prominent, and the underlying point is: No more immigration of racial-ethnic Others! Guillaume Faye argues that: "To go to the heart of the right to difference, one must reject multiracial societies and concur with the immigrants themselves that they be returned to their own

a racism no longer heterophobic but heterophile in its arguments and themes. Presenting itself as an "authentic" anti-racism, this neo-racism has two other major characteristics. On the one hand, its ideological parameters are no longer defined in terms of inequality -- a fixed universal scale of values, a concern for status, an obsession with hereditary defects and with the rise of "inferior" peoples -- but in terms of the distance between "cultural" communities. It postulates a radical heterogeneity, between "mental" ("cultural") traditions. Affirming differences provides the pretext for affirming the incommensurability of different cultures (absolute cultural relativism). On the other hand, this "cultural" racism moves from the idea of zoological races (physical anthropology) to that of ethnicity and "culture" (social or cultural anthropology) where some positions held by the ethnological community can be legitimated.

Pierre-André Taguieff, "From Race to Culture: The New Right's View of European Identity," *Telos* 98-9 (Winter 1993 - Spring 1994). On the new racist rhetoric see also the other articles in "Special Double Issue: The New French Right: New Right New Left New Paradigm?," *Telos* 98-99 (Winter 1993-Fall 1994). Richard Wolin, "Designer Fascism," in *Fascism's Return: Scandal, Revision, and Ideology since 1980*, ed. Richard Joseph Golsan (Lincoln: University of Nebraska Press, 1998). Elliot Neaman, "Ernst Jünger's Millenium: Bad Citizens for the New Century," in *Fascism's Return: Scandal, Revision, and Ideology since 1980*, ed. Richard Joseph Golsan (Lincoln: University of Nebraska Press, 1998). Martin Lee, *The Beast Awakens: Fascism's Resurgence from Hitler's Spymasters to Today's Neo-Nazi Groups and Right-Wing Extremists* (Boston: Little Brown & Co., 1997), pp. 208-14. Harris, *The Dark Side of Europe: The Extreme Right Today*, pp. 89-93.
¹²⁹ Alan de Benoist, "Three Interviews with Alan De Benoist," *Telos* (Winter 93/Spring 94).

countries.”¹³⁰ Jean Marie Le Pen’s statement, “I love North Africans, but their place is in North Africa,”¹³¹ is of the same character.

It is also at the basis of the appeal of popular ethno-nationalism. The emergence particularly in Europe of political parties like Le Pen’s Front National, Haider’s FPÖ, the Scandinavian Progress Parties, the Belgian Vlaams Blok, the Italian Lega Nord and Alleanza Nazionale, etc., but also elsewhere as in Canada’s Reform/Alliance/Conservative Party or the Pat Buchanan wing of the U.S. Republican Party, represents one response to the uneasiness about the relationship between the political form of society and the integrity of ‘the people.’ In the analysis of Hans Betz, the concept of “radical right wing populism” is premised on an “unscrupulous” appeal to popular sentiments of resentment and disaffection in constituencies of the population who have been “losers” in the transformation to a global economy: those in particular who are disadvantaged by the shift to a knowledge economy, to the individualization of risks, and to a postmodern culture of reflexive identities and lifestyles.¹³² It is the classical reactionary logic in which the *déclassé* and the excluded claim for themselves the title of the people, putting their finger precisely on the current political fracture. Their populism puts the concept of “the people” into play exactly at the moment when the place and meaning of “a people” in the global situation is entirely uncertain. Nation states no longer (attempt to) provide economic/social security to the entire population, nor do they successfully inscribe its identity in a unified national essence, i.e. in *the* sovereign people. The radical right assertion of the popular against the special interests, the bureaucratic structure, the intellectual and political elites, the unassimilable immigrants, the “undemocratic” nature of judicial decision making, etc., or against formal technocratic rationality more generally, thus represents a solution to

¹³⁰ Quoted in Taguieff, “From Race to Culture: The New Right’s View of European Identity.”

¹³¹ Quoted in Lee, *The Beast Awakens: Fascism’s Resurgence from Hitler’s Spymasters to Today’s Neo-Nazi Groups and Right-Wing Extremists*, p. 213.

¹³² Hans-Georg Betz, *Radical Right-Wing Populism in Western Europe* (New York: St. Martins Press, 1994), pp. 22-35. Betz relies largely on Ulrich Beck’s analysis of postindustrialization and the risk society in his analysis of the social conditions of popular resentment and disaffiliation from traditional political party allegiances.

the intolerable condition in which an authentic source of community is no longer to be found in the equation between a people, a territory and a state.

The populist move to embrace the solidarity of the people of course dissimulates the act of exclusion by which that people is given its identity. As Agamben argues, the concept of the people always contains a fundamental fracture between the people as a *whole* and the people as the popular, the common, the riff raff, the excluded etc., a fracture which is only exacerbated in the modern state where the people and not the sovereign are understood to be sovereign and indivisible.¹³³ Similarly, the sly embrace in New Right thought of the language of cultural differences only underscores the racist tendency already at work in liberal multiculturalism: namely the way the biologically deterministic concept of race has been replaced by a notion of the deep cultural sources of identity that operates in a similarly exclusive and deterministic way. As Balibar puts it, "*culture can also function like a nature.*"¹³⁴ The irony which undermines both appeals to the 'extra-ideological' community of the people to solve the problem of technology is that this 'authentic community' itself has to be produced through a series of technical operations. The popular and the singular in culture are reduced to objects of technical intervention and manipulation. In the classic case, the German *Volksgemeinschaft* was produced by means of social technologies that attempted to reorganize the leisure and labour of the nation into a "performance oriented community" (the *Leistungsgemeinschaft*),¹³⁵ and ultimately by transforming language itself, even the primeval language of the German people, into an instrumental technique of discursive persuasion and calculated mass orchestration (i.e. propaganda). The danger of this was clear already in Jünger's model for reconciling technology and authentic community. Total mobilization relies on maintaining the war footing of the

¹³³ Giorgio Agamben, "What Is a People?," in *Means without End: Notes on Politics* (Minneapolis: University of Minnesota Press, 2000). Agamben goes on to say, "From this perspective, our time is nothing other than the methodical and implacable attempt to fill the split that divides the people by radically eliminating the people of the excluded." (p. 33).

¹³⁴ Etienne Balibar, "Is There a 'Neo-Racism'?", in *Race, Nation, Class: Ambiguous Identities*, ed. Etienne Balibar and Immanuel Maurice Wallerstein (London: Verso, 1991), p. 22.

¹³⁵ Timothy W. Mason and Jane Caplan, *Nazism, Fascism and the Working Class* (Cambridge [England]; New York, NY, USA: Cambridge University Press, 1995).

state against its enemies: a perpetual state of emergency and armed encampment that would appear to have annihilation as its sole possible outcome. "Immanence, communal fusion, contains no other logic than that of the suicide of the community that is governed by it."¹³⁶

3.9 *The Politics of Technology as Event:*

It is even impossible to conceive of a responsibility that consists in being responsible for two laws, or that consists in responding to two injunctions. No doubt. But there is no responsibility that is not the experience and experiment of the impossible.¹³⁷

The problem of technology that dominates this thought, or the question of technology and of the preparation of a 'free relation' to it as Heidegger would later put it, revolves therefore in no simple way around the opposition between the human and the machine as it does in the matrix of the technological society thesis. Instead we begin to see in the thought of the time the articulation of a mode of response to a deeper dilemma which is concealed in the technological problematic, to what might be appropriately called a *trauma*. Like the emotional shock that produces the psychic trauma or wound of psychoanalysis, the experience of the collective trauma is one of an event that exceeds the capacity of the existing rules governing the ethico-political economy (or in the case of psychoanalysis, the libidinal economy of the pleasure principle). It is an event that literally cannot be represented within that economy yet puts it into crisis and reveals its limits: an *impossible* event. It is thereby both 'repressed' (literally unthinkable) and destined to return. The trauma that incites the liberal, fascist and communist responses to the dilemma of technology is the matrix in

¹³⁶ Jean-Luc Nancy, *The Inoperative Community, Theory and History of Literature* (Minneapolis, MN: University of Minnesota Press, 1990), p. 12.

¹³⁷ Jacques Derrida, *The Other Heading: Reflections on Today's Europe* (Bloomington: Indiana University Press, 1992), pp. 44-45.

which we experience two limits: the limits of inscription into the community, or of community belonging, and the limits of rational mastery of the world and human life.

Reiner Schürmann's description of the return of the repressed in tragedy is helpful here in pointing to the dynamics of the "double bind" or "originary strife" that animates the tragic or traumatic event of the technological order (i.e. its antinomy). The technical response to the world is like the 'hubristic' response of the hero in Greek tragedy that brings on the catastrophic outcome of the drama. There is always "a contest between irreconcilable laws" or irreconcilable economies in tragedy (between the laws of the city and the family in *Antigone*, for example) that is resolved by a "heroic edict [that] brings the conflict ... under one law."¹³⁸ The edict or decision founds an order by blinding itself to the existence of the other law. This sets the stage for it to succumb in tragic catastrophe to the trauma of the other law's inevitable return: the trauma of encountering irreconcilable difference as such.¹³⁹

Similarly, the 20th century order of technique is the product of a decision that blinds itself to the originary strife at its inception. "Technical expertise feeds on the denial of tragic knowledge."¹⁴⁰ In the problem of technology the contest between irreconcilable laws forms around the shattering of the economy or reciprocity between the rule of 'traditionalism' – a rule governed by the idea of an intimate, unified, and fixed order or *essence* in which one can locate oneself, in which one's identity is stably inscribed (in a hierarchy, a place, a community, a people, a language, a state, etc.) – and the rule of 'rationalization' in which, as Weber argued, nothing is fixed, the gods

¹³⁸ Reiner Schürmann, "Technicity, Topology, Tragedy: Heidegger on 'That Which Saves' in the Global Reach," in *Technology in the Western Political Tradition*, ed. Arthur M. Melzer, J. Weinberger, M. Richard Zinman, Michigan State University. Political Science Dept., and Symposium on Science Reason and Modern Democracy (Ithaca, N.Y.: Cornell University Press, 1993), p. 195.

¹³⁹ As an aside we recall that Nietzsche's argument in *The Birth of Tragedy* is that the Attic tragedy was the aesthetic form in which this irreconcilability could be represented and lived, (understood in terms of the irreconcilable principles of Apollonian individuation and Dionysian intoxication). The "enormous driving-wheel of logical Socratism" (Friedrich Wilhelm Nietzsche, *The Birth of Tragedy, and the Case of Wagner* (New York: Vintage Books, 1967), pp. 88-89.) represented a counter tendency to it in that it elevated the world of rational concepts and logical order to the status of the only real world and relegated the Dionysian experiences of intoxication and mystical unity to the realm of the irrational or "accidental". Nietzsche, *The Birth of Tragedy, and the Case of Wagner*, p. 92.

¹⁴⁰ Schürmann, "Technicity, Topology, Tragedy: Heidegger on 'That Which Saves' in the Global Reach," p. 198.

have fled, but all things are masterable by calculation. This shattering is a trauma that is experienced as the sudden ending of the imaginary of both the *ancien régime* and the era of naïve progress. It is a trauma approximated in 'rightist' discourse by the phrase "loss of community," in 'leftist' discourse by the analysis of *alienation*, and in liberal democratic thought by the idea of normlessness (*anomie*).

Following Schürmann though it is important to emphasize the irreconcilable elements or ontological difference at the heart of the trauma. Prior to its rehabilitation in the Volkish, revolutionary or liberal discourses is the impossible situation of being bound by two laws. The coming to presence of one is a disclosure or unconcealment that simultaneously depends on the concealment of the other. In psychoanalytic thought the trauma itself is not produced by the direct emotional impact of an overwhelming, unassimilable event which is then forgotten and repressed but with the *missed encounter* with the event, the failure to act.¹⁴¹ "When I miss a crucial ethical opportunity, and fail to make a move that would 'change everything', the very nonexistence of what I *should have done* will haunt me forever."¹⁴² So the traumatic element at the center of the recurrent problem of technology, the impossibility of living this originary strife between traditionalism and rationalization, is the failure to see in it the opening of the moment of action – the moment in which the social bonds inhibiting a sociality "to-come" are lifted, or the moment that refuses to be inscribed in the rigid either/or of modernity: either authentic but totalitarian community *or* rational but objectifying and alienating technology.

The Heidegger-Schmitt-Jünger interventions should remind us of this moment of openness and this moment of "originary strife." This is clearly *not* to suggest that the paths they indicated were correct! Rather it is to ask whether it is still possible to see in the horizon opened by the question of technology the moment when it was possible to affirm the 'promise' of totalitarianism in the way that these thinkers did (even while

¹⁴¹ Dylan Evans, *An Introductory Dictionary of Lacanian Psychoanalysis* (London; New York: Routledge, 1996), p. 160.

¹⁴² Žižek, *Welcome to the Desert of the Real!: Five Essays on 11 September and Related Dates*, p. 22.

acknowledging that they did so in ambiguous ways)? To disinter this moment is to disinter the moment in which the question of technology and the technical administration of life was still political, still uncertain, still open. Other paths were available. One key significance that lends urgency to the task of unraveling the mystery of contemporary forms of neo-fascism rests on the way in which the current ethico-political form of sociality remains concealed or obscured because the *political* moment in which it was challenged has faded from view. The tragic return is the inevitable outcome of this obscuring. Is it in fact not the case that contemporary ethno-nationalism, from violent neo-fascism to radical right wing populism, has already become a privileged place from which to see the forms and limits of the formal-technical intervention into social life? This is not a territory that should automatically be ceded to them.

4.0 The Politics of Biopolitics as it Concerns Neofascism and Hate

4.1 *Sovereign Power and Biopolitics: Law and Order as Two Different Modes of Rule*

Law by definition is always referred to the juridical system, and order to an administrative system.¹

If in the first instance we wanted to ask about what it means that neo-fascism has become a technical question, in the second instance it is not entirely clear why precisely neo-fascism enables the “technical” formulation of these particular problem spaces – of democratic process, speech, criminality and society. How does it do so? Again the political ambiguity of the process directs us to a wider horizon for understanding the problem. If there is a core rationale to the various responses and modes of problematization, it is based on a desire to secure the domains of constitutional government, speech circulation, non-criminal civil behaviour, and community relations, etc. from harm. It is a question of security. In the exemplary instance it is neo-fascist *violence*, in either deed or speech that is seen to represent an illegitimate and capricious *power* to deprive the security and the right to security of the targets of this violence: in particular that of asylum seekers, immigrants and minorities. They exercise a power of seizure or dispossession.² In these terms, the “frame” of the issue is predominantly moral and juridical because the nature of the acts is understood in terms of their legitimacy or illegitimacy, their adherence to a code or their transgression. Neo-fascist violence contravenes an absolute *limit* established by community morality or law. It is an unacceptable situation that cannot be allowed to stand.

¹ Michel Foucault, *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion, trans. Robert Hurley and Others (New York: New Press; Distributed by W.W. Norton, 2000), p. 417.

² This point has been developed in recent critical legal approaches to hate speech and hate crime where the argument is made that the speech act or criminal act *directly* assault the victims at a symbolic or interpellative level, dispossessing them of their identity and dignity as well as of their capacity to exercise basic rights and liberties enjoyed by others. The distinction between physical violence and symbolic violence is blurred. In the act of interpellation, their identities, and ultimately the identity of their entire community, are *seized*. See: Mari J. Matsuda, *Words That Wound: Critical Race Theory, Assaultive Speech, and the First Amendment* (Boulder, Colo.: Westview Press, 1993). Richard Delgado and Jean Stefancic, *Must We Defend Nazis?: Hate Speech, Pornography, and the New First Amendment* (New York: New York University Press, 1997). Richard L. Abel, *Speaking Respect, Respecting Speech* (Chicago: University of Chicago Press, 1998).

In finding means to curtail or marginalize this power, however, the response to neo-fascism also involves the intensification of concerns for the operation of these domains. It does not remain external to them like the law, but finds in neo-fascism an *incitement* to rethink and further specify their nature and regulative principles, to find means to foster their operation and render them *visible and calculable*. It finds in the neo-fascist problem an incitement to render the domains it affects technical: to isolate their constituent components, to determine the norms of their operation, to make their processes transparent, and in general to prepare mechanisms and governmental strategies of intervention calculated "to lead to a convenient end" (Guillaume de La Perrière). The neo-fascist event might not disrupt or violate democratic forms of social life so much as offer an anchor point for the renewed investment of normalizing powers and modes of subjectification in programs to improve their operation. In this way the core of the problem is not the violation of laws and moral codes, nor an absolute right to security of members of the population, but the drive to regulate and discipline the population processes in which the problem becomes visible.

The problem of neo-fascism thus gains its particular inflection in the "in-between" of interventions to place absolute limits on violence *against* the population and the place of the "problem" itself *within* ongoing attempts to institute, rationalize and govern the population in its different spheres of social activity. The problem is caught between a juridical-legal specification and an administrative-regulatory specification.

This generates the particular undecidability characteristic of discussions of the neo-fascist problem in the public sphere. This ambiguous in-between is reproduced particularly in the oppositions that characterize the debates concerning neofascism. The essentially moral or juridical imperative to prohibit expressions of neo-Fascism

³ Mari J. Matsuda, *Words That Wound: Critical Race Theory, Assaultive Speech, and the First Amendment* (Boulder, Colo.: Westview Press, 1993). Richard Delgado and Jean Stefancic, *Must We Defend Nazis?: Hate Speech, Pornography, and the New First Amendment* (New York: New York University Press, 1997). Richard L. Abel, *Speaking Respect, Respecting Speech* (Chicago: University of Chicago Press, 1998).

confronts an essentially regulatory or administrative concern with the operation of different spheres of life and the dangers of direct interventions into them. With respect to the debate over *political extremism*, an absolute demand to *prohibit* the extreme right's dangerous manipulation of emotions and fears or its extra-parliamentary use of violence is contested by an essentially *regulatory* concern to ensure the conditions of undistorted political party competition.⁴ With respect to the debate over *hate speech*, an absolute demand to prohibit the injurious effects of hate speech is contested by an essentially regulatory concern to ensure the unhindered circulation of speech. With respect to the debate over *hate crime*, an absolute demand to prohibit hate motivated crimes is contested by an essentially regulatory concern to ensure the independent space of conscience in matters of individual motivation. With respect to the debate over the *defense of society*, an absolute demand to prohibit the destructive effects of neo-fascist actions on the fragile diversity of society is contested by an essentially regulatory concern to ensure the independence of processes that produce the 'diversity' of social diversity (a diversity which *ipso facto* includes neo-fascist forms of life).

The symptomatic feature of the ambiguity and irresolvability of these debates is that, in the end, they are not debates between opposite positions. In the debates, the opposite of the demand to prohibit acts of neofascist violence (material or symbolic violence) is not to let the neofascists do what they want, the suspension of legal and moral codes altogether (despite how the debaters themselves characterize their opponents), but to insist on preserving the regulatory regimes that allow the spheres of life concerned to operate under optimum conditions. Similarly, the opposite of insisting on the integrity of the regulatory principles underlying democratic party competition, the circulation of speech, etc. is not prohibition (without regard for consequences) but to choose other regulatory principles or to reassess the parameters of the domain in

⁴ As Hindess puts it, the problem revolves around the question of "how to secure the government of the state from the effects of a form of government which is a government through free persons." Barry Hindess, "Politics and Governmentality," *Economy and Society* 26, no. 2 (1997). See Mitchell Dean, *Governmentality: Power and Rule in Modern Society* (London; Thousand Oaks, Calif.: Sage Publications, 1999), pp. 108-09, 17.

question.⁵ The debaters in other words do not face each other squarely but produce, through their engagement, *a new and thoroughly ambiguous terrain in-between the law/code and regulation*. The elusive factor that prevents these discussions from being resolved in either exclusively moral-juridical terms or technical-administrative terms is this irreducible in-between on which they are formed.

Rather than viewing these issues in terms of competing or irreconcilable juridical or moral values (eg. rights to security vs. fundamental freedoms, social justice vs. individual rights), it is important to understand that they develop on the basis of a confusion over the nature of the modern forms of power on which they rest: in particular the heterogeneous nexus of legal/moral interdictions on one side and disciplinary/regulatory biopolitical strategies on the other. The moral-juridical language has a dual function. To the degree that it articulates a code or an interdiction it also defines a unified social (or territorial) space in which sites of excess can be identified. It creates the conditions for moral panics of various sorts. At the same time it is through this capacity to identify and problematize excess that biopolitical strategies find purchase in the processes governing the life of the population. The juridical discourse conceals the shiftiness between a language of rights, freedoms, justice or law that codifies the relationship between the state and the citizen and the same language that becomes a means of extending biopolitical strategies of normalization. Each of the debates concerning neofascism slips back and forth between both functions. The problem of neo-fascism thus gains its specificity by being problematized in an unnervingly unstable way between two forms of power that “cannot possibly be reduced to each other:”⁶ a juridical/moral power to enforce the law/code

⁵ The intervention of critical legal studies can be seen in this light therefore when they argue that the hateful speech act is not properly an act that exists within the terrain of self-regulating speech acts. It must be relocated and approached in terms of principles underlying either the sphere of violent criminal behaviours or the sphere of intercommunity relations. In this regard critical legal studies is not animated by the prohibitory logic that characterizes anti-fascist movements but by a regulatory-administrative logic that challenges the regulatory parameters of free speech ‘fundamentalists.’

⁶ Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*, ed. Colin Gordon (New York: Pantheon Books, 1980), p. 106.

and a biopower to discipline life. The condition of the technical response to neofascism has to be sought in the way this in-between is resolved.

The response to neofascism is therefore complex and difficult to think through. It is heterogenous, pointing to a wider confusion about the multiple forms of power in operation in post-fascist society. In particular, this heterogeneity forms the basis of the issue that divides advocates of hate crime laws and civil libertarian 'fundamentalists' as well as the uncompromising moral and political position of anti-fascists and the 'measured' or even acquiescent response of state authorities. The difficulty or impossibility of resolving these issues in a juridical forum, through moral consensus or by means of technical-administrative apparatus stems from this confusion.

In the following sections of this chapter I would like to pursue the political implications of this ambiguity. In the previous chapter I argued that the mode of response to neofascism in postfascist society is to treat it as a social problem. In other words, we approach it as a technical or criminal problem. This has the effect of obscuring the political nature of neofascism as well as the political nature of modern technicity itself and therefore, to the degree that postfascist society remains committed to a technical model of government, it is exposed to the uncanny and unfathomable tragic return of the "originary strife" at its core (i.e. uncanny and unfathomable precisely because of its commitment to the standpoint of technical rationality, from this standpoint it cannot see the problem in any other way than technically).

What I will argue in the following is that the technical approach itself comes into existence and becomes natural only on the basis of the life-administering powers that Foucault calls biopower, or rather, and this is the crucial point, on the basis of a *particular assemblage* of sovereign and biopolitical powers. Technical rationality colonizes the lifeworld on the basis of biopolitical specifications of life.⁷ In our case

⁷ We do not need to rely on the kind of approach to technology that locates it in the *logos* and then seeks to show how a pure, emancipatory rationality becomes distorted or perverted by powers or interests that have their source elsewhere (as in the analyses of Weber, Lukács, Heidegger, and the Frankfurt School, etc.). This allows us to avoid immediately falling into the two problems associated with the critique of reason: 1) the problem of a totalizing analysis that analyses the technology or

we are interested in the way that the problem of neofascism becomes 'technical' through the specification of the properties of the spheres of social activity it affects.

In the first place this argument requires that we become more clear about the relationship between the two models of power that structure the debates concerning the problem of neo-fascism. Foucault's distinction between sovereign-juridical and biopolitical-disciplinary powers is key to developing this clarity. Secondly, I argue that the sense of measure that underlies our sense of what can reasonably be done in response to neofascism (the technical parameters of the problem: efficiency, effectiveness) can be shown to rely on the privilege given to one particular governmental model at the expense of other models and of attempts of anti-fascists and others to repoliticize the issue. Our options of responding to neofascism rely on a particular economy that makes other options appear excessive and paranoid. Thirdly, I argue that Foucault's analysis has to be modified if we are going to be able to account for the political nature of neofascism and its effects. The problem comes back to the political dimension of the antagonism between liberalism and fascism. Liberalism and fascism are emblematic of different assemblages of biopolitical problematization of the social and different responses to the 'demonic wager' produced by the combination of biopolitical/technical powers and the sovereign form that political community continues to assume in modernity. Finally, I argue that the political nature of the neofascist problem, the capacity it has to return and destabilize the technical modes of government that characterize postfascist society, has to do with fragility or the impasse to which simply affirming the liberal solution to the demonic wager leads. Behind its semblance of rationality and naturalness is the underlying antagonism with fascism (and potentially with other modes of assembling sovereignty and biopolitics) that cannot be resolved technically.

rationality of western society *per se* without acknowledging the multiplicity of sites where knowledge and power are combined, nor the heterogenous forms that knowledges and powers assume in different strategies and counter-strategies; 2) the problem of analyses that remain in the dead end (and potentially dangerous) normative activity of determining the difference between legitimate and illegitimate uses of rationality and knowledge.

4.2 *Negative and Positive Powers:*

In Foucault's terms, the problem of responding to neofascism follows precisely the conundrum posed by modern forms of power that represent themselves in the language of sovereignty, right and law but operate at the level of the discipline of bodies and the biopolitical administration of the life of populations. In the *History of Sexuality Volume One* this is presented in the well known distinction between a "negative" and a positive or "productive" model of power. To take the violence of neofascism to be in some fashion external to the zone of civility that it threatens is to operate on the terrain of the conventional juridico-political model in which power is a negative capacity of one agent to take something away from another: to either inflict or limit violence. This negative capacity is paralleled by the discourse of Right and sovereignty in which the limit of the legitimate use of power is to be established in the first place by law and in the second place by critical knowledge, i.e. a knowledge that establishes the limits where power passes over into illegitimacy and excess. The two components of this model of power are linked in the claim of the state to the legitimate monopoly over the use of force in a territory. Of course in the case of neo-fascism the problematic of the legitimate and illegitimate use of power by the sovereign is reversed because as Enzensberger argues, the neofascists usurp the legitimate monopoly over the use of force claimed by the sovereign. What they attack when they attack minorities, foreigners and asylum seekers are not just individuals and families but what Enzensberger calls (echoing Adorno 40 years earlier⁸) the *habitability* of the country. "I call a place uninhabitable where a gang of thugs is allowed to attack a person in the middle of the street or set fire to his house."⁹ Neo-nazi violence has the negative

⁸ In *Minimia Moralia* Adorno had written, as a general comment on the "predicament of private life" after Auschwitz, that "dwelling in the proper sense is now impossible." Quoted in Theodor Adorno, *Can One Live after Auschwitz? : A Philosophical Reader*, ed. Rolf Tiedemann. (Stanford, Calif.: Stanford University Press, 2003), p. 40.

⁹ Hans Magnus Enzensberger, "The Great Migration," *Granta* 42 (Winter 1992): p. 48. The issue of sovereign power in this example already displays some of the complexities that exceed Foucault's analysis and to which we will need to return in the next chapter. To foreshadow this point it, seems necessary to consider the distinction that Walter Benjamin makes between a law-making power that generates new political forms and a law preserving power that conserves existing ones: "there is

capacity to dispossess the state of its monopoly of legitimate force and the inhabitants of a country of its basic liveability.

Foucault argues that this relies on a theoretical concept of power that is oddly “poor in resources” given the currency it enjoys, not least in the way the analytics of power are restricted to the opposition between interdiction/domination and transgression/liberty. In this view, power “is incapable of doing anything,” except for stating the law and “render[ing] what it dominates incapable of doing anything either, except for what this power allows it to do.”¹⁰ Neo-fascist violence and the legal or “direct” anti-fascist action against it then fall into this negative model as forms of a prohibitive “No!” In the first case the neo-fascists themselves represent a power to terrorize a targeted community and dispossess its members of their rights, liberty, humanity or life. In the second case, the responses to neofascism operate as a power to outlaw, punish and prevent its violence or further codify in law the rights and protections of citizens. Power can only be thought in the language of transgression, prohibition and limit. The problem of neo-fascism is posed in absolute and substantive terms, *but in a way that presupposes that power can still operate in a sovereign manner in a sovereign space.*¹¹ It presupposes that power can do what it says it can do: that neonazis *can* dispossess a community of its rights, that the state *can* effectively prohibit hate crime. It is only on the level of irony that we can understand how, insofar as the codification of the law poses irresolvable problems (of formal consistency and generality), the route of response through the courts and the police becomes mired in the “technical” aspects of the law and fails to realize its power. It fails to “symbolize”

inherent in all such violence a law-making character.” Walter Benjamin, “Critique of Violence,” in *Reflections: Essays, Aphorisms, Autobiographical Writings* (NY: Harcourt Brace Jovanovich, 1978), p. 283. The neo-nazi’s violence is not simply a power of “seizure” but a power that potentially challenges the nature and form of the state and the society. It generates an incommensurable model of sociality. As I have been arguing, this is its *political* content.

¹⁰ Michel Foucault, *The History of Sexuality, Volume One: An Introduction*, trans. Robert Hurley (New York: Pantheon Books, 1978), p. 85.

¹¹ “Sovereign Performatives”, *Judith Butler, Excitable Speech: A Politics of the Performative* (New York: Routledge, 1997).

its contents, as Žižek might say.¹² The model of sovereign power becomes phantasmagoric and nostalgic and the official legalistic response is haunted by an “obscene supplement” of publicly inadmissible direct violent confrontation between races or between fascists and anti-fascists in the streets.

Against the juridico-political model, Foucault poses an analytics of power that would be able to account for the “specific domain formed by relations of power.”¹³ Notably, he argues that to understand how power works in modern societies it is necessary to think through the ways in which the life of populations – its births and deaths, health, sanitary conditions, biological reproduction, economic productivity, security, conditions of order and disorder, etc. – becomes increasingly important to politics and is brought into relations of power in a substantively different way. As the life of the population enters into the calculations of government, power operates in modern society as biopower. Beneath or outside of the juridical discourses of the state and sovereign power, the actual activities of politics become more dispersed, exercised in a variety of forms, with a variety of objectives, and by a variety of state and non-state agencies. The activities of politics are reconceptualized in terms of the tasks of managing and *enhancing* the vital processes of the population rather than writing and enforcing laws. This is a strategic form of power in the sense that it involves a continual play of techniques, reevaluations and adjustments in order to find the most advantageous means of directing the conduct of the population in various spheres of its existence.¹⁴ The formula of power shifts from the idea of the (however democratized) sovereign right “to take life or let live,” in which obedience to the law or to the will of the sovereign leaves day to day processes of life “outside” the exercise of power, to a biopolitics of “fostering life or disallowing it to the point of death” in which strategies

¹² See Slavoj Žižek, “Love Thy Neighbor? No, Thanks!” in *The Plague of Fantasies* (London; New York: Verso, 1997).

¹³ Foucault, *The History of Sexuality, Volume One: An Introduction*, p. 82.

¹⁴ See Chapter 2 “Method” in Part 4 of Michel Foucault, *The History of Sexuality, Volume Two: The Use of Pleasure*, trans. Robert Hurley (New York: Pantheon Books, 1978), pp. 92-102. For a later elaboration of the strategic quality of power see also Michel Foucault, “The Subject and Power,” in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000), p. 346.

to control and enhance the life of the population are exercised on a continual basis in numerous sites and must take into account a complex and unstable play of force relations.

In other words, Foucault argues that to understand the exercise of power it is necessary to think through the implications of those modern powers whose *principal* form is not interdiction/ domination but the “productive” procedures by which capacities are engendered, specialized knowledges are formed, problem spaces defined, “life” invested with energies and qualities, and subjects bound to an ethos of self-formation and identity (in a way that nevertheless continually links them to broader totalizing strategies of power: the “terminal points” which take the form of state, law, and domination). The decisive point in *The History of Sexuality* is the understanding that the terrain on which the effects of modern power must be understood is not a negative sovereign power of “deduction” or “prohibition” but the normalizing and disciplinary procedures of bio-politics through which life and its processes are rendered knowable, calculable, manageable and *optimal*.

It is the development of biopower which appears to be the key innovation in modern societies that enables the technical formulation of the various sites where power is exercised, as I argued in the previous chapter. This technical formulation implies the introduction of a level of calculability that in turn presupposes a kind of institutionalization or general social technology by which the conduct of individuals and groups can be directed in a predictable and constant manner.¹⁵ To paraphrase Nietzsche, individuals and groups themselves become constant, predictable and calculable: they are bred to be regular and reliable (i.e. creatures who can be held to their promises).¹⁶ The government reports that I examined take the form of a review of the law with regard to instances of hate speech, extreme right-wing politics and hate crime but in fact are chiefly concerned with the preparation of the spheres of life where

¹⁵ Foucault, "The Subject and Power," p. 347.

¹⁶ Friedrich Wilhelm Nietzsche, *On the Genealogy of Morals*, trans. Walter Arnold Kaufmann (New York: Vintage Books, 1967), pp. 58-59.

neofascism is problematized so that effective, technical mechanisms of intervention can be developed. Their overt concern for the law and for social justice are in fact displaced by questions of how the law might be used as a tactical element in the practice of normalization, i.e. a practice that produces subjects or 'subject positions' within economies of communication, political opinion formation and local community relations that do not respond to neo-fascist appeals.

In terms of Foucault's analytics of power it becomes clear that the various discourses in which the neo-fascist problem is taken up lose coherency or become undecidable to the degree that they misrecognise the heterogeneous powers that are active or immanent within them. Hate speech, for example, may be a means of terrorizing minority populations (for critical legal scholars and anti-racists) or an instance of "free" speech (for civil libertarians and free speech fundamentalists), but the problem of attempting to deal with Hate at the level of speech tends to revolve around a specification of the criteria it violates: some version of the "ideal speech situation" that is the normative basis for the operation of free speech (i.e. speech made in good faith, in sincerity, in an attitude of mutual respect and open, reasoned debate, under conditions free of coercion and domination, in which no one is excluded from speaking, etc.). It is not primarily a question of demanding that the authorities deploy their monopoly of the legitimate use of force or of forcing the law to conform to the ideal of social justice. Rather, on the basis of a problem space carved out through a type of biopolitical specification, the domain of free speech (or of political contestation, criminal behaviour, and social diversity) is rendered calculable and amenable to 'correction' by institutional mechanisms (policing, legal specifications, anti-racist pedagogy, anti-discrimination policy, human rights or journalistic tribunals, community relations programs, etc.). In the case of free speech: what do we have to take into account and what instruments do we use to ensure the maximal freedom of speech (while still retaining the capacity to convey meaning and "content") or create the most effective exchange of speech for the optimal development of political, social,

cultural, scientific, economic knowledge, i.e. the maximal heterogeneity of language games? In the case of hate crime: what instruments can we use to prevent the descent of individuals into a psychological state of incorrigible hatred and violent criminality? What mechanisms can be used to restore them to rationality and reintegrate them into an irremediably diverse society? What prophylactic techniques can be used to insulate society from their incendiary effects? The problem of the neo-fascist as a purveyor of "false news," a category of "dangerous individual" or representative of an intolerable form of life/politics acquires its meaning on the terrain of a series of positive procedures for bringing the qualitatively distinct zones of democratic process, speech, criminality and society into the calculations of authorities.

4.3 *The Biopolitical Limit: The Measure of a Measured Response to Neofascism:*

Strike the fascists wherever you meet them!¹⁷

Censorship does not eliminate, does not destroy; it prohibits some ways of circulating messages, it displaces communication and makes way for the inevitable return of the "repressed." This is why one can only attempt to choose the path of lesser evil which, in a democratic age, presupposes confidence in debate and rationality as well as the resolve to avoid falling into a huge paradox: wanting to fight totalitarian tendencies with the instruments of totalitarian politics...¹⁸

Another way to put this is in terms of the "measure" of the response to neo-fascism. Are we not confronted with the feeling that anti-fascist movements and the popular anti-fascist literature, detailing the activities and links between different persons and organizations in the neo-fascist underground, are caught not only in a kind of psychical correspondence with paranoid neo-fascist conspiracy theory¹⁹ but a

¹⁷ Slogan of German autonomen anti-fascists, quoted in Hans-Helmuth Knutter, "The "Antifascism" of "Autonomen" and Anarchists(a)," *Telos* 105 (Fall 1995): p. 36.

¹⁸ Pierre-André Taguieff, "Discussion or Inquisition? The Case of Alain De Benoist," *Telos* 98-99 (Winter 1993-Fall 1994): p. 50.

¹⁹ In Horkheimer and Adorno's analysis of the mimetic qualities of anti-Semitism the anti-Semite is a subject who is simultaneously repelled and attracted by what cannot be assimilated, i.e. the Jew. Anti-semitism represents a reversion to premodern mimetic practices in which people attempted to mollify the hazards of unpredictable external conditions by imitating nature, with the perverse reversal that it is the inner nature that is experienced as hostile. "There is no anti-Semite who does not basically want to

“performative contradiction” as well? That the means they would deploy to eliminate the problem of neo-fascism appear uneasily to reproduce totalitarian techniques themselves?

The genre of the popular literature on neo-fascism has certain identifiable characteristics.²⁰ It is a literature that names and enumerates, in an anecdotal journalistic style, the individuals involved in neofascist types of organization and the linkages between them. It is a literature that *exposes* obscure goings on. It is a literature that is designed to produce an effect of moral fervour and vigilance by recounting the heinous activities, violence and sets of beliefs of the neofascists. It is a literature that *releases and hardens* moral energies. It is also a literature dominated by a narrative of the growing threat of neo-fascism: the numbers of neofascists are increasing, the linkages between previously isolated groups are growing stronger (especially internationally), the propaganda, organizational techniques, and tactics of neo-fascist groups are getting more sophisticated, the financial resources available to neo-fascist groups are expanding, the abilities of neo-fascists to transmit and circulate their ideas are growing (through the internet, publicity, even cooptation by established political parties), etc. It is a literature that evokes conspiracy to *incite* a sense of immediacy and urgency. It is a call to action.

In a word, the conventions of this literature might be said to conform to the common notion of the condition of paranoia, where feelings of immanent danger and persecution, hidden conspiracies, and the over-attribution of significance to ‘mundane’

imitate his mental image of a Jew, which is composed of mimetic ciphers.” Max Horkheimer and Theodor W. Adorno, "Elements of Anti-Semitism," in *Dialectic of Enlightenment* (New York: Seabury Press, 1972), p. 184.

²⁰ Representative examples of the popular literature include: Warren Kinsella, *Web of Hate: Inside Canada's Far Right Network* (Toronto: Harper Perennial, 1995), p. 3. James Coates, *Armed and Dangerous: The Rise of the Survivalist Right* (New York: Hill and Wang, 1987). Martin Lee, *The Beast Awakens: Fascism's Resurgence from Hitler's Spymasters to Today's Neo-Nazi Groups and Right-Wing Extremists* (Boston: Little Brown & Co., 1997). James Ridgeway, *Blood in the Face: The Ku Klux Klan, Aryan Nations, Nazi Skinheads and the Rise of a New White Culture* (New York: Thunder's Mouth Press, 1995). Michael Schmidt, *The New Reich: Violent Extremism in Unified Germany and Beyond* (New York: Pantheon Books, 1993).

signifiers are blended into a worldview out of step with reason. In this regard it bears an oddly mimetic relation to the 'paranoid style' of neofascist thought itself.²¹

There is an interesting correspondence between this structure and what would appear to be (from the comfortable position of people who are not directly involved at least) the unreasonableness inherent in the solutions that it indicates, especially as these are articulated in the zeal of contemporary anti-fascist movements (the antifa and autonomen of Europe as well as North American antiracist movements).²² The literature corresponds to the antifascist movements in several precise ways that go beyond the blending of the individuals involved (like the activists around the British magazine *Searchlight*). It corresponds to a related set of paradoxes found in anti-fascist strategies. (1) Like in the literature, these movements are organized around a program of exposing and identifying neo-fascists, finding out where they live, meet, and publish materials, what the connections between different groups are and the sources of their funding. In the intense period of neo-fascist activity following the fall of the Berlin wall for example, antifa and autonomen organizations published the names, photos, addresses, and vehicle descriptions of neo-fascist individuals so that they could be monitored, confronted and "denied peace" on an ongoing basis.²³ (2) They practice a policy of continuous moral fervour and zero tolerance regarding neo-fascist activities. Its motto, quoting Canadian activist David Lethbridge is: "We refuse to allow racist and fascist organizations a space to speak, to recruit, to propagandize, and to build."²⁴ Or, "Strike the fascists wherever you meet them!" (3) They engage in a militant praxis of

²¹ Richard Hofstadter, "The Paranoid Style in American Politics," *Harper's Magazine* (November 1964).

²² On antifa and autonomen movements see George N. Katsiaficas, *The Subversion of Politics: European Autonomous Social Movements and the Decolonization of Everyday Life* (Atlantic Highlands, N.J.: Humanities Press, 1997). Sven Hillenkamp, "'Die Autonomen': between Cultural Reality and Political Efficiency," *Forschungsjournal Neue Soziale Bewegungen* 8, no. 2 (1995). Floya Anthias and Cathie Lloyd, *Rethinking Anti-Racisms: From Theory to Practice* (London; New York: Routledge, 2002).

²³ Knutter, "The 'Antifascism' of 'Autonomen' and Anarchists(a)," p. 2. For the experience of someone on the receiving end of this tactic see the account of the Anarchist Anti-Fas in Ingo Hasselbach and Tom Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi* (New York: Random House, 1996).

²⁴ David Lethbridge, *Revolutionary Antifascism* (2001 [cited]; available from <http://bethuneinstitute.org/index2.html>), p.3.

direct action and counter-attack where the state, as Enzensberger put it, seems to have ceded its monopoly over the use of force and allowed the violent activities of neo-fascists to continue unchecked. As a shorthand description we might describe the “master frame” of the anti-fascist movement to be one of uncompromising *vigilance*: vigilance against even the most marginal signs and manifestations of neo-fascism lest they become a legitimate position within the universe of political discourse.

The paradox of the anti-fascist position can be understood in two ways. Firstly, as Taguieff’s analysis suggests, the response duplicates the logic of totalitarian terror: (a) the same need to police the population down to the finest details of their movements and beliefs (although perhaps not the same population and not using the same police), (b) the same urgency to protect the life of the people through the decisive use of force (although perhaps not the same “people”), (c) the same insistence that the entirety of life be potentially politicized, (although certainly not for the same political goals). Neofascism and anti-fascism seem to coincide in not accepting the limits to political intervention in liberal democratic society defined by the ‘non-political’ status of civil society, ‘freedom of conscience,’ the right to free speech and association, etc. These limits are transgressed by the anti-fascist movement because of the monstrous and incendiary nature of neo-fascism as a way of life (if only as an *extraordinary measure*, a response initiated already from within a futural or immanent economy of the worst case scenario: the repetition of the collapse of Weimar).

But as Taguieff also implicitly acknowledges, these limits exist and define the space of reasonable response only within a particular model for governing society. Censorship is a problem because it is not an *efficient* way of regulating or prohibiting the circulation of hateful messages. It exceeds an implicit measure of rule. In liberal democratic government this circulation is governed by a logic intrinsic to its domain: the ‘free market’ of speech. The anti-fascist response appears unreasonable and paradoxical in this second sense then because it compromises the autonomous processes that govern the operation of this domain. It fails to observe the intrinsic limits and

norms established by a particular biopolitical model of government, i.e. government that works through the indirect conduct of autonomous processes: the “conduct of independent conduct.” Within this mode of government, the direct government of communication through censorship is irrational because it “displaces communication and makes way for the inevitable return of the ‘repressed.’” The response does not directly take into account the specific ‘empirical’ nature of the domain being protected. The ‘measure’ of a measured response, on the other hand, is one that recognizes the independent logic governing the space of contention.

Moreover, the paradox of antifascism returns to the vexing problem we have already examined, namely how to enforce the law, a moral claim, or a claim for social justice in a space that no longer operates according to the juridico-political terms of the logic of sovereignty. The power of the law and the release of moral energies succumb to the series of modern dilemmas which refer back to the split between power and the law (i.e. the death of god, the age of nihilism, the state of permanent exception, the impotent ‘father,’ and their various manifestations).

But it is important to more clearly interrogate the, in a sense, ‘impossibility’ of the anti-fascist position and examine its basis. A clue to the problem can be discerned in a more rigorous understanding of paranoia. Paranoia is not simply the attribution of feeling of threat to forces which ‘objectively’ do not exist but a structure in which the threatening element or signifier has been expelled from consciousness or the symbolic order as if it had never existed, only to return from the outside as an inassimilable alien force.²⁵ When this element is in some way fundamental to the identity of the subject --

²⁵ In Lacan’s reworking of the Freudian concept of *Verwerfung* (repudiation or foreclosure), the foreclosing or expelling of a ‘signifier’ from the symbolic order (the order in which things including the subject and other subjects can be given meaning in an orderly, more or less transparent fashion) leads to a psychosis like paranoia when the signifier is “fundamental” to the identity of the subject. The fundamental signifier is also Lacan’s *Nom-du-Pere* (Name-of-the-Father), which plays on the symbolic place of the father in the oedipal triangle, as the figure of the law and the figure who says “Non”. As a fundamental signifier this legislative and prohibitive function is seen as the mechanism that enables the subject to take up a place in the symbolic order. Its exclusion from the symbolic order and return from the outside result in psychosis or the breakdown in the functioning of the subject. See Dylan Evans, *An Introductory Dictionary of Lacanian Psychoanalysis* (London; New York: Routledge, 1996), pp. 64-66, 119.

the limit that assigns him or her a name and a position in the symbolic order (in sociology, a role) -- the collision with it induces psychosis or paranoia. The point is that this structure does not bear just a passing resemblance to the structure of the sovereign space but is derived from the conditions common to both: the problem of borders, of inside and outside; the experience of identity in the subject or of organized society in the state; the problem of responding to the expelled element. The foreclosed element that returns in the struggle between fascist and anti-fascists is precisely the excluded site of the political that founds postfascist society.

To carry the Lacanian analysis to its conclusion, it appears as paranoia only from the point of view of a subject who has somehow, fortuitously, not been brought into (symbolic) opposition with the political moment that founded his or her identity. It appears as paranoia only because the subject has not extended his or her identity to include that of the Jew who has children who have narrowly missed being firebombed in a daycare, the Turk or Bosnian refugee who endures racist slurs on the streetcar, the homosexual who has been beaten to the point of unconsciousness in a public park, etc. For these individuals the political is immediate. It has not been foreclosed beneath the comfortable blanket of multiculturalism and human rights discourses.

The fact that the biopolitical designation of the problem of neofascism seems to confer a limit on the types of response *reasonably* available to deal with it, in a way that evades or displaces the structure of sovereignty (and of paranoia), fails to take into account the conditions of autonomous processes of the population. The space in which biopolitical strategies of discipline and regulation emerge from multiple centers and encounter multiple resistances is still sovereign. That is to say, the space in which it appears that totalitarian strategies to control the details of the life of the population is impossible, where the legal mechanisms of negative power are replaced by government through the normalization of identities and indirect regulation of autonomous population processes, is a space defined by the 'decision' in which a particular form of biopolitics becomes dominant. It is a decision in which the open war over the form and

identity of the space of life comes to an end, while yet continuing by other, subterranean means.

4.4 *Whither Sovereignty and Biopolitics?*

In determining the context in which the problem of neo-fascism derives its meaning and significance, it is necessary to remain clear that as forms of governmentality sovereign and biopolitical discourses refer to two distinct *logics* for the thematization and organization of relations of power. One rationale is concerned with the distinct problems of organizing a *political* community around the relationship between the sovereign, the state, the law, and the citizen, while the other strips these political trappings bare to operate on individual subjects/bodies or on the spheres of social life as a series of *technical* problems: how in the last instance to produce useful, disciplined subjects and to secure independent social processes. These are two separate types of problem and it does not help to confound them.

Three kinds of confusion develop from ignoring this distinction. The first we have examined already. A moral language of denunciation, vigilance, zero tolerance, interdiction, etc. is inevitably sovereigntist: a demand addressed to the sovereign (the state or 'the people') to enforce the legitimate rule of law, to codify new laws, or to ensure security. It is a demand that the sovereign take up the responsibility of 'his' legitimate monopoly over the use of force and become the agent of justice (or else risk ceding this agency to extra-parliamentary groups). It immediately misrecognizes the limits and underlying biopolitical logic that structure and define relations of power in normalizing society.²⁶ It assumes that power can still be exercised from a central location in a unified and bounded sovereign space.

²⁶ The persistent *moralization* of issues might, in fact, be the most distinctive form that ideology in liberal democratic societies takes. It reduces all dilemmas to matters of moral conscience (the individual's, the state's, capital's, etc...) and power to the negotiation of contractual agreements. Consequently, it demands that the subject produce him/herself as a subject who bears 'opinions.' The exercise of power is continually mystified if being political occurs only at those moments when opinions are expressed. As critique it can only hope to seduce power by showing its moral image in a mirror, to paraphrase Baudrillard. Jean Baudrillard, *Simulacra and Simulation* (Ann Arbor: University

The second confusion is the reverse of the first. Social scientific discourses on neofascism specify the problem in terms of a reality independent of that of the law, morality or the exercise of sovereign power. Social technologies and tactics of intervention are biopolitical because it is the reality of society or of the processes governing the life of the population that determine their rationality. They recognize an intrinsic limit to government even if it means letting a few neo-fascists vocalize their hate or appeasing a radical right constituency by co-opting some of their policies. They act on life, or on individuals caught up in the processes that govern their lives. But they misrecognize the limits of their logic when they no longer take into account that their operation is *internal* to a politically defined community. The population is not a purely manipulable substance governed by universal scientific laws. The regular space, from which scientific specifications can be extracted, is a space produced and secured by the state through its sovereign apparatuses (including its codification of laws and rights and its monopoly over the legitimate use of force in a territory). It is subject to a political logic prior to technical biopolitical calculations. This accounts for the frequently utopian, non-realistic tenor of social scientific proposals with respect to the political realities of their application.²⁷

The third confusion stems from the need to think both the sovereign and the biopolitical at once when by doing so one falls too easily into one of these two errors. As I argued earlier the problem space in which we encounter neofascism is a space that opens up *in-between* them: a new, thoroughly ambiguous space that lies between the action of the law/code and the action of biopolitical/disciplinary regulation. The ambiguity in determining the type of response adequate to the problem of neo-fascism

of Michigan Press, 1994), p. 15. It evokes a sovereign image of power when it is biopolitics that operates through the moralization of issues.

²⁷ The inevitable confrontations with right bearing citizens or requirements for sovereign/legal authorizations are not incidental to operating in this space. They rest profoundly on an underlying moment of politics in which the boundaries of the state, the excluded and the included, the identity and future possibilities of a people (its political imaginary), the criteria that define a normal situation, and most importantly, the specific configuration of sovereign and biopolitical powers are decided. To the degree that biopolitical approaches assume that the political is only incidental to the exercise of their normalizing powers, they misunderstand the way their whole configuration is radically unstable and contingent, subject to the political's return.

results from the ambiguity of this point of encounter between sovereignty and biopolitics. The possibility of viewing it administratively, as a technical problem, or juridically, as a moral/criminal problem seems to depend on how exactly it is posed within the interstices of these two distinct modes for the organization of relations of power. As I will argue, it is an object produced within a specific assemblage of sovereign and biopolitical elements: an assemblage which is never as stable as it seems because it is (a) composed of these heterogenous, incommensurable elements and (b) political in that it must suppress other possible arrangements of biopolitics and sovereignty. The exception that neo-fascism poses illuminates this by repeatedly returning postfascist government precisely to this point.

Foucault's own attempt to resolve this problem exemplifies these confusions. His way out of the ambiguity is to offer an analysis which privileges the biopolitical over the sovereign and a model of politics as perpetual war/strategy over politics as sovereign power or contract. In this way he can open up an analytics of power which relentlessly historicizes and decenters political categories. It is not that Foucault abandons the concept of sovereign power and the related concerns of domination, legitimation, and instrumental violence so much as that he sees it as a frame that has been used to understand but also to institutionalize a certain relationship between the governors and the governed. For Foucault it is necessary to ask about the specific historical conditions in which these concepts come into being, the conditions and sites in which they continue to be acceptable and useful, the purposes to which they are put, and the processes they *obscure*.²⁸

In the case of the limits that appear to form a primary assumption of the postfascist response to neo-fascist activities (in the government reports and elsewhere), the sovereign capacity to take decisive action against hate crime is supplanted by a different logic that is concerned with the social or psychological variables that produce

²⁸ The question is not one concerning the 'real' nature of power but one of how relations of power are conceptualized: how a particular discourse contributes to the ongoing exercise of power at any particular time? How it poses the problems of rule? What sites and spaces are "visible" to it, and from what other types of exercise of power might it be distinguished?

hate crime. The *place* of the sovereign discourse in the issue not only obscures the operation of this different, non-sovereign set of strategies and technologies but is obscure in itself.²⁹ Foucault's position in the *History of Sexuality Volume One* and elsewhere is that as life processes of the population become central to politics, the efficiency of a power relation is not primarily found in its coercive quality but in its normalizing, individualizing and technical qualities. The sovereign model is displaced precisely on the grounds of its inefficiency in dealing with the new problems of government, namely the techniques to be used to 'conduct the conduct' of behaviours in those quasi-natural spheres of life like sexual relations or the economy with its laws of supply and demand that appear to be outside the institutional competence of the state.³⁰

The sovereign model of power, (and especially its analytic of law/ transgression,

²⁹ It seems to support both a legal discussion on how to criminalize neo-fascist acts (at best a discussion concerning the legal form that the demand for social justice might take) and a moral discussion on how to decide what our individual or collective responsibility should be, while simultaneously recognizing the absence of a sovereign structure in which a power of interdiction and enforcement can work. On the other hand, sovereigntist discourses continue to be acceptable and useful within the strategies to discipline population processes. They operate as procedures of subjectification. The criminalization of the issue defines the hate crime by identifying an *aberrant moral agency* in the hate criminal or neonazi skinhead, and therefore opens onto a set of rehabilitatory procedures (including punishment under the criminal code) to bring this criminal "out of hate." See discussion in James Alfred Aho, *This Thing of Darkness: A Sociology of the Enemy* (Seattle: University of Washington Press, 1994).

The constant moralization of the issue (in the press and elsewhere) reduces it to the level of individual motives and choices; a subjectification procedure that works both by prompting the demand that moral authorities become more effective, for example, in their socialization and pedagogical techniques, and by installing a moral legislator in everybody's mind so that in judging the actions of others (or themselves if they are the perpetrators) they are enticed to review their own place in relation to the moral code. Thus, the legal and moral discourses work within technologies that constitute subjects as subjects.

³⁰ In a 1983 interview, he notes in a revealing way that to the degree we can speak about power as "domination", as in the sovereigntist model, we are speaking about a type of power relation "which, regarding its goals and values, can be judged from a rational point of view as efficient". Michel Foucault, "Problematics," in *Foucault Live: (Interviews, 1966-84)*, ed. Sylvère Lotringer (New York: Semiotext(e), 1989), p. 417.

The concept of freedom undergoes a similar reevaluation in Foucault's thought, namely from freedom as a state of being (either found in nature or constructed as a political/legal category) to freedom as a practice of the self, the "exercise of the self on the self by which one attempts to develop and transform oneself". Michel Foucault, "The Ethics of Concern for the Self as a Practice of Freedom," in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow (New York: New Press; Distributed by W.W. Norton, 1997), p. 282. The concept of freedom is generated by the particular practice of the self in which the subject engages. (In a radical sense the practice of freedom is always a practice of de-subjectification). In other words, the route to cutting off the head of the sovereign in Foucault's thought is one in which the concepts of power and freedom gain their intelligibility in political life only to the degree that they remain efficient in codifying heterogenous relations of power, not because they are substantive states of being in and of themselves.

freedom/ domination, rights/ violence, self-determination/ power of seizure, etc.), therefore conceals the variety of relations of power in operation at any one time. In response, Foucault demands a more precise analysis and privileges the question of how the *conduct* of rule is thought: how one set of actions might effectively “structure the possible field of action of others” and how rule becomes rational, coherent and efficient “regarding its goals and values” in the modern era (i.e. calculable, strategic, and modifiable).³¹

Nevertheless, the place of the juridico-political model of sovereign power in the era of biopolitics becomes a problem for Foucault. Is it simply an ideology that conceals the generative activities of real power, or makes them acceptable, as he seems to suggest?³² Is it a strategic option, no longer the underlying logic, available to authorities?³³ Was it originally a positive or generative power providing the rationale for a series of technologies that produced the early modern state but which is now superseded in the era of biopolitics?³⁴ Has the sovereign law simply been “colonized” by the disciplinary norm in a post-sovereign “society of normalization”?³⁵ Or is it a separate form of power altogether, with the result that Foucault does not have a single theory of power but two? The relation between the two forms of power is in any case complex as Foucault demonstrates with respect to his history of sexuality.³⁶

The point is that, while the two logics are “absolutely heterogenous”³⁷ with respect to one another, an understanding of the political form of postfascist society and its relationship to neo-fascism has to begin with an understanding of their unhappy

³¹ Foucault, “The Subject and Power,” p. 341.

³² Foucault, *The History of Sexuality, Volume Two: The Use of Pleasure*, p.s 86, 144.

³³ *Ibid.*, p. 136.

³⁴ Michel Foucault, “Two Lectures,” in *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*, ed. Colin Gordon (New York: Pantheon Books, 1980), p. 103.

³⁵ *Ibid.*, p. 107.

³⁶ From the taboos and restrictions that surrounded sexuality within the sovereigntist-aristocratic system of family alliances (i.e. the concern with the continuity and demonstrability of bloodline), to the biopolitical medicalization and normalization of the sexuality of bodies and populations (i.e. the eugenic concern with the health and vitality of the race and the proliferation of the bourgeois body), to the reversal of priorities in psychoanalysis and modern psychology with the “reterritorialization” of sexuality into the sovereign family unit under the prohibitions of the patriarchal father. See Foucault, *The History of Sexuality, Volume Two: The Use of Pleasure*, pp. 115-31.

³⁷ Foucault, “Two Lectures,” pp. 106-07.

combination. The combination of sovereign and biopolitical discourses responds to an underlying problematic that structures modern politics. At the core of the issue, behind the confusion that besets the question of whether a biopolitical or a sovereign rationale is in operation in any given specification of the neofascist problem, is an aporetic moment of uncertainty with respect to the place of life within the sovereign structures of contemporary political community. On one hand, the disciplinary and regulatory procedures that augment the powers of 'life' (its productivity, its health, its discipline, its corrigibility, its malleability, etc.) limit the interventions available to sovereign authorities. The ability to enforce legal and moral codes is constrained by, or is obliged to work through, relations of knowledge and power of a fundamentally different sort. On the other hand, as in the government reports we have examined, biopolitical strategies that could simply seize 'life' in a pure and unlimited technical fashion continually graft themselves onto moral-juridical discourses and onto sovereign mechanisms of legitimation and authorization. The problem space becomes visible because a form of life transgresses a moral or juridical code. Moreover the problematic 'substance' that anchors disciplinary and normalizing technologies is frequently a pseudo-scientific construct like Foucault's 'sexuality' or the neo-nazi's 'hate': half scientific object and half moral-theological scandal. Finally the only official redress to the excesses of disciplinary or regulatory powers is a limit established by law or right. (The example of *Clockwork Orange* comes to mind again. The law intervenes to protect Alex's rights when the excesses of his treatment become evident: he is *too* cured to defend himself). In the end, the problem that in a sense destabilizes both normalizing techniques and sovereign-juridical systems is the uncertain zone of contact or set of exchanges between them.³⁸ Is it sufficient to say as Foucault does that the law simply

³⁸ Foucault's original analysis of sovereignty and biopolitics in the "Two Lectures" seems to break down at this point. He suggests at first that "some kind of arbitrating discourse" might exist to render the conflict between the two forms of power neutral. He then acknowledges that neither the disciplines and their reliance on scientific knowledge, nor the traditional recourse to the sovereign discourse on rights can serve to produce this arbitrating discourse or limit the effects of the other. Both are integral to the function of power in modern society. Finally he calls for a "new form of right," both "anti-disciplinarian" and "liberated from the principle of sovereignty". Ibid., pp. 107-08. The basis of a right

acts as a norm in the era of biopolitics³⁹ or are we dealing with an obscure, irresolute area in which the relative efficiencies of sovereign politics and biopower are in some sense undecidable?

4.5 *Fascist and Liberal Biopolitics: The Demonic Wager*

Not a single political party on the continent until now has seriously conceived the idea of placing the protection of the people and race first in all questions of world view and public life.

Alfred Rosenberg⁴⁰

Today politics knows no value (and consequently no non-value) other than life.

Giorgio Agamben⁴¹

Whereas in the earlier discussion of technology it was possible to suggest that a moment existed when the question of technology was still openly political, and further that this moment represented a turn in the way the 20th century related to technique, here I would like to propose that the *condition* of the technological problematic itself rests on a similarly riven set of responses to the question of life and its inscription into political community. If the danger of technology in its most pronounced form is its *unlimited* capacity to reduce the world, and humanity itself, to a standing reserve of resources at human command, to the degree that other ways of standing in relation to the world/being are expelled (Heidegger), or to the degree that the human being becomes nothing more than a commodity (Marx), the historical condition of this danger is the relationship of knowledge/power that brings the world, and especially life, into the realm of calculability and discipline. The problem space in which technical interventions into social problems are conceivable and effective is one that has been

that is neither inscribed in sovereignty nor in a 'natural' biopolitical norm is difficult to imagine but bears resemblance to the *ad hoc* decision on the exception which is the subject of the next chapter. As such, this is a much darker conclusion than Foucault would have desired.

³⁹ Foucault, *The History of Sexuality, Volume Two: The Use of Pleasure*, p. 144.

⁴⁰ Alfred Rosenberg, "The Folkish Idea of the State," in *Nazi Ideology before 1933: A Documentation*, ed. Barbara Miller Lane and Leila J. Rupp (Austin: University of Texas Press, 1978), p. 63.

⁴¹ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, Calif.: Stanford University Press, 1998), p. 10.

prepared by normalizing knowledges and techniques. But if we are to understand the condition of this problem space, and in particular the space in which it is conceivable to respond to neofascism in a technical rather than a political manner, we have to grasp its emergence as a kind of solution to the unstable relationship between sovereignty and biopower: the 'in-between' of which we have already spoken. Fascism and liberalism are the names of two competing solutions to this problematic.

The point in Foucault's thought where this comes to a head, and where the problem also seems to elude him, is where he tries to think through the consequences of the simultaneous operation of sovereign and biopolitical powers. As Agamben notes, there is a difficult equation that Foucault continually returns to in which power is seen to be simultaneously totalizing and individualizing.⁴² His analysis elides the point of contact between the two separate spaces of power's operation: a sovereign/totalizing space in which political technologies develop to authorize state powers and inscribe the life of citizens into the state, and a biopolitical/individualizing space in which regulatory and disciplinary technologies, as well as numerous technologies of the self,⁴³ can develop to normalize human behaviour and transform human beings into subjects.⁴⁴ The problem space in which neo-fascism becomes visible pivots on this 'vanishing

⁴² Ibid., p. 5. Also see Michel Foucault, "The Political Technology of Individuals," in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000), p. 417. Foucault, "The Subject and Power," p. 332. Power operates through relatively permanent structures of domination in the form of institutions, the state or global capital and through numerous local technologies designed to tie the individual to a 'subjectivity.' It works to integrate individuals into a political totality, while continually constituting them as individual subjects.

⁴³ The theme of the technologies of the self is one that I will return to in the conclusion in more thorough fashion. The concept indicates the way in which individuals constitute their own identities through the various means they use to act upon themselves as ethical beings or the various methods they use to transform themselves to attain a desired state of being. Michel Foucault, "Technologies of the Self," in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow (New York: New Press; Distributed by W.W. Norton, 1997), p. 225.

⁴⁴ It is in terms of these two spaces that the technological problematics begin to make sense. We can track the continuum between the danger of an unlimited technology (the desire for a purely programmed society) and its two limits -- individual freedom/humanity and collective community/destiny, as defined by liberalism and fascism respectively -- by mapping it onto this heterogenous space. In liberal government the possibility of unlimited technological manipulation is curtailed by the production of autonomous liberal agency as the basic mechanism of both biopolitical and sovereign rule. In fascist/Nazi government it is curtailed by the production of the *Volksgemeinschaft* as the basic mechanism of biopolitical and sovereign rule.

point'. In trying to think about the coincidence of these two spaces it is necessary to think as a genealogist to discern the historical event in which the assemblage of specific sovereign and biopolitical mechanisms in postfascist society becomes manifest and operational. In fact if we are able to think about the formation of this heterogeneous problem space as an event we must presuppose that it contains the moment in which the two solutions (fascist and liberal) received their 'sense.' It is also on this point therefore that our understanding of the relationship between postfascist liberal government and fascism/neo-fascism hinges because it defines the framework under which we understand their irreconcilable, *political* differences while it conceals, no doubt, their convergences.

The way Foucault tries to work this out becomes clear in the well known passage towards the end of *The History of Sexuality Volume 1*, where Foucault defines the "threshold of modernity" as the point "when the life of the species is wagered on its own political strategies. For millennia, man remained what he was for Aristotle: a living animal with the additional capacity for a political existence; modern man is an animal whose politics places his existence as a living being in question."⁴⁵ At a certain point the forms of biopower that bring collective and biological "life" into the realm of calculability as they seek to foster its potentials and optimize its "forces" also define a specific limit to rule in modern politics: how the biopolitical imperative to expand the capacities of the life of a population can be reconciled with the modern "totalizing" mechanisms of its political organization which inevitably seem to threaten it. As he puts it, biopower and sovereignty become entwined in a *demonic wager*: "the power to expose a whole population to death is the underside of the power to guarantee an individual's continued existence.... If genocide is indeed the dream of modern powers ... it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population."⁴⁶

⁴⁵ Foucault, *The History of Sexuality, Volume One: An Introduction*, p. 143.

⁴⁶ *Ibid.*, p. 137.

From this we might conclude that the core of modern politics is defined by a basic problem of rule. It revolves around the question of how to handle the capacities of this life administering power. How can politics be reconciled with the privileged position of human *being* at the heart of rational inquiry, ethical concern and techniques of government? Which form of political organization provides the most sustainable means for acting upon the life processes of populations to foster their potentials? Which strategy is most viable for integrating life, its well-being, its forces, and its vitality into the political community? In the modern problem space of rule, characterized by an uneasy relationship between sovereign power and biopolitics, the political field – the *polis* (or quasi-*polis*?)⁴⁷ -- is defined by “the tricky adjustment between political power wielded over legal subjects and pastoral power wielded over live individuals.”⁴⁸

These questions go to the heart of the division between liberal and fascist modes of government and to the heart of the postfascist response to neo-fascism. Fascism and liberal democracy represent different answers to this predicament and different schemas for posing the problem. As Mitchell Dean puts it, liberalism and fascism represent “different articulations of forms of pastoral power with forms of sovereignty” (or forms of individualizing power with forms of totalization).⁴⁹ This

⁴⁷ “We are perhaps moving into a zone or topology that will be called neither political or apolitical but ... ‘quasi-political.’” Jacques Derrida, *The Other Heading: Reflections on Today's Europe* (Bloomington: Indiana University Press, 1992), p. 40.

⁴⁸ Michel Foucault, “Politics and Reason,” in *Politics, Philosophy, Culture: Interviews and Other Writings, 1977-1984*, ed. Lawrence D. Kritzman (New York: Routledge, 1988), p. 67. This trickiness is also the key to Foucault’s ambiguous phrase that “modern man is an animal whose politics places his existence as a living being in question.” Politics places it literally *into question* through the development of the “sciences of man” that interrogate the nature of this living being and by making *the response* to the nature of humans’ biological, psychological, economic, social being central to techniques of government. It also places living being substantively into question at the threshold where the biopolitical projects to foster the life of populations make conceivable the thanato-politics of genocide and total war, (i.e., precisely on the grounds that the life to be “disallowed to the point of death” is understood as “life”).

⁴⁹ Dean, *Governmentality: Power and Rule in Modern Society*, p. 138. By pastoral power Dean refers to Foucault’s later work in which Foucault traces the biopolitical technologies of modern rule to what he calls the Hebrew and Christian *shepherd-flock game*. In this pastoral model the problems of rule form around the continuous guidance of each individual member of the flock in their spiritual development: the examination of their consciences, their obedience to God and their mortification. It is not a centralizing or territorializing power in which the individual’s conduct finds its meaning in the

difference is perceptible in their different responses to sovereignty, biopolitics and political technologies.

In the tradition of liberal democracy there is a clear parallel between the way the excesses of both technological power and the demonic wager of sovereignty/biopolitics are handled.⁵⁰ Liberal democracy develops a rationale of government that continually establishes and reflects upon the limits of rule. As we noted in the previous chapter, Foucault identifies the ethico-political attitude underlying this rationale with the “critical attitude” or “the art of not being governed quite so much.”⁵¹ Liberalism as a doctrine and as a method of rule seeks to define limits to the exercise of sovereign and biopolitical power.

Thus it has a two fold character: a spirit of critique that continually ‘undoes’ or problematizes the categories and practices of ethico-political life and a spirit of retrenchment that defines limits to critique itself. Most notably it designates the right bearing and free individual as both the subject of democratic community and the acquisitive, rational agency at work in numerous ‘private’ spheres (like the marketplace). These act as limits to the possible forms rule can take. But the capacity to do so in turn depends on a specific and reified constellation of sovereignty, biopolitics and political technology. It depends (a) on a form of sovereignty or political

glory and identity of the Greek city state so much as a pastoral power that individualizes. The individual is tied to his or her identity in an ongoing relationship to the pastor who leads the parishioner in cultivating an interior stance towards the eternal afterlife under the universal gaze of God. The spiritual techniques of confession, mortification and asceticism meant to tie the subject to the interior movements of the soul become the basis of continuous disciplinary and regulatory techniques of control in other fields of intervention as the “spiritual” substance of the penitent finds corollaries in the 18th and 19th centuries in the “living” substance of the sexually, biologically, racially, psychologically, and socially *normative* individual. See especially Michel Foucault, “Omnes Et Singulatim”: Toward a Critique of Political Reason,” in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000).

⁵⁰ In fact the analytic in which technology and its possible excesses are defined is a product of the particular solution liberal democracy institutes to the demonic wager.

⁵¹ Michel Foucault, “What Is Critique?,” in *The Politics of Truth*, ed. Sylvère Lotringer and Lysa Hochroth, *Semiotext(E) Foreign Agents Series* (New York: Semiotext(e): Distributed by the MIT Press, 1997), p. 29. In the summary of his course at the College de France in 1979, Foucault describes liberalism as a “method of rationalizing the exercise of government”, which “resonates with the principle: ‘One always governs too much’ – or, at any rate, one always must suspect that one governs too much”. Foucault, “What Is Critique?,” p. 74.

community that is defined both by a *split* between the state and civil society, or public and private life, and an *order of precedence* in which the state is subsumed to (or 'represents') the *apriori* logics of 'private' interests and independent processes in the 'civil' population. Under normal conditions, direct sovereign intervention into civil society is deferred to allow the independent processes to regulate themselves, to find their own hidden hands of self-regulation. It depends (b) on a form of biopolitics which takes the reality of the life of the population to exist at the level of its independent and autonomous *social* organization. Essentially the life of the population is embedded within a set of *restricted economies* of exchange/reciprocity that confront the individual agent in the various economic, erotic, spiritual, political, ethical, etc, spheres of life and a set of practices of freedom by which the agent responds to their delimited possibilities. Finally it depends (c) on a form of political technology that finds its efficiency in acting *indirectly* on the processes to be governed, i.e. by manipulating the variables that impinge on practices of freedom or rational choices of individual actors in each sphere of life. The constellation of sovereignty, biopolitics, and political technology that gives form to postfascist society might therefore be defined by the series: deferred sovereignty – autonomous social processes -- indirect government.

Fascism articulates its response to technology and the demonic wager through a different series: immanent sovereignty – racial hygiene – police. In an immanent model of sovereignty the split between the state and civil society is refused. In the case of National Socialism, Carl Schmitt's intervention is particularly interesting. In articulating the fascist form of relationship that emerges between the sovereign, the state, the law, and the citizen, he rejects the individualizing model of the shepherd/flock – a model that implies for him an illegitimate *transcendence* of the shepherd with respect to the flock. Instead he attempts to elaborate a "concrete," "substantive," "immediately present" political leadership based on the "*absolute ethnic*

*identity between leader and following.*⁵² Sovereignty is not articulated in accordance to limits but as a “triadic” political unity of state apparatus, Party/Movement and people; a political unity in which “the Movement, which carries the State and the People, penetrates and leads the other two.”⁵³ This is an *immanent* model of sovereignty in the sense that the idea of “absolute ethnic identity” is the immanent or *moving* principle of the state. The state exists to protect “the people” or produce it in ever more purity, but the immanent forces and energies of the people also stand as its originary source and the internal principle of its emergence. National Socialism responds to the demonic wager with a form of sovereignty that cannot in a sense ‘choose’ to threaten the life of the population if only because it is not external to that life. “Only ethnic identity [between the rulers and the ruled] can prevent the power of the leader from becoming tyrannical and arbitrary.”⁵⁴ It is the form that the life of the people takes as a state in the inevitable struggle between peoples.⁵⁵ As such the life of the particular *ethnos* comes under the care of its own form of state and the response to the demonic wager is

⁵² Carl Schmitt, “State, Movement, People: The Triadic Structure of the Political Unity,” in *State, Movement, People: The Triadic Structure of the Political Unity: The Question of Legality*, ed. Simona Draghici (Corvallis, OR: Plutarch Press, 2001), p. 48, (italics in original). The main consequences of this principle in Schmitt’s article have to do with the removal of “alien” elements from the civil service and the judiciary. The “arbitrary” and “formalistic” objections that the restructuring of the state and society by the National Socialist regime contravenes the rule of law are based on the mechanical thinking of liberalism, its doctrine of the legal/constitutional state and an impossible normativity that would regulate judicial and administrative judgments. Against liberalism, Schmitt argues that only the deep ethnic bond between the rulers and ruled can guarantee that decisions are objective and not based on contentious, arbitrary, vague and uncertain principles.

We not only feel but also know from the most rigorous scientific insight that all justice is the law of a certain people. It is an epistemological truth that only whoever is capable of seeing the facts accurately, of listening to statements intently, of understanding words correctly, and of weighing impressions about people and things properly joins in the law-creating community of kith and kin in his own modest way and belongs to it existentially. Down, inside, to the deepest and most instinctive stirrings of his emotions, and likewise, in the tiniest fibre of his brain, man stands in the reality of this belongingness of people and race. Schmitt, “State, Movement, People: The Triadic Structure of the Political Unity,” p. 51.

⁵³ Ibid.

⁵⁴ Ibid., p. 11

⁵⁵ In terms of our discussion in the last chapter, it occupies and appropriates the place of power left “empty” by democracy by defining the state as a racial/ethnic state and by defining the purpose of the state in terms of an “ethic of ultimate ends”: namely the strengthening of the blood line and the spirit of the people.

one that enables this life to prevail against the demonic mobilization of the others. The total state embraces a particularist solution to sovereignty.

The second element of the fascist articulation of biopolitics and sovereignty is the biopolitical substance it problematizes and acts upon. Instead of privileging autonomous and *social* processes at work in the population, National Socialism articulated its program to secure the life of the population against risk through a biopolitics of racial hygiene.⁵⁶ It described the threat to the racial body of the people in terms of heredity, degenerescence, and miscegenation while instituting a program of *Gesundheitspflicht* (a national obligation of each citizen to become healthy).⁵⁷ The principles of racial hierarchy and racial war were key to the project through which the undivided people would be created, a people in which “representatives of all walks of life are able to be together and work together without friction in *one* experience and in *one* endeavor.”⁵⁸ The detailed eugenic administration of bloodline at the level of the population and the elements of pastoral power that tied the individual, racialized subject to a “body culture” of biological purity and health were not without their parallel in liberal democracies.⁵⁹ But the biopolitical strategies of racial selection and segregation at the level of population were combined *demonically* with the immanent ideal of the total state and the myth of the fatherland in a way that rejected the mediating qualities of the abstract democratic citizen of right. The destiny of the *Volksgemeinschaft* (community of the people) was to be realized in the detailed regulation of the *Volkskörper* (body of the people). As a resolution to the biopolitical dilemma in which the goal of perfecting humankind is confronted by the actual frailty of finite human existence, the *telos* of the project to foster life is displaced from the

⁵⁶ Detlev Peukert, *Inside Nazi Germany: Conformity, Opposition, and Racism in Everyday Life* (New Haven: Yale University Press, 1987). George L. Mosse, *Toward the Final Solution: A History of European Racism* (New York: H. Fertig, 1978). Gëotz Aly, Peter Chroust, and Christian Pross, *Cleansing the Fatherland: Nazi Medicine and Racial Hygiene*, trans. Belinda Cooper (Baltimore: Johns Hopkins University Press, 1994).

⁵⁷ Christian Pross “Introduction” in Aly, Chroust, and Pross, *Cleansing the Fatherland: Nazi Medicine and Racial Hygiene*, p. 15.

⁵⁸ Rosenberg, “The Folkish Idea of the State,” p. 71.

⁵⁹ Angus McLaren, *Our Own Master Race: Eugenics in Canada, 1885-1945* (Toronto, Ont.: McClelland & Stewart, 1990).

individual body and its sickness to the “potential immortal body”⁶⁰ -- the 1000 year Reich – in a rationale that immediately unites body, *Volk* and state in a common trajectory. The demonic element in this is clear: the merging of a biopolitics of bloodline with the destiny of the total state ultimately stakes the health of that body against the risk of total destruction from internal and external threats to the state. The racial state, which exists only on the basis of a decision of “utmost intensity” on the distinction between the friend and the enemy, the *Volk* and the aliens, receives its legitimacy if not its legality from war. As Paul Virilio has argued, the Nazi state was ultimately a suicidal state. “If the war is lost, let the nation perish” (Hitler).⁶¹

Finally, we must also note that the National Socialists relied on the ideas of an old continental technology of government to produce both the immanent identity of governors and governed and the care for the racial health of the people: the science of the police. This was the rationale for the technologies that were instituted, however haphazardly in reality, to produce both the possibility of a total state (or a “total mobilization”) and the detailed regulation of the bloodline of the population. Foucault reminds us that the 17th and 18th centuries’ idea of the police went beyond today’s concept of a constabulary that enforces the laws to the ideal of the detailed regulation of all activities of the population.⁶² The original idea of the police was to be the mechanism whereby the state could directly take on the task of ensuring the orderliness and prosperity of the community. It was a biopolitics that concerned itself with all types of relationship between people and things: the productivity of individuals, exchanges in the marketplace, manners and moral behaviours, public sanitation and safety, etc. It was not a form of governmental technology that operated indirectly on population processes but one that proposed to order them in minute detail. The

⁶⁰ Dean, *Governmentality: Power and Rule in Modern Society*, p. 142.

⁶¹ Quoted in Paul Virilio, “The Suicidal State,” in *The Virilio Reader*, ed. James Der Derian, *Blackwell Readers* (Malden, Mass.: Blackwell Publishers, 1998), p. 40.

⁶² Foucault, “Omnes Et Singulatim”: Toward a Critique of Political Reason.” *Foucault, “The Political Technology of Individuals.”* See also the discussion of the police science in Colin Gordon, “Governmental Rationality: An Introduction,” in *The Foucault Effect: Studies in Governmentality: With Two Lectures by and an Interview with Michel Foucault*, ed. Graham Burchell, Colin Gordon, and Peter Miller (Chicago: University of Chicago Press, 1991), especially pp. 10-14.

distinctive elements of the Nazi regime -- its police state, its network of informers, its command economy, its racialized marriage laws, but also the numerous leisure and educational programs for workers, youth, women or its social housing programs, etc. -- were all conceived (if not actually realized) on the model of society as a transparent social space where police technology would be effective. Against the idea of liberal government in which the processes of the population are regarded as opaque and beyond the competence of the state to manipulate at will, the science of the police presupposed that the processes could be absolutely transparent to police authorities and that they could be subjected to detailed regulation and discipline.

The conflict between fascism and liberalism can therefore be understood as the conflict between two irreconcilable ways of assembling the powers of sovereignty, biopolitics and political technology. The underlying differential structure of postfascist society is a product of these competing assemblages, only naturalized; the moment in which the politics of their antagonistic configurations was forgotten. So just as Foucault analyzes the rationality of the emerging liberal government of population processes with regard to its attempts to reject the continental model of the police,⁶³ the ethico-political structure of postfascist society could be understood as the effect of the extended battle between liberalism and its fascist opponent: an attempt to forestall or defer the demonic wager..

What this does not explain however is the return of the moment of politics that returns to haunt the postfascist 'end of history.' It does not take into account the way in which an entire way of resolving the relationship between biopolitics and sovereignty can be displaced by another, or be put profoundly into question by another. Moreover, this problem seems to have its source at the point of elision in Foucault's analysis where the connection between totalizing and individualizing technologies is obscured. In Foucault's analysis one can imagine any number of phyla of independent individualizing techniques and political technologies in operation in a society, and any

⁶³ Gordon, "Governmental Rationality: An Introduction," pp. 14-27. Dean, *Governmentality: Power and Rule in Modern Society*, pp. 48-52.

number of resistances to relations of power, but it becomes difficult to understand the dynamics of competing totalizations. We might be led to conclude that postfascist society is neither liberal nor fascist but a more specific constellation that mobilizes the liberal/fascist opposition in pursuit of another set of, as yet unexamined, ethico-political objectives. But again the instability of the entire edifice in the face of those events of political eruption that surround the problem of neofascism becomes difficult to understand.

4.6 *The Politics of Biopolitics:*

Indeed the elision in Foucault's thought marks a similar elision in the ethico-political coordinates of postfascist society (and of their relation to a sometimes explicit, sometimes implicit universal 'After-Auschwitz' ethic). It involves a murky intersection between the independent phyla of those technologies of the self that give form to postfascist ethics and the similarly independent phyla of the political technologies that give form to political community. Other than the random correspondences where the ideals that one hopes to attain through the ethical work of the self coincide with the goals of political technologies endorsed by the state, their essential correspondence is unclear, as is their global instability: the realm of private civil society and the the ethical practices of the self remain seemingly detached from the public sphere and the state, and Foucault's analysis threatens to fall into a liberal snare. At times it appears that the only avenue for politics in the later work of Foucault is the incessant work performed on the self. No matter how de-subjectifying this work is, it by no means guarantees the construction of new revolutionary forces or new collectivities. The postfascist intersection of fascism and liberalism remains opaque unless it is thought with respect to the sovereign politics that produces a unified national community/*Gemeinschaft*, the biopolitics that produce the truth of life's processes, and the ascetic practices that produce ethics of self-decipherment, self-renunciation and self-sacrifice: three sites where fascism and liberalism *converge*.

The core issue is the biopolitical/sovereign problem space from which liberalism and fascism emerge as two contending political rationalities and to which they respond as two contending forms of governmentality. Underlying both the neo-fascist problematization of liberal democratic society and the liberal democratic problematization of neo-fascism and "Hate" is a general form of problematization that enables both of them to articulate their politics – even in a mutually antagonistic manner. The neo-fascist rhetoric of race war, anti-immigration and the homogeneous community of the people (to be decisively defended from miscegenation and the corrupting habits and mores of the Other) confronts a liberal discourse of liberties and freedoms which takes as its object the efficient use of government resources to direct or act upon the free choice of individuals in different zones of existence. This distinction becomes formalized as an ideological antagonism in postfascist society: an irrational fascism that accepts the demonic wager and produces terror versus a rational democracy that refuses it and institutionalizes permanent limits to power. But at a fundamental level they become indistinct to the extent that they continually return to the problem of the management of life processes with solutions that *presuppose* the demonic nexus of sovereign power and biopolitics. To quote Agamben again,

Today politics knows no value (and consequently no non-value) other than life, and until the contradictions that this fact implies are dissolved, Nazism and fascism – which transformed the decision on bare life into the supreme political principle – will remain stubbornly with us."⁶⁴

The distinction between fascism and liberalism does not hold to the degree that life becomes the central object of politics. The difference between fascism and liberalism becomes indistinct, and at some point *undecidable*. In so far as the security of these processes of life are threatened by those whose ways of life that are incompatible with the principles of free and democratic citizenship, liberalism is like fascism in not being adverse to using sovereign and disciplinary procedures to protect the population, to

⁶⁴ Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 10.

isolate offenders, to retrain members of a population in the correct forms of liberty, or to respond to the enemy with “extreme prejudice” using police, military force or special emergency powers.

The demonic element in liberal politics emerges in these moments when agents from the outside or inside threaten the life of the population or the security of its independent processes (the economy, the dynamics of social diversity, the free circulation of speech, the security of the political process, etc.). Then the logic of liberty becomes an immanent principle itself. The state, as liberty’s container and guarantor, is mobilized to preserve its ‘form of life’ against all enemies in a kind of realization of inner destiny. As in the case of Virilio’s comments on the National Socialist suicidal state, the liberal democratic state becomes potentially suicidal: prepared (as we have seen too clearly in recent years) to sacrifice its rule of law, its fundamental freedoms, its ban on inhuman practices like torture, its commitments to the self-determination of peoples or international conventions on rights and justice, etc., in order to preserve an inner or ultimate but unrealizable liberty. On the formula of biopolitics proposed by Foucault – to foster life or disallow it to the point of death – it is prepared to sacrifice the very form of life it is committed to preserving and expanding. The paradox of the present universalization of democracy: we are prepared to kill you to make you accept your freedom.

The designation of the “human problematic” in terms of the biopolitics of life is thus a crucial element of the puzzle with regard to the response to neo-fascism in the post war period. In as far as neofascism is viewed as a problem that emerges from within the bio-social life processes of the population in various ways – those processes of economic deprivation, opinion formation, racial and ethnic identification, etc. which distort the manner in which regular citizens act politically, use their speech, form their identities and enter into relations with heterogeneous others – it can be treated as a politically neutral or technical problem. Biopolitics is the condition of modern forms of technological rule. But when neofascism is viewed in its character as a kind of street

violence that usurps the state's monopoly over the legitimate use of force, as a violence that in its various guises comes from an incommensurable position outside the zones of civility and threatens the basic habitability of society as Enzensberger would have it, it must be acknowledged that neo-fascism like classical fascism is thoroughly political. It challenges and disrupts liberal democracy at a fundamental level. The observer is forced to confront not only its claim to a politics (ie. a politics that contests the articulation of sovereignty and biopolitics) but the ways in which the postfascist management and administration of life processes is embedded in a subterranean struggle over the ethico-political form of society.

The key to understanding the political dimension of neofascism therefore has to do with the way in which it continually exposes the heterogeneous elements of the postfascist solutions to it and reveals the untenability of postfascist juridical and moral claims. It shows how the technical or governmental approach to neofascism rests on unstable foundations because it relies on being able to maintain two fragile sets of limits: a biopolitical limit to the excesses of sovereign power and a sovereign limit to the excesses of biopolitical power. At the same time, neo-fascism has to be understood as having a biopolitical logic in its own right, a counter-solution to the modern problem of sovereignty and biopolitics. Its continued existence carries with it a kind of "subjugated knowledge" or remembrance of racial struggles that have been buried under the hegemonic systematicity of postfascist society. The political consequence of its tenacious 'return' is to push a nominally post-political society into moments of fascist-like excess, a point to which we turn in the next chapter. In these two senses, the problem of neofascism continually forces the demonic wager out into the open where it must be decided over and over again.

5.0 Sovereignty and the Politics of Neofascism

5.1 *The Return of the Political: Sovereignty and the Space of Decision*

“If thought is not measured by the extremity that eludes the concept, it is from the outset in the nature of the musical accompaniment with which the SS liked to drown out the screams of its victims.”¹

Working backwards from the observation that neofascism is taken up as a technical question in postfascist society, to the sense that this technicality becomes intelligible and *acceptable* only under conditions established by a certain configuration of sovereignty and biopolitics, there is still the question of the effect or effectiveness of the neofascist event for which to account. In what inhere the specific qualities of neofascism that enable it to assume its agency for disruption and disorientation in postfascist society? What do we make of the *special* or *exceptional* nature of Hate crimes and speech that makes them stand out from a background of ordinary criminal deviance or defamatory speech? What distinguishes neofascism from everyday racism or from other positions on the right of the political spectrum? What constitutes the ‘extra’ that marks the extremity of the extreme right? What does this specificity presuppose?

If my argument in the previous chapter boils down to two points, namely (a) that neofascism is incompatible with the security of liberal-democratic society (and evokes therefore a sovereign response in the form of a prohibition), and (b) that neofascist incidents prompt renewed efforts to administer and formulate the different spheres of life affected (a biopolitical response in the form of an intensification of normalizing powers), then it is still necessary to think about the qualities of the neofascist problem that lead the configuration of these two modes of government into its peculiar set of impasses. Neofascism’s special status makes sense only on this terrain. It is necessary to think about neofascism in its quality *as an exception*. This leads us to reorient our understanding of sovereignty to Carl Schmitt’s famous

¹ Theodor W. Adorno, *Negative Dialectics* (New York: Seabury Press, 1973), p. 365.

definition, "sovereign is he who decides the exception;"² and of biopolitics to Agamben's analysis of the decision that distinguishes mere life from a properly political life.

The point that creates a particular kind of "disturbance" around the problem of neofascism is the point of "extremity" at which it eludes its concept. It confounds identification and escapes its reduction to a technical problem. It continually eludes the conceptual, regulatory and juridical frameworks designed to contain it because it operates at the liminal 'in-between' point of their intersection in a way that disrupts their logics. It will be possible, for reasons that will soon become clear, to call this disturbance the *political* content of the problem of neofascism: the point where sovereignty and bio-politics -- politics and life -- become indistinct. The responses to neofascism become sites where new configurations of politics and life are generated, though they are hardly recognized as such.

In this regard, the problem of neofascism comes as an untimely phenomenon to interrogate the fate of the political. It becomes a *problēma*. In the concerns of recent years that the *polis* is in deep crisis just at the moment when liberal democracy has proclaimed itself universal, an analysis of the impasses that beset the response to neofascism pulls at the threads in which the limits of this universality have been 'sutured' and concealed. To analyse neofascism (and its analogues: ethno-nationalism, religious fundamentalism, identity politics, hate) as the site of a dimly understood 'return of the political' is to bring the contingency of this postfascist universality into focus. To understand the specific nature of the problem of neofascism it is necessary to bring this political element out of concealment. It is in seeing that this mode of government is not assured that the political content of the problem of neofascism becomes salient again.

In the following sections of this chapter I argue that to understand the political effect of neofascism we need to be clear about how neofascism works as an exception

² Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Cambridge, Mass.: MIT Press, 1985 (1922)), p. 5.

and how liberal democratic institutions respond to exceptions.³ The main thesis of this argument is that the exceptional status of neofascism can be seen in the way that it leads governmental technologies and legal responses into a series of impasses. The response of the European Union to the extreme right FPÖ in Austria, the response of the Canadian courts to constitutional arguments concerning incidences of hate speech, and finally the response to the Holocaust denier Ernst Zundel are three examples I use to illustrate these impasses and their consequences for the sovereign decision on the exception.

Giorgio Agamben's insight into the complex topography of this political order and of its relationship to biopolitics is key to the second main thesis of this chapter: that the outcome of the various ways in which the impasses surrounding the neofascist problem are resolved is the reemergence of the camp and the quasi-judicial structures that support it. While camps of various sorts that mimic the juridical structure of the Nazi concentration camps, if not their brutality, have sprung up in recent years – refugee camps, Guantanamo Bay, *zones d'attentes*, etc. – it also seems necessary to think of the structures that emerge in response to neofascism as having the qualities of a camp. This is to suggest that the fate of the *after-Auschwitz* ethic is in the process of succumbing to a most disabling and cruel irony. This leads to the reflections in the final chapter of this section in which the magnitude of the question of how to depart from the conditions that continue to produce the political effectiveness of neofascism becomes clear. The entry into a form-of-life that would be possible to call *non-fascist* requires a rethinking and disassembling of the commitments to technology, biopolitics

³ By political effect I do not principally mean how the mobilization of the fascist ideologemic repertoire is winning the hearts and minds of the discontented, although an element of the newness of the current situation we are living through is that this eventuality can no longer be ruled out. The political effect of neofascism is the profound disturbance that each neofascist event introduces into the structures of ethico-political rule and into the contemporary political imaginary *after-Auschwitz*. That is why the idea of a minor history that I have been developing here is so central to my argument. The problem of neofascism has to be understood in terms of the responses to it, the responses that in a sense produce neofascism as a problem (a problem *of a particular type* in any case): the way these responses form a more or less subterranean current beneath or alongside the major themes of democratic political life, the way they are beset by impasses and irresolvable inconsistencies that nevertheless must be decided, and the way they result in obscure and entirely singular ethico-political formations.

and sovereignty that have characterized the postfascist era. These commitments prove to be dangerously unstable and dangerously ambiguous when it comes to responding to the political excess of neofascism.

5.2 *The Exception:*

“Politics cannot be reduced to rationality, precisely because it indicates the *limits* of rationality”

Chantal Mouffe⁴

The exception is a situation which is not codified by an existing rule nor explained by an existing factual knowledge. It is a situation for which the outcomes are unknown and the rules do not apply. To think about neofascism as an exception is to think about the exception as a *political factor* however and this is where Carl Schmitt becomes a particularly interesting thinker.

The “problem of the problem” of neofascism – the disagreement over how to pose or handle the issue – may be attributed to a lack of clarity concerning the difference between sovereign and bio-political rationales, but we begin to catch sight of the condition of the politics in which the issue is generated when we attempt to come to grips with its nature as an exception. In one sense, this is a way of returning the question once again to the 20th century critique of technology. The twin problems of the formalization of law and rationalization of life that became the basis of the technological society thesis find their critical edge when thought attempts to discern the fate of the non-formalizable or the a-rational: the aporia, the exception, or in Adorno’s terms “the extremity that eludes the concept.” In what lies the “extremity” of the neofascist event that continually eludes the conceptual, juridical and technical frameworks designed to contain it?

At the same time, the question of neofascism’s exceptionality turns our attention again to a point of undecidability at the intersection of sovereign and biopolitical modes of rule. What today would be the content of neofascism that

⁴ Chantal Mouffe, *The Return of the Political* (London; New York: Verso, 1993), p. 115.

produces this ambiguity? It is not simply that there is disagreement over the relative efficiencies of sovereign and biopolitical strategies of rule, nor that the different solutions to the demonic wager their combination poses become indistinct at a certain level, but that at the point of their intersection a condition of excess is continually produced in which no clear norm for regulating or responding to neofascism exists. This excess must be defined not so much by the way neofascism transgresses the law or eludes the practices of normalization as by the way it recasts their combined operation onto an undecidable terrain: it defines a crisis in the rationality of postfascist government. It marks an undecidable situation where the rules do not apply but where a decision must nevertheless be made.

Schmitt is important in this context for two reasons: because of the priority he gives to the exception in his analysis of the political and because of the unacceptable conclusions he draws from it. For Schmitt the defining element of the political, the immanent or actual moment that constitutes, gives form and binds a political community, is the pre-normative, *existential* decision the sovereign is forced to make in the exceptional situation. In the extreme case, this is the situation of crisis, emergency, insurrection or war in which a normative situation no longer exists. In the minor case, it is the situation of the 'gap' in the law or the system of rule when normative rule appears to be in place but no clear criteria exist to make legitimate decisions. In both cases, the exception is a situation that exists when the laws governing the routine order and operation of society are suspended and emergency (or, in the minor case, *ad hoc*) powers implemented. In the extreme case, it is the fundamental identity-giving moment of a society when a political decision becomes foundational, the *political* moment in which it is decided who is the enemy and who is the friend. It establishes the identity of the people. In the minor case, it is the situation of undecidability where the judge or the administrator becomes a law *giver* rather than a law applier. For Schmitt, these decisions can only fall on a sovereign to make. It is not a matter in the final instance for decision by democratic compromise, technical reasoning or juridical formalism. In

affirming the law/identity giving, constitutive quality of this concrete decision Schmitt is able to develop both his critique of liberalism and his defense of the total state. The legacy of the Schmittian problematic is to provide both a penetrating insight into the political conditions of modern society and a vexing question for critical thought and practice, namely how to avoid the grisly conclusions he draws from it.

This is key to understanding the conditions and dangers of the post-political context of the present era and of the incendiary qualities of neofascism. In his essay "The Age of Neutralizations and Depoliticizations" (1929), Schmitt argues that the trajectory of modern politics follows a course defined by the expulsion of the exception and the creation of a series of neutral spheres free of the inextricable theological conflicts of the 16th century. The historical process of 'neutralization' entails the production of ontological security for the state. Schmitt describes the series of stages through which the irresolvable conflicts of each era were progressively neutralized and overcome by the next. The theological stage was surpassed by the metaphysical, the humanitarian-moral, the economic and finally the technical. Each stage produced a new central sphere where "minimum agreement and common premises" might be found, "allowing for the possibility of security, clarity, prudence and peace."⁵ Following Weber's analysis closely, Schmitt argues that in the 20th century European societies turned a definitive corner by transforming the potentially conflictual questions of previous stages onto the neutral ground of the technical. The exception was expelled by transforming the earlier theological, metaphysical, economic, etc. conflicts into technical problems within a new horizon of technicity, problem solving and technical progress.

However, as noted earlier, Schmitt argues that the depoliticization of issues through technical procedures -- the solution of problems through the intervention of technical experts -- is only an apparent depoliticization. The technological sphere surpasses previous spheres as the superior ground of a new neutrality but it generates

⁵ Carl Schmitt, "The Age of Neutralizations and Depoliticizations," *Telos* 96 (Summer 1993): p. 137.

its own exceptions and conflicts. The neutrality of technology is derived from the fact that it is itself always only a means or an instrument. The ends to which it is directed cannot be derived from technical principles. "Technology is always only an instrument and weapon."⁶ The situation of the exception is therefore especially poignant in the modern era where political questions are deferred to technical decision making. The exception is precisely the situation which eludes the technical procedures and reveals the immanent political logic that underlies them. It reveals that technology is always (potentially) at the service of "every strong politics [that would] make use of it."⁷

The special nature of the neofascist problem is a product of the impasses produced by attempting to expel the exception. As an object of government that in various ways defies control, neofascism is an extremity that eludes its 'concept' in

⁶ Ibid.: p. 139.

⁷ Ibid.: p. 141. For Schmitt, bourgeois liberalism represents the political analogue to technology. It articulates a model of the state and society that asserts the primacy of ethical or economic rationales over the political logic of the sovereign decision. It depoliticizes the state. In liberalism it is as if the state exists simply to manage the automatic functioning or "auto-organization of society" (Carl Schmitt, "The Way to the Total State," in *Four Articles, 1931-1938*, ed. Simona Draghici (Washington, D.C.: Plutarch Press, 1999), p. 8). It is a technocratic institution. Politics is reduced to a pluralistic forum for parliamentary discussion and compromise and the law to a procedural or mechanical application of formal systems of statutes. The crucial point in his critique of liberalism is that it thereby misrepresents the conditions under which modern conditions of life (technology, the mass media and the bureaucratic machine, etc.) undermine the formal separation of social, economic, legal, ethical and political spheres that it champions and ushers in an era of the total state and the mass society. The liberal axiomatic that separates public/private, state/civil society, and spheres of compulsion/spheres of liberty conceals the coming "identity of state and society.... [in which] everything is at least potentially political." (Carl Schmitt, *The Concept of the Political*, trans. J. Harvey Lomax (Chicago: University of Chicago Press, 1996 (1932)), p. 22). Most importantly, it misrepresents the situation of the exception in which this total state is forced to become political. In the most stringent case of emergency or war, even a liberal democratic state is forced to abandon the rule of law which otherwise binds it and decide its battles by "power of weapons" alone, precisely because the "existence of society itself" is at stake (Ibid., p. 47). Even in the numerous quotidian examples of exception, the neutrality of technical decision making in jurisprudence and administration is belied by the dual condition of this "quantitative" totalitarianism, in which the state indiscriminately subjects all spheres of human life to its purview, and the decision on the exception, in which, by being forced to decide on situations *ex nihilo*, new laws are given and new forms of life are continually brought into existence in a way that exceeds juridical and administrative mandates. The neutrality of the law is undermined by its use as an instrument of social change. Schmitt's hard response to the condition of the exception in modern life is to embrace the "qualitatively" total state that makes the exploitation of technology a means to express the power of a people, and the capacity to decide the exception, a principle of "intensity and political energy."

⁸ Carl Schmitt, "The Way to the Total State," in *Four Articles, 1931-1938*, ed. Simona Draghici (Washington, D.C.: Plutarch Press, 1999), p. 8.

⁹ Carl Schmitt, *The Concept of the Political*, trans. J. Harvey Lomax (Chicago: University of Chicago Press, 1996 (1932)), p. 22.

¹⁰ Ibid., p. 47.

precisely the way Adorno understands this. It “shatters the appearance of identity”¹¹ by being neither a biopolitical thing nor a juridical thing. The generally minor circumstances in which it is responded to as an exception do not disprove its exceptional status but make its analysis more ambiguous and more interesting vis-à-vis Schmitt. They refocus attention on the intersection of sovereign and biopolitical powers: the crisis of a sovereign power which no longer has the capacity to prohibit; the crisis of a biopower which no longer has the capacity to inscribe life into its truths or to produce a ‘reality.’ But when neofascism is ‘captured’ at this intersection, society neither collapses nor mobilizes as a totality to decide on the friend/enemy distinction, as it might in Schmitt’s extreme case of emergency or intense antagonism. It continues on normally by means of the device of ‘the special status’ of neofascism (or of hate crime, hate speech, the extreme right, etc.). The space of the intersection marks a crisis of sorts but it is rapidly institutionalized in a form akin to Agamben’s description of the camp: the “hidden matrix” of contemporary political life that enables the decision on the exception and the permanent state of exception to coexist with rule and order. The exception of neofascism is ex-cepted from the normal space of rule in a way that enables sovereign and biopolitical procedures to continue. It acts as their hidden regulator, but with the proviso that it, no less than the camp, represents the visceral form in which common destiny of modern technology and politics is revealed: the pure exposure of life to power that underlies both liberalism and fascism as their common ‘essence.’ I will return to this point in more detail later.

5.3 *Jörg Haider and the Exception*

In terms of everyday life, the point that undermines the technical approach to neofascism or makes the ability to privilege sovereign mechanisms over biopolitical ones (and vice versa) questionable is the series of impasses that characterize the responses to neofascism. Every time hate is addressed not as an isolated or marginal

¹¹ Adorno, *Negative Dialectics*, p. 149.

incident but as a broader phenomenon of juridical or social significance, capable of affecting targeted communities or society as a whole in a systematic and ongoing fashion, authorities are repeatedly proven incapable of resolving the problem or even of facing it adequately.

To take the case of extreme right party politics, an element of what we might call "Jorg Haiderism," in honour of the imbroglio surrounding the entry of the extreme right FPÖ into the Austrian government in 2000, dogs the denunciation of the extreme right.¹² The response of the 14 European Union states to isolate Austria by freezing diplomatic and political contacts with it, was characteristic of a style of response that refuses to accept, debate or work with extreme right politicians, democratically chosen or not.¹³ The sanctions were legitimate, it was argued, because Haider and the FPÖ, with their not so veiled appeals to the Nazi past and their rhetoric of *Überfremdung* (over-foreignization), threatened the constitutional framework of the E.U. (in particular Articles 6 and 7 of the Treaty on European Union that entrench liberty, democracy, human rights, fundamental freedoms and rule of law).

In a moral language, Swedish Prime Minister Goeran Persson put the matter in deceptively simple terms: "The EU is also a union consisting of values.... The program that is developing in Austria is not in line with those values."¹⁴ Persson's statement is honourable but also misleading because at another level the E.U. response exceeds its

¹² The extremity of Haider's politics are defined by his party's anti-foreigner, anti-immigration policies (and the failed anti-immigration referendum they sponsored in 1993), anti-government populism and the various "slips" in which Haider has praised the "competent employment policies" of the Nazis, referred to the concentration camps in which Jews were exterminated as merely "penal" or "punishment" camps, and applauded members of the Waffen SS as "decent men of character" who laid the basis for "peace and freedom" in Europe, etc. Alan Freeman, "Showman Haider Tailors Act to Suit Austrian Audience," *Globe and Mail*, February 7 2000, A7. Paul Hockenos, "Jorg Haider: Austria's Far Right Wunderkind," *World Policy Journal* 12 (Fall 1995). Robert Knight, "Haider, the Freedom Party and the Extreme Right in Austria," *Parliamentary Affairs: A Journal of Comparative Politics* 45, no. 3 (July, 1992).

¹³ More recently Social Democratic, Christian Democratic and Green Party members have used the same strategy to respond to the September, 2004 election of members of the neofascist German National Democratic Party (NPD) to legislatures in Saxony and Brandenburg. "These Nazi results challenge the entire democratic public and society.... We must not wait until this calms down by itself," SDU Transportation Minister Manfred Stolpe is reported as saying. Quoted in Doug Saunders, "Germany Agonizes over Neo-Nazis' Resurgence," *Globe and Mail*, September 25 2004, A13.

¹⁴ Reported in Richard Murphy, "Far Right Party Moves Closer to Power in Austria," *Globe and Mail*, January 28 2000, A11.

own juridical criteria (in the sense that the Austrians had not broken any of these constitutional commitments *yet*) and its own moral criteria (in the sense that the values of the European Union do not transcend the democratic processes of political will formation, of which the FPÖ was now a product). In fact the logic of the refusal to engage in dialogue with the extreme right is not defined by any particular content of its politics but by the extra-judicial, *postfascist* criterion that political legitimacy has a minimum threshold: i.e. unequivocal rejection of the legacy of fascism and its politics. With regard to fascism, no matter what the will of the people, there can only be an uncompromising policy of zero-tolerance.¹⁵

The impasse in this response is clear. On what grounds within the constitutive *rules* of democratic politics can a limit be drawn between legitimate popular expression in an electoral outcome and an illegitimate popular politics that potentially threatens those rules (or the conditions of universality and inclusion on which they claim legitimacy)? On what grounds within these rules can the 14 E.U. countries question the sovereign right of Austrians to choose their leaders?¹⁶ The entry of the extreme right into a contemporary European government produces the exceptional situation in which postfascist biopolitics have demonstrably failed to discipline the population at the level

¹⁵ This postfascist vigilance seems to hold at the level of rhetoric at least in this case. The institutional responses to neofascism have been far more ambiguous as G. Ford et. al. argued. *Report of the Committee of Inquiry in Racism and Xenophobia*, (Brussels: European Parliament, 1990).

¹⁶ The FPÖ was entering into a coalition with the conservative ÖVP (Austrian People's Party) through a democratic process of coalition building that would command 104 out of 183 seats in the parliament. No laws were broken. On the other hand, is *not* responding to what could very rapidly become an intolerable political situation an option? It is a classic dilemma, one that will forever be haunted by the politics of appeasement of the 1930's and its opposite: politics as total war.

The issue is actually more complicated however. It is the solution to one impasse responding to another. The election was not a clear example of the democratic will in operation but of a decision on the exception of being unable to form the traditional ruling coalition. Austria had been governed by a coalition of socialists and conservatives since 1986 (and for most of its postwar history until the 1960s). The possible dissolution of this coalition was not made an issue during the election. In the election outcome however the redistribution of votes made the coalition vulnerable. The socialist's won 33.4% of the vote, the FPÖ 26.9%, the ÖVP 26.9% and the Greens 7.4% (65, 52, 52, and 14 seats respectively). Austrian Information Washington D.C., "Austrian Press and Information Service," (October/November 1999). Disagreements between the socialists and the ÖVP over the formation of a new coalition ended in a stalemate. Even though they had the most votes, the socialists did not have enough seats even with the Greens to form a government. For Austrians the scandal of the FPÖ's entry into government was not simply the repugnant politics they represented but that the decision was made opportunistically by the ÖVP.

of its political rationality. At the same time, the sovereign identity of Europe is suddenly riven but bound by a constitution and legality that rules out a *political* response. The impasse emerges from the underlying logic of postfascism: the citizen's postfascism remains tied to its repressed opposite and yet the return of this repressed *can not be allowed*.

The E.U.'s response to the impasse is interesting therefore. The effect of taking its stance against Austria introduces a new set of rules and moral standards that supersede the 'regular situation.' The regular situation is *suspended*. The question is, what are those standards exactly, what standing do they have with respect to the rules governing the political process, and what *new* precedent do they introduce into the regulation of the relationship between rulers and ruled, or between the independent sovereignties of each nation and inter-sovereign agreements and treaties. The counter-argument against the sanctions at the time made the essential point of this solution clear: it is a *dangerous* precedent whose quasi-judicial, quasi-disciplinary structure introduces the unknown into the regular situation.¹⁷

The example of Jorg Haider is particularly relevant to the biopolitical sphere in which political life is regulated. The other domains of life touched by the neofascist problem also hinge on the same sort of impasse. (1) In the case of Hate Speech, where exactly is the line between the legitimate and illegitimate use of free speech to be drawn? At what point exactly does 'free' speech pass over into the hateful *speech act* which has the power to violently interpolate its victim? Is the ambiguity that blurs the distinction between speech and act tolerable or even legible in a liberal democratic society? (2) In the domain of criminal behaviours, on what grounds can the perceived *motivation* of hatred define a special category of crime to be treated with more severe penalties or with a different regime of rehabilitation? On what grounds can the internal

¹⁷ See, for example, the argument made in the following story: Peter Cook, "Political Interference in Europe Threatens Democracy," *Globe and Mail*, February 4 2000, B9. Cook adopts the line made by conservatives at the time that the EU response was just another example of a centralized, bureaucratic, interventionist government interfering in the rights of member nations to democratically decide their own destinies.

'agency' of hatred that defines the hate criminal and not his or her transgression of the law become the object of the law? The law is threatened by a loss of definition in the inadmissible blending of sovereignty and biopolitics that punishes the individual not for what he or she has done but for what he or she is.¹⁸ (3) In the defense of society, at what point exactly do the means used to denounce and expose neofascism become more invasive and disruptive than neofascism itself? At what point does anti-fascism cross over into fascism?

This is obviously not to claim that the impasses are irresolvable. In fact the interesting thing is how they always are resolved. The disarming disturbance that accompanies the various formulations of the problem of neofascism derives from the fact that these impasses define very real limits of the government of Hate but nevertheless must be decided upon to produce "closure" to the events.

In each case the resolution comes in the form of Carl Schmitt's "sovereign decision on the exception," albeit without necessarily galvanizing the entirety of the state into a total state. That is to say, the action of deciding how to resolve the impasse relies on or *produces* a new legitimation that cannot be derived from the norms that govern the situation. But it also departs from the Schmittian *telos* that ends in the decision of "utmost intensity" between friend and enemy. The crisis of a sovereign power that cannot actually galvanize or prohibit is deferred.

The situation of the minor decision is different. When confronted with a claim for free speech for example, the judges are forced to dedicate lengthy discussions to the identification of criteria that might distinguish the speech of neofascists from the free speech of ordinary citizens. The boundaries between what is legitimate and what is illegitimate, what is political and what is apolitical, are constantly being redrawn but in a manner that ostensibly conceals how the regular, everyday frame of life is subtly transformed into something else. This goes beyond the problem of "judicial activism"

¹⁸ Michel Foucault, "About the Concept of the 'Dangerous Individual' in Nineteenth-Century Legal Psychiatry," in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000), p. 200.

which refers simply to the relative division of already existing judiciary and legislative functions of the state, to the elliptical foundations of the new powers that emerge at the intersection of biopolitics and sovereignty. The justifications for decision and the mechanisms of power that issue from them generate a new 'regular situation' or a new form of sociality alongside or within the space of politics where the government of hate originally became a problem. Ultimately they produce a new juridical-biopolitical being: the hate criminal. One product of the undecidable decision is the hate criminal whose existence is defined at the threshold between exclusion and inclusion, sovereign law and biopolitical life. What are the implications of this?

5.4 *Return of the Political*

"It is I who determines who is a Jew."

Field Marshall Göring

[A]nalysis of the exact dimensions of any decision reached on an undecidable terrain is the central task of a theory of politics, a theory that has to show the contingent 'origins' of all objectivity.

Ernesto Laclau¹⁹

If the exception is the situation that defies general codification or to which the norm or rule does not apply, the first point we need to make is that the special or exceptional nature of neofascism is best understood in terms of how it works politically and not how it might be posed in social or psychological terms. The second point we need to consider is the claim that Giorgio Agamben makes that "*only bare life is authentically political*,"²⁰ that is, in determining the border between the mere life defined by biopolitics and the qualified life defined by juridico-political rights -- the border between outside and inside, or between the exception and the regular situation -- the restless and resurgent dilemmas of politics and violence are reconstituted in ever new and emergent categories. Neofascism stands at a complex threshold between the contemporary decision on what constitutes bare life and the broader return of the

¹⁹ Ernesto Laclaus "Preface" (pp. ix-xv) in Slavoj Žižek, *The Sublime Object of Ideology* (London; New York: Verso, 1989), p. xv.

²⁰ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, Calif.: Stanford University Press, 1998), (p. 106), italics in the original.

political. This threshold defines the “undecidable terrain” on which the most vexatious problems confronting contemporary political life are formed. Especially in its relation to the sovereign decision on the exception, the response to neofascism becomes an *event* that threatens to undermine the conditions of “objectivity” in the postfascist politics of truth. This is the place in which thought on the problem can be most incisive.

In social and psychological discourses the notion of fascism’s exception has been a convenient launching pad for the various theories that attribute to it an irrational tendency, a return to barbarism, a psychosis or an interrupted modernity. Fascism and neofascism come to be understood as forms of abnormality; diversions from the normative template of development. These discourses on Fascism’s exceptionality have been criticized by Agamben, Bauman and Lacoue-Labarthe among others for concealing the essential unity of fascism with the development of the modern subject, modern administrative structure and modern rationality. In opposition to these discourses, it seems increasingly important to outline the continuities between fascist/neofascist rationales of government and the conditions of modern politics.²² In Adorno’s terms the overt “barbarism” of neofascist intimidation and the technical and juridical responses to it are cut from the same cloth. They both derive from the truncated rationality of Enlightenment thought that wages war on the non-identical in pursuing its perverse contract between the mastery of nature and the internalization of sacrifice.

²¹ Ibid. Also see Zygmunt Bauman, *Modernity and the Holocaust* (Ithaca, N.Y.: Cornell University Press, 1989). Chapter 4 in Philippe Lacoue-Labarthe, *Heidegger, Art, and Politics: The Fiction of the Political* (Oxford, UK; Cambridge, Mass.: B. Blackwell, 1990). Lacoue-Labarthe makes this claim in uncompromising terms: “In the Auschwitz apocalypse, it was nothing less than the West, in its essence that revealed itself – and that continues ever since to reveal itself.” Ibid., p. 35. For a summary of positions that attempt to account for classical fascism as a “moral disease,” the irruption of irrationalism or case of arrested development see Renzo De Felice, *Interpretations of Fascism* (Cambridge: Harvard University Press, 1977).

²² Agamben, op. cit. op. cit. Also see Zygmunt Bauman, *Modernity and the Holocaust* (Ithaca, N.Y.: Cornell University Press, 1989) and Chapter 4 in Philippe Lacoue-Labarthe, *Heidegger, Art, and Politics: The Fiction of the Political* (Oxford, UK; Cambridge, Mass.: B. Blackwell, 1990). Lacoue-Labarthe makes this claim in uncompromising terms: “In the Auschwitz apocalypse, it was nothing less than the West, in its essence that revealed itself – and that continues ever since to reveal itself.” Ibid., p. 35. For a summary of positions that attempt to account for classical fascism as a “moral disease,” the irruption of irrationalism or case of arrested development see Renzo De Felice, *Interpretations of Fascism* (Cambridge: Harvard University Press, 1977).

Even if we feel it necessary to back off from the type of indiscriminate claim that reduces rationality *tout court* to an instrument of domination in the model of a totally administered society, it is clear that in the formulation of expert knowledges and official strategies of rule the demonization of fascism/neofascism is of a piece with the technical mode of government in liberal democracy. Like the “dividing practices” analyzed by Foucault in which the distinctions between “the mad and the sane, the sick and the healthy, the bad boys and the ‘good boys’” are produced within projects to transform human beings into subjects,²³ the irrationalism of the neofascist is deployed within biopolitical strategies that are designed to tie individuals to a postfascist subjectivity.

There is nevertheless a political element in the problem of neofascism that is not reducible to the logic of governmental or normalizing strategies and it is on this point that the singular nature of neofascism as a problem hangs.²⁴ This is where the question of the exception gains its political force and evokes a sovereign scene of decision. Chantal Mouffe wrote shortly after the end of the Cold War that liberal thought would be unprepared for emerging manifestations of ethnic nationalism and racial antagonism as long as it misunderstood or misrepresented “the specificity of the political in its dimension of conflict/decision.”²⁵ The “return of the political” in the title of her book refers to the return of the exceptional instance in the form of an irreconcilable antagonism that can not be assimilated into liberal democratic processes

²³ Michel Foucault, “The Subject and Power,” in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000), p. 326.

²⁴ In Foucault there is always an excess in the multiple relations of power: an “antagonism of strategies” that prevents power from being codified and contained in permanent, predictable forms. The exception is always produced in relations of power. In this regard it might be more insightful to regard neofascism as a nexus where a series of strategies that threaten to unravel or “dissociate” the relations of power in postfascist society are bundled rather than an instance of abnormality or irrationalism in discourses of power *per se*. He argues that: “Rather than analyzing power from the point of view of its internal rationality, [his analysis] consists of analyzing power relations through the antagonism of strategies” *Op. cit.*, p. 329. In privileging biopolitics and the model of war over sovereignty and the model of the contract – the temporal ‘becoming’ over space – what Foucault neglects to analyse are issues of identity, borders, politics and decision that adhere to the sovereign space in which modern political communities have emerged.

²⁵ Mouffe, *The Return of the Political*, p. 2.

by negotiation or rational deliberation. In Mouffe's analysis, this irreconcilability is defined not only by the inassimilable character of ethnic nationalism or neofascism but by its existence as liberal democracy's "constitutive outside." The identity, rationality, neutral procedures, and depoliticization of postfascist liberal democratic society are premised on the continued exclusion and suppression of neofascism. Its expulsion *creates* the space for a postfascist order to be articulated. The effectiveness of the economic, moral and juridical strategies that liberal democracy uses to "domesticate the political" and create a stable and predictable space of government depend on maintaining the active exclusion of neofascism. Thus the distinction between liberalism/fascism is constitutive of postfascist political community itself and the reemergence of neofascism from the margins – referring as much to its escape from the postfascist classificatory schema as to its political mobilization – is experienced as a *bewildering* phenomenon. It makes it impossible to conceal the " 'ultimate' undecidability of any decision" as Laclau puts it, even though the privilege granted to economic rationality, ethics, free speech and debate in liberalism is dedicated precisely to just that. The return of the political means the emergence of an antagonism – the collision of two incompatible modes for giving form to political community – that threatens not only the actual security of postfascist society but its ontological security as well.

As I argued in Chapter One, what returns with the political is not necessarily a resurgence or renewed legitimacy of "Fascism" however, but the return in distorted form of a *structure* in which the limits of modern political community as such are continuously reiterated. The specificity of the problem of neofascism resides in the *political* effect of its capacity to induce this phenomenon. Its special status derives from the failure to depoliticize it; to inscribe its transgression or deviance into normalizing or technical strategies of control.

5.5 Giorgio Agamben: *The Camp and the Crisis of Modern Politics*

Giorgio Agamben's insight into Schmitt is incisive here. Agamben privileges "the sovereign decision on the exception" in Schmitt's thought²⁶ rather than the friend/enemy distinction as the primary ground of the political and the source of instability in neutralizing techniques. In Agamben's view, the *ultima ratio* that defines the exercise of sovereignty for Schmitt is not coercion or law, nor the political decision that decides who is a friend and who is an enemy, but the capacity to decide when a state of exception necessitates the suspension of normal law. Schmitt wrote that the "exception" that defines the prerogative of the sovereign decision was the always immanent possibility of civil or international *war* in which a distinction "of utmost intensity" between friend and enemy -- an us (who live within the law, within reason) and a them (who are intent on negating our way of life) -- becomes necessary. But Agamben argues that the significance of the sovereign decision has to be found in an event even more elementary than this: the decision on what constitutes bare life or *zoē*. At the center of the Western political edifice is an originary distinction between two conceptualizations of life. These are captured by the Greek distinction between *zoē* (the fact of mere living shared with other animals that was also the property of the life of the *oikos* or household) and *bios* (the qualified or ethico-political life that was the unique quality of humans and the property of political life in the *polis*). Political life in its most archaic form was based on a division between what constituted bare life, which in itself was of negligible value, and what constituted the life *in common* -- the authentically human -- the life "with regard to the good life" that was the *raison d'être* of the *polis*. Only on the basis of a designated *way of life* or political ethos can the distinction between the friend and enemy be made.

The originary act that enabled the unique sphere of sovereignty to emerge and detach itself from juridical law and religious practice however is more complex. This moment of emergence is central to Agamben's understanding of Schmitt and the crisis

²⁶ In Schmitt's formulation this seems irretrievably an apologia for the total state despite Mouffe's attempt to rework it as a principle of radical democracy.

of modern politics. In Agamben's analysis, modern political life and the modern *polis* had their origin in the archaic form of the sovereign ban. The original sphere of sovereignty, the sphere that enabled a properly political life and a political community to come into existence, was the extra-judicial, extra-religious sphere in which life was simultaneously expelled from the community and recaptured as bare life. The original sovereign 'subject' was not the citizen who by virtue of his rationality, ethnicity, gender or class belonged to the political community but the *homo sacer* or sacred man. The *homo sacer* was the individual whose crimes were such that they exceeded the ability of human or divine law to respond to them. This was a life whose exception from divine or juridical law defined both the idea of a bare life/ *zoē*, stripped of its qualities of belonging (its *bios*), and the idea of the ban as the exclusory mechanism that, in expelling life stripped of all political qualities, allowed the first properly political space to appear. The *homo sacer* was the archaic figure of law "who may be killed and yet not sacrificed,"²⁷ i.e. a person who may be killed because he or she was excepted from the jurisdiction/protection of human law, (his or her killing would not be punishable), and yet not sacrificed because this exile from the protections of human law did not make him or her subject to divine law. The *homo sacer* was thus a bare life, reduced to the qualities it shared with animals. It was without any juridical or religious standing, exposed to unmitigated violence in exile and yet, as Agamben argues, *held* in the banishment in exactly the same way that the exception is held in the law by the sovereign act of suspending the law. The *homo sacer* exists in a true zone of indistinction, a being neither sacred nor profane. It was in the capacity to strip a being of his/her standing and to reduce him/her to bare life that a specifically sovereign sphere, separate from religion or secular law, emerged. It gave the qualified life of the *polis* its form and its specific reality.

The sovereign sphere is the sphere in which it is permitted to kill without committing homicide and without celebrating a sacrifice, and

²⁷ Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 8.

sacred life – that is, life that may be killed but not sacrificed – is the life that has been captured in this sphere.²⁸

Two points therefore seem crucial for our understanding of the specifics of the problem of neofascism. The first is to rethink the sovereign or juridico-political context of the problem in light of the problematic of the *ultima ratio* of the sovereign decision rather than the order of law and its transgression. In terms of the latter the problem of neofascism could never be more than finding the means and the will to enforce effective laws. By contrast, the specificity of the problem of neofascism, that which sets it apart from other issues concerning the juridical order, has to be located in the context of what Agamben calls the “paradox of sovereignty” which follows from the logic of the decision on the exception and forms the special juridical context of the camp. As he puts it, the paradox is that “the sovereign is, at the same time, outside and inside the juridical order.”²⁹ The sovereign is both *outside* the juridical order, given his or her capacity to transcend this order and suspend it during moments of crisis, and *inside* the juridical order, in that the sovereign is the ground of all lawmaking and law preserving functions of the law. The sovereign is granted the power to suspend the validity of the law from within the juridical order itself: a paradox that Agamben suggests can also be written as the opposite: “the law is outside itself.”³⁰ Sovereignty is not simply a model of government in which law/legitimate force seeks to prohibit excess/transgression, but a structure in which excess is perpetually produced. Excess is its foundation as the sovereign exists in excess of all law, all administrative or normative order. Schmitt’s isolation of the decision on the exception as the defining principle of sovereignty has the deeper and more chilling implication that in “deciding the exception” the sovereign not only suspends the law in times of emergency but also defines when and what an emergency is. In other words, in deciding the exception the sovereign also decides *the rule*, or what constitutes the normative conditions of life.

²⁸ Ibid., p. 83. Italics removed.

²⁹ Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 15.

³⁰ Agamben *Homo Sacer* p. 15

Schmitt puts it as follows:

There is no rule that is applicable to chaos. Order must be established for juridical order to make sense. A regular situation must be created, and sovereign is he who definitely decides if this situation is actually effective. All law is "situational law." The sovereign creates and guarantees the situation as a whole in its totality.³¹

If Benjamin's claim that the "'state of emergency' in which we live is not the exception but the rule"³² is translated into Schmittian terms (Agamben's move), then modern powers have to be analysed in terms of a continual production of exceptions that need to be decided, and a continual production of new 'normal' situations that ground these decisions. The law is continually outside of itself, dislocated. In attaining to a "conception of history that is in keeping with this insight" as Benjamin proposed, they must be analysed in those instances where the law continually operates as an emergency power. This is the line of flight along which we encounter the juridical-political structure in which the neofascist *event* as exception assumes its meaning.

The second point is that in locating the originary sovereign decision in the distinction between "bare life" and "qualified life" as the condition of Western politics, Agamben argues that Western politics has operated within a bio-political space all along. Unlike Foucault who defines the moment when the life of the population entered into political calculations as the threshold of modernity, a threshold in which the era of sovereign politics was left behind, Agamben argues in fact that "the fundamental activity of sovereign power *is* the production of bare life."³³ The exclusion or ban that

³¹ Agamben, *Homo Sacer*, p. 16.

³² Walter Benjamin, "Theses on the Philosophy of History," in *Illuminations* (New York: Harcourt, 1968), p. 257.

³³ Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 181 (my emphasis). The condition of political life – those "activities related to a common world," as Arendt puts it, through which "man" achieves or pursues the good life (Hannah Arendt, *The Human Condition* ([Chicago]: University of Chicago Press, 1958), p. 28.) -- is the simultaneous exclusion and production of bare life: a life stripped of all qualities except for the basic fact of mere living. The life of children, women, slaves, and the citizen's own "appetites" were stripped of ethico-political qualities (like freedom, equality, autonomy, etc.) and subjected to the nascent biopolitical regime of the *oikos* or household. At the same time they were nevertheless the source of ethico-political qualities in as far as the citizen's mastery over them was the condition of entering into the *polis*. "In Western politics, bare life has the peculiar privilege of being that whose exclusion founds the city of men". Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 7.) The division between the juridico-political discourses of sovereignty and

reduced life to bare life was the act in which the political was constituted.³⁴ This complicates Foucault's claim that biopolitics supplants sovereignty only at the origin of the modern age. Agamben in a sense reverses Foucault's claim by asserting the primacy of the paradoxical structure of sovereignty over the heterogenous powers of life; a structure which returns as the condition and limit of Foucault's strategic battlefield of powers and resistances.³⁵ The key to the modern era is not the triumph of technology and biopolitics but the crisis in which the borders between biopolitics and sovereignty, bare life and ethico-political life, *zoē* and *bios* become undecidable and yet must be decided. The typical dilemmas of modernity are created by the crisis which ensues when the relation between a determinate territory, political order (the state), and birth right can no longer function to inscribe life into the political community. As a result politics becomes biopolitics; not by supplanting sovereignty or juridical rule, but by defining an ever larger sphere in which bare life is confused with the life of the citizen and juridical rule is confused with the technical manipulation of human 'resources.'³⁶

the governmental discourses of biopolitics reiterates the distinction between *zoe* and *bios* in modern form as do those modern sciences and political philosophies in which the distinction between nature/culture, biology/ethics, private/public, individual/community are constitutive.

³⁴ By bare life Agamben does not simply mean natural life therefore but the life that is defined by its exception from laws or social standing that might protect it. He writes: "This threshold alone, which is neither simple natural life nor social life but rather bare life or sacred life, is the always present and always operative presupposition of sovereignty". Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 106.

³⁵ He reverses it "in a sense" because Agamben still appears to follow Foucault in his periodization of modernity. Where Foucault describes the full blown emergence of modernity as the crossing of the threshold in which "the life of the species is wagered on its own political strategies," Agamben describes it as the moment in which the exception becomes the norm and the distinction that maintained the difference between politics and life becomes indeterminate. See Michel Foucault, *The History of Sexuality, Volume One: An Introduction*, trans. Robert Hurley (New York: Pantheon Books, 1978), p. 143. Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 4.

³⁶ Furthermore, Agamben argues that the function of the sovereign as the one who decides the exception becomes generalized and dispersed. Doctors, judges, social workers, etc. take on the role of the sovereign. The recent case of Terry Schiavo is illustrative of this trend. The exceptional circumstance of her situation was that it was not possible to determine whether she was alive or dead, or what in fact it means – legally, metaphysically, morally, culturally, practically, etc. – to be alive. The wrangling over her husband's decision to remove her from life support was thus not simply a moral issue but a thoroughly political one because it had to do with determining who the sovereign who decides was going to be (the doctor, the judge, the president, the congress, the religious community, the media, or the people) and, moreover, the crucial issue of what criteria would be used to determine what life is. It was a life or politics generating decision in the manner that Schmitt describes. Agamben's response to the increasingly indistinct parameters of political decision is not to

In modernity, the task of politics increasingly becomes bound to the continual definition and redefinition of the “threshold in life” that separates and isolates *bios* from *zoē*, inside from outside, political life from non-political life. Technology and biopolitics are the products of these decisions because they can operate only where life is conceptualized and problematized as bare life. They can operate only on the basis of the prior decision that includes life in political calculations by excluding it, that suspends the law with regard to bare life and thus produces bare life by holding it under a ban. Banishment rather than belonging or identity is the key mechanism that defines sovereignty proper.

This is why the concentration camp – “the most absolute biopolitical space ever to have been realized”³⁷– figures so prominently in Agamben’s analysis. The camp gives concrete form to the dilemma of life held in a ban. It is the “hidden matrix and nomos of the political space in which we are still living”³⁸ because it defines the exceptional space where bare life and juridical rule are indistinguishable. The withdrawal of juridical rule and protection from the inmate of the camp defines both the ultimate vulnerability of the individual to power “without any mediation”³⁹ and his or her reduction to a state of bare life. The space that opens up in the problematization and response to neofascism is also a type of “camp” in the sense that the dividing practice that separates the hateful individual from the lawful/regular individual is also a practice which authorizes the withdrawal of ordinary law and the constitution of the special laws concerning hate crime. It is a space subject to the decision on bare life in the manner that Agamben describes. I will return to this point in the next chapter.

Neofascism is not therefore *in itself* the exception or excess that must be excluded. It is not in itself the kernel of irrationality, the non-identity, the constitutive outside, or the extremity that eludes the concept. *It is rather the “situation that results*

recentralize politics in the hands of the sovereign (Schmitt) but to call for a “new politics” in which the form-of-life is not divisible into *zoē* and *bios*.

³⁷ Agamben, *Homo Sacer*, p. 171.

³⁸ Agamben, *Homo Sacer*, p. 166.

³⁹ *Ibid.*, p. 171.

from [the order's] suspension" that is the exception (my emphasis). "What is at issue in the sovereign exception is not so much the control or neutralization of an excess as the creation and definition of the very space in which the juridico-political order can have validity."⁴⁰ Neofascism is political in the sense that its return in the form of an exception or "constitutive outside" forces the postfascist society to suspend its own rules of order and operate according to the logic of the sovereign exception. Neofascism comes to mark a site where the unassimilable outside is held within in a zone where normal laws are suspended and exceptionality reigns.

The return of the political in the neofascist event must nevertheless be understood as a minor factor as I have been using this term. It operates to jumble the codes in which the sovereign space of postfascist society hopes to become 'identical with itself;' fully interior, fully striated, fully un-exceptional. It is not to be found so much or at least not principally in the return of an implacable enemy, but in the way that the neofascist event marks the site of a simultaneous suspension of the existing ethico-political order and its renewed and yet always different reiteration as a decisive (if obscure) political event. At the same time it indicates how the space of the ethico-political order is recreated and recaptured as a bio-political space. The decision decides *which* (bare) life needs to be ex-cepted, isolated, held within the sovereign 'ban' or disciplined in order to achieve the good life. The operation of the sovereign decision on the exception involves the incessant decision "on the value (or non-value) of life as such."⁴¹

⁴⁰ Ibid., p. 19.

⁴¹ Ibid., p. 137. The neofascist is the figure of bare life par excellence in postfascist society: the figure that in becoming an object of control enables the reconstitution of the entire ethico-political sphere as a biopolitical sphere. The decision in the case of the hate criminal puts the autonomous agency of the liberal democratic subject under suspicion and surveillance. It introduces the *zoē/bios* distinction into the postfascist *ethos* at the point where its consistency and logic receive definition by the continued suppression of the purely *non-ethical* agency of hatred. But this distinction between the autonomous agency of the modern subject and hatred, or between "authentic life and a life lacking every political value" (Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 132.) is perpetually indistinct, subject to criteria which are not only uncertain or at some level undecidable, but criteria which put the operation of the law and technical administration into question.

We have to think about the consequences of this situation. To the degree that I am correct in attributing a permanent condition of undecidability and exception as the decisive quality of the neofascist event in postfascist society, this biopolitical space of violent exposure becomes increasingly institutionalized in the form of special laws and takes on the juridical qualities of a camp. The life of the neofascist is produced as a bare life in the sovereign ban as long as the structure of undecidability that surrounds his or her 'problem' remains. The abyssal consequences of this become clear to the degree that it becomes legitimate to reverse Field Marshall Göring's "It is I who determines who is a Jew." "It is I, the sovereign, who determines who is a neo-nazi, or a Moslem fundamentalist, or an illegal combatant, or a drug addict, etc." The bare life of the common citizen comes to be held in perpetual proximity to the sovereign ban.

To understand the problem of neofascism, it thus seems insufficient to privilege the biopolitical elements over the sovereign, as Foucault appears to do when he argues that the law increasingly acts as a norm in the era of biopolitics. The zone of indistinction between sovereignty and bare life is irreducible to the biopolitical question of the regulation of conduct. Similarly, Mouffe does not seem entirely correct when she argues that the continued deferral or neutralization of the political nature of the event (in our case the neofascist event) is to be found in the discursive functions of liberal ideology that obscure it and re-present it in the language of law, ethics, criminality, pluralistic debate, and security. In her characterization of the return of the political, she is simply privileging sovereign or state-centric assumptions in her understanding of politics as radical democracy. Even in the radically unclosed and unsutured space of radical democratic politics there is still a single space to be won, lost or "contested." What is at stake in neofascism is not exactly or only the way in which it denaturalizes the liberal articulation of democracy, exposing it to its contingent foundations and its constitutive outside, but how the zone of indistinction comes into existence and operates alongside but separate from liberal *or radical* democratic politics as their hidden regulator. For Agamben the obscure, irresolute area

in which the relative “efficiencies” of sovereign politics and biopower are undecidable has its corollary in the production of the neofascist as *homo sacer*.

The contours defined by these impasses are the grounds of the exceptional or singular nature of the neofascist problem and why its marginality is not assured. In fact the form of its problematization seems more and more to be on the cusp of a global generalization. This is the ground of the numerous menacing statements Agamben makes to the effect that Schmitt’s open embrace of totalitarianism and the liberal response to the exception are becoming increasingly indistinguishable. They are simply two modes of organizing modern political community within the same horizon of the coming political catastrophe.

5.6 *The Strange Case of Ernst Zundel: Neofascist as Homo Sacer*

The legal response to neofascism takes the form of a response to the exception. A strong analysis of the immanent properties of the problem of neofascism can be developed around this aspect in any case. In the gap that opens up in the law, the economy in which the regular situation of postfascist society is secured breaks down and a new situation emerges which requires an exceptional response.

One site in which the gap is conventionally defined is in terms of the indeterminacy of hate crime/speech laws (as vehicles for providing security or instituting social justice as the normal situation) with respect to constitutional provisions that protect ‘hate’ as a freedom of speech or conscience. This indeterminacy with respect to the criminalization of hate is a problem common to constitutional democracies. Generally it is an issue that is debated in moral and juridical terms as a conflict between advocates of stronger hate crime laws and defenders of absolute civil liberties as if these discourses were the provinces in which the problem could be resolved. As I have already argued, the moral/judicial understanding of the issue already conceals the way the problems of hate and neofascism are implicated in a more profound way in the biopolitical powers of normalizing society.

The problem has to be grasped at an even more decisive level however. If neofascism has functioned as an exception that proves the rule (i.e. its heinous nature demonstrates the self-evident value of postfascist society as a bulwark against barbarism), it also proves a rule that is grounded in a far more obscure destining of the sovereign foundations of the *polis*. The originary structure of the Western *polis* reveals itself in the figure of the hate criminal in a way that can only confound the apparent opposition between hate crime activism and constitutional fundamentalism, just as it confounds the elementary distinction between liberalism and fascism that secures the regular situation of postfascist society. Grasped as an exception, the problem of neofascism becomes a prime site for the analysis of a coming indistinction between politics and life and of that “horrible society” that might emerge “in authorizing the law to intervene against individuals for what they are.”⁴²

The key element in this analysis is to draw out the parallel between the emergence of the figure of the hate criminal and the ancient figure of the *homo sacer*. The *homo sacer* “who may be killed and yet not sacrificed” was the first being who was legally stripped of juridical or religious standing and was thus reduced to an existence as bare life; held in a ban that expelled him or her from the community and exposed him or her to a condition of unmediated violence while at the same time holding the *homo sacer* within, subjecting him or her to the law by suspending the law. The status of the *homo sacer* could be further qualified by noting that he or she was not a (regular) criminal, a slave, a stranger, or a foreigner, but something far more unique. My argument is that the hate criminal, like the refugees that Agamben analyses, also comes to take on the distinct characteristics of the *homo sacer* or sacred man: a being whose existence cannot be inscribed into the political community and whose endangerment is not sanctionable by any guarantee given *by law*.

⁴² Foucault, “About the Concept of the ‘Dangerous Individual’ in Nineteenth-Century Legal Psychiatry,” p. 200.

⁴³ Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 8.

⁴⁴ *Ibid.*, p. 83. Italics removed.

Three Canadian court cases provide a surprisingly fertile site for examining this relationship between the crisis of the sovereign sphere and the *homo sacer*. In fact an argument could be made that the exceptional quality of neofascism is revealed most clearly in these Canadian cases because it is in the Canadian response to hate crime that the liminal or threshold space between biopolitics and sovereignty is silently embraced and given a permanent, if unstable institutional form. In Europe the sovereign mechanisms of *Wiederbetätigung* laws prevent the blending of biopolitics and sovereignty to be clearly perceived. It is possible to treat neofascism strictly as an ordinary crime even if it is a crime that has far from ordinary effects. In the USA, where even burning a cross on somebody's lawn can be protected as an instance of free speech,⁴⁵ first amendment 'fundamentalism' conceals the same ambiguous threshold in which speech circulates freely in a space where biopolitical and juridical rule are indistinct. Even though the racist event is the marker of barely concealed politics, where the value or non-value of biological life threatens to become an immediately political question, the official public law defines the public space in purely formal, constitutional terms, allowing the subversive law of the lynch mob to run its course unabated and unacknowledged.

In the Canadian response, the ambiguity of the relation between life and politics is not resolved by privileging one and concealing the other. The ambiguous state of exception is inadvertently embraced in a new and stable spatial arrangement that in a way represents a more 'honest' solution to the problem of the problem of neofascism, one that accepts the undecidability and responds by creating an institutionalized space for it. It therefore allows us to grasp the future of postfascist society in its most dangerous and most compromised mode. The trajectory of the neofascist as *homo sacer*

⁴⁵ See the findings of the 1992 U.S. Supreme Court case *R.A.V. v. City of St. Paul, Minnesota* in which the city ordinance banning the burning of crosses or the painting of swastikas was struck down for being an "overbroad" restriction of freedom of expression. United States Supreme Court, "*R.A.V. v. City of St. Paul, Minnesota* (505 U.S. 377, 1992)," in *Crimes of Hate: Selected Readings*, ed. Phyllis Gerstenfeld and Diana Grant (Thousand Oaks, Ca.: Sage Publications, 2004).

is a line of flight and principle of “infinite dislocation”⁴⁶ that brings into question the elementary distinctions between *zoē* and *bios*, bare life and political life, biological substance and citizen, that still sustain our understanding of the ethico-political coordinates of society.

In principle, hatred and hate speech are banned unambiguously in Canada. They are subject to official moral codes that condemn them, laws that prohibit them, and biopolitical or disciplinary mechanisms designed to ‘disallow’ them to the point of eradication. The cases of Jim Keegstra, Ernst Zundel and Doug Collins however, reveal a more ambiguous situation at the intersection of these juridical and regulatory powers. In *R. v. Keegstra* (1990), Keegstra was convicted of willfully promoting hatred against an identifiable group (Section 319(2) of the Canadian Criminal Code) by teaching anti-Semitism in high school.⁴⁷ This conviction was sustained against defense arguments that Section 319(2) contravened Keegstra’s constitutional right to free speech (Section 2(b) of the Canadian Charter of Rights and Freedoms; hereafter, Charter).⁴⁸ In *R. v. Zundel* (1992) on the other hand, Ernst Zundel was acquitted of the charge of spreading false news by publishing the Holocaust denial booklet “Did Six Million Really Die?” (Section 181 of the Canadian Criminal Code⁴⁹). He was acquitted because the “false news” provision was judged “too broad and more invasive than necessary” with respect to the constitutional right to free speech. As a mechanism for achieving the intended

⁴⁶ Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 20.

⁴⁷ Among other things, he taught that the Jewish people were deceptive, sadistic, money loving and power hungry, that they desired to undermine Christianity and were responsible for depressions, social chaos, war and revolution, and that they had “created the Holocaust to gain sympathy.” Given the centrality of public pedagogy in the modern ‘care for the self’, this is in itself a grave exception within liberal techniques of government. A betrayal from within which only expands the sphere of biopolitical technologies of surveillance beyond limits (because now pedagogical technique must take into account the risk individual *teachers* pose).

⁴⁸ Roy Leeper, “Keegstra and R.A.V.: A Comparative Analysis of the Canadian and U.S. Approaches to Hate Speech Legislation,” *Communication Law and Policy* 5, no. 3 (2000). For background on the case see Steve Mertl and John Ward, *Keegstra: The Trial, the Issues, the Consequences* (Saskatoon: Western Producer Prairie Books, 1985). David Jay Bercuson and Douglas Wertheimer, *A Trust Betrayed: The Keegstra Affair*, 1st ed. (Toronto, Canada; Garden City, N.Y.: Double Canada; Doubleday, 1985).

⁴⁹ Section 181: “[e]very one who wilfully publishes a statement, tale or news that he knows is false and causes or is likely to cause injury or mischief to a public interest is guilty of an indictable offence and liable to imprisonment . . .” *Nizkor Project* ([cited December 20 2004]); available from <http://www.nizkor.org/hweb/people/z/zundel-ernst/supreme-court/>.

goal of "promoting racial and social tolerance" Section 181 was too costly with respect to the principles of free speech and legitimate democratic debate.⁵⁰

Both trials pivoted on the issue of whether the social danger of the crime was sufficient to "reasonably limit" the protection of free speech in the Charter (the biopolitical concern contra the sovereign).⁵¹ The contrary rulings put the fate of hate crime legislation into doubt, but also the space in which the problem of hate becomes visible. If, as Stanley Fish argues, hate speech is the exception that through its exclusion "carves out the space" in which the idea of free speech can have meaning, then it is an exception that has a curiously imprecise effect in this regard (even if one accepts that quite different legal questions, in a technical sense, were raised by the different criminal code sections addressed in the cases).⁵² The principles which "underwrite" society and the free circulation of speech do not unambiguously trump the right to free speech as Fish suggests.⁵³ Rather, the space of speech is held in a state of uncertainty between the two.

The third example is the British Columbia Human Rights Tribunal complaint, *Canadian Jewish Congress vs. North Shore News and Doug Collins* (R.S.B.C. 1996, c.210). It is especially interesting in this regard because it represents the type of quasi-judicial, quasi-biopolitical institution that results from this exceptional situation. In Canada, the series of human rights tribunal cases against John Ross Taylor (1979),

⁵⁰ R. V. Zundel, 731 (1992). For background on this case see David Matas, "The Zundel Prosecution," in *Bloody Words: Hate and Free Speech* (Winnipeg: Bain & Cox, 2000). Gabriel Weimann and Conrad Winn, *Hate on Trial the Zundel Affair, the Media, Public Opinion in Canada* (Oakville, Ont.: Mosaic Press, 1986).

⁵¹ Section one of the Charter reads as follows:

The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

As quoted in Leeper, "Keegstra and R.A.V.: A Comparative Analysis of the Canadian and U.S. Approaches to Hate Speech Legislation," p. 304.

⁵² The argument made by many legal experts was that the case against Zundel was a blunder because the prosecution chose an indefensible section of the criminal code to proceed against him. As an ironic shadow play of the sovereign exception decided from without, (i.e. the law outside itself), the law sabotaged itself from within.

⁵³ Stanley Eugene Fish, *There's No Such Thing as Free Speech, and It's a Good Thing, Too* (New York: Oxford University Press, 1994), pp. 103-05.

Malcolm Ross (1991), Doug Collins (1996) and Ernst Zundel (2002), represent a reexamination of the issue from within a new juridical technology: a technology that places the context of judicial inquiry within the human rights tradition of the Nuremberg trials instead of the paradoxes of formal constitutionalism. The Human Rights apparatus is an institution that becomes operational to the degree that the indeterminacy of criminal law becomes chronic. As a by-product of this indeterminacy human rights commissions come to define a third sphere of legal jurisdiction beside criminal and civil law. It is a quasi-judicial space of remedial or restorative justice that is not external to the law and yet not quite within it either.

The case of Doug Collins and the North Shore News is illustrative. Collins' article "Swindler's List: Hollywood Propaganda" rehashed standard Holocaust denial themes of Jewish conspiracy, Jewish control of Hollywood, the deceitfulness of Jews, and Jewish exaggerations of the Holocaust and was remarkable only because it was printed in a widely distributed, free weekly newspaper: an organ of the mainstream press.⁵⁴ The case was argued on the basis of the same irreconcilable elements in the law -- press freedom vs. the injury to dignity experienced by the Jewish community -- that resulted in the undecidability of the standing of hate speech provisions within the criminal law. Yet there are a number of singular features that define this judicial technology and the space within the law where it operates. The first is that the complaint that initiated the proceeding was not exactly that a law had been violated but that the hateful content of the article exposed a specific community to hatred and thereby deprived it of an essential element of human dignity. This right to human dignity is protected by law but is also a strategic element that mobilizes a more general set of biopolitical technologies designed to operate on the social processes of belonging or inscription in a multicultural population. It is not principally a matter of transgression against the laws of the sovereign but of the space in which the juridical

⁵⁴ The article is reproduced as Appendix 1.5 in Nitya Iyer, "Reasons for Decision," *Canadian Jewish Congress v. North Shore News and Doug Collins, R.S.B.C.* (1996, c.210).

rights of man and the biopolitical strategies that regulate and discipline the population coincide.⁵⁵

Thus the second singular feature of the human rights tribunal is that it is a remedial rather than a punitive technology. It is this feature that allows the proceedings to be excepted from the stronger conditions of constitutional law.⁵⁶ It operates as a mechanism of reconciliation, compensation, repair and reentry into humanity as much as a decision on the violation of a law and its punishment. It is half juridical and half biopolitical, operating as a governmental technology on the conditions that govern respect, rationality and equality as qualities that enable people to belong to the community.

The third feature is the *type* of discourse that permits the space for the operation of this technology to be excepted from the normal situation of the law. In Nitya Iyer's findings in the *Canadian Jewish Congress v. North Shore News and Doug Collins*, the grounds on which the issue of Doug Collins' (alleged) hate speech was ruled to be a form of speech without the federal constitutional protections afforded to "political speech" was that political speech is defined by its instrumental relation to the operation of parliamentary institutions. Speech is political if its restriction would "substantially

⁵⁵ This coincidence is common to the administrative models shared by federal and provincial human rights apparatuses. These charges are brought by complainants who have sustained injury to their equal 'belonging' in the community, firstly to a Human Rights Commission which attempts to resolve the matter administratively by mediating an agreed upon settlement, and if this fails, to a Tribunal which holds a public, quasi-judicial inquiry (see William Pentley, "Words That Wound: Human Rights Proceedings as a Response to Hatred in Canada" (paper presented at the Hatred in Canada: Perspectives, Action and Prevention, Victoria, British Columbia, 1998). The human rights apparatus acts as a biopolitical mechanism in this regard because it is clearly designed as an instrument to produce a certain type of integration within a particular type of society. At the same time however the notions of injury and equal status are codified in a legal forms which take on a legal status with respect to other civil, criminal, and constitutional spheres of the law and which require sovereign authorities to act and authorize the resulting procedures.

⁵⁶ In *Canada (Human Rights Commission) V. Taylor*, 892 (1990), the Supreme Court ruled by a 4:3 majority that Taylor's telephone hate messaging service was protected by the free speech provisions in the constitution, but that the Human Rights Commission did not violate his freedom of expressing by enforcing section 13 (1) of the Human Rights Act which prohibits the use of telecommunications to expose an identifiable group to hatred and contempt. It ruled that this provision represented a reasonable restriction on freedom of expression "based on the narrow interpretation of the provision, the civil and remedial nature of human rights proceedings, and the constitutional and historical context". Pentley, "Words That Wound: Human Rights Proceedings as a Response to Hatred in Canada", p. 9.

interfere' with the working of democracy."⁵⁷ Hate speech is not protected as a form of political speech because, rather than substantively interfering with the operation of democracy, its restriction prevents the expression of ideas that in fact "undermine our commitment to democracy." It is a "brand of activity... wholly inimical to the democratic aspirations of the free expression guarantee."⁵⁸ It is a form of speech which is removed from the protections afforded to political speech. It is defined in a sense as anti-political speech, but only because it is excepted from the sphere of properly political speech and reduced to its qualities as pure *social* causation without any protectable political qualities or content. It is a speech analogous to bare life.

In the human rights tribunals the defendant is asked to acquit him or herself from charges essentially 'against humanity' or against 'human dignity;' acts which are in effect violations of the quality that makes him or her (and everybody) *human*. The definition of 'human' takes on a very specific set of meanings: it becomes a residual quality in which the individual is regarded in terms of the minimal set of criteria that define the equality and commonality of the species, i.e. without prejudice towards any particular political qualities of different and specific ways of life.⁵⁹ To insist on the integrity of humanity and human dignity as the scene of justice represents on one hand a great promise given the legacy of humanity's inhumanity to itself (an in-humanism unimpeded by the 'contracts' that have underlain the sovereign state system), yet as a technology of redress the human rights mechanism is a technology whose limits are not specified and are therefore potentially without bounds. It is a technology that bares striking resemblance to Heidegger's enframing: a technological disclosure of the world that potentially will not recognize any limits to its will to power. To be found inhuman is in a sense the implication to be drawn from a guilty verdict, and the inhuman would be precisely the form of life to which no protection, no common dignity, would be

⁵⁷ *Canadian Jewish Congress v. North Shore News and Doug Collins* (p. 27).

⁵⁸ Chief Justice Dickson quoted in *Canadian Jewish Congress v. North Shore News and Doug Collins* (p. 28).

⁵⁹ See the discussion in Giorgio Agamben, "Biopolitics and the Rights of Man," (pp. 126-135) in *Homo Sacer: Sovereign Power and Bare Life* (Stanford, Calif.: Stanford University Press, 1998).

granted. The decision on the inhuman is the contemporary form of the decision on bare life, one in which the human sciences on hate criminality are fully complicit. At the heart of the decision is the analysis in which a hard-core, incorrigible agency of hatred is isolated at the nucleus of acts of hate crime in just the same manner that an 'authoritarian personality' was earlier isolated as a kind of libidinal short-circuit at the heart of the fascist. In a way that parallels Agamben's analysis of the *homo sacer*, the human rights offender is the quasi judicial character who is held in the ban: stripped of the qualities that make him 'human' and of the protections of a strictly sovereign law that would be concerned only with the transgression and not with the soul of the criminal.

The interesting aspect of the human rights tribunal is its status within the juridical structure alongside criminal and civil mechanisms. It exists in a space which is both enacted by the law, in the form of human rights legislation, and excepted from the law in the sense that its sphere of operation defines a space of exception from criminal and civil law: a space where the sovereign decision on bare life appends the discourse of human rights and crimes against humanity.

This brings us to the strange case of Ernst Zundel.⁶⁰ Zundel's victory in the supreme court in 1992 did not prevent him from being subject to a human rights tribunal concerning the publication of hate and Holocaust revisionism on his website. From 1997 to 2002 he was subject to a hearing and eventually found guilty of exposing a minority to "hatred and contempt."⁶¹ The tribunal ordered the offensive sections of the Zundel site removed. Despite appeals that focused on the constitutionality of the

⁶⁰ *Halifax Daily News*, "Zundel Suing Ottawa for His Years in Prison," Nov 25 2004.; *The Montreal Gazette*, "Seven Facing Deportation," December 13 2004.; Shannon Kari, "Zundel Security Threat Denied: Lawyer Alleges Government Smear Job," *The Windsor Star*, November 2 2004. Scott Stinson and Adrian Humphreys, "Zundel Denied Bail While Facing Deportation: National Security Case," *National Post*, January 22 2004. Norma Greenaway, "Zundel Branded a Security Threat," *The Ottawa Citizen*, May 3 2003. Allan Thompson, "Zundel Declared a Threat to Security: Faces Deportation to Germany Decision Follows Report from CSIS," *Toronto Star*, May 3 2003.; *Toronto Star*, "Zundel Haunts Us Still," April 19 2003.

⁶¹ Anti-Defamation League and Law Enforcement Agency Resource Network, *Extremism in America: Updates (Ernst Zundel)* ([cited december 21 2004]); available from http://www.adl.org/learn/ext_us/zundel.asp?LEARN_Cat=Extremism&LEARN_SubCat=Extremism_in_America&xpicked=2&item=zundel.

tribunal's jurisdiction, the tribunal ruling held and Zundel, facing the threat of being 'disallowed' to the point of (political) death, fled into the US and renounced his Canadian landed immigrant status. Legally, the effect of the Ontario Supreme Court's decision on appeal was to give formal judicial approval to this quasi-judicial space of intervention. To put it in terms of Agamben's paradox, the regular sovereign law recognized a space of human rights mediation where strict adherence to the rule of law did not apply and it suspended itself. By 2002 however, Zundel had already moved his website to an American server where it was out of the range of Canadian law/authorities to take action. In 2003 however, his visitor visa expired, and despite having married an American citizen in the meantime (Ingrid Rimland, the webmaster of the Zundel site), he was deported back to Canada where he was held in custody, eventually through the special provisions of a ministerial security certificate.⁶²

The strange situation that Zundel finds himself in today derives from the equally strange juridical structure in which he became caught up. On July 20, 2005 he was charged inciting racial hatred in Germany, where he had been detained since his deportation from Canada in March, 2005.⁶³ Up until March, Zundel had been kept in detention in Canada for 24 months, firstly under order of an immigration adjudicator and from May, 2003 by a special security certificate which provided for his unlimited detention, without review, until he was deported. His incarceration in solitary confinement (the ultimate political effacement) could have continued indefinitely.

The *external* logic of the situation is defined by three elements: 1) In the U.S. Zundel renounced his Canadian residency. As a German citizen he became subject to the extradition process which returned him to Germany where his activities were punishable as serious crimes.⁶⁴ 2) In 1994 Zundel had applied for Canadian citizenship

⁶² *The Windsor Star*, "U.S. Judge Couldn't Stop Zundel Deportation," Nov 20 2004. A U.S. judge reviewing the case was reported as saying that the U.S. Immigration and Naturalization Service's decision to deport Zundel "was a discretionary one not subject to review by this court" and that the law lacked jurisdiction to reverse the decision even though the circumstances appeared "politically driven."

⁶³ *The National Post*, "Zundel faces trial in Germany for inciting racial hatred," July 20, 2005, p. A15.

⁶⁴ Zundel has already been convicted of inciting hatred in a court in Munich in 1991 and an arrest warrant for him has also been issued by a court in Mannheim, Germany.

which gave the Canadian Security Intelligence Service (CSIS) the grounds to investigate him and prepare a report concerning the threat he represented to Canadian security (being a threat to security is a criterion, alongside felony conviction, for denying citizenship). Because he had not been convicted of violating any law his Holocaust denying activities could otherwise have continued without restriction, or subject only to a form of control that monitored the grey area they occupied between unlawfulness and unprosecutability (i.e. it was not that he was not breaking any laws, just that the capacity of the prosecution to bring a successful case against him was debilitatingly uncertain). It was only through his application for citizenship that CSIS was given the grounds to build an extra-legal case against him. 3) Being held in detention at the border, and facing extradition to Germany, Zundel applied for refugee status in Canada (an extreme irony given his history of attacking the Canadian refugee system). This was the third element that defined his strange situation. It enabled the authorities to respond to his case with exceptional measures even in the absence of any actual criminal charge. Under the emergency provisions of the post 9/11 *Canadian Immigration and Refugee Protection Act*, the minister of Canadian Citizenship and Immigration and the Solicitor General were formally able to declare Zundel a national security threat. They issued a national security certificate in May, 2003 that denied his application. Largely on the basis of the secret information in the CSIS report gathered between 1990 and 2003, a judge ruled that the certificate was "reasonable" given the threat his activities and extreme right connections made to national security and to the *human rights* of its citizens. At the time, Zundel, the right-wing extremist, and 5 suspected Islamic terrorists were being held under the indefinite provisions of national security certificates.

The external logic of Zundel's situation can be accounted for by a series of bad decisions (by Zundel), bureaucratic procedures, and fortuitous circumstances: the ruling that made his activities non-criminal (or non-prosecutable) but nevertheless subject to Human Rights Commission proceedings, Zundel's decision to apply for citizenship and

its failure (quashed only after appeals reached the level of the Supreme Court), his rash decision to flee the country even before the Human Rights Tribunal decision, the oddly zealous and rapid response of the U.S. Immigration and Naturalization Service to arrest him and deport him back to Canada, his decision to seek refugee status in Canada, the post 9/11 political atmosphere that enabled the security certificate to be issued, etc. If any one of these conditions had not been met Zundel would no doubt still be at liberty.

The internal logic of the situation however conforms to the topology of the exception and the ban. The arbitrary character of these external circumstances is intelligible only on this ground. It is because Zundel's activities were both absolutely unacceptable in terms of their ethico-political content and yet legally unprosecutable that Zundel finds himself in the position of the *homo sacer*: the man stripped of any status that would afford him the protection given to members of the political community. His 'form of life' that could not be inscribed into the political order was reduced to bare life. The issue ultimately with Zundel is not so much now with the debates concerning the appropriateness of his incarceration, but that he was being held under the authority of a security warrant which suspended the normal procedures of law and the normal situation to which they apply.

The quasi juridical situation in which Zundel was captured bears striking resemblance to the juridical structure Agamben analyses as the camp therefore: a space defined by "juridical procedures and deployments of power by which human beings could be so completely deprived of their rights and prerogatives that no act committed against them could appear any longer as a crime."⁶⁵ It is not a normal penal situation but one that is defined by his condition of statelessness and rightlessness. He was exposed to the dangers of being formally and actually outside the security provided by the Canadian state (i.e. exposed in the end to the vicissitudes of the German legal system) and continued indefinitely to be held in this space of abandonment, where the protection of the law was withdrawn under the special authority of the security

⁶⁵ Agamben, *Homo Sacer*, p. 171

certificate. Again the irony that animates the situation defines an intransigent paradox at the core of postfascist rule. The unacceptability of Zundel's form of life resulted in the sovereign action to ban him and expose his life to danger, just as Zundel's own activities deployed a power to expose a form of life (that of Canadian Jews) to undiluted "hatred and contempt."

In thinking through the resemblance of the contemporary hate criminal and the *homo sacer*, one does not seek to vindicate hate crime or authorize those strategies of legal defense that obscure the political content of the neofascist event by insisting on the absolute unrestrictedness of the right to free speech. Rather it becomes possible to grasp the link between emerging powers that arise from decisions on the exception and the expansion of "zones of indistinction" in which bare life comes to be equated with the life of every living being. That the ethico-political structure of postfascist society remains connected to the fascism it sought to root out and supersede is a product of its common origins in a political structure in which "only bare life is authentically political."⁶⁶ Today "bare life" or the life of the *homo sacer* is the "secret presupposition of the political domain" which tends to be covered over in the equation of the citizen and the rights of man. But it is revealed again in the exceptional circumstance when this equation fails to inscribe life into the political community. It is by not being able to depart from these conditions that postfascist society and liberal democracy maintain a covert solidarity with the powers they attempt to fight.

According to Agamben, this is what has "condemned democracy to impotence every time it had to confront the problem of sovereign power and has also rendered modern democracy constitutionally incapable of truly thinking a politics freed from the form of the state."⁶⁷ Where fascism ultimately elevated the ban to its fundamental political principle – the decision on the value and non-value of life – democracy mystifies it in its language of contract and right, without however being freed from it and its returns.

⁶⁶ Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 106.

⁶⁷ *Ibid.*, p. 109.

6.0 Rethinking the Politics of Neofascism as an Event

6.1 *The Trajectory of the Bare Life of the Neo-Nazi*

The preceding analyses are the prolegomena to an ethic of discomfort that comes to inhabit the practices in which we constitute ourselves as post-fascists. They define an increasingly uncomfortable realization that the work to free society from hatred and race violence, a work that is absolutely necessary and must continue, has the uncanny tendency to reverse itself, to become mimetic with its object. The fate of the event in which fascism was distinguished from non-fascism in the elementary binary that underlies our 'truth' with respect to it, is not the realization of a non-fascist society but a growing indistinction between fascism and postfascism. This is not to say that postfascism will adopt hatred as its principle *per se* but that in the response to neofascism it reproduces the structures of technological enclosure, biopolitical specification, and sovereign exception which fascism elevated to its highest political principles. Neofascism becomes possible again and emerges as the decisive political exploitation of this situation.

The implication of this analysis is not however that neofascists should be simply allowed their speech, their motives, or their politics. To point to the problems in the movements to criminalize or control neofascism is not to endorse a libertarian ethic of live and let live, (i.e. to decide finally in favour of the formalized and abstract schema of bourgeois market style 'freedoms' over social justice as the rationale of biopolitical rule). For one thing, as Žižek argues, "if racist attitudes were to be rendered acceptable for the mainstream ideologico-political discourse, this would radically shift the balance of the entire [postfascist] ideological hegemony."¹ While Žižek quietly submits to the limits of the sovereign logic of politics and a certain state-centricity in accepting the necessity of censorship, (this space of ideological consistency can only be thought within political, i.e. state, boundaries: in what other form could it exist?), we must ask whether there is another way to think the situation of politics. The ability to think the response to neofascism confronts what must

¹ Slavoj Žižek, *The Plague of Fantasies* (London; New York: Verso, 1997), p. 26.

unavoidably be acknowledged as a series of deepening *impossibilities*. Reflecting on the present moment as “difference in history,” and in particular on the recent event of *the criminalization of hatred*, is to catch a glimpse of “the familiar but little known horizon” which sheltered the certainty and self-evidence of postfascist ethico-political presuppositions.² What can it mean when our responses to the intolerable, couched in the language of rationality, universality, human rights, and inclusiveness, become complicit with the intolerable?

Three problems emerge within the postfascist response to neofascism to challenge the commitment to its ‘after-Auschwitz’ ethic. They can be described in terms of the three theses developed in the preceding pages:

- The *technicity* of the technical approach to neofascism (which enables a measured response to the problem while concealing its political core) is precisely what is put into question with the re-emergence of neofascism.
- If the problem of neofascism can be posed technically it is because it has already been reduced to a biopolitical problem and become subject to biopolitical powers. The neofascist event is the exception that reveals the crisis of biopolitics at the point where it intersects with sovereign models of law and morality.
- Postfascist society responds to neofascism as an exception, simultaneously excluding it by holding it in a ban, and thus becomes subject to a restless “dislocalizing localization.” As *homo sacer*, the neofascist acts as the hidden regulator of the inscription of life into postfascist society.

The first thesis puts into question the governmental rationalities that treat neofascism as a social problem subject to social or sociological rationales of intervention and the long standing framework in which the social itself -- as a fragile and heterogeneous but nevertheless theoretically coherent ensemble of structures,

² Michel Foucault, "For an Ethic of Discomfort," in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000), p. 448.

identities and practices -- comes to be conceptualized as an object of management. The second thesis places the conflicting sovereign/moral discourses on hatred into their disciplinary/regulatory context and suggests that their irresolvability opens dangerously onto the same demonic wager the Nazis were prepared to embrace. The third thesis is that the model that comes to define the postfascist project, proposes, out of pragmatism or out of a sovereign logic of the will to justice, to create a permanent zone of exception where the neofascist can be treated through exceptional measures. The effect of this is not only to reduce the life of the hate criminal to a type of bare life but to create the conditions in which the *victim's* identity and social status, along with that of his or her community, are also reduced to bare life. The idea that hate crime is an attack on the victim's identity and social status itself is a way of regarding these as features external to the victim's actual ethico-political existence (or *bios*). They become juridical/biopolitical variables: weighable, negotiable, exchangeable. A way of life (*bios*) which is always defined by its possibilities and potentialities is reduced to a mere life, a residuum (*zoē*), separated from what it can do. It is tied to the neutral substratum of mere existence and thereby, as in the totalitarian societies postfascism rejects on principle, bare life becomes the generalized mechanism in which social life and social identity are experienced and inscribed into postfascist society.

The important point in Agamben's topology of the exception and the *homo sacer* is not simply that a distinction is made between *zoē* and *bios*, mere life and qualified life, or in the case of neo-fascism between the perverse agency of hate/authoritarianism and a "fully established individual conscience," as the authors of *The Authoritarian Personality* might have put it.³ Modern law always involves such a distinction and such a decision when it comes to decide where the border falls between criminality and non-criminality. The ordinary criminal behind bars would represent bare life if it were not the case that the decision on bare life is a decision that puts prison law and the criminal code themselves into question. Moreover, we remain within

³ Theodor W. Adorno, *The Authoritarian Personality* (New York: Norton, 1982), p. 159.

a discussion of norms and normativity if we rest with the observation that the constant reiteration of these types of difference and exclusion produce or construct social 'identities.' This type of observation is one that dogs the new social constructivist orthodoxy: it is true enough but completely banal and politically inconsequential as long as the Nietzschean abyss it implies is not acknowledged. Social constructivism is in danger of becoming a kind of musical accompaniment that serves to drown out the screams of the victims.

For Agamben the important thing is precisely this Nietzschean abyss. The *homo sacer* is produced within the juridico-political structure of the exception when legal pronouncements and statements of fact are no longer distinguishable. The division between *zoē* and *bios* is generated by the sovereign decision on the exception that always includes the excluded figure of *homo sacer* in the juridico-political order by holding it under a sovereign ban. His argument about the camp is not simply that it is a mechanism for producing "mere life" whose exposure to danger is subject to the whim of individual authorities, but that it is a space that is created when the juridical rule governing life is suspended, when exception becomes the norm. The distinction which allows the isolation of something like bare life from a form-of-life is entwined with a purely political moment: the moment in which the juridico-political order governing the regular situation confronts its limits in a situation that is irregular, does not fit, to which the rule/code does not apply, and which must therefore be decided *ex-nihilo*. The power of the normalizing society is to be able to conceal – by defining value in terms of statistical accumulations and a continuous distribution of values around the norm -- how the symbolic universe of assigned differences, codes and hierarchies that are so key to the disciplinary apparatus hinges imperceptibly on an abyssal moment of decision or irreducible uncertainty.

The situation of the exception therefore marks a political *nomos* that is extremely difficult to conceptualize, a topological structure, which is in fact, to all intents and purposes, impervious to conceptualization. Agamben refers to it in terms of

the “zone of indistinction” it produces. It is indistinct because it is neither a ‘factual’ situation because it is created only by the act of suspending the law/rule, nor a juridical situation because it arises at a place where the law is withdrawn and no longer applies.⁴ It marks a limit to the politics of truth that Foucault analyses as much as a limit to the law and normalcy of a given sovereign socio-political formation. Similarly, the topology on which we have to understand hate crime is therefore not one of simply enumerating the mechanisms that exclude, distance or construct the hate criminal as a personality type: an encounter with the ‘outsider’ that takes the form of a juridical interdiction or a governmental rehabilitation and reterritorialization. It is rather in terms of the strange situation of the exception which cannot be subsumed or codified under the law/rule that we begin to make sense of the specific scene of hate criminality and of the capacity to reduce a form of life to bare life.

How does this work? To extend Agamben’s arguments in a way that he might not approve, the hate criminal shares common elements with the Jewish inmate in the concentration camp, the refugee in the *zone d’attente*, or the “unlawful combatant” in Guantanamo Bay. The commonality between these figures is the absence of a clear juridical or administrative rule that applies to their situation. Their fate is linked to the response of authorities to the exception. The German Jews were stripped of their status as citizens by the Nuremberg laws and were thus without legal status in the territory where they resided. Refugees, then and now, are displaced and stateless and thus in between the protection or status of a home state and their current state of residence. The “unlawful combatants” are neither individual criminals acting on their own nor members of a national army and are thus neither subject to common criminal law nor international prisoner of war conventions. By virtue of not having an assignable identity with which to be inscribed into the political order, each of these occupies a zone of indistinction which is neither exactly within the law nor outside it. Yet they are nonetheless clearly included under the power of authorities by law or administrative

⁴ Giorgio Agamben, *Homo Sacer*, pp. 18-19.

rule. They are exceptions in the original sense of *ex-capere* – they are *taken outside* as a means of capturing them within. (18) They are Agamben's *homo sacer*: life whose primary defining criterion is that it may be destroyed *without sanction*.

The terrain on which hate crime forms a problem is also defined by the zone of *indistinction* in which the hate criminal is captured. To extend Agamben's reasoning to this point, the sphere of hate crime, as a type of criminality that requires exceptional treatment or punishment, does not emerge in any direct way from the extent of harm it represents to society, the level of violence to which its perpetrators are capable of going, nor the degree of distance it marks from existing societal norms. The *topos* of hate crime emerges from the way the designation of the hate criminal throws categories of law and fact, inside and outside, bare life and juridico-political identity into indistinction. Its capacity to dislocate the location of juridical and administrative action renders hate crime and neofascism immediately and uncannily political. In crucial respects the 'causes' of the concern with hate criminality become visible because of an underlying sovereign decision that creates the space of problematization where they become intelligible. Moreover, the decision itself only becomes legible in the interstices of the unresolved discontinuity within the law and the symbolic/normative order produced by the category of hate crime.

The exception is therefore not the hate criminal him/herself but the simultaneous obduracy and incommensurability of the two structures in which the problem of hate crime is taken up. In the case of the hate criminal *qua homo sacer*, the immediate signs of the exception to be decided are when the technicity of the technical approach to neo-fascism comes into question and when the irresolvable gap between the biopolitical and juridical responses to the problem is unconcealed. The approach to hate crime vacillates between the biopolitical specification that presents hate as a special but (potentially) technically governable danger and the juridical specification in which the use of the law as an *ad hoc* social technology of control is an intrusion that cannot be permitted. How can the law be used to pursue a program of suppressing hate and

prejudice when there is no mechanism within its formal logic for determining which types/motivations of hatred or prejudice should be criminalized? For example, "Should the law count some peoples' victimization (and, if so, whose) as more serious than others?"⁵ is a question concerning the content of hate crime that is impossible to decide on formal grounds. Yet if it cannot be answered, if all victimization is potentially motivated by hatred, then the logic of specific laws for hate crime is removed.

The product of the decision that is made as a consequence is that designation of bare life, or figure of *homo sacer*, that hatred as a basic and irreducible agency becomes. It connects at a deeper level to the processes Agamben analyses where politics – which in the western tradition had always been intimately associated with *bios*, with life organized for the sake of the good life -- is increasingly merged with the tasks of administrating the mere and worthless remainder: bare life. The sphere of hate criminality thus bridges the undecidable gap, or is produced in the gap, where the biopolitical and juridical models of government intersect. It is clearly important for Agamben to conceive of this intersection in terms of the sovereign ban – the ability to hold a life in a relationship of abandonment to violence, i.e. to hold life outside the protection of society but within its jurisdiction to decide and deliberate on its fate.⁶ The

⁵ James Jacobs, "The Emergence and Implications of American Hate Crime Jurisprudence," in *Hate and Bias Crime: A Reader*, ed. Barbara Perry (New York: Routledge, 2003), p. 416. See also the extended discussion of the "distortions" identity politics introduce into the law through the introduction of hate crime statutes (in the U.S.) in James B. Jacobs and Kimberly Potter, *Hate Crimes: Criminal Law & Identity Politics* (New York: Oxford University Press, 1998).

In making this type of argument against the instituting of special provisions for hate crime, on the basis that there can be no legal standing for the type of sociological knowledge that is used to justify the project of legal intervention, they refuse to acknowledge the way in which the law already functions precisely like a norm. In particular, it functions like a norm when the *nature* of the criminal and the social danger he or she poses becomes central to juridical deliberations (concerning sentencing, the possibility of rehabilitation, the form of punishment, etc.). The law cannot even function, Foucault says, when the criminal "does not do the tribunal the favour of confiding to them something like the secret of his own being" ("About the Concept of 'the Dangerous Individual,'" p. 200). The psychiatric notions of motive and personality become central to the operation of the law when it is no longer the crime's transgression against the sovereign but the discipline of the population that is at stake.

⁶ In the archaic usage, the *homo sacer* was the life that could be killed but not sacrificed because it was subject to the ban in the form of a double exclusion– from both its religious and juridical standing – and captured within a nebulous sphere of abandonment, exposed to the vicissitudes of violence that might befall it. The law no longer protects it from being killed by anyone and at the same time its death

determination of the hate criminal as a figure of *homo sacer* recalls the scene in which bare life – life itself without particular qualities -- was not only at first an unimaginable concept, certainly an exceptional one, but one which then became permanently embedded in the originary scene of politics itself – the emergence of sovereignty. If our thoughts on the ubiquitous character of life in modern thought – in its biological, biomedical, sociological, psychological, etc. determinations – hold it to this moment of emergence, this “destining,” then the irreducible duplicity or ontological difference of the moment does not retreat into obscurity. If bare life threatens to become the sole principle of politics in the era of biopolitics, the most obvious and *prima facie* element in all biopolitical ethics, it is because this originary scene is obscured.

The isolation and definition of hatred as the irreducible substratum of the hate criminal’s life operates according to the same logic of inclusive exclusion and abandonment. The motivation of hatred that already ex-cepts or “takes outside” (*ex-capere*)⁷ the potential hate criminal from society as a danger, as in the case of Zundel and the security certificate, also includes him or her in the juridical procedure that demands a motive and a legal agent who is responsible. At the same time, the ability to separate out something like a natural substratum of life from a particular form of life -- an underlying, isolatable set of traits like hatred, bigotry, and incorrigibility that identifies the hate criminal -- enables this life to be ex-cepted from the rules that would apply to ordinary criminality. The hateful agent is taken up in a zone of indistinction that throws categories of law and fact, norm and exception, bare life and juridico-political identity into confusion. Based on this agency of hatred, this incorrigibility that thwarts the formation of a moral conscience and individualized personality, the hate criminal is placed in a zone that is neither within the purview of ordinary criminal law

will not be consecrated as a sacrifice. It was the “originary figure of life taken into the sovereign ban”, a life stripped bare of juridico-political and religious qualities (ie. a kind of proto-*zoē*?). Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, Calif.: Stanford University Press, 1998), p. 83.

⁷ *Ibid.*, p. 170.

nor within the realm of ascertainable truths. Neither an ordinary legal agent nor a subject capable of self-government, or even of being governed, the hate criminal is held outside the law in a ban by virtue of his or her hatred. The category of hate crimes and the biopolitics of hate emerge from the decision on the exception that establishes this zone.

Thus the governmental sphere of hate crime is more akin to the camp than it is to the prison or the criminal justice system. To the degree that hate crime represents the type of permanent exception that Agamben analyses, the exercise of the sovereign decision creates a space that no longer adheres to the model of the nation-state nor of society but of *the camp*: the juridical-political zone in which biopolitics receives its purest expression and where the logic of sovereignty, in the form of the decision on the exception, is immediately and visibly realized. This can be seen in the way that hate crime laws create provisions for increasing the penalty for crimes motivated by hatred. The extra in the extra punishment that the hate criminal is subject to by virtue of his or her hateful motivation is not defined by any *intrinsic* limit. There are certainly rules that determine the parameters for sentencing the hate criminal but these rules cannot be derived from principle. In this sense the hate criminal finds him or herself in a situation like that of the camp internee or the refugee. If the capacity to inflict extra punishment on the hate criminal is not abused by authorities it is not because of the law but because of an informal and imprecise sense of propriety to which the authorities voluntarily submit.⁸ In this aspect, the life of the hate criminal can be said to be held in a relationship of abandonment. It is captured in a structure where biopolitics and juridical rule, bare life and the law have become indistinct. It confronts power without any mediation. The violence to which the *homo sacer* found himself or herself exposed, parallels the nebulous and in a certain sense unlimited powers that confront the hate criminal.

⁸ See Agamben's comment on the refugee as *homo sacer*. Ibid., p. 174.

Would it not be correct to say then that we have established camps for hate criminals? In any case, in so far as the difference between the prison and the camp is that the imprisonment of criminals happens under routine conditions of criminal law that do not put politics into question while the camp is the space that is opened in the thoroughly political situation where the state of exception begins to become the rule, then the politics of neofascism gains its intelligibility in the way it forces authorities into this questionable and unsustainable situation.

6.2 *Toward a Minor History of Neofascism and Hate*

There is an interesting equivocation in Agamben's thought between privileging the idea of the ban as a mechanism that sustains the possibility of sovereignty (and its instruments of codification: law, contract, administration) and the 'line of flight' of populations and human lives that the failure of the given modes of inscription of life into the community inaugurates. It is with regard to the latter point that a *minor* analysis of neofascism becomes possible. Rather than viewing its politics in the guise of a transgression that sustains the idea of the law/state (in the manner of Durkheimian sociology), or of an abnormality that intensifies the operation of disciplinary powers, it becomes possible to see the line of dislocation that opens up on which a post-technical, post-biopolitical, post-sovereign mode of political life begins to emerge. The ban that enables the distancing of the hate criminal from society creates the space, neither juridical nor normative nor factual, in which we can trace the contours of the *non-sovereign political* nature of the problem, its generation of new forms of life, at a time when these contours seem irremediably blurred with those of the technical administration of life.

The problem of neofascism is reconfigured when we find the primary instruments of liberal democracy, its neutral rule of law and technical administrative procedures, operating according to the same logic of exception and the same absolutization of biopolitical space as the totalitarian regimes from which it distances

itself.⁹ The problem of hate crime attains its special status and comes to designate a special zone because it indicates the way in which the system through which liberal democracy unites biopolitics with legal standing is dislodged by a permanent, if perhaps 'minor' crisis and undecidability. It forces authorities to suspend the law in deciding on the exception: a decision that distinguishes between a qualified life and a bare life which may be exposed to violence without repercussion. That this decision is accomplished in a relatively casual way by authorities does not diminish the fact that it covers over a fissure, a zone of indistinction from which the special nature of the hate crime derives its meaning: a zone where fact and law, biopolitical specification of bare life and political or juridical status, criminality and non-criminality are effectively *indistinguishable*.

⁹ "Only because politics in our age [has] been entirely transformed into biopolitics was it possible for politics to be constituted as totalitarian politics to a degree hitherto unknown." Ibid., p. 120.

Part Three

7.0 Introduction to the Non-Fascist Life

How does one keep from being fascist, even (especially) when one believes oneself to be a revolutionary militant? How do we rid our speech and our acts, our hearts and our pleasures, of fascism?¹

Fascism's most significant achievement was to organize the resurrection and rebirth of dead life in the masses.... The task of the nonfascist ... is not to organize dead life, but to release it from its bonds, to intensify, accelerate, and transform it into a multiplicity...²

It is remarkable how quickly one finds oneself tumbling towards the abyss when one seeks to reverse the processes through which liberal democracy defers the political. At stake is the status of the political rationality contained in its appeals to human rights, universal reason, institutional proceduralism, the separation of public and private spheres, the indirect government of population processes, democratic representation, multicultural pluralities, and so on, all of which have been used to articulate its position in refusing totalitarianism and its correlates. By insisting that the liberal democratic project be brought into a confrontation with this ever immanent moment of the political – this moment of “utmost intensity” as Schmitt put it – we are placed before a triple threat: that we will no longer have recourse to a universal language in which the irreconcilable can be reconciled, that we will no longer be able to affirm the postfascist *ethos* without affirming the biopolitical powers of the normalizing society, that we will no longer be able to simply disavow the political content of fascism and treat it as a criminal or pathological matter. It would no longer be subsumed within technical reason. The consequence of this is to make the liberal-democratic allegiance to technicity ever more sinister and “diabolical.” In analysing the traps that afflict the responses of liberal democracy to neofascism and hate, we risk, through the back door as it were, legitimating the politics of fascism. This would be an absolutely intolerable outcome.

¹ Michel Foucault, "Preface," in *Anti-Oedipus: Capitalism and Schizophrenia* (Minneapolis: University of Minnesota Press, 1983), pp. xiii-xiv.

² Klaus Theweleit, *Male Fantasies. Vol. 2: Male Bodies: Psychoanalyzing the White Terror*, 2 vols. (Minneapolis: University of Minnesota Press, 1987), p. 189.

The crucial point that we need to make however is that we are not talking about liberal democracy *and* fascism. We are talking about the ethico-political commitments of a *postfascism* in which one always refers to the other. For us the abyss of the political opens elsewhere, in a site adjacent to the liberal/fascist antagonism. To think about liberal democracy and fascism together in this way we must investigate the assemblage that produces them together as well as the dynamic of deferral and politics that forms their prearranged sites of impasse.

What were these impasses? The impasse of the technical approach to the problem of neofascism was to use technicity to limit the effects of its politics, but only by simultaneously displacing the 'human element' as its limit. To rely on technology to defer the political is to obscure the aporetic or "tragic" conditions of technology, hastening the tragic return. The production of an aseptic, technical image of the social order is susceptible to a radical indeterminacy from within and strong politics from without. The impasse of the biopolitical strategies deployed to govern the problem of hate was to transform the law and the moral rejection of neo-fascism into mechanisms of biopolitical normalization. To remain oblivious to the possibilities attendant on the entry of life into politics, or to isolate processes of mere life (such as the hateful agency of the hate criminal) in a sovereign political community, is to court the demonic consequences of combining the sovereign right to take life with the biopolitical powers that invest life through and through. Finally the impasse of misrecognizing the way neofascism comes to occupy the space of the *exception* in postfascist society was to fail to recognize the radical qualities involved in deciding the exception; the way the decision always authorizes new powers to come into existence and the way the contemporary crisis of the inscription of life into the ethico-political order results in the proliferation of camps. The exit from fascism/hate confronts these three *cul de sacs* which in turn put the ability to respond to neofascism – the idea of responsibility itself after Auschwitz – into question.

This is the kernel of our “impossible” task: to respond to two incompatible injunctions. We must remain utterly committed to combating fascism wherever it emerges while attempting to think a postfascism that would not reproduce these impasses and their dangers. Thus if postfascism is always defined with respect to fascism, with respect to the paradoxical constitutive exclusion of fascism, the project of trying to think another politics would no longer be postfascist but *non-fascist*.

This raises the question of whether it is possible to abandon the language of universalism, rationality and individual rights and still work effectively against those other forces of “dead life,” as Theweleit puts it, that coalesce into fascisms at various levels? In Theweleit’s analysis of the fantasy life of the German Freikorpsmen, the attraction to fascism is the attraction to the control of life, of life impulses and desire, and the urge to annihilate corruption, dissolution, and impurity: to eliminate the castrating threat of being engulfed by ‘the other.’ On one hand the fascist desire is manifested in the action of the piercing “gaze” which freezes the independent, unpredictable movement of life, which turns the ceaseless activity of “desiring production” – or of the “desire to desire” that defines the action of life³ -- into the production of death, while on the other, it is the eschatology of rebirth and the need to reassemble this dead life into an ideal order where everything has its place: the “blocks of human totality-machines.”⁴ “It builds new orders from a reality that is devivified.”⁵ Where the uniqueness of fascism is in its refusal to give up desire, to demand that Germany reawaken, that blood be made to flow, the uniqueness (or the particularity) of the appeal to universal reason, as I have argued, is also to devivify reality, but by translating it into the abstract terms of an ideal technicity while endlessly deferring the return of desire. The question confronting non-fascism as an “art of life” is whether

³ Klaus Theweleit *Male Fantasies Volume 1: Women Floods Bodies History* (Cambridge: Polity Press, 1987), pp. 212-213.

⁴ Theweleit, *Male Fantasies. Volume 2*, p. 189.

⁵ Theweleit *Male Fantasies Volume 1*, p. 216. “The monumentalism of fascism would seem to be a safety mechanism against the bewildering multiplicity of the living. The more lifeless, regimented, and monumental reality appears to be, the more secure the men feel. The danger is being-alive itself” (ibid., p. 218).

there is a way to embrace the forces of desiring production or “the promise of a lived life that must not scream endlessly for rebirth”?⁶

Whatever our answer, it is the ground on which the naturalness of these discourses on rights, free speech, freedom from hate, political extremism, etc. is produced that is threatened, and threatened because the event of politics in which fascism was distanced laid the conditions for its continual return. As I argued in Chapter One, one of the strongest signals of the emergence of the political in post-political society is the mobilization of apparatuses that reiterate and police this elementary difference, even to the degree of proliferating it by analogy to neo-racism, gangsterism, ethno-nationalism, religious fundamentalism, etc. Today the old paradox of the universal and particular finds its definitive, indexical reading in the discourses that seek to define fascism. And one of the strongest signals of the state of emergency that this renewed politicization finds itself in is that the deployment of this distanciation in techniques of government – in identifying hate criminals, neofascist agitators, skinhead subcultures, fundamentalist terrorists, ethno-nationalist dictators, etc. – leads to the general blurring of the ethico-political distinctions that distinguished fascism from liberalism. In Agamben’s analysis both tend to merge around the production of the complex reality of crisis and the *homo sacer*. If the impulse of the after-Auschwitz ethic *as an art of living* was to organize life in such a way that Auschwitz could never be repeated, its fate is to have become the moral mask of a politics that ever renews the conditions in which Auschwitz became possible: technicity, biopolitics, and the sovereign exception.

The critique of technology, biopolitics, and sovereignty that I have been developing attempts to bypass the logic of liberal democracy and its categories. This is an element of what I have been calling its minor status: its action to pursue what escapes and what makes escape. It is an analysis that attempts to amplify the *problēma* of neofascism and hatred. In this view, a problem is not properly something in need of a

⁶ Theweleit, *Male Fantasies. Volume 2*, p. 189.

solution, so much as something *that throws*. The minor seeks to defamiliarize the type of thinking that begins from within the dominant political language and social codes and which is never able to depart from them or do anything but repeat them: liberalism or fascism, democracy or totalitarianism, freedom or fundamentalism, civility or hatred, universal rationality or violence, etc. Heidegger defamiliarizes the problem of technology by putting the man/machine metaphor into question. Foucault defamiliarizes the language of sovereignty and rights by recontextualizing its humanitarian *ethos* in the development of biopolitical powers of normalization and discipline. Agamben defamiliarizes the recourse to the sovereign right to decide the exception by privileging the perpetual dislocation -- the destabilizing inscription of life into politics -- from which it arises.

In each case the analyses evoke a politics that does not pass through the dominant codes of postfascist thought. They seek a way through by revealing the *events* that have produced this thought and its impasses while simultaneously and provisionally opening up new pathways for political engagement. Heidegger speaks of the turning in which "man" can come to a freeing relation to technology and take up "the other possibility" that is blocked by its enframing.⁷ Foucault envisages a micropolitics of strategic offenses; a permanent ethos of critique or 'thinking otherwise' that would aim to continuously de-subjectify the modern subject and 'remilitarize' the concealed terrain of historical struggles. Agamben embraces the idea of the coming to presence of communities "devoid of any representable identity" in which it would no longer be possible to separate out a bare life from a form-of-life. It is with respect to these analyses and their affirmation of a non-technical, non-normalizing, non-sovereign *ethos* of becoming that the coherence of a non-fascist politics can be situated.

To get at the horizon that opens up in the thought of a non-fascist sociality we can deploy the device of Algirdas Greimas' semiotic square to represent the system of

⁷ Martin Heidegger, "The Question Concerning Technology," in *The Question Concerning Technology, and Other Essays* (New York: Harper & Row, 1977), p. 26.

options that define postfascism.⁸ It is important to note that this horizon is already presupposed by the event in which fascism was distanced from liberal democracy (or from social democracy, or from communism). The semiotic square is a schematic representation that exhausts the signifying possibilities of opposition and combination that the elementary distinction between liberal democracy and fascism presents. In a formal way, if we take the signifier 'liberal democracy' to be a discrete unit of meaning (a seme, <s>), then in the signifying logic of the liberal/fascist distinction of the post-war period, *fascism* is its contrary term along the 'semantic axis' of ethico-political positions (<not s>, its 'binary opposite' or opposing system of meaning), *postfascism* is its contradictory term (<both s and not s>), in that it represents the ambiguous entanglement of liberalism and fascism (its ethico-politics is *non-discrete*, it is defined in fundamental reference to *both* liberalism and fascism), whereas non-fascism is the

<u>Liberal Democracy</u> (positive term: <s>)	<u>Fascism</u> (negative term: <not s>)
<u>Non-fascism</u> (complementary term: <neither s nor not s>)	<u>Postfascism</u> (contradictory term: <both s and not s>)

⁸ Algirdas Julien Greimas, *On Meaning: Selected Writings in Semiotic Theory*, trans. Paul J. Perron and Frank H. Collins, (London: F. Pinter, 1987). For my reading of the semiotic square see Richard J. F. Day, *Multiculturalism and the History of Canadian Diversity* (Toronto; Buffalo: University of Toronto Press, 2000), pp. 54-55, Frederic Jameson, "Foreward," (pp. vi-xxii) in Greimas, *ibid.*, and Ronald Schleifer, *A.J. Greimas and the Nature of Meaning: Linguistics, Semiotics, and Discourse Theory* (Lincoln: University of Nebraska Press, 1987), pp. 25-33.

“explosive term,” the term that is related by implication to the semantic investments of the system but exceeds them and is unimaginable within them (<neither s nor not s>). It occupies the dynamic category that Jameson refers to as the political unconsciousness of the schema or ‘text:’ “those logical and ideological centers a particular historical text fails to realize, or on the contrary seeks desperately to repress.”⁹

The category of the nonfascist is therefore of intrinsic interest to us. It is the point at which the endless, mutually reinforcing repetition of the line between fascism and liberalism opens onto the movement that escapes them. The task of a minor history of postfascism is to reveal this deterritorializing movement at the core of the postfascist structure. It is to effect a becoming-minoritarian in thought and praxis. By summoning the new collectivity ‘to come’ it begins to deterritorialize the dominant codes that have always already ‘arrived.’ This is why the idea of ‘the problem’ is so central to a minor history.

Foucault’s preface to Deleuze and Guattari’s *Anti-Oedipus* illustrates how the ‘problem’ of departing from fascism might be rethought when this problem is envisaged *as an event*.¹⁰ It would be easy to mistake the preface, and *Anti-Oedipus* itself, for a

⁹ Frederic Jameson, *The Political Unconsciousness: Narrative as a Socially Symbolic Act* (Ithaca, NY: Cornell University Press, 1981), p. 49.

¹⁰ In introducing this small tête-à-tête between Foucault and Deleuze and Guattari it is worthwhile to note the way in which the concept of “the problem” animates both their modes of critique. For Foucault, the later emphasis on problematization as the site of his genealogy of the culture of the self, in the sense of which he was to say that it is only in the problematization of a domain of experience that being offers itself to the “work of thought,” was of course already present in his analyses of the “sciences of man,” madness, the birth of the prison, the history of sexuality, etc. But it was only later that he emphasized the relation between the problem and critique. Critical thought is not the medium of representations or significations of experience, but a “work” of detachment and freedom in which humans “free thought from what it silently thinks, and so enable it to think differently.” Michel Foucault, *The History of Sexuality, Volume Two: The Use of Pleasure*, trans. Robert Hurley (New York: Pantheon Books, 1978), p. 9.

It was a matter of analyzing, not behaviours or ideas, nor societies and their “ideologies,” but the problematizations through which being offers itself to be, necessarily, thought – and the practices on the basis of which these problematizations are formed. *Ibid.*, p. 11.

In Foucault’s “Preface” to *Anti-Oedipus*, this sense of the problematization of historical fascism and of “the fascism in us all, in our heads and in our everyday behaviour” (p. xiii) is a way of evoking the event of a departure in which the “permanent critical attitude” towards the present day takes the form of an art or an ethics of existence.

radical reconceptualization of the postfascist problematic that nevertheless unavoidably reproduces the return of the fascist/postfascist opposition. The central question in *Anti-Oedipus* with regard to fascism, and the microfascism in our own heads, is the Reichian question of how, under what conditions, the masses could desire fascism? “Why do men fight for their servitude as stubbornly as though it were their salvation?”¹¹ How could they desire their own repression? Fascism is not a matter of ideological mystification or deception but of a submissive desire that invests the social field even when it goes against objective class interests. Following Deleuze and Guattari’s analysis, it is clear that Reich falls into the postfascist problematic the moment he analyses this perversion of desire in the distinction between a specified and undistorted *objective* position (“rationality as it is or as it ought to be in the process of social production”)¹² and an irrational, inhibited element in subjective desire. Deleuze and Guattari rectify Reich’s ‘materialist psychoanalysis’ by rejecting the divide between object and subject, or the social and the libidinal, arguing firstly that “the social field is immediately invested by desire” – “social production is purely and simply desiring production itself under determinate conditions” – and secondly, that the paradox of fascist desire as a desire that actively seeks its own submission, like oedipal desire, has to be understood in terms of the way that any unifying or totalizing concept (eg. a state, a people, a race, an identity, a party, etc.) is experienced as a plenitude or a complete object, against which

For Deleuze the problem is in itself a rare event. It is the event in which thought, when it is not reduced to recognizing what already exists and determining procedures to ward off error (i.e. according to the “dogmatic image of thought”), encounters the unknown, in our case the unknown possibilities for social transformation that emerge when the impasses of the fascist/postfascist nexus are examined rigorously. Critical thought is at its most trenchant when it discovers or constitutes new problems rather than simply accepting the task of solving problems established by the philosophical or scientific tradition or given by “society.” It can thus align itself with “discovering, inventing new possibilities of life”. Deleuze as quoted in Paul Patton, *Deleuze and the Political*, (London; New York: Routledge, 2000), p. 23. The problem has a “virtual” quality therefore, a capacity to indicate the trajectory of a line of critical thought or social transformation which is not however exhausted by any particular, actual solution or set of solutions. It maintains a continual critical or dislocating effect with regard the actual forms of life that have come into existence as a response to it.

These are different analyses but both depart from the idea that the problem is misunderstood if it is immediately recouped by the ‘ontic’ activity of producing solutions. Rather the problem has to be regarded as an event whose effect is to disrupt the categories in which it is thought and contained.

¹¹ Quoted in Deleuze and Guattari *Anti-Oedipus* p. 29.

¹² *Ibid.* p. 29.

the partial objects of desire or desiring production are experienced as lack. Fascist desire is a desire that desires its own repression because it desperately seeks to replace the openness of endless desire and other-becoming – of a desiring production that ceaselessly produces desire – with some sort of stability, wholeness or closure: I belong to this category, this is my place, these are my duties, this is the abstraction to which I submit. It “flees from flight.”¹³ It is species of “submissive desire that can only take pleasure in its own submission” or “the desire that imposes submission, propagates it.”¹⁴ But in making the distinction between two ways that desire invests the social field – the fascist desire that seeks stasis/death and the revolutionary desire that stretches life to its limits and seeks mutation – Deleuze and Guattari also risk reintroducing the postfascist problematic in terms of a mutually reinforcing distinction between good and bad desires.

Admittedly, Foucault’s enumeration of the elements of a non-fascist ethic in *Anti-Oedipus* – “the art of living counter to all forms of fascism” – does lend itself to this interpretation as well: “Free political action from all unitary and totalizing paranoia;” “Prefer what is positive and multiple;” “The group must not be the organic bond uniting hierarchized individuals, but a constant generator of de-individualization;” “Do not become enamored of power,” etc.: all brilliant prescriptions for the form a non-fascist micropolitics might take, but defined by qualities whose intelligibility is conditioned by an explicit reference to fascism as their irreducible Other. The theorization of a ‘non-oedipal’ non-fascist desire, or of the social as a field constituted by desiring production and desiring machines, would reconceptualize the way the problem of fascism is usually invested in the opposition between the universality of the enlightenment project and particular recidivistic identifications (the purity of race, nation, religion, history, etc.) while leaving the basic opposition, and the basic political impasse, between (now ‘libidinal’) fascisms and post-fascisms untouched.

¹³ Deleuze and Guattari *A Thousand Plateaus*, p. 227.

¹⁴ Deleuze and Guattari *Kafka: Toward a Minor Literature*, p. 4.

When the *problem* of departing from fascism is thought as an event however, that is as a projectile, as something which throws an 'experience' down before us, as something that throws, then it would be an error to interpret it in terms of the already thought, already actualized and overdetermined categories of postfascism. The categories of postfascism indicate where the flight of this problem-projectile has been artificially arrested. Rather, when Foucault speaks of the non-fascist life *as an art* he indicates by his characterizations a way in which our thinking and living might more closely correspond to the singular, unrecuperated movement that is no longer bound to, and actively wards off, the attraction/repulsion dynamic surrounding fascism. It would be the effect of what Deleuze and Guattari call a revolutionary becoming: an affirmation of the connections and coordinates of political life in terms of those elements that have already been at work unraveling and fleeing the postfascist structures that contain and discipline them. By insisting on this singularity, by affirming it, the call for a non-fascist life summons a new form of sociality – "a new earth and a people that does not yet exist"¹⁵ -- that works to continually disassemble the present moment and its postfascist impasses. The project of a minor history then has to be seen in this light.

In the following analysis we examine the processes of government (both of others and of the self) that lead to the experience of coming 'out of hate' or of taking leave of the neofascist movement. The parallel to the situation of postfascist society is clear because it is the same discourses that postfascist government uses to problematize the re-emergence of neofascism and hate that become operational in the socio-therapeutic techniques designed to rehabilitate hate criminals, as well as in the ethical practices of the self through which former hard core neo-Nazis attempt to redistribute their 'desire' and assimilate into liberal democratic society. They confront the same impasses. They are tied to the same assemblages.

¹⁵ Gilles Deleuze and Felix Guattari, *What Is Philosophy?* (New York: Columbia University Press, 1994), p. 108.

The autobiography of the former East German neo-Nazi Ingo Hasselbach is an exemplary text in this regard. We examine it from the point of view of the minor, which is to say from a point of view that affirms the elements in his experience which deviate from the dominant social codes and reveals them in their line of flight even as he attempts to reconstruct his life as a postfascist. Against these forces of *dérive* are the forces at work in the postfascist relationship to the self that, in addressing the political moment of the self/other, or in obscuring it, are continually drawn back to it. The tension in the analysis, and again its *risk*, is to set the postfascist modes of government that inescapably reiterate these codes against a non-fascist becoming that passes beyond them into a different politics and a different state of life.

8.0 Out of Hate: Ingo Hasselbach as *Führer-Ex*

8.1 *Governmental Strategies:*

In every ascetic morality man worships a part of himself as God and for that he needs to diabolize the other part.³

I am going to atone for a sin with an even bigger one. I am going to construct my own normalcy.⁴

Perhaps we get closest to grasping the contemporary problematic of the hateful individual when we trace the specific governmental forms that have emerged to act upon and transform his or her hatred. In this regard it is important to note that the special designation of 'hate' crime not only subjects the hate criminal to harsher penalties but also to special treatments designed to fit the nature of the crime. It is the contemporary procedure by which hatred is made thinkable for government. It allows the response to hate to be managed; in particular by taking account of the problematic agency of hatred *within* the individual and the problematic social supports for hatred *without*. It is a designation in which a knowledge of the processes that lead the hateful subject "out of hate" can be linked to forms of government adequate to enhance or act upon these processes. The problem is, in line with analysis I have been developing, that this designation presupposes the capacity to unequivocally distinguish hate criminals from non-hate criminals, hateful from non-hateful dispositions. The designation presupposes and thus conceals the moment of the political which enables this capacity, a moment which is anything but unequivocal.

I would like to use contemporary neo-liberal and restorative justice approaches to the government of hate to briefly illustrate the theme of how criminal justice is thoroughly intermingled with biopolitics, but more importantly the political dynamic that underlies them. The point is that these systems cannot be understood strictly in terms of the logic of the law or of the biopolitical administration of life but involve a

¹ Friedrich Nietzsche, *Human, All Too Human: A Book for Free Spirits*, trans. R. J. Hollingdale, *Texts in German Philosophy* (Cambridge; New York: Cambridge University Press, 1986), aphorism 137.

² The character Marcello in Bernardo Bertolucci, "The Conformist," (Mars Film Produzione, 1970).

³ Friedrich Nietzsche *Human, All to Human* (Cambridge, Cambridge University Press, 1986), aphorism 137.

⁴ The character Marcello in Bernardo Bertolucci, "The Conformist," (Mars Film Produzione, 1970).

line of transformation or dislocation that refers us to the problem of understanding them in their political dimension. They also presuppose an ethics which is based on a practice of internal distancing. This insight provides us with a different opening to explore the dilemmas of neofascism in postfascist society. Rather than going over the same ground of previous chapters with respect to the political and its impasses, I begin with a “molecular” conception of what is involved in constructing a postfascist relationship to the self, i.e. a postfascist ethico-politics at the level of the subject. With the detailed example of Ingo Hasselbach, a former neo-Nazi leader in East Germany who leaves the hate movement, I analyze the ethical practices that he uses to construct his new sense of self as a postfascist. What we find is that at the level of the individual just as at the level of the institutional and anti-fascist responses to the problem of hate, the postfascist project is deeply flawed. The way to the non-fascist society still requires a substantial process of de-subjectification and a thorough rethinking of the molecular forces involved in the ethical relationship to the self.

8.2 Neo-liberal and Restorative Justice Models for the Government of Hate

The juridical-therapeutic-criminological designation of the hate criminal is part of a biopolitical strategy. It implies a process of subjectification and normalization. It subjectifies by constituting the post-hateful subject through the procedures it authorizes to bring hate criminals out of hate. It acts upon the hateful individual to produce this subject. The designation also has a normalizing effect by ordering these procedures on the basis of scientific/criminological truths about the dangerous nature of the criminal's hatred. The specifics of both rely on the underlying “dividing practice” that separates the hateful from the non-hateful and defines a natural socio-psychological norm of behaviour. Stiffer penalties for hate crimes are simply one strategy in a series of techniques that are designed to separate the individual from the social and psychic sources that sustain his or her hatred and to produce a subject able to participate in

democratic society. The designation of the special category of hate crime is not principally about the codification of rights that have been violated, but the continued production of a form of postfascist life that is threatened by hatred of the other.

In the scant literature that documents the processes of “leave taking” from neo-Nazi subculture, two models of intervention stand out as products of the criminological understanding of the hate criminal. One might be called the neo-liberal model because it privileges a style of government that acts *indirectly* upon the free, decision-making capacities of individuals (their “market” choices) and preserves the inherent and independent rationality of the domain of life to be governed (i.e. intercommunity relations).⁵ It includes techniques like risk management, primary prevention,⁶ the contract, codes of conduct, performance-related enticements, etc. that act externally or indirectly on the individual by acting upon the conditions of their choice rather than through direct disciplinary interventions in their behaviour.

For example, in James Aho’s rational choice framework for understanding leave taking, governmental techniques like counseling and social work would act upon the neo-Nazi as a rational actor who weighs the costs and benefits of leaving the movement. For Aho, the independent processes governing the entry into and exit from hate groups reside in the “communal dimension” (the socially sustained rewards/costs of community membership) rather than in the personal “belief dimension” of individual

⁵ Neo-liberalism here is understood to be a much broader phenomenon than the series of fiscal restraints and free market policies that has characterized the attack on the welfare state since the 1970s. Following Foucault we can see that neo-liberalism is in fact a rationale of government, a style of governmentality, that might be based on economic reason but extends its rationale of rule far beyond the fiscal strategies of the state. It defines a style of governmental strategy based on (1) the privileging of the faculty of individual choice over social determinants in determining the locus of intervention; (2) the reconstruction of the environments in which the choices of interest to authorities are made on the model of the market and market rationality; (3) the individual subject is conceptualized as an entrepreneur of him or herself in the sense that he or she is seen as a being who invests time, skill development, knowledge, energy etc. into an ongoing project increase personal ‘social capital’ and obtain financial, social, or psychic rewards. See summary of Foucault’s analysis of neo-liberalism in Colin Gordon “Governmental Rationality: An Introduction.” *The Foucault Effect*, pp. 43-44.

⁶ Primary prevention concerns methods of intervention to avert the social conditions that produce hate or other problems. For a general discussion of the concept see Robert Castel, “From Dangerousness to Risk,” in *The Foucault Effect. Studies in Governmentality*, ed. Graham Burchell, Colin Gordon, and Peter Miller (Chicago: University of Chicago Press, 1991).

racists.⁷ Thus a rudimentary matrix for intervening in the conversion of hate identities becomes possible by identifying actions that make hate group involvement costly (law enforcement, anti-racist activism, media exposure, etc.) and actions that make the social pull of life outside the hate group attractive (contact with outsiders, job prospects, non-racist support networks, etc.).⁸ The neo-liberal model assumes that the social space in which the decision to join hate groups is rational or has its own rationality that is accessible to market style manipulations of individual choice. Authorities therefore act upon the conditions of the individual's rational choice rather than attempting to 'cure' his or her psychic disposition towards hatred directly through therapy.

Similarly, the "diversion programs" developed in the Los Angeles County's JOLT (Juvenile Offenders Learning Tolerance) Program advocate a contractual model to respond to "bias motivated misconduct" or "low level hate crimes" amongst youths aged 12 to 18. The idea is that instead of criminal prosecution, the youths are given the option to be either expelled from school or to participate in an anti-hate program. They sign a contract in which they commit themselves to completing an anti-hate curriculum, attending an anger-management program, writing letters of apology to the victims, fulfilling the requirements of a restitution agreement, and doing well at school. If they fail to meet the requirements of the contract they are once again subject to prosecution.⁹ Again the neo-liberal aspect of this model is the way it acts on the choice of the juvenile, the key element of the strategy having the effect of a 'responsibilization' of the juvenile with regard to the choice to hate or not hate. Acting upon the costs and benefits of membership, or delineating clear and consequential contractual terms of agreement, is understood to have an effect on leave-taking as external variables that leave the 'personality structure' out of the problem. At the same time though they

⁷ James Alfred Aho, *This Thing of Darkness: A Sociology of the Enemy* (Seattle: University of Washington Press, 1994), p. 125.

⁸ *Ibid.*, p. 136.

⁹ Stephen Wessler, "Promising Practices against Hate Crimes: Five State and Local Demonstration Projects," in *Hate and Bias Crime: A Reader*, ed. Barbara Perry (New York: Routledge, 2003).

produce a doubled effect. These measures act upon the active and calculative, rational decision making processes of individuals, thus implanting the goal of the indirect intervention (i.e. the construction of autonomously rational, democratically viable individuals) into the model of the procedure itself.

A second type of intervention relies on a restorative justice model based on dialogue and apology.¹⁰ It might be utilized as part of a contractual schema but its therapeutic effect depends on a different principle. It does not work externally on the choices of the hate criminal so much as on the active reconstruction of the relationship between offenders and victims. It 'activates' offenders and victims to take responsibility, outside of formal juridical proceedings, for the impact and consequences of a *particular* hate crime. Victim and offender are enticed to enter a dialogue through victim-offender mediation and "structured conversation."¹¹ Like in the scene in the film *The Believer*¹² where the neo-Nazis are brought into a mediation process with Holocaust survivors, it isolates a face to face relationship between actual people as the site of intervention. For Richard Abel, the object of the process is not so much to punish the crime or mediate a conflict but to "equalize status" and "create the space and flexibility that allow parties to renegotiate respect."¹³ As a governmental approach therefore, it is designed to intervene into the problem of hate crime by repositioning victims and offenders in a language game that supports a moral economy of debtor and creditor. The hate crime, whose harm is understood to affect the ability of the victim to enjoy equal status in the community, is addressed by empowering the victim with the capacity to decide the reentry of the offender into the moral community. The process 'restores' justice by actually *producing* a relationship in a language game that assigns moral stations to the speakers. By actively taking responsibility for his or her crime, the

¹⁰ Alyssa Shenk, "Victim-Offender Mediation: The Road to Repairing Hate Crime Injustice," in *Hate and Bias Crime: A Reader*, ed. Barbara Perry (New York: Routledge, 2003).

¹¹ On the idea of the structured conversation see Richard L. Abel, *Speaking Respect, Respecting Speech* (Chicago: University of Chicago Press, 1998), p. 265. Other procedures involved in the restorative justice technique like reparations, community service, attending courses, etc. seem subordinate to the structured conversation.

¹² Henry Bean (director), "The Believer," (USA: Pathé, 2001).

¹³ Abel, *Speaking Respect, Respecting Speech*, p. 264.

offender becomes directly and personally accountable to the victim, who in turn has the obligation to hear the offender's account alongside the power to accept or reject the offender's apology.

As a model for governing hate then, restorative justice acts on the hateful subject by repositioning him or her in the language game in which the hateful utterance or act was originally effective. It repositions the criminal in the position of debtor with respect to the victim, and disrupts the fascist economy in which it is the *victim's* difference that is experienced as an intolerable 'debt' to the whole. It also repositions the criminal with respect to the 'referent' – the hate crime -- or to the agency of their own hatred within. In articulating an account of the hateful actions and motives directly to the victim and in making a meaningful apology, the hatred is held at a distance. The dialogue and the apology in the rehabilitative context of a "ceremonial exchange of respect" are designed to undermine the ignorance, social distance and legitimations that sustain hatred, but also the very structure in which the communication of hate is effective.

Both models rely however on the intelligibility of *the distinction* that enables the opposition between hate and a normal liberal democratic conduct of life. How is this *distinction* made? In the first model it is made by isolating the conditions under which choice leads to rationality. Hate criminality is thus defined as an enclosed and self-perpetuating (if ultimately unsustainable or socially 'suicidal') racist network that distorts rational decision-making. The neo-liberal intervention therefore acts upon the hateful individual by exposing him or her to the conditions where choice leads to rationality. It actively constructs these conditions through the strategic manipulation of the costs/benefits of staying/leaving. In the second model it is made by determining the conditions of reciprocity where dialogue/exchange lead to a moral economy based on equal status and respect. Hate criminality is a dysfunctional language game that entrenches the speaking subject in an immoral economy of harm. The restorative justice intervention is designed to 'restore' the conditions of reciprocity where dialogue leads

to the mutual exchange of respect. Thus the distinction between hate criminality and these two versions of reflexivity (calculative reasoning, empathetic dialogue) forms the matrix of a disciplinary model, or a model that authorizes specific disciplinary and regulatory practices. Rather than opening onto the moment in which we could examine the new modes of sociality that come into existence in light of the problem of hate criminality, they re-entrench the structure in which the problem will continually be reiterated.¹⁴ Or to put it another way, they leave unthought the very distinction which conditions their possibility and the possible ways they have to conceptualize the problem of hate.

8.3 Ethics: Coming 'Out of Hate' as a Practice of the Self

In each case, the ethico-political diagram that underlies the governmental models is more complex than it at first appears. It relies on producing a distance *within* the individual, an ethical space of self-distancing in which the individual operates on him or herself to come out of hate and become an autonomous and reasonable subject. In the case of the government of hate this internal distance parallels the dividing practice in which the distinction between normal and hateful/dangerous subjects is made. The way this distinction itself finds support in the antagonism that structures the

¹⁴ Therefore, the interventions are pitched at a different level and deploy different techniques but still depend on maintaining the opposition between a notion of the irreducibility of hatred and its effects and the model of autonomous, reflexive rationality, as we have argued. Their rationales of government are subject to disruption to the degree that this opposition cannot be maintained. When participating in the rational order of the democratic world leads to an even more effective marginalization (in terms of isolation, blocked class options, disenfranchisement, loss of gratifications), the equation of liberal subjectivity and rationality is shown to be a chimera contingent on a monumental and perhaps impossible restructuring of society as a whole. Similarly, when the neo-Nazis talk back to the Holocaust survivors in the *True Believer* they reveal the danger of the language game of open dialogue to be the dialogic moment itself: the suspension and instability of identities that extend to the authorities who are mediating the encounter and the Holocaust survivors themselves. This is the point that Lyotard made central to his use of the idea of the language game to describe the social: the idea that "every utterance should be thought of as a 'move' in a game" leads to the understanding that "to speak is to fight, in the sense of playing, and speech acts fall within the domain of a general agonistics." Jean-François Lyotard, *The Postmodern Condition: A Report on Knowledge* (Minneapolis: University of Minnesota Press, 1984), p. 10. Holocaust denial is not primarily a dispute about the facts of the camps, but a mode of Althusserian interpellation in which the neo-Nazi attempts to violently define or subjectify Jewish identity.

relationship between liberalism and fascism continues to be a source of disruption in governmental programs. Governmental strategies are forced to confront the return of the political contents of their operation: the perpetual relations of force, the problem of deciding the exception, the irreducible ambivalence of their objects; all the a-technical elements that disturb their technicity. The internal distance that ethical practice must plant at the core of the post-hateful subject also has a political content that returns. The full political implications of Mikhail Bakhtin's concept of *dialogism* can be revealed in the techniques the individual deploys in his or her relationship to the self, as will be seen below with the example of Ingo Hasselbach.

But we need to be careful not to confuse the disciplinary procedures, modes of government, and juridical or moral codes of postfascist society with the individual acts in which a postfascist, ethical relationship to the self is created. This is a distinction that Foucault tries to capture in the distinction between ethics as an art and ethics as a moral code, (eg. when he introduces the ethics of *Anti-Oedipus* as "the art of living counter to all sorts of fascism").¹⁵ As he argues, it is entirely possible to read in the historical record cases where ethical practices of the self, or of "life," become "very strong structure[s] of existence" outside of juridical institutions, authoritarian codes of conduct, and disciplinary structures.¹⁶ The ethical practices through which we form ourselves as coherent moral agents are analytically distinct from the juridical/moral codes and the disciplinary/governmental norms that define what is licit/illicit, lawful/criminal and normal/deviant. Where Foucault can show for example that the moral codes that determine licit and illicit acts in the sphere of sexual behaviour remain in large part unchanged from ancient Greek/Roman civilization to the Christian era and to modern discourses of sexuality, the acts or actual behaviours of people in relation to the moral codes involve very different forms of ethics, or very different conceptions of

¹⁵ Michel Foucault "Preface" *Anti-Oedipus: Capitalism and Schizophrenia*, p. xiii.

¹⁶ Michel Foucault, "On the Genealogy of Ethics," in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon Books, 1984), pp. 231, 35. Michel Foucault, *The History of Sexuality, Volume Two: The Use of Pleasure*, trans. Robert Hurley (New York: Pantheon Books, 1978), pp. 29-32.

the relationship one seeks to pursue with oneself.¹⁷ Similarly, the ethical space of self-distancing that is produced within the individual opens onto the question of the relationship to the self we pursue in light of the problem of hatred/otherness. How do we construct ourselves as ethical subjects with regard to this problem, as a means of leaving this problem behind and living in another non-hateful, non-fascist mode of existence? If in *Anti-Oedipus* fascism and microfascism define a continuous subterranean course that entraps our thought and desire, how do we “free thought from what it silently thinks, and so enable it to think differently?”¹⁸ Or more radically, how do we free ourselves from ourselves? The emphasis on ethics in Foucault’s later work therefore becomes the basis of his renewed interest in an emancipatory art of living and thinking *otherwise*: the problem of the undefined practices of freedom in which new ways of life and relating can be thought and lived.

For our analysis this Foucaultian understanding of ethics is very useful firstly because it allows us to re-examine the categories like the authoritarian or reflexive personality through which the division between hateful and non-hateful subjects is understood, the codes of behaviour or legality through which neo-Nazi violence is condemned, and the distance itself between liberal and fascist modes of subjectivity is constituted. Through these the postfascist ethico-political system is disciplined from the point of view of the ethical relation to the self. A genealogy of these categories that focuses on the ethics of the self reveals their connection to very specific, contingent practices of freedom and self-transformation in which the ‘fundamental experience’ of hatred is problematized and offered to thought. They are products of ethical practices of self-conduct prior to (or at least independent of) their codification in law, morality and criminological truth. At the level of the ethical practices of the individual, these are signs or effects of certain practices of self-mastery in which, as Nietzsche saw, part of

¹⁷ Foucault, "On the Genealogy of Ethics," pp. 237-38. For Foucault the most relevant distinction in this regard is between the modern *truth* of desire which seeks to decipher the nature of our desire to discover the truth about ourselves and the ancient aesthetics of existence in which one attempted to create a beautiful life through the intensification and mastery of pleasures.

¹⁸ Foucault, *The History of Sexuality, Volume Two: The Use of Pleasure*, p. 9.

the self is worshipped like a god and another is diabolized. How can the ethic involved in leaving the hate scene be reconceptualized in these terms? How can we attempt to grasp the ethical technology of the self in its specificity and see the codes as its *outcome*, its mode of self-recognition or way of giving order or truth to itself? The genealogical moment grasps this ethical technology in its freedom, that is, in its attempt to dis-assemble the given problem of hatred and construct a set of practices through which a different mode of sociality and a different way of thinking about 'being together' become possible. This is a point that is obscured when the problem of the hate criminal is examined only from the point of view of the crime that transgresses or the social problem that endangers.

Secondly, given the historical variability in the ways in which we have constituted ourselves as ethical subjects, the fact that we have had other ethical relationships to the self/life and could do so again, allows for the genealogical examination of the instabilities and contingencies that link the components of our postfascist ethical self-formation. It grasps them as an *event*, in their essential instability. In coming into existence they presupposed a new relationship to knowledge, to the other, to the exercise of power in the community, and to the self. To invent the new relationship to knowledge, the others and the self that would open onto a *non-fascist* life is to continually examine the components of our self-formation as *singular events*, that is in the quality that allows us to "separate out, from the contingency that has made us what we are, the possibility of no longer being, doing, or thinking what we are, do, or think."¹⁹ Confronted with the limitations, the failures, the blockages and the dangers of postfascist society, it becomes possible to think otherwise about the condition in which our ethical self-understanding remains unstably and dangerously attached to the practices by which fascism is distanced.

¹⁹ Michel Foucault, "What Is Enlightenment?," in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon Books, 1984), p. 46.

²⁰ Foucault, "On the Genealogy of Ethics," p. 237.

²¹ Foucault, "What Is Enlightenment?," p. 50.

Autobiographical accounts of leave taking from ex-Nazis and neo-Nazis are interesting in this regard.²³ Whatever doubts we entertain about their degree of sincerity or opportunism, the autobiographical form of this genre of apologia also produces a diagram of the forces immanent to hatred based on an understanding of the ethical space of self-distancing. The autobiographical relationship between the author and his or her former self is structured precisely according to this distance and, in turn, according to a practice of self-deciphering in which the truth of the 'hatred' that defined the former self enables a new relationship to the self to emerge. These autobiographical accounts are accounts of the situations through which the author gradually becomes distanced from Nazism or neo-Nazism, but they are also practices of self-conduct and self-constitution in and of themselves. They shift back and forth from the question of 'what kind of person was I to get mixed up in all of this?' to 'In what way can I see my present self as reformed, and how was this reformed personality already a latent quality in my past actions?' The writing itself is a strategic act performed upon the self; the author's continual presenting and molding of the self in order to overcome a kind of crisis within the relationship to the self: neo-fascism as a failed ethics, an inability to form the self as a coherent ethical subject of one's actions. It presupposes an already existing or immanent postfascist ethical mode of conduct through which the exit out of hate can be experienced *per se*. As such we can see in the 'intimacy' of the autobiographical account the way in which the ongoing practices that

²² Michel Foucault, "The Concern for Truth," in *Foucault Live: (Interviews, 1966-84)*, ed. Sylvère Lotringer (New York: Semiotext(e), 1989), p. 461. See also Paul Rabinow, "Introduction," in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow (New York: New Press; Distributed by W.W. Norton, 1997), pp. xxxviii-xl.

²³ Other than the autobiography of Ingo Hasselbach, *Führer-Ex: Memoirs of a Former Neo-Nazi* (New York: Random House, 1996), which I will discuss below, see for example Ray Hill and Andrew Bell, *The Other Face of Terror: Inside Europe's Neo-Nazi Network* (London: Grafton, 1988), Osha Gray Davidson, *The Best of Enemies: Race and Redemption in the New South* (New York: Scribner, 1996), and the various interviews with George Burdi, former leader of the Canadian branch of the Church of the Creator, lead singer of the racist skinhead band RAHOWA (Racial Holy War) and founder of the white supremacist record label Resistance Records (Jon Quitter, "To Hell and Back," *Punk Planet* 48 (March/April, 2002). Southern Law Poverty Center, *Intelligence Report 'Present at the Creation'* ([cited March 24 2005]); available from <http://www.splcenter.org/intel/intelreport/article.jsp?aid=179>. Albert Speer, *Inside the Third Reich: Memoirs* (New York: Macmillan, 1970), remains a classic example of apologia, self-reworking and self-exoneration in the case of "Hitler's architect."

constitute the process of leave taking in the individual subject are practices that are in themselves subjectifying and normalizing. They link a practice of the self to the broader problematic of the postfascist society.

The autobiography of Ingo Hasselbach, the 'ex-Führer' of the East Berlin neo-Nazi movement, provides a good example. On one hand it reads as an account of a "reflexive" neo-Nazi growing up in the intense Cold War politics of East Germany. He begins to disengage from neo-Nazism as he finds the scene of his politics transformed after the fall of the Berlin Wall and the reunification of Germany. The murder of two Turkish girls and their grandmother in a fire-bombing in Mölln in 1992 is the final event that seals his decision to take leave of the neo-Nazi movement. But in terms of the type of relationship to the self manifest in his account, he is already like what Anthony Giddens has called a reflexive personality from the beginning of the autobiography: an individual who 'disembeds' him/herself from unthought social patterns and who "sustains a coherent, yet continually revised" conception of his or her identity as a life project.²⁴

The first point in this regard is how much his reflection on his former life seems uncannily indebted to the analyses of Adorno and his colleagues in the *Studies in Prejudice*, as if he were already sociologically and self-reflectively aware of the characteristics that made him an authoritarian personality. He cites the search for a father figure as a reason that drew him to Michael Kühnen (the leader of the West German neo-Nazi movement) in a way that thematizes the elements of "authoritarian submission" involved in the process. He notes how the sadistic aspect of street fighting and violence against 'enemies' was a release from processes of reason, doubt and adherence to rules of behaviour (in the manner of "authoritarian aggression"). He analyses the irrationality of the ideology – the willingness to hold contradictory ideas at the same time – as a means of living in "a realm beyond rational thought"²⁵ and of

²⁴ Anthony Giddens, *Modernity and Self-Identity: Self and Society in the Late Modern Age* (Stanford, Calif.: Stanford University Press, 1991), p. 5.

²⁵ Hasselbach and Reiss, *Führer-Ex: Memoirs of a Former Neo-Nazi*, p. 318.

avoiding the anxiety of having to think through its over-simplified “stereotypic” explanations of human behaviour, etc. These are elements of his former personality that he self-reflexively seeks to understand and distance himself from in order to leave the neo-Nazi life.

So Hasselbach is very much the paradoxical rational irrationalist that Adorno described in the *Authoritarian Personality* with the proviso that contra the taboo on “intrareception” (reflecting on the subjective life of feelings, fantasies, inner thoughts, etc.) that characterized the authoritarian, Hasselbach’s narrative is a paragon of late modern reflexivity. His late modern ‘rational irrationalism’ takes form in the opposition between the ability to reflexively “disembed” himself from the immediate “time-space” of the neo-Nazi scene -- a space I have already described as *immediately political* -- and the opaque authoritarian forces and desires where this process is short-circuited. It is the manner of this disembedding, and of the dialogic qualities of his subsequent re-embedding in the “abstract systems” and abstract time-space of postfascist liberal democracy that will concern me here.²⁶

Secondly, there are elements in his account in which the neo-liberal and restorative justice models of governing hate are already immanent. He connects himself to a neo-liberal problematic when he analyzes his situation in terms of the external variables impinging on the costs and benefits of the decision to take leave (the death threats, support/non-support of authorities, new friendships, loss of group status, etc.). He connects himself to a restorative justice problematic when he analyses it in terms the therapeutic and normalizing effects of personal encounters with community members and foreigners.

He is like Žižek’s neo-Nazi skinhead who when asked about the motives for his violence responds with a precise sociological or psychological analysis of his

²⁶ On the ideas of the “emptying out of time and space,” “disembedding” and “abstract systems” in late modernity see Giddens, *Modernity and Self-Identity: Self and Society in the Late Modern Age*, pp. 16-18.

authoritarian tendencies.²⁷ He recognizes the irrationality of his acts but continues to perform them nonetheless. Like a proper reflexive subject he *chooses* them.

But in terms of the form of self-conduct immanent in his account of leaving the neo-Nazi subculture, it seems less useful to pose this reflexive distance as a mechanism of his incorporation into the ideological practices that sustain a more fundamental site of power elsewhere, as Žižek does, as to pose it as a direct product of the form of power that he exercises over himself in unstable concert with the normalizing strategies of postfascist society. He simultaneously deciphers the truth of the *agency* of his hatred within – his quality of being a dangerous individual defined by ‘what he is,’ his pathological nature -- and comes to regard himself as a reflexive subject, unattached to any predefined core. Both processes must be seen as part of the same ethical project of leaving the Hate group. The elements of his former self as a hateful individual can subsequently be isolated and “held outside” but in a way that conceals the form generating ‘sovereign’ decision that traces his mode of being onto the *zoe/bios* distinction.

So if on one hand Hasselbach’s autobiography reads as a straight forward account of an unusually reflexive neo-Nazi, on the other hand the simple narrative structure of reflexiveness vs. authoritarianism that organizes the account, must be seen not as the cause but as the *effect* of the particular ethical practice of the self that Hasselbach uses to *steig aus* or take leave. The idea that reflexivity is the antidote to hatred and prejudice is the product of a specific ethical practice. Moreover, it is not clear that in terms of the form of ethical relation to the self it means the same thing to him as it did to Adorno or to those developing strategies to govern hate. The reflexivity/authoritarian opposition is not prior to the leave-taking but emerges as the product of the specific system of ethical practices through which Hasselbach comes to

²⁷ “[W]hen he is really pressed for the reasons for his violence, and if he is capable of minimum theoretical reflection, he will suddenly start to talk like social workers, sociologists and social psychologists, quoting diminished social mobility, rising insecurity, the disintegration of parental authority, the lack of maternal love in his early childhood” Slavoj Žižek, *The Ticklish Subject: The Absent Centre of Political Ontology* (London; New York: Verso, 1999), p. 202.

recognize himself and behave as a postfascist subject. Hasselbach's experience in turn has broader significance therefore because it exemplifies in a very precise way the ongoing ethical work the democratic subject performs on him or herself in also becoming-postfascist. In Hasselbach's example though, the active ethical technique of the self of the democratic subject is brought out of concealment where it has been naturalized and forgotten.

8.4 *On the Uses of Fascist Pleasure:*

In his genealogy of ethical practices in *The Use of Pleasure*, Foucault divides the ethical relationship to the self "through which we constitute ourselves as moral agents" (237) into four components: the determination of an *ethical substance*, or what aspect of the self is to be the object of self-government in ethical practice; the *mode of subjection*, or how the subject positions him/herself with respect to moral codes and social norms; the *ascetic* forms of elaboration, or the means, techniques, and types of knowledge used to work on the self; and the *telos* of the ethical subject, or who the subject wishes to become as a result of this ethical work.²⁸ Similarly, we can think about the specific way in which Hasselbach constitutes himself as a moral agent in terms of these four components: (1) the aspect of his being that he problematizes and in a sense *chooses* to work on to transform himself into a postfascist subject (his chosen ethical substance), (2) the ethico-political criterion in the name of which he is incited to give a postfascist form or rule to his life (his mode of subjection), (3) the specific 'techniques of the self' that he uses to work on himself to ensure his transformation into a postfascist/post-authoritarian subject (his ascetic practice), and (4) the goal of his ethical relationship to the self, i.e. the type of being he wishes to become or the qualities of the postfascist/reflexive subject he wishes to assume (the *telos*).

²⁸ Foucault, *The Use of Pleasure*, pp. 25-32. Foucault, "On the Genealogy of Ethics," pp. 237-40.

The interesting point in Foucault's analysis of ethical practices is the genealogical one: it is not simply the changing conceptions of the self or the problematizations of neo-Nazi violence and hatred which need to be understood in the formation of the postfascist subject. The point is how these are the outcomes of unified practices or techniques of the self "on the basis of which these problematizations are formed".²⁹ Hasselbach comes to recognize in himself a postfascist self that emerges as a kind of solution to the unstable relation of internal and external forces, of forces acting upon forces, that put the operation of his self into crisis. The postfascist self grounds his sense of "ontological security"³⁰ in the manner that Giddens suggests, but only through the prior process of self-detachment and acting differently upon the self to leave hate. The ethico-political conditions of postfascist society have to be thought in the same way.

Ontology: The Ethical Substance

Foucault speaks of the ethical substance most relevant to contemporary moral conduct as one's "feelings" in the sense that, as he argues with respect to sexual practices, "You can have a girl in the street or anywhere, if you have very good feelings toward your wife."³¹ Feelings rather than other aspects of the self are central to the formation of self-identity. To show the variability or 'historical ontology' in this ethical substance he contrasts the contemporary priority given to having good feelings towards someone with the Christian (and later the psychoanalytic) examination of the nature of "desire", the Kantian concern with "intention", and the ancient Greco-Roman concern with "*aphrodisia*" ("the acts, gestures, and contacts that produce a certain form of pleasure"³²).

Similarly, the ethical substance that Hasselbach acts upon becomes legible in the feelings he problematizes in his former neo-Nazi self. He describes the problem in

²⁹ Foucault, *The Use of Pleasure*, p. 11.

³⁰ Giddens, *Modernity and Self-Identity: Self and Society in the Late Modern Age*, p. 36.

³¹ Foucault, "On the Genealogy of Ethics" p. 238

³² Foucault, *The Use of Pleasure*, p. 40.

various places in terms of experiencing a “cleansing distance” from his targets, being “sealed inside an ideological space suit”,³³ a “lack of feeling – a strange detachment”,³⁴ a hardness and coldness,³⁵ a “distance” from society established by violence.³⁶ These qualities of social detachment are a sign of a troubling “inhumanity” that Hasselbach finds within himself and which he sees as the core of the neo-Nazi being-in-the-world. It is a quality that resides at different levels of his autobiographical description simultaneously: in the deep psychological scene of his family circumstances (eg. a lack of intimate relation to his father and stepfather), in the cynical outward conformity of the political scene of East Germany, in the dehumanization of others (and the insulation against their reality) in the discursive scene of neo-Nazism, and in the ongoing pragmatic scene of everyday neo-Nazi life: the militaristic self-hardening required for conducting violent actions against foreigners and anti-fascist activists.

The key moment in Hasselbach’s narrative is where, after a few days in solitary confinement in a DDR prison, at the age of 19, he finds himself coming out of a bout of depression, insanity, and despondency, but only at the cost of his feelings. “I found myself then on the way to getting better, although it seemed as though all the feelings in me had died”.³⁷ There is the suggestion in Hasselbach’s account that one could take this lack of feeling to its conclusion, and frequently the parallel histories of friends mentioned in the book serve in the narrative as cautionary models of this eventuality. “When I looked at Freddy [a “pure animal,” a “pure sadist”], I still felt affection ... but I was also disturbed, for in him I could see the rawest version of what we all were becoming”.³⁸

What is the ‘ethical substance’ that Hasselbach acts upon in problematizing the experience of this “strange detachment”? On one hand it is akin to the “good feelings” that Foucault identifies as the domain of moral consideration in contemporary sexual

³³ Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, pp. x-xi.

³⁴ *Ibid.*, p. 55.

³⁵ *Ibid.*, p. 60.

³⁶ *Ibid.*, p. 297.

³⁷ *Ibid.*, p. 55.

³⁸ *Ibid.*, p. 113.

practices. The detachment refers to the mode of self-recognition or self-finding in which the young Hasselbach assumes his inner coldness and hardness. It is a quality to do with feelings that troubles him in the sense of a *lack* of feelings, an inability to feel, an inability to empathize or an inability to come into a sympathetic proximity with the other. The other is not felt as a being immediately present to the self. His experience is defined by a distancing from the other in which no feelings, good or bad, exist and which is also the experience of a distance from himself. The hardening off or 'armoring' that Klaus Theweleit for example finds linked to the theme of flows and blood in the fantasies of German *Freikorps* men would appear to have the same ethical substance as does the "inability to have any immediate human experiences at all" central to Adorno's understanding of the fascist personality.³⁹ It is also an aspect of the ethical substance of feelings that leads Hasselbach to state that he never *felt* justified in street fighting and attacking foreigners, that it was not a *good* fight. There was always an element of scruples that interfered, or a sense that this violence was conducted in bad faith or in a cowardly manner that prevented his wholehearted affirmation of those acts. "I knew it was cowardly to attack two on one and to keep kicking when he was on the ground, but here my 'politics' came in to help me: this was my political enemy, and neo-Nazis were supposed to fight their enemies ruthlessly."⁴⁰ This is important for Hasselbach's claim that emotional and ideological distance from the enemy is the condition of keeping "hate pure" and that understanding the *truth* of this lack of feelings, the immanent agency of hatred beneath it, was his particular way out of the hate scene.

But, on the other hand, it is in the particular assemblage where this problematization becomes active that the ethical substance of feelings becomes interesting: in the narrative it is linked (a) to the problem of the ideological politicization of social relations: a friend/enemy distinction that refuses the model of

³⁹ Klaus Theweleit, *Male Fantasies. Vol. 1: Women, Floods, Bodies, History* (Cambridge: Polity Press, 1987). Theodor W. Adorno, "Education after Auschwitz," in *Can One Live after Auschwitz?: A Philosophical Reader*, ed. Rolf Tiedemann (Stanford, Calif.: Stanford University Press, 2003), p. 27.

⁴⁰ Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, p. 229.

social life as interspersed relations between “persons”, (b) to the problem of the use of violence: the feeling of power it produces, the blanking of thought and “scruples” that it corresponds with, and the residual property of gratuitous cruelty it generates, and (c) to the correlative problem of the pleasure or experience of a high -- a “pure joy” -- in the violent act.⁴¹ In fact, rather than a lack of feelings precisely, the problematic ethical substance is identified as a type of affective organization corresponding to the neo-Nazi form of life, where a certain lack of feeling or coldness exists in relation to an *excess* of feelings of power/pleasure that threatens to cross over into cruelty. “When you hit without holding back, it’s a liberating feeling. You feel all powerful.”⁴² This is an economy of feelings that we will discuss below in terms of the affective life of “the pack” that operates in and through the *Kamaradschaft*.

The ethical substance at the center of Hasselbach’s relation to himself then can only be discerned in the distinction between the two different organizations of affect that are problematized in the narrative: one is the quality of *being able* to feel, to experience intimacy, to have a compassionate attachment to others in the social field, to empathize which is linked both to a non-ideological/depoliticized concept of social life, an ability to live in an ethico-political space characterized by the intimate sphere of mutual care personal/familial contacts and friendships as his grandparents did: [“my grand parents meant so much to me because at heart they were the least ideological people I knew, and the most human.”]⁴³ and to an abstract or ideational notion of the inviolability of the human being. The other organization of affect is the nexus of *ideology-violence-pleasure* that forms in its unity the ‘ethical’ substance of Hasselbach’s neo-Nazism.

⁴¹ Hasselbach for example describes his role leading an attack on an anti-fascist house: “Shortly after my return from Rostock...I experienced what I can only describe as one of my all-time ‘highs’ as a neo-Nazi – the ultimate Führer Feeling, a moment when ideology and violence came perfectly together to give me utter control over a group of violent followers.” *Ibid.*, p. 304. Similarly, he recounts the pleasures of violence: “The anger in me seemed infinite at that point, yet somehow releasing it was so wonderful that I found myself laughing hysterically at the fact that I was kicking this guy’s guts in. My mind and my feet were released from all rules. I wasn’t laughing out of some sadistic sense of humour; I was laughing out of pure joy.” *Ibid.*, p. 229.

⁴² *Ibid.*, p. 73.

⁴³ *Ibid.*, p. 7.

If we attend to the dialogic structure of the narrative, the points where the “word” of Hasselbach’s younger neo-Nazi self intrudes into the reformed Hasselbach’s self-accounting, disrupting its semblance of realism, then the ethical substance he acts upon appears not simply to be the capacity for good feelings or empathy in contrast to coldness/violence, but an uncomfortable and perhaps undecidable middle point between two affective regimes. These differing regimes are not opposites held within the same ethical problematization of ‘feelings’ so much as two separate ways of positioning ‘feeling’ in an ethical relationship to the self. Having good feelings toward the other is not in the same ethical field with the neo-Nazi’s ideology-violence-pleasure. In the image the young Hasselbach held of capitalist West Germany -- the bland, commercialized, democratically administered and depoliticized society of “bourgeois suck ups”⁴⁴ -- the ethics of having good feelings toward the other is equated with being absolutely *indifferent* toward the other, (i.e. another form of “lack of feeling”). In the neo-Nazi ethic on the other hand, the coldness is not a problem per se. Rather it is the point where ideology-violence-pleasure – “the raw psychological and physical power the Movement unleashed”⁴⁵ -- crosses over into undisciplined cruelty and “pure animality” that prompts Hasselbach’s ethical reflections on the type of relationship he ought to have with himself. The ethical substance in Hasselbach’s ethics of leave-taking does not therefore lead precisely to the questions of ‘How can I have good feelings for others?’ or ‘How do I become a subject who acts on the basis of good feelings?’ but ‘how do I become a subject for whom lack of feelings means indifference (in contrast to empathy) rather than coldness/detachment (in contrast to the excessive cruelty generated by the unity of ideology-violence-pleasure)?’

The two possibilities can be schematized as follows:

<u>Ethical Substance:</u>	Neo-Nazi	Post-Nazi
Feeling	Excess violence/cruelty	Good feelings toward the Other

⁴⁴ Ibid., p. 298.

⁴⁵ Ibid., p. 304.

Lack of feeling	Coldness	Indifference toward the Other
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Deontology: The Mode of Subjectification

This regard for the humanness of the other and the renunciation of the affective nexus of ideology-violence-pleasure is produced within a *mode of subjectification* that might be described in two components: (1) Hasselbach's reflection on the truth of his self and the motives that lead him in and then out of the neo-Nazi scene; (2) his subsequent submission to an "economy of ideality" centered on the idea of the ideal equality and exchangeability of 'human persons.'⁴⁶ These two frameworks are the means by which he positions himself in relation to the order of the postfascist life. They provide the terms by which his commitment to leaving the neo-Nazi organization is valorized.

The deciphering of the truth of his self is the explicit project of the autobiography. As Hasselbach puts it, the book was to be "a complete account of my experiences and my motives for being a neo-Nazi—why I'd joined and why I'd quit—and what kind of person I was now."⁴⁷ The writing itself is therefore a mechanism that Hasselbach uses to ground his self-understanding in the truth of the agency of hatred and in the elements of his personality that revolved around it. This might be posed as the attempt to free a viable moral agency in himself from the tyranny of an irrational

⁴⁶ On the idea of the "economy of ideality" see Etienne Balibar, *Politics and the Other Scene* (London: Verso, 2002), p.s 32, 129. Balibar's concept is akin to the notion of the "homogeneous" in George Bataille's restricted economy where human relations are ordered by a framework that allows commensurabilities to be established between identifiable persons and situations. The transformation of use value into exchange value, the sensual object into the commodity would be the prime example. For Balibar and Bataille, the key element of this economy is the way in which the ideational economy is created by expunging those things that are irreducibly heterogenous: elements of excess, violence, the exceptional, the useless, the sacred, etc. that are "impossible to assimilate" Georges Bataille, "The Psychological Structure of Fascism," in *Visions of Excess: Selected Writings: 1927-1939* (Minneapolis: University of Minnesota Press, 1985). Balibar like Bataille notes however that "violence is, of necessity, part of ... the 'economy of ideality'" (*Op. cit.*, p. 129). Here I would like to indicate a more specific usage of this term to conceptualize the point where the juridical model that inscribes the democratic citizen into the political order -- the 'abstract' citizen whose liberties and equality with others are delimited by the constitutional legal order, 'without regard for persons' -- crosses over to define the normalizing and disciplinary practices in which subjects are produced as 'citizens' as such.

⁴⁷ Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, p. 351.

hatred or from the trajectory of ideology-violence-pleasure in which this hatred or cruelty would eventually be produced as its own particular excess. He seeks to understand the changes in the way he experiences the lack of feelings at his core within a causal chain of motives (psychological, social and political) and their moral consequences. In other words, the conception he has of his own emerging moral agency in the book is tied to a kind of social scientific truth or causality he develops concerning his nature. If “in every ascetic morality man worships a part of himself as God and for that he needs to diabolize the other part,” for Hasselbach the ‘other part’ is conceptualized as an element of mere life: *homo sacer*.

In this regard it is not surprising that Hasselbach’s account of his former self reads like a chapter from *The Authoritarian Personality* because the model that he uses to diagram the relationship between personality and ideology operates on the same basis. He identifies his former self with a unified personality type in which an ideological mentality is linked to underlying psychological needs in a single character syndrome. But in this way the terrain of this emerging moral agency is already thoroughly penetrated by the normalizing procedures of knowledge and power. He frees his moral agency from his attachments to irrational hatred by integrating a scientific discourse on what the self is into his ethical self-formation. This in turn is not independent of the normalizing procedures through which fascism is distanced in the postfascist era.

It is of interest that the causal chain in which he isolates the ‘truth’ of his relationship to neo-Nazism is posed simultaneously at the personal/psychological, the social and the political levels because of the second component of his mode of subjectification: the way he places himself in the collectivity and assumes his postfascist “symbolic mandate” as Žižek might put it. He comes to recognize himself as a moral, postfascist subject amongst others in the way he places himself within a type of ‘interiority’ or symbolic order peculiar to his understanding of liberal democracy. In terms of the ethical relationship to the self, he must recognize himself and the others he

encounters only in that aspect that defines their humanity common to all, i.e. their basic personhood. When Hasselbach writes, "To ... approach my enemy without my ideology on was to risk discovering him as a person"⁴⁸ he is not stating a factual state of affairs – that of course everyone is just a person, even the enemy is a person -- as much as delineating what was at stake in the transition between modes of subjectification. One is able to behave morally to the degree that one accepts the rules of exchange in an economy of ideality centered on the idea of the human person. Posed as an ethical problem this might be stated thus: How does one seek the minimal shared universal qualities of humanity in persons rather than their potentially disturbing particularity? How does one treat other people 'just as persons'? At the level of the mode of subjectification the answer is already presupposed in the ability to pose the question. The question is thinkable only to the degree that personhood is the defining feature of the individual and of the way the individual thinks him or herself in relation to others. "I couldn't think of these Turks just as foreigners. They were also people – dead people with families."⁴⁹

This mode of subjectification is thus a way of entering the 'restricted economy' that grounds liberal ethics: the way in which social exchanges between people are governed by an implicit contractual agreement. The idea that individuals themselves are equal means in practice that they are of *equal exchange value*, at least in the common element of humanity that defines their personhood. Human rights, the inviolability of the individual and the ethic of respect for the other refer to this ideational quality common to each, in which each can enter into social relations with the other because each is in this residual quality exchangeable with the other. It is in the quality of humanness common to all that the individual is inscribed into the juridical order of the liberal democratic state,⁵⁰ not in terms of their singularity, their difference, or the

⁴⁸ Ibid., p. xi.

⁴⁹ Ibid., p. 324.

⁵⁰ As Agamben notes, this is a profound reversal of mode of inscription into the political life of classical societies because the notion of humanness common to all is precisely the bare life (or *zoē*)

integrity of their individual form-of-life. It is a practice that links a reflection on the ethical substance (the capacity for feeling) to a relation to the self, to the form of association with the other, and to the political community; identifying those elements of irrationality, ideology, and coldness that disrupt this as elements of inassimilable and unuseful *excess* that need to be suppressed or controlled. In this way an internal relation with Hasselbach's self regarding the capacity for empathy and feeling is linked to a mechanism of situating himself in the social so that he can exist with 'problematic' others and fit himself into the unpoliced and unpoliticized spaces of the social in liberal democracy. These are factors which in the ethico-political make-up of the liberal democratic subject no longer appear as anything but natural. For Hasselbach however it represents the ethical work of transition from a mode of life characterized by street battles, demarcated territories, politicized ideas and 'propaganda,' and the affective life of the pack.

Ascetics: The Practice of the Self

The transition is accomplished through two types of *ascetic* practice. These have to be thought in Foucault's expanded sense of the term. By asceticism he does not strictly mean a type of renunciation (eg. of pleasure or worldly concerns) but a systematic "exercise of the self on the self by which one attempts to develop and transform oneself, and to attain to a certain mode of being."⁵¹ Hasselbach makes a move to reinvent himself as a postfascist subject through his writing and through the mode of his leave-taking. Both are renunciations of sorts: a working-over of his past life to inwardly renounce any source of lingering attachment to the neo-Nazi scene in the first case, and an actual radical and public renunciation of the movement in the second. But

whose exclusion founded political life (or *bios*). Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, Calif.: Stanford University Press, 1998), p. 127.

⁵¹ Michel Foucault, "The Ethics of Concern for the Self as a Practice of Freedom," in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow (New York: New Press; Distributed by W.W. Norton, 1997), p. 282. In this passage Foucault contrasts his notion of asceticism as a practice of the self with Weber's notion of worldly asceticism (*innerweltliche Askese*) as renunciation in the *Protestant Ethic*. See also his comments in Michel Foucault, "Technologies of the Self," in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow (New York: New Press; Distributed by W.W. Norton, 1997), p. 224.

both are better grasped as ongoing positive practices or *askeses* that enable Hasselbach to systematically construct a new form of life for himself. They represent the unified conduct that Hasselbach uses to transform himself into a different type of subject.

In the last chapters of the book it is odd to come across the passages where Hasselbach entertains doubts about his ability to “stay out” once he’s left the movement.⁵²

“To tell the truth, I myself was worried that I might have trouble ‘staying out’ once I quit the Movement. It was my whole life; practically everybody knew I was in it, I had a position of authority, and many people looked up to me. What would I find on the outside? And if it wasn’t enough, wouldn’t I want to get back in? I decided that, for it to work, I’d have to find some way of quitting that would keep me from ever letting myself get sucked back into it. There was always the danger of going back out of boredom or loneliness.”⁵³

It is odd because the perspective in which the book is written does not allow these doubts to be accredited. In part this is because by the time the book is being written Hasselbach is already successfully out of the movement. It is a history written by the victor. But also, in line with our thesis that fascism remains an unrepresentable excess in postfascist society, it is because the thinking or the passional assemblage that would support the experience they represent is suppressed in the narrative. It is as if the memory of those doubts persists but their connection to his life, the living context in which they were thought, has been erased. In the text they are not living words but “word-mummies” as Bakhtin might say.⁵⁴

In terms of the ethical relation to the self we can try to conceptualize this not in the broad moral juridical codes that structure the ethico-political space of postfascism but in the work that Hasselbach performs on himself. We are not permitted to see the thought or the impulses that would draw the author back into the movement because of the type of ascetic practice the writing represents. In simple terms the ascetic practice

⁵² Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, pp. 335, 51.

⁵³ *Ibid.*, pp. 335-36.

⁵⁴ M. M. Bakhtin, "Toward a Methodology for the Human Sciences," in *Speech Genres and Other Late Essays*, ed. Michael Holquist and Caryl Emerson (Austin: University of Texas Press, 1986), p. 168.

is an act of systematic translation. The younger Hasselbach's experience is translated into the postfascist's narrative of a successful leave-taking. The ascetic practice is one of molding the events that made up the author's neo-Nazi career into a narrative that firstly, as we have noted, produces a chain of motives and causes in the effort to establish the truth of his personality, and secondly, represents his former life monologically from the undivided perspective of reform. The 'word' or utterances of the younger Hasselbach that might reveal the antagonistic context of the neo-Nazi world are controlled in the "exercise of the self on the self" that the writing embodies. In a very personal way that nevertheless opens quite obviously onto some of the dominant forms of institutionalizing the social and political field, the book has the disciplinary character of an individual *Vergangenheitsbewältigung* (mastering of the past).

We find the method of this exercise in the numerous places of encounter where the word of the younger Hasselbach and the ideologemic sequences which ordered the ideology-violence-pleasure unity of neo-Nazism are marked but displaced by the "counterwords" or the recontextualizations of the older author. Here it is valuable to list some examples which provide both the outline of the antagonism between fascism and liberalism through the author's eyes and his way or ascetic practice of refusing its destabilizing effects. In the cases of reported speech, where the change in speaking subjects is formally demarcated by the use of quotations, the words of his former self are entirely enclosed in the polemical commentary of his authorial self. The neo-Nazi "Movement," which had seemed "humanitarian and heroic," was now a "hate filled crusade."⁵⁵ Trying to "defend" his society against crime, immigration, cultural "alienation" and global conspiracy was now "an ideology of pure hate."⁵⁶ Thinking "defensively" from the perspective of "an embattled German man" was now an inability to think objectively or from another's point of view. The "Kamerads" were

⁵⁵ Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, p. 319. "Movement" is not enclosed in quotations as reported speech in the book but it is almost invariably capitalized which indicates its intonation as a word from Hasselbach's former self.

⁵⁶ *Ibid.*, pp. x, xi.

now no longer a tight knit group based on a pact of personal ties and shared adversities (“beaten and warped into what we were by the bizarre, disappeared system of Communist East Germany”) but were doctrinaire “neo-Nazis first” who would “kill me and my family and anyone else without blinking if they thought it best served the Movement.”⁵⁷ The work of making recruits ideologically “fit” was now a process of ideological “indoctrination,” “searching out people’s psychological and intellectual weaknesses and exploiting them.”⁵⁸ The discourses on “race,” “Race Mixing” and “Race Defilement” were now devices that enabled the shift from politics and indoctrination to the irrational violence of “pure sadism.”⁵⁹

This system of translation becomes more complicated in the case of the unreported or the half-concealed words of his former self, especially in those moments when he “has to confess” to certain pleasures in exploiting the weaknesses of the young Kamerads, in the “ultimate Fuhrer Feeling” of control in unleashing the movement’s “raw psychological and physical powers,” or in those “rare moments of completely shameless fighting.”⁶⁰ Here the dialogic overtones of his former speaking self spread back into his current narrative even when he is quick to interpret these joys and “highs” as signs of weakness, cowardliness, and irresponsibility. Especially with respect to the joys of violence, his current account is unavoidably doubled; inflected by the sense that the two violent alternatives that he rejects (the cowardliness of fighting or the pure sadism of wholly committed fighting) are signs of an ongoing and uncompleted project of virile self control or Nazi self-mastery which remains the unacknowledged premise of his current postfascist ethos.

The *Vergangenheitsbewältigung* is evident here in these examples of Hasselbach’s authorial reworking of the past. The translation of past events into the postfascist perspective of the author’s present is a form of ethical work that for the most part is unacknowledged and concealed in the realist form of the presentation.

⁵⁷ Ibid., pp. viii, xii.

⁵⁸ Ibid., pp. 238-39.

⁵⁹ Ibid., pp. 107, 09, 12-13.

⁶⁰ Ibid., pp. 238, 304, 29.

Realist narratives treat the events recounted as already mastered, as an objective set of events that the narrator (and the reader) simply needs to look at to see. To see the book as an ascetic practice that Hasselbach per force must exercise upon his self to become postfascist though, is to note the two dialogical axes on which this self transformation is constructed. The book is not an account of a neutral set of facts but an encounter between (a) Hasselbach and his former self and (b) Hasselbach and his audience. This is another way of saying that “the utterance is related not only to preceding, but also to subsequent links in the chain of speech communion.”⁶¹ The encounter with his past takes the form of matching the neo-Nazi’s words with an assemblage of counterwords: Movement/Hate crusade, defense of the fatherland/ideological irrationalism, Kamaradschaft/brutal killers, ideological fitness/indoctrination, racialism/legitimation of violence, violent insurgency/cowardliness and sadism, etc. He rigorously curtails the independent life of his former words. On the second dialogical axis Hasselbach encounters the audience that he is writing for: in part his ideologically rigid father, in part the film-maker Bonengal who influences him to begin telling his story, but most importantly for his ethical project perhaps, the German and international public with whom he wishes to assimilate. The account is therefore a thoroughly social and historically specific, dialogical rendering of his life which becomes the medium of his practice of the self in so far as his self-accounting is word by word written in anticipation of the response of a non-fascist audience in the early 1990s. It is a way of producing himself as an ethical subject assimilated into a non-fascist world.

The writing might therefore be considered as a systematizing of the ethical practices of the self. It puts them in order by fixing the distance between the authorial self and the former self. The former self becomes a socio-psychological object to be worked over, while the authorial self is allowed to become the *specular* subject of liberal democracy: a subject whose internal consistency and objective, authoritative

⁶¹ M. M. Bakhtin, “The Problem of Speech Genres,” (pp. 60-102) in *Op. cit.*, p. 94.

gaze is affirmed by the disqualification of fascism.⁶² Nevertheless, the book presupposes a certain coherence in the initial set of practices that Hasselbach engaged in in actually taking leave of the movement. This is a parallel set of ascetic techniques that operate in a sense beneath and prior to the writing, at a non-divisible ‘molecular’ level.⁶³ They have the quality of developing a state of being capable of submersing in the outside: an ascetic practice of *submersion*.

This practice of submersion might be described in three strategies. The first strategy is Hasselbach’s response to the severe experience of self-estrangement, of looking at his life from the outside, that characterized his encounter with the documentary film-maker Winfried Bonengel. “It was a terrifying moment, for I suddenly felt cut loose and adrift. My home was in the Movement. Outside was nothing.”⁶⁴ Confronted with an image of his *kamarads* seen through the film-maker’s eyes as “hate-filled drunken pigs,” and forced to endure Bonengel’s ridicule of the movement, Hasselbach describes his sensation as “a debilitating mix of adrenaline, fear, outrage, embarrassment, and secret amusement.”⁶⁵ His response is one of both an acceptance at some level of the privileged position of this outside view, even though the “outside was nothing,” and an exercise of restraint, or of sitting with the experience of estrangement. “I just managed to restrain myself, sitting back, brooding, steaming with shame and anger.”⁶⁶ The metaphor he relies on to describe this experience of estrangement or doubling is of an alien seed “like a child, another creature” growing inside him and reorienting his thought.⁶⁷

⁶² At a more complex level than the work of translation is bound to the production of a particular *type of subject*. As Colin McCabe noted more than thirty years ago, the monologic structure of the realist text is intimately related to the production of the *specular* subject: a subject whose internal consistency and authoritative gaze is affirmed by the constant reiteration of a simultaneously objectifying and subjectifying distance between the viewer and the viewed, which is affirmed by the capacity to simply look on in a privileged way to the unfolding of objectively verifiable facts.

⁶³ On the distinction between the “molecular” and the “molar” see Deleuze and Guattari *A Thousand Plateaus*, p. 33.

⁶⁴ Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, p. 292.

⁶⁵ *Ibid.*, p. 293.

⁶⁶ *Ibid.*, p. 292.

⁶⁷ *Ibid.*, p. 295.

As an ascetic practice of elaborating the self however, it restructures his relationship to his self along a line that separates two types of self-distancing: one was the emerging “mental and emotional distance from the Movement itself”⁶⁸ that eventually results in Hasselbach gaining complete trust in Bonengel and leaving neo-Nazism, while the other was the possibility of “getting deeper into the violent side of the Movement,”⁶⁹ despite doubts about its ideology, in a bid to further establish a distance from the society he “couldn’t stand”.⁷⁰ The narrative at this point is structured around the stark alternative of becoming a neo-Nazi terrorist in an underground cell or of trying to find an acceptable model of “normal life”.⁷¹ The first represents the sacrifice of reflexivity (from the perspective of the older Hasselbach’s ethics at least); the second, the alternative between conversion to democratic, multicultural normalcy or a *becoming foreign to himself*: stepping as a stranger into the “nothing” of “the outside” which, while familiar from the neo-Nazi ideological standpoint, nevertheless thoroughly alters everything within it. Correspondingly, his ethical relationship to his self does not conform precisely with the traditional ascetic models of self-mastery, purification, or even ‘becoming normal’ but with a process of pushing himself to sit with, of relinquishing his resistance to, or submerging himself in a mode of life foreign to his own.

The second strategy in the sequence is how the actual public break with the movement is accomplished as an act performed on the self. Again the doubts he entertains about his ability to quit seem artificial in the narrative given the lack of context that would substantiate their urgency, but as a kind of internal problematization, a sign of personal vertigo, they are instrumental in giving form or thought to the particular ascetic practice he uses to explicitly break ties and live “outside.” They outline the specific dangers of failing to find a coherent way to act upon the self in coming out of hate. Thus the break Hasselbach eventually made, in the

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Ibid., p. 297.

⁷¹ Ibid., pp. 297-98.

form of a public declaration on television, was calculated to preemptively burn any bridges back into the neo-Nazi community.⁷² It was an act of renunciation (of friendships, status, ideological bearings, political contestation, a symbolic location in society, the power/pleasure of violence, etc.) premeditated to eliminate the possibility of returning. In other words, it was an act directed towards himself as much as an announcement to his former kamarads, anti-fascist activists and to the public at large. At the same time, it is crucial to still see it as a strategy within the series of positive techniques of acting upon and transforming the relationship to the self rather than simply a renunciation or act of sudden conversion, albeit a technique that has a special 'ontological' significance in the sequence (a point to which we will return). In this regard, it is the doubts, which the radical leave-taking were intended to assuage or preempt, that are key to understanding the ascetic practice. The truth of the practice, the need to find a new basis of thought and a viable ethics -- another politics outside fascism vs. liberalism -- forms around the dangers they problematize: the lingering attachments to the other horizon of a neo-Nazi life on one side and the dangers of boredom and isolation contingent on entering the depoliticized world of bourgeois consumerism and nihilistic indifference on the other.

The third strategy in the sequence is the way Hasselbach acts upon himself to be able to actually create a life on the outside and to live on the outside's terms. The final means he uses to change himself into an ethical subject is a practice of submersion proper: an ascetics of submersing himself in multicultural, democratic society and

⁷² Tore Bjørgo notes that this is a particular type of exit strategy from racist groups. It is high profile and therefore a strategy suited mostly to well known activists and leaders. It not only burns bridges and removes the possibility or temptation of returning to the group but is also a kind of symbolic bid to gain acceptance to anti-racists and the wider community. Bjørgo characterizes the situation of "the exit" in terms of the social conditions of the rational choice to leave or stay and not in terms of the ethical relationship to the self. Tore Bjørgo, "Entry, Bridge-Building, and Exit Options: What Happens to Young People Who Join Racist Groups – and Want to Leave" Pp., in *Nation and Race: The Developing Euro-American Racist Subculture*, ed. Jeffrey Kaplan and Tore Bjørgo (Boston: Northeastern University Press, 1998), p. 247. It is also important to note (especially with respect to the literature on leave-taking which seems to isolate the exit strategy as the only important thing) that this renunciation is not the entirety of the ascetic practice of leave-taking but takes place as one element in the ongoing sequence of self-transformation. In Hasselbach's case we are arguing that it should be seen as one technique of acting upon the self in an overall strategy which has the character more of line with the *submersion* than of an ascetic renunciation or sudden conversion/defection.

living “simply as a person” among others. This is perhaps the least developed theme in the book, and the most compromised. An indication of the problem is the first encounter he has with Bonengal’s friends. They represented the social milieu of a Berlin he didn’t know: “a city of art galleries and exhibits and concerts and plays, a multi-ethnic city of gays and lesbians and people from around the world”.⁷³ Being with them also represented a test and a kind of exercise of the self in becoming ‘just a person.’

This was exactly what I needed – to be with people utterly outside the scene who didn’t confront me as a Kamarad or a Nazi pig but simply as a person.⁷⁴

Once they see Bonengal’s documentary however he finds that he “was a different person to them some diseased specimen that they wanted to examine more or less a freak in their eyes.”⁷⁵ The ethical problem for Hasselbach here is not so much how to “sit back” with the dislocating experience of watching himself through the eyes of the other again but how to overcome the neo-Nazi identity and shame in a way that would allow him to be with others “simply as a person.” He finds that he cannot “erase” the past identity, nor erase himself (as he contemplates suicide).

A few months later, when he goes to stay in Paris after his public renunciation of the movement, he engages in a kind of work on the self which might be characterized as a becoming-foreign by becoming-anonymous or *becoming-imperceptible*. His discussion of this period centers on the exotic otherness of the different races, ethnicities, and languages and the “staggering complexity” of the cosmopolitan scene of Montmartre, but the ethic of being-with-others he enunciates is one of allowing himself to be submersed in another “reality,” one that privileges the inexhaustible “firsthand experience” of “an entire world taking place in many languages and colours.”⁷⁶ In other

⁷³ Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, p. 328.

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*, pp. 328-29.

⁷⁶ *Ibid.*, p. 341.

words he abandons two pillars that supported his neo-Nazism: the ethic of the “cleansing distance” from the other and fidelity to the fatherland. He becomes foreign not only to his former neo-Nazi self but in his mode of sociality itself. In a reversal of the classical Nazi trope of defense against the vast flood of corrupting foreigners/others that overwhelm the white race,⁷⁷ Hasselbach connects with the social by seeking to immerse himself in that vast and complex otherness. He abandons the certainties of race politics for “an endless string of questions”.⁷⁸

...we were surrounded by people of every race and colour—many of them black Africans and Arabs. Here I was the blondest and without doubt the tallest one on the street. But people were friendly to me. They didn't stare at me as we would have at a black person in East Berlin. This was a cosmopolitan world, and they were used to seeing people from all over. For the first time in my life, I was a foreigner.

The ascetic work then, if this is the right term, is to come to recognize himself in a manner of being in which the ideological categories of fascism and liberalism, neo-Nazism and anti-fascist activism, race and humanity, the embattled German man and the foreigner etc. no longer structure his immersion in the social. He becomes a foreigner by submersing himself in an indivisible space where he sees everyone as a foreigner among foreigners.

Nevertheless these three ascetic practices that Hasselbach highlights to demonstrate his exit experience – the sitting with dialogic doubling, the public declaration, the submerging – are not weighted equally. In terms of the main theme of the book and the concerns he has with life on the outside after he returns from Montmartre (the effort to construct an identity acceptable to the democratic other, the problems of surviving retribution from his former Komrades, the difficulties of maintaining relationships with non-neo-Nazis, etc.) it is the public break with the movement that becomes the master narrative for defining his new postfascist form of life. The subtleties of maintaining the dialogic suspension of identity or continuing on

⁷⁷ See especially Theweleit, *Male Fantasies. Vol. 1: Women, Floods, Bodies, History*.

⁷⁸ Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, p. 341.

a line of flight into foreignness are disrupted when the practice of leave taking takes on the character of a kind of conversion experience or defection in which the possibilities of life are defined by a fixed border between neo-Nazism and democratic citizenship. The public *Abrechnung* is continuous with the ascetic practices of the self, but it also becomes a means of capture. It reterritorializes the experience of submerging or becoming-foreign onto the rigid symbolic divide between fascism and liberal democracy. The telling difference is between the theme of the outside as a “nothing”, an unknown and unassigned territory where the ethical work would operate as Agamben says, as a “potentiality” and not as the attempt to assume an essence,⁷⁹ and the theme of the outside as a space that is captured by the fascist/postfascist divide, the bridge that when burned returns in the most complete way, defining the present in terms of the shameful identity of the past. An ethics of submersion and self-detachment that could open onto the affirmation of Hasselbach’s existence as potentiality is tied to categories that separate him from the process of becoming-other/becoming-foreign by forcing him to turn back towards the past.

It is difficult to think of Hasselbach’s process of leave-taking in any other way than the public break but only because the dialogical suspension of identity and the becoming-foreign by becoming-imperceptible remain in crucial respects unthought by him. It is an idiosyncrasy of the postfascist ethical relationship to the self that they lack an image in which they are thinkable.

Telos: The Being of Ethical Becoming

Throughout Hasselbach’s account, the *telos* of these ascetic practices, “the kind of being to which we aspire when we behave in a moral way”,⁸⁰ is to fully assume the part of himself he identifies with reflexivity. A life in which this reflexivity is uncompromised is his model of an ethical life. The book itself, and the ways he acts upon himself, are in themselves acts of self-reflection but the peculiar

⁷⁹ See Giorgio Agamben, *The Coming Community* (Minneapolis: University of Minnesota Press, 1993), pp. 43-44.

⁸⁰ Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, p. 293.

centrality and qualities of this reflexivity and self-distancing are given by the threats to which they respond. To put the theme into Giddens' terms again, Hasselbach's affirmation of reflexivity as his ethical *telos* is an act in which the possibility of attaining an ethically coherent life depends on progressively disembedding himself from the anti-intraceptive mode of being and the immediately political, street fighting milieu/time-space that defines the hard-core neo-Nazi scene. Reflexivity is the antidote to authoritarianism and violence. However, the limits of the reflexive project of the self as an ethical practice that leads out of hate and into a non-fascist life (and concomitantly of Giddens' analysis) is that it instead leads Hasselbach deeper into a cul-de-sac which I have already indicated as the postfascist condition.

This ethical *telos* comes out in the various places where he opposes his "scruples" to the excesses of violence and cruelty, his need for a factual basis for action to irrational and gratuitous anti-Semitism, his strategic political consciousness to drunken looting, overt racism and indiscriminate attacks on foreigners, etc. In these situations Hasselbach is able to affirm himself as an ethical subject only by affirming his capacity to distance himself from the irrational thoughtlessness of his *Kamaraden* and of his own neo-Nazi self. The book is the narrative of how the reflexive part of Hasselbach's self becomes increasingly impossible to sustain as a neo-Nazi. It is this aspect of his self-understanding that the film-maker Bonengal successfully appeals to in catalyzing Hasselbach's departure from the movement and it is also this capacity that enables him to integrate into democratic society.

But again it is important to see this reflexive identity, not as an already existing off-the-shelf quality of late modernity (in the way that Giddens tends to do), but as a quality that Hasselbach elevates into the unifying *telos* of the relationship he wishes to develop with himself. The reflexivity Hasselbach aspires to is therefore tied to the ethical project of coming out of hate. Hate is configured as a problem within this project. Reflexivity is not simply a form of self-awareness or self-monitoring *per se* but a capacity he constructs to problematize, contain and distance recalcitrant elements of hatred, authoritarianism, irrational attachment, and violence that threaten his ability to

'behave in a moral way'. In this way we can understand the parallel between Hasselbach's *telos*, where reflexivity is opposed to neo-Nazism, and the autonomy/authoritarian distinction in the *Studies on Prejudice* as one grounded in an ethical practice of the self. They are categories that do not simply describe states of being that exist but are discursive elements that serve a specific project of producing the "unified moral conduct" of the self.⁸¹

Reflexivity is also an antidote to a different sort of danger in Hasselbach's account, that is to say, the dangers attendant on becoming a liberal democratic subject: isolation, boredom, indifference and conformity. The way out of the blocked options of East German society that began with associating with hippies, punks and anarchists led to the most disastrous fixation on the Fatherland, anti-Semitism, and violence. But the option of integrating into liberal bourgeois society was also blocked until he met Bonengal. Up until that point he saw the typical democratic subject as a kind of limp rag. "I didn't want any part of this capitalist West Germany where I could buy a Walkman or a bunch of bananas".⁸² Bonengal on the other hand becomes Hasselbach's exemplar of a non-fascist, critical, detached stance toward society and of an uncompromised individual existence.

I thought of Winfried and his film crew: they were utterly nonviolent and nonmilitant, yet they weren't bourgeois suck-ups any more than the rest of us. By making films they were able to remain at a kind of distance from society, and by living abroad Winfried had even more

⁸¹ The problems that beset the *Studies of Prejudice* and the positivist methodology they attempt to co-opt in measuring personality types arise from the confusion of trying to identify personality types outside of the practices of subjectification and ethical work on the self in which they are constituted. For this reason too, the *Studies* threaten to become an instrument of normalization by rationalizing the extension of collective powers to control the internal, pre-conscious dynamics of the psychoanalytical subject. The elements of the autonomous individual consciousness that the Frankfurt School consistently championed against the repressive desublimation of the totally administered society, the direct colonization of the unconsciousness, are bypassed in what can only be described in Foucaultian terms as an immanent disciplinary procedure. It is caught up in the uneasy assemblage of juridical and psychiatric powers that authorizes the intervention against individuals because of "what they are" and not because of what they have freely and culpably done. Michel Foucault, "About the Concept of the 'Dangerous Individual' in Nineteenth-Century Legal Psychiatry," in *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, ed. James D. Faubion (New York: New Press; Distributed by W.W. Norton, 2000), p. 151.

⁸² Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, p. viii.

distance from Germany. I was beginning to wish I'd followed a path like his, where I could express my dissent in a more individual way.⁸³

Until Hasselbach met the filmmaker the bourgeois democratic subject was for him only capable of treating 'the others' as 'humans' (and not as racial/foreign others or friends/enemies) because of the bland, faceless nature of his or her integration into the administered and consumerist order. The bourgeois subject's freedom and tolerance was a product of a deeper submission to the universal (i.e. postpolitical and abstract) rationality of technical and commercial systems of integration. The typical *Wessie* represented the worst type of capitulation in his or her nihilistic withdrawal into the petty concerns of private life and indifference to the other. The model of independence and engagement represented by Bonengal on the other hand – the nonviolent but critical outsider – created a distance or a social space for dissent *within* democratic society where reflexivity could be reproduced on a continual basis as a mode of social and political engagement. Thus Hasselbach could reorient himself toward a *telos* of reflexivity whose opposite was not neo-Nazi violence/cruelty but nihilistic indifference and privatism.

The problem is that this *telos* of Hasselbach's developing *rapport à soi* is beset on all sides by renewed dangers from the moment it is understood through the neo-Nazism/democracy distinction. There is the danger firstly that he will fail in maintaining the stance of dissent and critical distance necessary for supporting his notion of uncompromised reflexivity. The way out of the highly politicized life of neo-Nazism could founder on the isolation and boredom of depoliticized bourgeois normalcy. This possibility is the axiom of his understanding of the stakes of his bridge-burning exit strategy and his integration into democratic society.

At a more general level, reflexivity itself is a central mode of capitulation and conformity in postfascist democracy. This is an argument that Žižek has frequently

⁸³ Ibid., p. 298.

repeated.⁸⁴ To the degree that the reflexive individual disembods him or herself from the imperatives of nature and tradition, and experiences an increasing range of activities and elements of identity – from sexual practices, to ethnic belonging, to familial commitment– as choices subject to learning and reflexive modification, he or she creates an ironic distance from traditional conventions. This distance nevertheless delivers him or her over ever more firmly to a form of subjectivity and a mode of situating the self in society (to an ethics and politics) that leaves bourgeois society in all essential respects intact. The reflexive subject is shielded in a sense from the unthinking certainties and ideological convictions that would enable the passage to any act that would disrupt or challenge the liberal moral economy of public/private, liberty/security, etc.⁸⁵ So when Giddens wishes to elevate a kind of pure reflexivity as the emancipatory quality of late modernity, one in which the subject is freed from mystification and tradition and able to freely and “existentially” choose the rules by which he or she will live or to build a coherent and rewarding sense of identity, he privileges a mode of being that enables the most insidious and permanent kind of entrapment of the subject. The subject’s cognitive capacity to reflect on his or her being and to create new, post-traditional ways of life, becomes a cynical and ironical but complete conformism; a mode of self-forgetting and oblivion that masquerades as reflection. In Hasselbach’s case, the distancing from self and society that constitutes his model of reflexivity, and also in an odd way constitutes his method of departing from the ‘cold’ distancing and detachment of the neo-Nazi (towards society, violence

⁸⁴ See especially Slavoj Žižek, “Risk Society and Its Discontents,” *Historical Materialism* 2, no. 1 (1998), and Slavoj Žižek, “Whither Oedipus?,” (pp. 313-400) in *The Ticklish Subject: The Absent Centre of Political Ontology* (London; New York: Verso, 1999).

⁸⁵ Žižek extends this point by arguing that the enthusiastic embrace of the idea of reflexivity as a central element in the new “second modernity” (of Ulrich Beck, et. al.) is that it underestimates the radical effects of the “disintegration of traditional structures that regulated libidinal life” (“Risk Society and Its Discontents,” *ibid.*, p. 154). Counter to the thesis of the reflexive society, the decline of “paternal authority” and its substitutes does not leave the “oedipal subject” intact, (i.e. the one who in renouncing forbidden desire becomes autonomous, critical, rational, and reflexive), but ties the new reflexive subject, faced with the anxiety and risks of endless choice, to an inaccessible “pre-reflexive support” in the libidinal pleasures of irrational violence and attachments. In this regard it is tempting to interpret Hasselbach’s shift from reflexive neo-Nazism to reflexive liberalism as one in which his embrace of the libidinal satisfactions of externalized violence yields to one in which satisfactions are derived from withdrawal from the political and internalized violence.

and the other), are thus fated to confront the same problem of conformism and social annihilation that threatened the young Hasselbach in the DDR.

Giddens also privileges, and this would be the third point concerning Hasselbach and the *telos* of reflexivity, the isolated, existential ego and its quest for ontological security and coherence as the center of the reflexive subject. The self's ability to disembed itself from irrational attachments, social conventions and unthought normative mechanisms depends on installing a cognitive model of subjectivity at the core of his or her relationship to the self and to others (to his or her ethics and politics).⁸⁶ The late modern reflexive subject is in fact the subject isolated by cognitive psychology, one who constantly monitors the self, bringing unconscious contents, bodily experiences, social conflicts and tensions, etc. into consciousness in a way that allows dissonance to be resolved by decision, the uncertainties of the future to be disciplined by continually adjusted guidelines and conscious routines, and the self to be identified with the ego.⁸⁷

This move is also at the heart of Hasselbach's writing as an ascetic practice. He constructs the monological position of his authorial self in the form of the isolated and specular ego: the consciousness that can look on to the events of his life from a privileged position of distance and knowledge. How is this authorship possible and what prevented it before? Hasselbach's authorial self does not simply become an isolated and specular ego – a “reflexive consciousness” -- to the degree that it can conceal the ethical practices of the self that produced it. The authorial self affirms and elevates the cognitive, self-conscious dimensions of reflexive *being* over the irrational, unconscious, unthinking *non-being* identified with the authoritarian tendencies of his former self. The firmness of this distinction grounds the ontological security of his new

⁸⁶ See the discussion of Giddens' reliance on a positivist notion of the self derived from ego psychology in Scott Lash and John Urry, *Economies of Signs and Space* (London; Thousand Oaks, Calif.: Sage, 1994), pp. 37-44.

⁸⁷ As much as anything, this identification of the self with the reflexive ego, disembedded and secured from the unconscious and its 'irrational' attachments and able to respond to the opportunities and risks of contingent social conditions, ties Giddens to the ideational economy of liberalism. The isolated ego with no particular qualities other than its reflexivity is the quintessential human quality common to all: the form of the *homo sacer* that grounds the biopolitics of the social in late modernity.

postfascist life (i.e. its 'livability' and sense of predictability and continuity). It is in this aspect of the self that the postconventional subject integrates into the ethico-political economy of late modernity. This is the subject's residual quality of humanness or the element of his or her exchangeability that makes him or her *useful* as an interactant in social contacts. The ascetic practice of writing is therefore the discipline that Hasselbach uses to ground his being in that aspect that enables his integration into liberal democracy. It was not possible before because the life of the neo-Nazi required a different type of ascetic practice.

But the ontological security afforded by the ability to maintain a stance of authority towards his former life depends on being able to exercise control over the dialogical conditions where the passions and viewpoint of his younger self intrude into and dislocate the autobiographical narrative. The semblance of realism and distance is suspended where the narrative becomes 'double-voiced.' In the end there are numerous sites in the account where he is unable to elude the other of his former neo-Nazi self and its trajectory. The ascetics of submersion into the exotic otherness of multicultural society could be regarded as a simple reversal of Theweleit's Nazi's fear of the annihilating flows and multiplicity of unconstrained life (i.e. an ascetics fully contained by the proto-Nazi *Freikorps*' imaginary). The doubts about the boredom and isolation of bourgeois citizenship originate in the neo-Nazi view of the blandness of bourgeois democracy. The new postfascist "abhorrence of violence"⁸⁸ barely conceals the remembrance of the "liberating feeling" of "power"⁸⁹ and "pure joy"⁹⁰ of street fighting,⁹¹ etc. Most importantly, the way the overall narrative comes to be ordered around the theme of conversion, defection, stepping out, etc. from one form of life to another that is its opposite, with all the dangers of relapse, threats on his life, public declarations and so on that reinforce it, is erected on a highly politicized and absolutist

⁸⁸ Hasselbach and Reiss, *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*, p. 353.

⁸⁹ *Ibid.*, p. 73.

⁹⁰ *Ibid.*, p. 229.

⁹¹ "For me physical violence was so associated with being 'inside' the Movement that to throw a punch, even in self-defence, was a little like an alcoholic taking a drink – there was the risk that I'd want another" Theweleit, *Male Fantasies. Vol. 1: Women, Floods, Bodies, History*, p. 349.

division between friend and enemy, fascist and anti-fascist, German and foreigner, etc. This framework is in essential respects strange to the thought of the post-political liberal subject. The liberal subject sees a problem of hate that needs to be governed, not a state of exception where the ethico-political is war and the other is the enemy. It is a technical problem of how to manage human diversity, not an usurpation of the sovereign prerogative to decide on the friend and enemy. In other words, the categories that Hasselbach uses to understand and elude his neo-Nazi past remain firmly attached to thought produced within the horizon of the neo-Nazi trajectory of ideology-violence-pleasure.

At this point we need to become clearer about the conditions under which this ambivalence and internal dialogue work against Hasselbach's ethical project of coming out of hate. It is to the degree that he falls back on this structure of conversion – from the authoritarian irrationality of neo-Nazism to the reflexivity of democratic life – to describe the realignment of his ethical relationship to the self that his ethical project begins to founder and his options narrow. He is faced with the options of finding a way to preserve his reflexivity without succumbing to the isolation and boredom of liberal citizenship or of falling back into the life of neo-Nazi violence.

His dilemma forms around two impossibilities given this structure. One is the impossibility of being *both* a neo-Nazi and a liberal citizen. Being both is the dislocated experience of doubling and loss of moorings that Hasselbach has when he first begins to examine his life from the outside, an experience he does not successfully elude in leaving the neo-Nazi Movement. Being both disrupts the unity of his moral conduct and the ontological security of his new way of life, even if it is a key experience that drives the ascetic realignment of his relation to his self.

The second is the impossibility of being *neither* a neo-Nazi *nor* a citizen, an impossibility because it is unthinkable within the terms set by the structure.⁹² The line

⁹² It is helpful to imagine this again through the device of the Greimas square:

of flight out of hate – the becoming-foreigner, becoming-anonymous, becoming-imperceptible⁹³ of his ascetic practice – is captured in a stationary space of dialogical encounter, entrenched in the public declaration of his defection; a symbolic order where the neo-Nazi perpetually confronts the citizen across the divide that defines the political space of postfascist society. But just as the line of flight that Hasselbach follows in escaping the blocked options of East German communism does not begin with the disastrous reterritorialization onto the Fatherland, the hatred of the foreigner/Jew, or the purity of ideological thought, the becoming-foreigner in taking leave of neo-Nazism does not begin with a resignation to normalization and the blocked options of bourgeois citizenship. We need to think of it as an opening onto another existence, another thought, another affective life, another politics that runs concurrently alongside the postfascist organization of neo-Nazi and democratic identities. The meaning of the phrase, the “expression of dissent in an individual way,” loses its banality and assumes its full significance here. It is the point where Hasselbach’s ethical trajectory and the assemblage of options itself come into contact with the outside and where the neither/nor eludes codification. The impossible line of flight out of the neo-fascist/liberal structure is however the condition of possibility of

<u>Liberal citizen</u> (positive term: <s>)	<u>Neo-Nazi</u> (negative term: <not s>)
<u>Becoming other</u> (complementary term: <neither s nor not s>)	<u>Dialogic doubling</u> (contradictory term: <both s and not s>)

⁹³ The “becoming-imperceptible” seems in fact to be a privileged becoming in Deleuze and Guattari’s analysis, “the immanent end of becoming, its cosmic formula.” They describe it as a ‘worlding:’ the becoming which eliminates “everything that roots us ... in ourselves” and in which one becomes “*tout le monde* (everybody/everything).” It is “to be present at the dawn of the world” Gilles Deleuze and Felix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia* (Minneapolis: University of Minnesota Press, 1987), pp. 279-80.

living a truly *non-fascist* life, and its recuperation by the structure poses the fundamental foreclosure of this possibility. Reflexivity is the *telos* of his ethical practice but it is a *telos* that at a different level entirely enables him to organize something other than the truncated liberal consciousness as his mode of becoming.

8.5 *The Pack and the State*

Hasselbach's dilemmas in leaving the life of hate are misunderstood therefore (by himself most of all) as long as the terrain of leave-taking is defined by this structure. Instead of a social universe constituted by policing the difference between neo-Nazism and liberal democracy, it is necessary to come to terms with the 'mutation' that starts him on his flight. The problem is that the movements and mutations that elude the structure are difficult to conceptualize in positive terms. They remain obscured in the impossible position of a neither/nor. Hasselbach hardly acknowledges them himself. It is a similar problem when we try to go back and see the basis of Hasselbach's doubts about being able to leave the neo-Nazi movement. In the autobiography there is nothing in neo-Nazism that compels, so how can we accept these doubts be real?

At this point we need to return to the two organizations of affect that I claimed distinguished the positioning of the ethical problematic of feelings in neo-Nazism and liberalism. I argued that the solution to Hasselbach's lack of feelings represented by having good feelings toward the other was not in the same ethical field with the neo-Nazi's ideology-violence-pleasure. It is formed within an ontology of the self that is generated in an affective regime that links privacy, reflexivity and feelings. On one hand we have the ethical substance of feeling that focuses Hasselbach's integration into liberal democracy and a postfascist, reflexive mode of subjectivity. Whatever becomings, transformations, or mutations afforded by this regime, it is a form of life which enables the subject to be inserted into post-political liberal democracy. It is also

a regime that is easily captured by the totalizing structures of the state and capital. On the other hand we have the coldness of the neo-Nazis in their covert *packs*; a coldness and martial vigilance (combined with long periods of drunken, slothful torpor) that allows them to disengage from the civil behaviour policed by the state and organize experience around irregular bursts of violence. A different basis or *intensity* is at work in the affective organization of the younger Hasselbach's neo-Nazism and the older author's post-fascist reflexivity. In a similar way, we begin to see what is at work in the 'impossible' line of flight in Hasselbach's becoming-other when the fundamentally different origin of its experience is sought, not in the antagonism between neo-Nazism and liberalism, but in the interplay between the different affective forms of the state and the pack.⁹⁴

The state form is immanent everywhere that a structure is imposed over the elements of existence in a way that allows their comparison, categorization, hierarchization, division and exchange. It is the imagination of a closed, fully interior space. The government of hate is a mode of the state form as it relies on fixing the distinctions between fascism and liberalism, hatred and tolerance, violence and reason, particular and universal, and always privileging one term over the other. The social field is divided up and striated – a closed space parceled out to people⁹⁵ -- and the always troubling distances between normal/abnormal, self/other, social problem/rule are placed in the service of the enclosed order. The subject takes up his or her symbolic mandate in an ordered 'space' where identities are established, meanings assigned and problems managed.

Hasselbach's authorial self also formulates his statements in the state form as a mode of capture, a will to 'monologize' his experience, to see it through an unequivocal set of categories and judgements that are necessary (he thinks) for integrating into civil

⁹⁴ On the state and the pack see especially "1914: One or Several Wolves," (pp. 26-38), "1730: Becoming Intense, Becoming-Animal, Becoming-Imperceptible..." (232-309), and "1227: Treatise on Nomadology: -- The War Machine" (351-423), in Deleuze and Guattari *A Thousand Plateaus*, Op. cit..

⁹⁵ *Ibid.*, p. 380.

society. By doing so he places himself within an 'interiority' that redefines the experiments with becoming-other in terms of the rigid either/or of the encounter between neo-Nazism and liberal democracy.

The pack involves a different arrangement of elements. When Hasselbach is living as a member of a pack he is living an affective life in which the experience "intensities" and "vectors of affect" are not immediately submerged in a preexisting template of categories/meanings. He tries several packs to escape the cynical conformism of East Germany -- hippies, punks, neo-Nazis -- each of which has its own dispersed form of existence and its own affective sensibility (laid back, anarcho-decadent, violent) that transports Hasselbach from one type of contact with the omnipresent state to another. This is because the pack is an assemblage that enters into relationships only with other assemblages. It breaks down the preexisting categories by affirming the "multiple," the uncodifiable, the unformulable. It is a "multiplicity" -- "the multiplicity instantaneously apprehended".⁹⁶ It has no fixed center, nor does it presuppose a uniform order that contains it. The affective life of the pack is still operational in the ideology-violence-pleasure trajectory of the *Kamaradschaft* for example, in the loose and haphazardly directed manner in which this collectivity is organized, but also in the intense "joy" that begins when language, reason and scruples break down and Hasselbach becomes a fighting machine. The joy is unhinged from any ideational schema and becomes a pure intensity: the place where reason, reflexivity and scruple *per se* end. This escape into the intensity of violence is brought forth simultaneously however through the most brutal type of capture: ideological orthodoxy, the dream of purifying the community, the hatred of the other who disturbs this dream.

But the pack is also in operation in Hasselbach's encounter with Bonengal. Bonengal and his film crew are not principally objects of identification for Hasselbach (despite his pathos for the missing father figure), nor late modern reflexive subjects merrily choosing the norms by which they will integrate into democratic society, but a

⁹⁶ Ibid., p. 31.

new pack who come from the periphery of his Nazi/liberal, hate/empathy configuration. The independent form of their dissent that impresses Hasselbach is the pack form. They are furtive characters who appear and disappear without warning, Germans who cannot abide Germany and live in Paris, film-makers who do not editorialize but allow the speech of the neo-Nazis to speak differently, to convey unintended meanings, individuals who ridicule neo-Nazism to Hasselbach's face but are capable of creating a new experience in him, an unprecedented intimacy and filial trust. They renew Hasselbach's trajectory out of the impossible situation in which he is caught by opening a door to new forces from the outside. The life of the pack that has such disastrous repercussions when it is turned into a "passion of abolition"⁹⁷ and destruction or a passion to purify the state (the *Kamaradschaft*) is nevertheless a metastable state, an immanent becoming-other, a life creating force that multiplies connections and gets realigned to the outside again in Hasselbach's case when he meets Bonengal.

So in the autobiography, when it is difficult to see the basis of Hasselbach's doubts about being able to leave the neo-Nazi movement, it is because its language fails to grasp the part of him that is still running with the pack. The beliefs and attachments of that life, which appear to him (and us) as completely indefensible, have a passional basis that is in a sense unrepresentable in the autobiographical account. The passional assemblage of the pack carries the subject away from its monologic position of control in the fluxes of "intensity" that it produces. It "throws the self into upheaval and makes it reel."⁹⁸ It produces a 'free' expenditure of energy unassimilable to the unifying tendencies and purposes of the isolated, reflexive individual. The pack assemblage exceeds the limited and regulated forms of engagement with the world, crossing from one affective state to another, connecting and reconnecting with the 'outside' in ways that are not established and policed by the state, refusing labels that would unify it and place it in a fixed relation to the state and governmental order, exceeding, to go back to

⁹⁷ *Ibid.*, p. 229.

⁹⁸ *Deleuze and Guattari, A Thousand Plateaus: Capitalism and Schizophrenia*, p. 240.

an earlier Deleuze and Guattari text,⁹⁹ the oedipal entrapment of the neurotic subject whose inability to live stems from the anxiety of accepting but never being able to fully assume the identity assigned to him or her.

In the autobiography therefore, the beliefs and attachments produced within the passional assemblage of the pack are still effective in his life even when as memories they are detached from the forces that animated them. The basis for the doubts about being able to take-leave has been erased in the account because the multiple cannot be seen from the position of the One. In fact the effect of the multiple is to reveal the ways in which the One is a multiplicity as well. Beneath the monological account of the *Abrechnung* are the moments of dialogic doubling and the lines of flight into foreignness and imperceptibility. It cannot contain them but the *desire* to do so, the monological desire, is what continually constitutes the two poles of the postfascist assemblage: either the liberal democratic or the fascist route to the “submissive desire that can only take pleasure in its own submission.”¹⁰⁰

To the degree that Deleuze and Guattari articulate a way through to thinking the non-fascist life in *A Thousand Plateaus* it is not in terms of an ontology of security. It is in terms of the conceptualization of a “multiplicity of multiplicities.” The dialogization that threatens the credibility of Hasselbach’s leave-taking is in effect the sensation of a multiple-becoming. It does not take form in a single policible space but in the encounter between two incommensurable spaces, two ways of inhabiting space or between two ways that Hasselbach has for constructing his ethics in contact with the outside. In his pack life it might be said that he traverses a “nonpunctuated space” of becomings and metamorphoses whereas in his authorship he continually fortifies his new interiority in a striated space of capture.

Thus the affects of the pack are a current that runs counter to the way Hasselbach is continually led to think about his ethical project in the terms of the

⁹⁹ Gilles Deleuze and Felix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia* (Minneapolis: University of Minnesota Press, 1983).

¹⁰⁰ Deleuze and Guattari, *Kafka: Towards a Minor Literature*, p. 4.

normalized democratic subject. The *ethical substance* of feeling/empathy for the other is a passive, deliberative, restraining affect that contrasts with the alternating “catatonia” and “active discharge of emotion” that characterize the affects of the pack:¹⁰¹ the stupor and drunkenness of day to day neo-Nazi life and the “pure joy” of violence. It enables the separation of strong passions and affects from the maintenance of the good feelings which allow the relationship to the other to be regulated and normalized. The *mode of subjection* which centers on determining the truth of his hatred and the means of becoming just “a person” among others contrasts with the metastable motion of the pack. The virtual or immanent condition of the pack experience is the indeterminate, unpredictable, always changing position the individual has with respect to the pack, and to themselves and their truths. The individual is himself or herself a pack of affects, virtues, and becomings.

The *ascetic practice* of taking-leave becomes a subjectification practice that captures Hasselbach’s possibilities in the either/or of neo-fascism *or* liberalism in contrast to the becoming-other/becoming-foreign that opens up through his contact with Bonengal’s crew. A new set of affective intensities is at work in Hasselbach’s involvement with Bonengal – the nauseous doubling in seeing himself from the outside, the giddy submersion in mingling with unmappable otherness, etc. – which disappear as soon as Bonengal’s pack disappears and Hasselbach is left on his own to avoid retribution from his former kamarads and anarchist opponents. The *telos* of reflexivity that Hasselbach attempts to assume as a credential for entering liberal society contrasts with a *telos* in which reflexivity is just one element in the self which allows a connection to be established with the outside, with Bonengal and others with whom Hasselbach joins. The dangers that Hasselbach encounters in coming out of hate become intelligible therefore in the interplay between forces of capture and forces of escape. An entry into a non-fascist life opens up with an exploration of these forces.

¹⁰¹ Deleuze and Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia*, p. 400.

Otherwise we have in Hasselbach's autobiography less an account of successful leave-taking and more the capture of the affective life of the pack.

The rethinking of the process of coming out of hate leads us nevertheless to proffer two dangers, one voiced by Deleuze and Guattari in *A Thousand Plateaus* when they evaluate the dangers of the line of flight and the other in *Kafka* when they contrast "revolutionary forces to be constructed" with the "diabolical powers to come."¹⁰² In terms of the line of flight of the pack they write:

...it would be oversimplifying to believe that the only risk [the lines of flight] fear and confront is allowing themselves to be recaptured in the end, letting themselves be sealed in, tied up, reknotted, reterritorialized. They themselves emanate a strange despair, like an odor of death and immolation, a state of war from which one returns broken.... This, precisely, is the ... danger: the line of flight crossing the wall, getting out of the black holes, but instead of connecting with other lines and each time augmenting its valence, *turning to destruction, abolition pure and simple, the passion of abolition.*¹⁰³

Microfascisms of all sorts become possible when the mutation fails to connect to new conditions of existence. In this regard "hate" can only be the vicious entrapment of an excess of intensity – the excess that exceeds the restricted economy of liberal ethics. The intensity turns against the self, threatened with its own foreignness from within, and against the foreigner, who stands for this foreignness from without.¹⁰⁴ In terms of the "diabolical powers to come" we already have an inkling of the horror a post-fascist, or post-liberal society might bring when we consider the transformations of sociality that have already occurred as the exception becomes the norm. In a post-secure future society will increasingly resemble a camp, or a complex patchwork of camps and exceptions: a "holey space."

¹⁰² *Kafka*, Op. Cit., 18

¹⁰³ *A Thousand Plateaus*, Ibid., p. 229.

¹⁰⁴ Julia Kristeva, *Strangers to Ourselves, European Perspectives* (New York: Columbia University Press, 1991). Max Horkheimer and Theodor W. Adorno, "Elements of Anti-Semitism," in *Dialectic of Enlightenment* (New York: Seabury Press, 1972).

The non-fascist life on the other hand is nevertheless only thinkable when the multiple is affirmed, a society where packs run with packs, a multiplicity of multiplicities. This does not mean that it is not dangerous.

This is why it is crucial for leftist thought to absolutely perspicacious when it comes to seeing the lines of flight animating the entire institutional structure of post-fascist society. To define one's fight within the ontological horizon of sovereignty (to continue to desire a central point of authority and for a rule of law to regulate it) is to miss the points at which new relations of power (or perhaps even relations post-power as Jean Baudrillard would have it) depart from the ethico-political coordinates of post-war liberal democracy and become something else. The left cannot remain sitting with their old mirror in which they hope to reflect the social injustice of the world and somehow seduce it into following the rules of the social contract.¹⁰⁵

§ If as I have argued the ethico-political situation of the postfascist era is poorly understood in the analysis of the problem of hate, it is because the after-Auschwitz ethic is now only thought (when it is acknowledged at all) at the level of the juridical or the moral code, the permitted and the forbidden, the acceptable and the unacceptable, and not at the level of the practices in which the postfascist subject is constituted, or constitutes him or her self. At the level of our public existence, the violation of the collective codes or moral assumptions of postfascist society, at Hoyerswerda and Rostock most spectacularly, dizzyingly anticipates the suspension of the law -- the Durkheimian null point of anomie -- authorizing an intensification of policing and disciplinary interventions, while the intimate practices of the self in which the distinction is revealed to us, often in a fleeting manner, recede from knowledge. The law and the code appear as the source of security and social solidarity to the degree that

¹⁰⁵ Jean Baudrillard *Simulacra and Simulation* Ann Arbor: University of Michigan Press 1994, p. 15.

these ethical practices that open the subject to being otherwise cannot be affirmed. They are concealed no doubt in the framework we have for thinking the ethico-political, namely the public/private distinction, the idea of freedoms of conscience, speech, assembly, etc. and the quality of mere life or mere humanity, stripped of particular 'ethical' qualities (ethos), in which we are increasingly addressed as political subjects. There is an element of pure moral formalism to discourses on Hate that say "we should not act or feel in such and such a way towards racial, ethnic, sexual others," that obscures the ethical problematic of how the postfascist subject in fact constitutes him or herself through specific practices and through a specific relationship to the self. This is the ongoing question of how to respond to the agency or feelings of hatred toward the other.

The implicit danger in the ethico-political processes of postfascist society is captured in the refrain of Bertolucci's fascist Marcello in *The Conformist*: "I am going to atone for a sin with an even bigger one. I am going to construct my own normalcy." Although the situation is exactly reversed in the film – Marcello wants to construct his own normalcy by becoming a fascist -- Bertolucci's warning would appear to be that the calculated pursuit of normalcy and conformity is accomplished only at the cost of annihilating the ethical core of one's being, imprisoning the soul in an empty shell of conforming behaviours, turning the self into an 'essence' for whom potentiality and becoming-other are threats that must be suppressed. For such a person "no ethical experience would be possible – there would only be tasks to be done."¹⁰⁶

This leads us to venture the odd proposition that Hasselbach's ethical practice in coming out of hate is a cipher for the uncompleted project of overcoming fascism and race hatred in liberal democracy, even if the particular experiences and practices he describes are only implicit in the consciousness of the democratic citizen. In the security of his or her distance from the fascist other, the citizen becomes unmindful of the ongoing ethical self-formation that produces his or her ability to integrate into the

¹⁰⁶ Agamben, *The Coming Community*, p. 43.

ideational economy of bourgeois democracy. Reflexivity can simply be regarded as a cognitive capacity and not as a particular ethical relationship to the self. The efforts to police and instill it are normalized and hidden from view. Taking Hasselbach's experience to be central to any understanding of the problem of hatred in postpolitical democratic societies means taking the dialogism that disrupts his narrative to be central to the ambivalences of responses to hate. Postfascist ethics, like his own ethics, are disrupted by the unresolved antagonism and the unstable distance between liberalism and fascism. This is the experience that defines their limits. To the degree that this reflexivity is the privileged way in which the democratic subject affirms his or herself in late modernity, it becomes a screen for the way in which late modernity remains tied to its fascist other in a relationship which is intrinsically antagonistic, unstable and reversible. The avenue towards a non-fascist existence can be opened up when we begin to regard Hasselbach's narrative less as the account of a successful leave-taking and more as the capture of the affective life of the pack in the name of the fatherland on one side and liberal reflexivity on the other.

9.0 Conclusion

I began by stating three hypotheses: that the strange political effectiveness of neofascism in recent years was contingent on the means by which Fascism had been marginalized throughout the postwar period; that liberal democratic responses to neo-fascist events (such as attacks on immigrants and refugees, incidences of hate speech and hate crime, extreme right electoral successes, etc.) had not solved the problem of neofascism but had exacerbated the conditions of its resurgence; that the way out of the problems associated with neofascism and racist violence as *political* phenomena would not be found by the continued reiteration of liberal democratic governmental and juridical principles. Only through a process of disassembly could the opening to a non-fascist society be constructed: a process in which the links between the neo-fascist event, the repertoire of official responses to it, and current technologies of power were revealed and deconstructed. Only on this basis could the possibility of thinking and doing politics *otherwise* be embraced.

The focus of this study has therefore been directed less to a sociological analysis of the ideologies, forms and social causes of postwar neofascism and its correlates (hate speech, hate crime, radical right political parties, racism, etc.) and more to the impasses that characterize liberal-democratic responses to them. It is focused on the ethico-political structure of what I have been calling postfascist society. At the heart of this structure is the elementary 'binary' distinction between fascism and liberal-democracy that has enabled the ethico-political coordinates of society 'after Auschwitz' to be both articulated and put into practice. Fascism and now neofascism have persisted, even beyond the death of communism, as the quintessential, inassimilable *Other* positions to liberal democracy, enabling it to mark and naturalize a firm boundary between legitimate and illegitimate forms of political expression. To the degree that the contemporary form of life remains firmly rooted in this distinction and this limit we remain caught within the postfascist horizon: a horizon of political and social possibility whose crucial reference point is Fascism, whose normalcy depends on Fascism and neofascism's continued expulsion, but whose political strategies are

wagered on the continuing ability to construct these boundaries and produce the Fascist/neofascist subject as a dangerous individual. Neofascist politics gains its efficacy in its efforts to reverse these strategies.

The analytical outcome of this situation is that to grasp the singularity of the present moment (with respect to the neofascist problem at least) – to determine ‘what our present is’ – we need to understand what it means to say that our postwar *Lebensführung* is neither liberal-democratic nor fascist but postfascist. Postfascist society is a more specific constellation that mobilizes the liberal/fascist opposition to pursue its own ethico-political objectives.

More tellingly it is to grasp this singularity in terms of the action of politics at its limits. The *event* of the reemergence of neofascism, which in its most unadulterated form could be seen in the attacks in Rostock and Hoyerswerda in Germany in the early 1990s, was not consumed in the discrete acts of terrorization against the particular targeted communities. The event was in the decisive way neofascism and hate threatened, and continue to threaten, the ability of postfascist democratic states to represent themselves as guarantors of a coherent, secure, ethical interior space or *habitus*. As Hans Magnus Enzensberger wrote in Germany at the time, “it is a question of whether the country is actually habitable,” and it is significant that the gist of Enzensberger’s essay – the same Enzensberger who had been a leader of the German student protest movement in the 1960s – was to call for the state to re-affirm its monopoly of force and eradicate the “gangs of thugs” who were roaming the streets.¹ The point to understand is how neofascism and hate threaten the ability of authorities and individuals to respond to them in a principled way. Ultimately what appears to be put into question by the neofascist event is the underlying link between technical measure, ethical action and political form which is denoted in ordinary usage by the word ‘responsibility.’

¹ Hans Magnus Enzensberger, *Civil Wars: From L.A. To Bosnia* (New York: New Press, 1993), p. 140.

The key question is, what happens afterwards? What happens to postfascist politics at its limits? Throughout I have evoked the topology of the impasse, the originary strife, the exception, the zone of indistinction, etc. to describe the locations where the logic of government and the politics of the 'regular situation' breakdown when they attempt to respond to neofascism and hate. From the point of view of the regular situation, (which is the point of view of conventional political, juridical and social scientific discourses), the impasses and the *ad hoc* forms of response to them are exceptional and temporary. But they only appear so from the position where the jurisdictions of law, technical administration and political decision can be clearly demarcated. The critical challenge today is to discern their immanent logic and the assemblages of which they are the products. The *ad hoc* responses do not simply 'stop gaps' but open onto or reveal a formation that wavers between the logic of the return of the same – most clearly in the sovereign decision on the exception that Carl Schmitt defined as the modern core of 'the political' (irrespective of the different forms given to modern political community: democratic, communist, fascist) – and the generation of new forms of ethico-political life, new institutional structures. They are the hybrid effects of a complex modulation between lines of retrenchment and lines of transformation.

On one hand what emerges at the limits are the monstrous subjects and institutional structures of the politics of the exception. In Giorgio Agamben's language, the response to neofascism and hate – the case of Ernst Zundel is informative here – bears a strong resemblance to the demonic political-juridical form of the camp and the production of the *homo sacer*. On the other hand there is the trajectory of the ex-neo-nazi Ingo Hasselbach which represents a complicated relationship to the pack-becoming that precipitated his escape from the blocked options of the former East Germany. There are the lines of flight, the becomings-other, the assembled and assembling machines of desire, the connections and connectibility that result from the failure of law and government to codify their objects. The theme of Deleuze and Guattari's *Anti-*

Oedipus: “Desiring machines work only when they breakdown, and by continually breaking down.”² Impasses are the locations where the apparatuses that inscribe life into postfascist society breakdown. Packs are one form-of-life that emerge and begin to mark a minor becoming.

These propositions derive from a minor analysis of neofascism and hate in the postwar order. The suggestion is not that the resurgence of neofascist activity over the last two decades is the central problem confronting democratic societies today. Nor is it to suggest that it represents the same sort of threat experienced in Germany in 1933 or Italy in 1922. The problem of neofascism is not that the barbarians are at the gates, but that their appearance puts the politics of the gates and of that which they hold within into question. It is an analysis that begins with a phenomenon that is in fact marginal to the central concerns of contemporary political life. In important respects it is an analysis of the political exception. But it is also an approach that allows us to begin pulling at the threads of primary ethico-political commitments which otherwise remain difficult to see and upon which the naturalness of the postwar order depends. It is a way of taking up Carl Schmitt’s observation that the exception is more interesting than the rule while attempting to articulate a position that refutes the defense of the total state he drew from it.

In what way do neofascism and its related phenomena work as exceptions? The exception is not so much the case that does not fit the rule, nor is it even, in a stronger and more political sense, the inassimilable other – the subject whose exclusion enables an interior space to become coherent and rational – but the more narrowly defined situation of “inclusive exclusion” which is created by the withdrawal of the law. The exception is that which is held in place, or held in relation to political community, by being banned or excluded from the jurisdiction (and protection) of the regular law. Defined by the withdrawal of the law, it is neither a juridical nor a factual situation, but “institutes,” as Agamben says, “a paradoxical threshold of indistinction between the

² Deleuze and Guattari, *Anti-Oedipus*, p. 8.

two.”³ Neofascism becomes an exception in this sense precisely to the degree that the law withdraws from it. This is how we must interpret the quandaries surrounding it where attempts to ban neofascist political expression are belied by the principles of open democratic party competition, where the criminalization of hate speech and hate motivated crime are belied by constitutional principles of free speech and freedom of conscience, and where policies of zero-tolerance and interventions into the fragile workings of heterogeneous society are belied by the (implicit) principles of liberal governmentality. Precisely to the degree that these rather unspectacular issues are sites of impasse where the law is unable to be applied consistently, where it withdraws, they open onto a deeper and more insurgent political crisis.

In itself neofascism does not exist as an exception but becomes one as a product of the failures of the responses to it. Until the horizon of our politics is no longer conceptualized within a framework of sovereignty and the sovereign exception, authorities are compelled to respond to it in this way. The fact that there is an exception is what is intolerable. The problem of neofascism therefore defines one site (among others) in which we are forced to reckon with the coming condition of *post-secure society* in which the exception becomes the rule.

Viewing the problem of neofascism in its quality as an exception enabled me to examine the commitments of postfascist society to technological rule, biopolitics, and the sovereign form of political community. The impasses surrounding the problem of neofascism parallel the impasses at the core of the postfascist appropriation of these modes of rule. In being forced to become political, each revealed a dangerous indistinction between fascism and liberal democracy. Each revealed the way in which both fascism and liberal democracy open onto the *telos* of demonic politics. Demonic politics is the gambit of power in the face of post-security. It is the condition of unlimited appropriation of life in which the *homo sacer* stripped of all ethico-political

³ Giorgio Agamben *Homo Sacer* p. 18.

qualities becomes subject and object of political life; where “the life of the species is wagered on its own political strategies.”⁴

From the vantage point of the exception, the constitutive distinction between fascism and liberal democracy is blurred. ‘Fascism’ and ‘liberal democracy’ are emblems of two poles of the *same* sovereign, state-centered politics. In Chapter 1, I described these poles within a framework of the politics of particularism and universalism. It is to the degree that the cut that distanced and marginalized fascism in the postwar era defines the specific content of these two poles that the problem of neofascism can only be exacerbated by liberal democratic responses to it. It also begins to slide and becomes the index for understanding the dynamics of other ‘fundamentalist’ particularisms and the universalization of liberal democracy today. In a strong sense, it is also the appearance of this cut that defines the event in which postfascist society emerged and which becomes the focus point of postfascism’s crisis and potential reversibility.

Taken together, the postfascist forms given to technological rule, biopolitics and sovereignty are components of an assemblage that links the different sites, problematics, themes, representations, and ethical arguments to which the signifiers ‘neofascism’ and ‘hate’ have been connected. The problem of neofascism is formed within this assemblage, or, to put a finer point on it, the problem as a *problēma* and problematization of our present politics is the motor force of this assemblage. It carries it on its particular path of transformation.

This leads into the second type of critical insight afforded by the minor analysis. This second analysis is not so concerned with the question of the smallness of numbers, the centrality or marginal status of the neofascist problem, nor the logic of the exception *per se*, but with a critique that tries to examine and align our thought with what departs from the central structures, political discourses and their norms and exceptions. What deviates, what disassembles, what deterritorializes, what transforms,

⁴ Michel Foucault *The History of Sexuality: Volume One*, p. 143.

what escapes, what connects anew, what is recaptured? On one side the postfascist assemblage faces a schema/order based on the elementary distinction between fascism and liberal democracy (and their correlates: totalitarianism/democracy, tyranny/freedom, irrational violence/reason, race hatred/humanism, etc.). These are the coordinates that re-present the interior space of postfascist society and allow it to become organized, codified, and governed. Even the antinomies that disturb the deployment of the schema have their prearranged sites of impasse. On the other side it faces the forces at work dismantling it, "causing asignifying particles or pure intensities to pass or circulate."⁵ It faces other assemblages with which it connects. It is itself on a line of flight and becoming-other that becomes perceptible when the problemizations of neofascism and hate that define it are regarded as *problēmas*. This is a trajectory with acute dangers and retrenchments as we have seen: the camp, the *homo sacer*, the criminal who is not judged for what he or she has done but for what he or she is. But it is also the trajectory on which possible revolutionary becomings can be constructed.

The thesis that I forward is that the pathway beyond fascism does not and cannot pass through the postfascist solution but only through a singular assemblage of deterritorialized forces. These forces would have as their effect a *non-fascist* form of life. Very schematically I would say that the insight of the minor analysis is that one can either remain at the point where politics renews its dangerous game, reiterates its limits and captures what departs from it within -- the politics of the exception -- or one can attempt to discern the new forms of subjectivity and new forms of connection between the deterritorialized elements, however fragile, that come into existence when the political machines break down. Ingo Hasselbach and his pack-becoming: he almost loses it when the shame of what he has been and done wells up inside but the innumerable small connections that tie him to the film-maker's scene carry him away

⁵ Deleuze and Guattari *A Thousand Plateaus*, p. 4.

and enable him to imagine an engagement with German society as neither neo-nazi nor bourgeois “suck-up.”

This would be to invent the concepts appropriate to a minor, immediately political existence. It would be the prolegomena to an ethics and politics that no longer passed through the inscription into the universal or the assertion of the particular. In such a politics, which we might call a politics of singular-becomings, it would no longer be possible to enframe experience in a technological schema, to isolate bare life from the singular form of one’s becomings and connections, or to be drawn into the traps and enclosures of sovereign political community. Political engagement would need to be reconceptualized in a space no longer bounded by the narrow either/ors of liberal democracy and fascism, universal and particular, inside and outside, self and non-self. Up against the bounded spaces of the state and its thought, up against the ruthless reterritorializations of capital, a politics of constructing-with, of constituting-new-forms-of-life-with, of passion and invention would act to expand the boundless spaces and nomadic pathways at the frontiers of our ethico-political experience. A non-fascist sociality becomes possible along these lines.

Bibliography

- Abel, Richard L. *Speaking Respect, Respecting Speech*. Chicago: University of Chicago Press, 1998.
- Adler, Marina. "Xenophobia and Ethnoviolence in Contemporary Germany." *Critical Sociology* 22, no. 1 (1996): 29-51.
- Adorno, Theodor. *Negative Dialectics*. New York: Seabury Press, 1973.
- . "Freudian Theory and the Pattern of Fascist Propaganda." In *The Essential Frankfurt School Reader*, edited by Andrew Arato and Eike Gebhardt, 118-37. New York: Urizen Books, 1978 (1951).
- . *The Authoritarian Personality*. New York: Norton, 1982.
- . "Education after Auschwitz." In *Can One Live after Auschwitz?: A Philosophical Reader*, edited by Rolf Tiedemann, 19-36. Stanford, Calif.: Stanford University Press, 2003.
- . *Can One Live after Auschwitz? : A Philosophical Reader*. Edited by Rolf Tiedemann, *Cultural Memory in the Present*. Stanford, Calif.: Stanford University Press, 2003.
- Agamben, Giorgio. *The Coming Community*. Minneapolis: University of Minnesota Press, 1993.
- . *Homo Sacer: Sovereign Power and Bare Life*. Stanford, Calif.: Stanford University Press, 1998.
- . "Biopolitics and the Rights of Man." In *Homo Sacer: Sovereign Power and Bare Life*, 126-35. Stanford, Calif.: Stanford University Press, 1998.
- . "What Is a People?" In *Means without End: Notes on Politics*, 29-36. Minneapolis: University of Minnesota Press, 2000.
- Aho, James Alfred. *This Thing of Darkness: A Sociology of the Enemy*. Seattle: University of Washington Press, 1994.
- Altemeyer, Bob. *Enemies of Freedom: Understanding Right-Wing Authoritarianism*. San Francisco: Jossey-Bass Publishers, 1988.
- Aly, Gèotz, Peter Chroust, and Christian Pross. *Cleansing the Fatherland: Nazi Medicine and Racial Hygiene*. Translated by Belinda Cooper. Baltimore: Johns Hopkins University Press, 1994.
- Anthias, Floya, and Cathie Lloyd. *Rethinking Anti-Racisms: From Theory to Practice*. London; New York: Routledge, 2002.
- Anti-Defamation League, and Law Enforcement Agency Resource Network. *Extremism in America: Updates (Ernst Zundel)* [cited december 21 2004]. Available from http://www.adl.org/learn/ext_us/zundel.asp?LEARN_Cat=Extremism&LEARN_SubCat=Extremism_in_America&xpicked=2&item=zundel.
- Appadurai, Arjun. *Modernity at Large: Cultural Dimensions of Globalization*. Minneapolis, Minn.: University of Minnesota Press, 1996.
- Arendt, Hannah. *The Human Condition*. [Chicago]: University of Chicago Press, 1958.
- . *Eichmann in Jerusalem: A Report on the Banality of Evil*. New York: Viking Press, 1965.
- Austrian Information Washington D.C. "Austrian Press and Information Service." October/November 1999.
- Bakhtin, M. M. "Toward a Methodology for the Human Sciences." In *Speech Genres and Other Late Essays*, edited by Michael Holquist and Caryl Emerson, 159-72. Austin: University of Texas Press, 1986.
- Balibar, Etienne. "Is There a 'Neo-Racism'?" In *Race, Class, Nation: Ambiguous Identities*, edited by Etienne Balibar and Immanuel Wallerstein, 17-28. London: Verso, 1992.
- Balibar, Etienne. *Politics and the Other Scene*. London: Verso, 2002.
- Barker, Martin. *The New Racism: Conservatives and the Ideology of the Tribe*. Frederick, Md.: Aletheia Books, 1981.
- Barrett, Stanley R. *Is God a Racist?: The Right Wing in Canada*. Toronto: University of Toronto Press, 1987.
- Barry, Andrew. *Political Machines: Governing a Technological Society*. New Brunswick, NJ: Athlone Press, 2001.
- Barry, Andrew, Thomas Osborne, and Nikolas S. Rose. *Foucault and Political Reason: Liberalism, Neo-Liberalism, and Rationalities of Government*. Chicago: University of Chicago Press, 1996.
- Bartelson, Jens. *A Genealogy of Sovereignty*. Cambridge; New York: Cambridge University Press, 1995.

- Bataille, Georges. "The Psychological Structure of Fascism." In *Visions of Excess: Selected Writings: 1927-1939*, 137-60. Minneapolis: University of Minnesota Press, 1985.
- Baudrillard, Jean. *Simulacra and Simulation*. Ann Arbor: University of Michigan Press, 1994.
- Bauman, Zygmunt. *Modernity and the Holocaust*. Ithaca, N.Y.: Cornell University Press, 1989.
- Bean, Henry. "The Believer." 98 min. USA: Pathé, 2001.
- Benjamin, Walter. "Theses on the Philosophy of History." In *Illuminations*, pp. 255-66. New York: Harcourt, 1968.
- . "Critique of Violence." In *Reflections: Essays, Aphorisms, Autobiographical Writings*. NY: Harcourt Brace Jovanovich, 1978.
- . "Theories of German Fascism: On the Collection of Essays War and Warrior, Edited by Ernst Junger." *New German Critique* 17 (Spring 1979): 120-28.
- Bercuson, David Jay, and Douglas Wertheimer. *A Trust Betrayed: The Keegstra Affair*. 1st ed. Toronto, Canada; Garden City, N.Y.: Double Canada; Doubleday, 1985.
- Berezin, Mabel. *Making the Fascist Self: The Political Culture of Interwar Italy*. Ithaca, [N.Y.]: Cornell University Press, 1997.
- Bertolucci, Bernardo. "The Conformist." Mars Film Produzione, 1970.
- Betz, Hans-Georg. *Radical Right-Wing Populism in Western Europe*. New York: St. Martins Press, 1994.
- Bjørge, Tore. "Entry, Bridge-Building, and Exit Options: What Happens to Young People Who Join Racist Groups – and Want to Leave." In *Nation and Race: The Developing Euro-American Racist Subculture*, edited by Jeffrey Kaplan and Tore Bjørge, 223-58. Boston: Northeastern University Press, 1998.
- Borges, Jorge Luis. *Collected Fictions*. Edited by Andrew Hurley. New York: Viking, 1998.
- Braun, Aurel, and Stephen J. Scheinberg. *The Extreme Right: Freedom and Security at Risk*. Boulder, Colo.: Westview Press, 1997.
- Brook, Paula. "Freedom's Just Another Word...." *Saturday Night* 112, no. 9 (November, 1997): 58-71, 115.
- Burchell, Graham, Colin Gordon, and Peter Miller, eds. *The Foucault Effect: Studies in Governmentality: With Two Lectures by and an Interview with Michel Foucault*. Chicago: University of Chicago Press, 1991.
- Butler, Judith. *Excitable Speech: A Politics of the Performative*. New York: Routledge, 1997.
- Campbell, David. *Writing Security: United States Foreign Policy and the Politics of Identity*. Minneapolis: University of Minnesota Press, 1992.
- Campbell, David, and Michael Dillon. *The Political Subject of Violence*. Manchester; New York, NY: Manchester University Press; Distributed in the USA and Canada by St. Martin's Press, 1993.
- . *Canada (Human Rights Commission) V. Taylor*, 892 (1990).
- . *R. V. Zundel*, 731 (1992).
- Carroll, David. "Foreword." In *Heidegger and "the Jews"*, vii – xxviii. Minneapolis: University of Minnesota Press, 1990.
- Castel, Robert. "From Dangerousness to Risk." In *The Foucault Effect. Studies in Governmentality*, edited by Graham Burchell, Colin Gordon and Peter Miller, 281-98. Chicago: University of Chicago Press, 1991.
- Cheles, Luciano, Ronnie Ferguson, and Michalina Vaughan, eds. *The Far Right in Western and Eastern Europe*. London; New York: Longman, 1995.
- Childers, Thomas. *The Nazi Voter: The Social Foundations of Fascism in Germany, 1919-1933*. Chapel Hill: University of North Carolina Press, 1983.
- Coates, James. *Armed and Dangerous: The Rise of the Survivalist Right*. New York: Hill and Wang, 1987.
- Committee of Inquiry into the Rise of Fascism and Racism in Europe. *Report on the Findings of the Inquiry*. Luxembourg: European Parliament, 1985.
- Cook, Peter. "Political Interference in Europe Threatens Democracy, Says." *Globe and Mail*, February 4 2000, 9.
- Craig, Kellina. "Examining Hate-Motivated Aggression: A Review of the Social Psychological Literature on Hate Crimes as a Distinct Form of Aggression." *Aggression and Violent Behavior, A Review Journal* 7, no. 1 (January 2002): 85-101.
- Dasenbrock, Reed Way. "Slouching toward Berlin: Life in a Postfascist Culture." In *Fascism's Return:*

- Scandal, Revision, and Ideology since 1980*, edited by Richard Joseph Golsan, 244-59. Lincoln: University of Nebraska Press, 1998.
- Davidson, Osha Gray. *The Best of Enemies: Race and Redemption in the New South*. New York: Scribner, 1996.
- Day, Richard J. F. *Multiculturalism and the History of Canadian Diversity*. Toronto; Buffalo: University of Toronto Press, 2000.
- de Benoist, Alain. "Three Interviews with Alan De Benoist." *Telos* 98-99 (Winter 93/Spring 94): 173-208.
- de Benoist, Alain and Charles Champetier, "The French New Right in the Year 2000" *Telos* 115 (Spring, 1999): 117-145.
- De Felice, Renzo. *Interpretations of Fascism*. Cambridge: Harvard University Press, 1977.
- Dean, Mitchell. *Governmentality: Power and Rule in Modern Society*. London; Thousand Oaks, Calif.: Sage Publications, 1999.
- Dean, Mitchell, and Barry Hindess. *Governing Australia: Studies in Contemporary Rationalities of Government*. New York, NY: Cambridge University Press, 1998.
- Deleuze, Gilles. *Foucault*. Minneapolis: University of Minnesota Press, 1988.
- . *Difference and Repetition*. New York: Columbia University Press, 1994.
- Deleuze, Gilles, and Felix Guattari. *Anti-Oedipus: Capitalism and Schizophrenia*. Minneapolis: University of Minnesota Press, 1983.
- . *Kafka: Toward a Minor Literature*. Minneapolis: University of Minnesota Press, 1986.
- . *A Thousand Plateaus: Capitalism and Schizophrenia*. Minneapolis: University of Minnesota Press, 1987.
- . *What Is Philosophy?, European Perspectives*. New York: Columbia University Press, 1994.
- Deleuze, Gilles, and Claire Parnet. *Dialogues*. London: Athlone Press, 1987.
- Delgado, Richard, and Jean Stefancic. *Must We Defend Nazis?: Hate Speech, Pornography, and the New First Amendment*. New York: New York University Press, 1997.
- Der Derian, James. *Antidiplomacy: Spies, Terror, Speed, and War*. Cambridge, MA: Blackwell, 1992.
- Derrida, Jacques. *The Other Heading: Reflections on Today's Europe*. Bloomington: Indiana University Press, 1992.
- Diamond, Sara. *Roads to Dominion: Right-Wing Movements and Political Power in the United States*. New York: Guilford Press, 1995.
- Donzelot, Jacques. *The Policing of Families*. New York: Pantheon Books, 1979.
- Dreyfus, Hubert L., Paul Rabinow, and Michel Foucault. *Michel Foucault, Beyond Structuralism and Hermeneutics*. Chicago: University of Chicago Press, 1983.
- Eatwell, Roger. "How to Revise History (and Influence People?), Neo-Fascist Style." In *The Far Right in Western and Eastern Europe*, edited by Luciano Cheles, Ronnie Ferguson and Michalina Vaughan, 309-26. London; New York: Longman, 1995.
- Eco, Umberto. "Ur-Fascism." *The New York Review of Books*, June 22 1995, 12-15.
- Ellul, Jacques. *The Technological Society*. New York: Knopf, 1964.
- Enzensberger, Hans Magnus. *Civil Wars: From L.A. To Bosnia*. New York: New Press, 1993.
- . "The Great Migration." *Granta* 42 (Winter 1992).
- Evans, Dylan. *An Introductory Dictionary of Lacanian Psychoanalysis*. London; New York: Routledge, 1996.
- Ewald, François. "Norms, Discipline and the Law." *Representations* 30 (Spring 1990): 138-61.
- Ezekiel, Raphael S. *The Racist Mind: Portraits of American Neo-Nazis and Klansmen*. New York: Viking, 1995.
- Fennema, Meindert. "Some Theoretical Problems and Issues in Comparison of Anti-Immigrant Parties in Western Europe." *Barcelona: Working Papers Series, Institut de Ciències Polítiques i Socials* 115 (1996): 3-41.
- Fish, Stanley Eugene. *There's No Such Thing as Free Speech, and It's a Good Thing, Too*. New York: Oxford University Press, 1994.
- Ford, G. "Report of the Committee of Inquiry in Racism and Xenophobia." Brussels: European Parliament, 1990.
- . *Fascist Europe: The Rise of Racism and Xenophobia*. London: Pluto Press, 1992.
- Foucault, Michel. *Discipline and Punish: The Birth of the Prison*. New York: Pantheon Books, 1977.
- . *The History of Sexuality, Volume Two: The Use of Pleasure*. Translated by Robert Hurley.

- New York: Pantheon Books, 1978.
- . *The History of Sexuality, Volume One: An Introduction*. Translated by Robert Hurley. New York: Pantheon Books, 1978.
- . *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*. Edited by Colin Gordon. New York: Pantheon Books, 1980.
- . "Two Lectures." In *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*, edited by Colin Gordon, 78-108. New York: Pantheon Books, 1980.
- . "History of Systems of Thought, 1979." *Philosophy and Social Criticism* 8, no. 3 (1981): 353-359.
- . "On the Genealogy of Ethics." In *Michel Foucault: Beyond Structuralism and Hermeneutics (2nd Edition)*, Hubert Dreyfus and Paul Rabinow, pp. 229-252. Chicago: University of Chicago Press, 1982.
- . "Preface." In *Anti-Oedipus: Capitalism and Schizophrenia*, xi-xiv. Minneapolis: University of Minnesota Press, 1983.
- . "Nietzsche, Genealogy, and History." In *The Foucault Reader*, edited by Paul Rabinow, pp. 76-100. New York: Pantheon Books, 1984.
- . "What Is Enlightenment?" In *The Foucault Reader*, edited by Paul Rabinow, pp. 32-50. New York: Pantheon Books, 1984.
- . "Politics and Reason." In *Politics, Philosophy, Culture: Interviews and Other Writings, 1977-1984*, edited by Lawrence D. Kritzman, 57-85. New York: Routledge, 1988.
- . *Foucault Live: (Interviews, 1966-84)*. Edited by Sylvère Lotringer. New York: Semiotext(e), 1989.
- . "Problematics." In *Foucault Live: (Interviews, 1966-84)*, edited by Sylvère Lotringer, pp. 416-422. New York: Semiotext(e), 1989.
- . "The Concern for Truth." In *Foucault Live: (Interviews, 1966-84)*, edited by Sylvère Lotringer, 455-464. New York: Semiotext(e), 1989.
- . "Governmentality." In *The Foucault Effect: Studies in Governmentality: With Two Lectures by and an Interview with Michel Foucault*, edited by Graham Burchell, Colin Gordon and Peter Miller, pp. 87-104. Chicago: University of Chicago Press, 1991.
- . "Polemics, Politics, and Problematizations." In *Ethics: Subjectivity and Truth*, edited by Paul Rabinow, pp. 111-20. New York: New Press, 1997.
- . "What Is Critique?" In *The Politics of Truth*, edited by Sylvère Lotringer and Lysa Hochroth, pp. 23-82. New York: Semiotext(e): Distributed by the MIT Press, 1997.
- . *The Politics of Truth*. Edited by Sylvère Lotringer and Lysa Hochroth, *Semiotext(E) Foreign Agents Series*. New York: Semiotext(e): Distributed by the MIT Press, 1997.
- . *Ethics: Subjectivity and Truth*. Translated by Robert Hurley and others. Edited by Paul Rabinow. New York: New Press; Distributed by W.W. Norton, 1997.
- . "Technologies of the Self." In *Ethics: Subjectivity and Truth*, edited by Paul Rabinow, 223-52. New York: New Press; Distributed by W.W. Norton, 1997.
- . "The Ethics of Concern for the Self as a Practice of Freedom." In *Ethics: Subjectivity and Truth*, edited by Paul Rabinow, 281-302. New York: New Press; Distributed by W.W. Norton, 1997.
- . "What Our Present Is." In *The Politics of Truth*, edited by Lysa Hochroth and Sylvère Lotringer, 147-68. New York: Semiotext(e), 1997.
- . "'Omnes Et Singulatim': Toward a Critique of Political Reason." In *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, edited by James D. Faubion, pp. 298-325. New York: New Press; Distributed by W.W. Norton, 2000.
- . "The Subject and Power." In *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, edited by James D. Faubion, pp. 326-48. New York: New Press; Distributed by W.W. Norton, 2000.
- . *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*. Translated by Robert Hurley and others. Edited by James D. Faubion. New York: New Press; Distributed by W.W. Norton, 2000.
- . "The Political Technology of Individuals." In *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, edited by James D. Faubion, 403-17. New York: New Press; Distributed by W.W. Norton, 2000.

- . "About the Concept of the 'Dangerous Individual' in Nineteenth-Century Legal Psychiatry." In *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, edited by James D. Faubion, 176-200. New York: New Press; Distributed by W.W. Norton, 2000.
- . "For an Ethic of Discomfort." In *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, edited by James D. Faubion, 443-48. New York: New Press; Distributed by W.W. Norton, 2000.
- . "Useless to Revolt?" In *Power: Essential Works of Michel Foucault 1954-1984, Volume Three*, edited by James D. Faubion, 449-53. New York: New Press; Distributed by W.W. Norton, 2000.
- . *Fearless Speech*. Edited by Joseph Pearson. Los Angeles, Ca[lif.]: Semiotext(e): [Distributed by MIT Press], 2001.
- . *Society Must Be Defended: Lectures at the College De France, 1975-76*. Translated by David Macey. Edited by Mauro Bertani, Alessandro Fontana, Francois Ewald and David Macey. New York: Picador, 2003.
- Freeman, Alan. "Showman Haider Tailors Act to Suit Austrian Audience." *Globe and Mail*, February 7 2000, 7.
- Gerstenfeld, Phyllis B. *Hate Crimes: Causes, Controls, and Controversies*. Thousand Oaks, CA: Sage Publications, Inc., 2004.
- Gerstenfeld, Phyllis B., and Diana Ruth Grant, eds. *Crimes of Hate: Selected Readings*. Thousand Oaks, Calif.: Sage Publications, 2004.
- Giddens, Anthony. *Modernity and Self-Identity: Self and Society in the Late Modern Age*. Stanford, Calif.: Stanford University Press, 1991.
- Golsan, Richard Joseph. "Introduction." In *Fascism's Return: Scandal, Revision, and Ideology since 1980*. Lincoln: University of Nebraska Press, 1998.
- Gordon, Colin. "Governmental Rationality: An Introduction." In *The Foucault Effect: Studies in Governmentality: With Two Lectures by and an Interview with Michel Foucault*, edited by Graham Burchell, Colin Gordon and Peter Miller, pp. 1-52. Chicago: University of Chicago Press, 1991.
- Greenaway, Norma. "Zundel Branded a Security Threat." *The Ottawa Citizen*, May 3 2003, 3.
- Gregor, A. James. *The Ideology of Fascism: The Rationale of Totalitarianism*. New York,: Free Press, 1969.
- Greimas, Algirdas Julien. *On Meaning: Selected Writings in Semiotic Theory*. Translated by Paul J. Perron and Frank H. Collins. London: F. Pinter, 1987.
- Griffin, Roger. "Non-European and Post-War Fascisms." In *The Nature of Fascism*, 146-81. London: Pinter, 1991.
- . *The Nature of Fascism*. London: Pinter, 1991.
- Habermas, Jurgen. "The Scientization of Politics and Public Opinion." In *Toward a Rational Society: Student Protest, Science, and Politics*, pp. 62-80. Boston: Beacon Press, 1970.
- . "Technical Progress and the Social Life-World." In *Toward a Rational Society: Student Protest, Science, and Politics*, pp. 50-61. Boston: Beacon Press, 1970.
- Hagan, John, Hans Merckens, and Klaus Boehnke. "Delinquency and Disdain: Social Capital and the Control of Right-Wing Extremism among East and West German Youth." *American Journal of Sociology* 100, no. 4 (1995): 1028-52.
- Hainsworth, Paul, ed. *The Extreme Right in Europe and the USA*. New York: St. Martin's Press, 1992.
- Halifax Daily News*, "Zundel Suing Ottawa for His Years in Prison." Nov 25 2004, 42.
- Hamm, Mark S. *American Skinheads: The Criminology and Control of Hate Crime, Praeger Series in Criminology and Crime Control Policy*. Westport, Conn.: Praeger, 1993.
- Hardt, Michael, and Antonio Negri. *Empire*. Cambridge, Mass.: Harvard University Press, 2000.
- Hargreaves, Alec G., and Jeremy Leaman. *Racism, Ethnicity, and Politics in Contemporary Europe*. Aldershot, England; Brookfield, Vt., USA: E. Elgar, 1995.
- Harris, Geoff. *The Dark Side of Europe: The Extreme Right Today*. Edinburgh: Edinburgh University Press, 1994.
- Harvey, David. *The Condition of Postmodernity: An Enquiry into the Origins of Cultural Change*. Cambridge, Mass., USA: Blackwell, 1989.
- Hasselbach, Ingo, and Tom Reiss. *Fuhrer-Ex: Memoirs of a Former Neo-Nazi*. New York: Random House, 1996.

- Heidegger, Martin. *An Introduction to Metaphysics*. New Haven,: Yale University Press, 1959.
- . *The Question Concerning Technology, and Other Essays*. Translated by William Lovitt. New York: Harper & Row, 1977.
- . "The Question Concerning Technology." In *The Question Concerning Technology, and Other Essays*, 3-35. New York: Harper & Row, 1977.
- . "The Age of the World Picture." In *The Question Concerning Technology, and Other Essays*, 115-54. New York: Harper & Row, 1977.
- . "The Turning." In *The Question Concerning Technology, and Other Essays*, 36-49. New York: Harper & Row, 1977.
- . "The Self-Assertion of the German University." In *The Heidegger Controversy: A Critical Reader*, edited by Richard Wolin, 29-39. Cambridge, Mass.: MIT Press, 1993.
- Herf, Jeffrey. *Reactionary Modernism: Technology, Culture, and Politics in Weimar and the Third Reich*. Cambridge; New York: Cambridge University Press, 1984.
- Hill, Ray, and Andrew Bell. *The Other Face of Terror: Inside Europe's Neo-Nazi Network*. London: Grafton, 1988.
- Hillenkamp, Sven. "'Die Autonomen:' between Cultural Reality and Political Efficiency." *Forschungsjournal Neue Soziale Bewegungen* 8, no. 2 (1995): 54-66.
- Hindess, Barry. *Discourses of Power: From Hobbes to Foucault*. Oxford, UK; Cambridge, Mass., USA: Blackwell Publishers, 1996.
- . "Politics and Governmentality." *Economy and Society* 26, no. 2 (1997): 257-72.
- Hockenos, Paul. "Jorg Haider: Austria's Far Right Wunderkind." *World Policy Journal* 12 (Fall 1995): 75-80.
- Hoffer, Eric. *The True Believer: Thoughts on the Nature of Mass Movements*. New York: Harper, 1951.
- Hofstadter, Richard. "The Paranoid Style in American Politics." *Harper's Magazine* (November 1964): 77-86.
- Horkheimer, Max, and Theodor W. Adorno. "Elements of Anti-Semitism." In *Dialectic of Enlightenment*, pp. 137-72. New York: Seabury Press, 1972.
- Human Rights and Equal Opportunity Commission. "Racist Violence: Report of the National Inquiry into Racist Violence in Australia." Canberra: AGPS, 1991.
- Husbands, Christopher. "The Other Face of 1992: The Extreme Right Explosion in Western Europe." *Parliamentary Affairs: A Journal of Comparative Politics* 45, no. 3 (1992): 267-84.
- . "Militant Neo-Nazism in the Federal Republic of Germany in the 1990s." In *The Far Right in Western and Eastern Europe*, edited by Luciano Cheles, Ronnie Ferguson and Michalina Vaughan, 327-53. London; New York: Longman, 1995.
- Ignazi, Piero. "The Silent Counter-Revolution: Hypotheses on the Emergence of Extreme Right-Wing Parties in Europe." *European Journal of Political Research* 22, no. 3-34 (1992).
- . "New Challenges: Postmaterialism and the Extreme Right." In *Developments in West European Politics*, edited by Martin Rhodes, Paul Heywood and Vincent Wright, 300-19. New York: St. Martin's Press, 1997.
- Iyer, Nitya. "Reasons for Decision." *Canadian Jewish Congress v. North Shore News and Doug Collins, R.S.B.C.* (1996, c.210): 141-43.
- Jacobs, James. "The Emergence and Implications of American Hate Crime Jurisprudence." In *Hate and Bias Crime: A Reader*, edited by Barbara Perry, 409-26. New York: Routledge, 2003.
- Jacobs, James B., and Kimberly Potter. *Hate Crimes: Criminal Law & Identity Politics*. New York: Oxford University Press, 1998.
- Jameson, Frederic. *The Political Unconsciousness: Narrative as a Socially Symbolic Act*. Ithaca, NY: Cornell University Press, 1981.
- . "Postmodernism, or the Cultural Logic of Late Capitalism." *New Left Review* 146, no. July/August (1984): 53-92.
- . "Foreward." In A.J. Greimas *On Meaning: Selected Writings in Semiotic Theory*, vi-xxii. London: F. Pinter, 1987.
- Jones, Larry Eugene. *German Liberalism and the Dissolution of the Weimar Party System, 1918-1933*. Chapel Hill: University of North Carolina Press, 1988.
- Jünger, Ernst. "Total Mobilization." In *The Heidegger Controversy: A Critical Reader*, edited by Richard Wolin, 119-39. Cambridge, Mass.: MIT Press, 1993.

- Kari, Shannon. "Zundel Security Threat Denied: Lawyer Alleges Government Smear Job." *The Windsor Star*, November 2 2004, 9.
- Kass, Leon. "Introduction: The Problem of Technology." In *Technology in the Western Political Tradition*, edited by Arthur M. Melzer, J. Weinberger, M. Richard Zinman and Political Science Department. Michigan State University, pp. 1-24. Ithaca, N.Y.: Cornell University Press, 1993.
- Katsiaficas, George N. *The Subversion of Politics: European Autonomous Social Movements and the Decolonization of Everyday Life*. Atlantic Highlands, N.J.: Humanities Press, 1997.
- Kershaw, Ian. *Hitler, 1889-1936: Hubris*. London: Penguin, 2001.
- Kinsella, Warren. *Web of Hate: Inside Canada's Far Right Network*. Toronto: Harper Perennial, 1995.
- Kitschelt, Herbert, and Anthony J. McGann. *The Radical Right in Western Europe: A Comparative Analysis*. Ann Arbor: University of Michigan Press, 1995.
- Knight, Robert. "Haider, the Freedom Party and the Extreme Right in Austria." *Parliamentary Affairs: A Journal of Comparative Politics* 45, no. 3 (July, 1992): 285-99.
- Knutter, Hans-Helmuth. "The 'Antifascism' of 'Autonomen' and Anarchists(a)." *Telos* 105 (Fall 1995).
- Koopmans, Ruud. "Explaining the Rise of Racist and Extreme Right Violence in Western Europe: Grievances or Opportunities?" *European Journal of Political Research* 30 (1996): 185-216.
- Kristeva, Julia. "From Symbol to Sign." In *The Kristeva Reader*, edited by Toril Moi, 62-73. New York: Columbia University Press, 1986.
- . *Strangers to Ourselves, European Perspectives*. New York: Columbia University Press, 1991.
- La Perrière, Guillaume de. *Le Miroir Politique*. Paris, 1567.
- Laclau, Ernesto. *Politics and Ideology in Marxist Theory: Capitalism, Fascism, Populism*. London: NLB, 1977.
- Laclau, Ernesto, and Chantal Mouffe. *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*. London: Verso, 1985.
- Lacoue-Labarthe, Philippe. *Heidegger, Art, and Politics: The Fiction of the Political*. Oxford, UK; Cambridge, Mass.: B. Blackwell, 1990.
- Lash, Scott, and John Urry. *Economies of Signs and Space*. London; Thousand Oaks, Calif.: Sage, 1994.
- Lee, Martin. *The Beast Awakens: Fascism's Resurgence from Hitler's Spymasters to Today's Neo-Nazi Groups and Right-Wing Extremists*. Boston: Little Brown & Co., 1997.
- Leeper, Roy. "Keegstra and R.A.V.: A Comparative Analysis of the Canadian and U.S. Approaches to Hate Speech Legislation." *Communication Law and Policy* 5, no. 3 (2000): 295-321.
- Lefort, Claude. *The Political Forms of Modern Society: Bureaucracy, Democracy, Totalitarianism*. Edited by John B. Thompson. Cambridge, Mass.: MIT Press, 1986.
- Lethbridge, David. *Revolutionary Antifascism*, 2001. Available from <http://bethuneinstitute.org/index2.html>.
- Lifton, Robert Jay. *The Nazi Doctors: Medical Killing and the Psychology of Genocide*. New York: Basic Books, 1986.
- Lipstadt, Deborah. *Denying the Holocaust: The Growing Assault on Truth and Memory*. New York: Free Press, 1993.
- Lowith, Karl. "The Political Implications of Heidegger's Existentialism." In *The Heidegger Controversy: A Critical Reader*, edited by Richard Wolin, 167-85. New York: Columbia University Press, 1991.
- Lyotard, Jean-François. *The Postmodern Condition: A Report on Knowledge*. Minneapolis: University of Minnesota Press, 1984.
- . *The Differend: Phrases in Dispute*. Minneapolis: University of Minnesota Press, 1988.
- Macherey, Pierre. "Literary Analysis: The Tomb of Structures." In *A Theory of Literary Production*, 136-58. London ; Boston: Routledge & Kegan Paul, 1978.
- Mandel, Naomi. "Rethinking 'after Auschwitz': Against a Rhetoric of the Unspeakable in Holocaust Writing." *boundary 2*, no. 28 (2001): 203-28.
- Marcus, Laurence R. *Fighting Words: The Politics of Hateful Speech*. Westport, Conn.: Praeger, 1996.
- Mason, Timothy W., and Jane Caplan. *Nazism, Fascism and the Working Class*. Cambridge [England]; New York, NY, USA: Cambridge University Press, 1995.
- Matas, David. "The Zundel Prosecution." In *Bloody Words: Hate and Free Speech*, 67-83. Winnipeg:

- Bain & Cox, 2000.
- . *Bloody Words: Hate and Free Speech*. Winnipeg: Bain & Cox, Publishers, 2000.
- Matsuda, Mari J. *Words That Wound: Critical Race Theory, Assaultive Speech, and the First Amendment*. Boulder, Colo.: Westview Press, 1993.
- McCormick, John P. *Carl Schmitt's Critique of Liberalism: Against Politics as Technology*. Cambridge; New York: Cambridge University Press, 1997.
- McDevitt, Jack, Jack Levin, and Susan Bennett. "Hate Crime Offenders: An Expanded Typology." In *Hate and Bias Crime: A Reader*, edited by Barbara Perry, 109-16. New York: Routledge, 2003.
- McLaren, Angus. *Our Own Master Race: Eugenics in Canada, 1885-1945, The Canadian Social History Series*. Toronto, Ont.: McClelland & Stewart, 1990.
- Merkel, Peter H., and Leonard Weinberg, eds. *Encounters with the Contemporary Radical Right, New Directions in Comparative Politics*. Boulder: Westview Press, 1993.
- Mertl, Steve, and John Ward. *Keegstra: The Trial, the Issues, the Consequences*. Saskatoon: Western Producer Prairie Books, 1985.
- Minkenbergh, Michael. "The New Right in Germany: The Transformation of Conservatism and the Extreme Right." *European Journal of Political Research* 22 (1992): 55-82.
- The Montreal Gazette*, "Seven Facing Deportation." December 13 2004, 4.
- Mosse, George L. *Toward the Final Solution: A History of European Racism*. New York: H. Fertig, 1978.
- Mouffe, Chantal. *The Return of the Political*. London; New York: Verso, 1993.
- Mudde, Cas. "Right-Wing Extremism Analyzed: A Comparative Analysis of the Ideologies of Three Alleged Right-Wing Extremist Parties (Npd, Ndp, Cp'86)." *European Journal of Political Research* 27 (1995): 203-24.
- . "The War of Words Defining the Extreme Right Party Family." *West European Politics* 19, no. 2 (1996): 225-48.
- Murphy, Richard. "Far Right Party Moves Closer to Power in Austria." *Globe and Mail*, January 28 2000, 11.
- Nancy, Jean-Luc. *The Inoperative Community, Theory and History of Literature*. Minneapolis, MN: University of Minnesota Press, 1990.
- The National Post*, "Zundel faces trial in Germany for inciting racial hatred," July 20, 2005, p. A15.
- Neaman, Elliot. "Ernst Junger's Millennium: Bad Citizens for the New Century." In *Fascism's Return: Scandal, Revision, and Ideology since 1980*, edited by Richard Joseph Golsan, 219-43. Lincoln: University of Nebraska Press, 1998.
- Neaman, Eliot, and Hajo Funke. "Germany: The Nationalist Backlash." *Dissent* 40, no. 1 (1993): 11-15.
- Nietzsche, Friedrich. *Beyond Good and Evil: Prelude to a Philosophy of the Future*. Translated by Walter Arnold Kaufmann. New York: Vintage Books, 1966.
- . *The Birth of Tragedy, and the Case of Wagner*. New York: Vintage Books, 1967.
- . *On the Genealogy of Morals*. Translated by Walter Arnold Kaufmann. New York: Vintage Books, 1967.
- . *Jenseits Von Gut Und Böse*. Frankfurt: Insel Verlag, 1984.
- . *Human, All Too Human: A Book for Free Spirits*. Translated by R. J. Hollingdale, *Texts in German Philosophy*. Cambridge; New York: Cambridge University Press, 1986.
- Nisbet, Robert A. *The Sociological Tradition*. New York: Basic Books, 1966.
- Nizkor Project* [cited December 20 2004]. Available from <http://www.nizkor.org/hweb/people/z/zundel-ernst/supreme-court/>.
- Ostow, Robin. "'Ne Art Bürgerwehr in Form Von Skins': Young Germans on the Streets in the Eastern and Western States of the Federal Republic." *New German Critique* 64 (1995): 87-103.
- Patton, Paul. *Deleuze and the Political, Thinking the Political*. London; New York: Routledge, 2000.
- Pentley, William. "Words That Wound: Human Rights Proceedings as a Response to Hatred in Canada." Paper presented at the Hatred in Canada: Perspectives, Action and Prevention, Victoria, British Columbia 1998.
- Perry, Barbara, ed. *Hate and Bias Crime: A Reader*. New York: Routledge, 2003.
- Peukert, Detlev. *Inside Nazi Germany: Conformity, Opposition, and Racism in Everyday Life*. New Haven: Yale University Press, 1987.

- Piccone, Paul. "Confronting the French New Right: Old Prejudices or a New Political Paradigm?" *Telos* 98-99 (Fall/Winter 1994): 3-22.
- . (ed.) "Special Double Issue: The New French Right: New Right New Left New Paradigm?" *Telos* 98-99 (Winter 1993-Fall 1994).
- Proctor, Robert. *Racial Hygiene: Medicine under the Nazis*. Cambridge, Mass.: Harvard University Press, 1988.
- Quitter, Jon. "To Hell and Back." *Punk Planet* 48 (March/April, 2002): 38-45.
- Rabinow, Paul. "Introduction." In *Ethics: Subjectivity and Truth*, edited by Paul Rabinow, XXXVIII-XL. New York: New Press; Distributed by W.W. Norton, 1997.
- Ranciere, Jacques. *Disagreement: Politics and Philosophy*. Minneapolis: University of Minnesota Press, 1999.
- Renton, Dave. *Fascism: Theory and Practice*. London; Sterling, Va.: Pluto Press, 1999.
- Ridgeway, James. *Blood in the Face: The Ku Klux Klan, Aryan Nations, Nazi Skinheads and the Rise of a New White Culture*. New York: Thunder's Mouth Press, 1995.
- Rose, Nikolas S. *Powers of Freedom: Reframing Political Thought*. Cambridge, United Kingdom; New York, NY: Cambridge University Press, 1999.
- Rosenberg, Alfred. "The Folkish Idea of the State." In *Nazi Ideology before 1933: A Documentation*, edited by Barbara Miller Lane and Leila J. Rupp, 59-74, Austin: University of Texas Press, 1978.
- Saunders, Doug. "Germany Agonizes over Neo-Nazis' Resurgence." *Globe and Mail*, September 25 2004, 13.
- Sayer, Derek. *Capitalism and Modernity: An Excursus on Marx and Weber*. London; New York: Routledge, 1991.
- Scheuerman, William E. *Between the Norm and the Exception: The Frankfurt School and the Rule of Law*. Cambridge, Mass.: MIT Press, 1994.
- Schleifer, Ronald. *A.J. Greimas and the Nature of Meaning: Linguistics, Semiotics, and Discourse Theory*. Lincoln: University of Nebraska Press, 1987.
- Schmidt, Michael. *The New Reich: Violent Extremism in Unified Germany and Beyond*. New York: Pantheon Books, 1993.
- Schmitt, Carl. *Political Theology: Four Chapters on the Concept of Sovereignty*. Translated by George Schwab. Cambridge, Mass.: MIT Press, 1985 (1922).
- . *The Concept of the Political*. Translated by J. Harvey Lomax. Chicago: University of Chicago Press, 1996 (1932).
- . *Four Articles, 1931-1938*. Translated by Simona Draghici. Edited by Simona Draghici. Washington, D.C.: Plutarch Press, 1999.
- . "The Way to the Total State." In *Four Articles, 1931-1938*, edited by Simona Draghici, 1-18. Washington, D.C.: Plutarch Press, 1999.
- . "State, Movement, People: The Triadic Structure of the Political Unity." In *State, Movement, People: The Triadic Structure of the Political Unity: The Question of Legality*, edited by Simona Draghici, pp. 3-52. Corvallis, OR: Plutarch Press, 2001.
- . "The Age of Neutralizations and Depoliticizations." *Telos* 96 (Summer 1993).
- Schürmann, Reiner. "Technicity, Topology, Tragedy: Heidegger on 'That Which Saves' in the Global Reach." In *Technology in the Western Political Tradition*, edited by Arthur M. Melzer, J. Weinberger, M. Richard Zinman, Michigan State University. Political Science Dept. and Symposium on Science Reason and Modern Democracy, 190-213. Ithaca, N.Y.: Cornell University Press, 1993.
- Shenk, Alyssa. "Victim-Offender Mediation: The Road to Repairing Hate Crime Injustice." In *Hate and Bias Crime: A Reader*, edited by Barbara Perry, 439-54. New York: Routledge, 2003.
- Simmel, Georg. "The Metropolis and Mental Life." In *The Sociology of Georg Simmel*, edited by Kurt Wolff, 409-424, Glencoe, Ill.: Free Press, 1950.
- Smith, Dorothy E. "'Politically Correct': An Organizer of Public Discourse." In *Writing the Social: Critique, Theory, and Investigations*, 172-249. Toronto; Buffalo: University of Toronto Press, 1999.
- Southern Law Poverty Center. *Intelligence Report 'Present at the Creation'* [cited March 24 2005]. Available from <http://www.splcenter.org/intel/intelreport/article.jsp?aid=179>.
- Special Committee on Hate Propaganda in Canada. "Report to the Minister of Justice of the Special

- Committee on Hate Propaganda in Canada." Ottawa: R. Duhamel, Queen's Printer, 1966.
- Speer, Albert. *Inside the Third Reich: Memoirs*. [New York]: Macmillan, 1970.
- Steinmetz, George. "Fordism and the (Im)Moral Economy of Right-Wing Violence in Contemporary Germany." *Research on Democracy and Society* 2 (1994): 277-315.
- Sternhell, Zeev, Mario Sznajder, and Maia Ashâeri. *The Birth of Fascist Ideology: From Cultural Rebellion to Political Revolution*. Translated by David Maisel. Princeton, N.J.: Princeton University Press, 1994.
- Stinson, Scott, and Adrian Humphreys. "Zundel Denied Bail While Facing Deportation: National Security Case." *National Post*, January 22 2004, 2.
- Taguieff, Pierre-André. "The New Cultural Racism in France." *Telos* 83 (Spring 1990).
- . "From Race to Culture: The New Right's View of European Identity." *Telos* 98-9 (Winter 1993 - Spring 1994): 99 - 125.
- . "Discussion or Inquisition? The Case of Alain De Benoist." *Telos* 98-99 (Winter 1993-Fall 1994): 34-55.
- Tarrow, Sidney G. *Power in Movement: Social Movements and Contentious Politics*. Cambridge [England]; New York: Cambridge University Press, 1998.
- Theweleit, Klaus. *Male Fantasies. Vol. 1: Women, Floods, Bodies, History*. Cambridge: Polity Press, 1987.
- . *Male Fantasies. Vol. 2: Male Bodies: Psychoanalyzing the White Terror*. Minneapolis: University of Minnesota Press, 1987.
- Thompson, Allan. "Zundel Declared a Threat to Security: Faces Deportation to Germany Decision Follows Report from Csis." *Toronto Star*, May 3 2003, 30.
- Tiedemann, Rolf. "Introduction." In *Can One Live after Auschwitz? A Philosophical Reader*, edited by Rolf Tiedemann, xi-xxvii. Stanford, Calif.: Stanford University Press, 2003.
- Toronto Star*, "Zundel Haunts Us Still." April 19 2003, 1.
- Turner, Bryan S. *Max Weber: From History to Modernity*. London; New York: Routledge, 1992.
- United States Supreme Court. "R.A.V. v. City of St. Paul, Minnesota (505 U.S. 377, 1992)." In *Crimes of Hate: Selected Readings*, edited by Phyllis Gerstenfeld and Diana Grant, 67-72. Thousand Oaks, Ca.: Sage Publications, 2004.
- Vahabzadeh, Peyman. *Articulated Experiences: Toward a Radical Phenomenology of Contemporary Social Movements*. Albany: State University of New York Press, 2003.
- Vidal-Naquet, Pierre. *Assassins of Memory: Essays on the Denial of the Holocaust*. New York: Columbia University Press, 1992.
- Virilio, Paul. "The Suicidal State." In *The Virilio Reader*, edited by James Der Derian, pp. 29-46. Malden, Mass.: Blackwell Publishers, 1998.
- von Beyme, Klaus. "Right Wing Extremism in Post-War Europe." *West European Politics* 11, no. 2 (1988): 1-18.
- Walker, R. B. J. *Inside/Outside: International Relations as Political Theory*. Cambridge [England]; New York: Cambridge University Press, 1993.
- . "Violence, Modernity, Silence: From Max Weber to International Relations." In *The Political Subject of Violence*, edited by David Campbell and Michael Dillon, 137-60. Manchester; New York, NY: Manchester University Press; Distributed in the USA and Canada by St. Martin's Press, 1993.
- Weber, Max. "Politics as a Vocation." In *From Max Weber: Essays in Sociology*, edited by Hans Heinrich Gerth and C. Wright Mills, pp. 77-128. New York,: Oxford University Press, 1946.
- . *From Max Weber: Essays in Sociology*. Edited by Hans Heinrich Gerth and C. Wright Mills. New York,: Oxford University Press, 1946.
- . "Bureaucracy." In *From Max Weber: Essays in Sociology*, edited by Hans Heinrich Gerth and C. Wright Mills, pp. 196-244. New York,: Oxford University Press, 1946.
- . *The Protestant Ethic and the Spirit of Capitalism*. Translated by Talcott Parsons. New York,: Scribner, 1958.
- Weimann, Gabriel, and Conrad Winn. *Hate on Trial: The Zundel Affair, the Media, Public Opinion in Canada*. Oakville, Ont.: Mosaic Press, 1986.
- Wessler, Stephen. "Promising Practices against Hate Crimes: Five State and Local Demonstration Projects." In *Hate and Bias Crime: A Reader*, edited by Barbara Perry, 455-64. New York: Routledge, 2003.

- Whillock, Rita Kirk, and David Slayden, eds. *Hate Speech*. Thousand Oaks, Calif.: Sage Publications, 1995.
- Winant, Howard. "Behind Blue Eyes: Whiteness and Contemporary U.S. Racial Politics." *New Left Review* 225 (1997): 73-88.
- The Windsor Star*, "U.S. Judge Couldn't Stop Zundel Deportation." Nov 20 2004, 11.
- Winner, Langdon. *Autonomous Technology: Technics-out-of-Control as a Theme in Political Thought*. Cambridge, Mass.: MIT Press, 1977.
- Wolin, Richard. "Designer Fascism." In *Fascism's Return: Scandal, Revision, and Ideology since 1980*, edited by Richard Joseph Golsan, 48-62. Lincoln: University of Nebraska Press, 1998.
- Zimmerman, Michael E. *Heidegger's Confrontation with Modernity: Technology, Politics, and Art*. Bloomington: Indiana University Press, 1990.
- Žižek, Slavoj. *The Sublime Object of Ideology*. London; New York: Verso, 1989.
- . *Looking Awry: An Introduction to Jacques Lacan through Popular Culture*. Cambridge, Mass.: MIT Press, 1991.
- . *The Metastases of Enjoyment: Six Essays on Woman and Causality*. London; New York: Verso, 1994.
- . "Superego by Default." In *The Metastases of Enjoyment: Six Essays on Woman and Causality*, 54-85. London; New York: Verso, 1994.
- . "Multiculturalism, or, the Cultural Logic of Multinational Capitalism." *New Left Review* 225 (1997): 28-51.
- . *The Plague of Fantasies*. London; New York: Verso, 1997.
- . "Love Thy Neighbor? No, Thanks!" In *The Plague of Fantasies*, 45-85. London; New York: Verso, 1997.
- . "Risk Society and Its Discontents." *Historical Materialism* 2, no. 1 (1998): 143-64.
- . *The Ticklish Subject: The Absent Centre of Political Ontology*. London; New York: Verso, 1999.
- . "Whither Oedipus?" In *The Ticklish Subject: The Absent Centre of Political Ontology*, 313-92. London; New York: Verso, 1999.
- . *Did Somebody Say Totalitarianism?* London; New York: Verso, 2001.
- . *Welcome to the Desert of the Real!: Five Essays on 11 September and Related Dates*. London; New York: Verso, 2002.