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The Letter and the Witness: Agamben, Heidegger, and Derrida

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In Remnants of Auschwitz, Agamben introduces a particular conception of bearing witness to overcome the problems contained in an account of language that depends on the voice or the letter. From his earlier work, it is clear that his critique of the voice and the letter is not only directed to ancient and medieval metaphysics, but also concerns Heidegger’s account of the voice and Derrida’s account of the letter and writing. Yet, if Agamben is correct in claiming that bearing witness offers an alternative to Heidegger’s voice and Derrida’s letter, it is remarkable – a fact unnoticed in the available literature – that Agamben does not discuss how these conceptions of the voice and the letter are intrinsically connected to the problem of testimony for Heidegger as well as Derrida. To show how this lack of attention to bearing witness in Heidegger and Derrida affects Agamben’s critique, this article proceeds as follows. First, we interpret Agamben’s critique of Heidegger’s conception of the voice and Derrida’s conception of writing in terms of the presuppositional constitution of metaphysics. Second, we describe Agamben’s concept of the witness and indicate how it offers an alternative to this presuppositional constitution of metaphysics. Finally, we show which role bearing witness plays in Heidegger’s voice and Derrida’s letter, and how our analysis presents a more precise version of Agamben’s critique.

One of the most striking sentences from Giorgio Agamben’s Remnants of Auschwitz reads: “In the non-place of the Voice stands not writing, but the witness.”1 Although this study on the nature of the testimonial literature of people such as Primo Levi offers a clear account of what Agamben means by bearing witness, the sentence itself remains quite enigmatic and can only be understood in light of his earlier reflections on language.2 In these reflections, Agamben criticizes the concept of the (removed) voice, which includes Heidegger’s conception of the voice of conscience and the voice of being, as well as Derrida’s concept of writing and the letter. Apparently, Remnants of Auschwitz suggests that the witness offers an alternative to both the voice and the letter.

The sentence quoted above as well as the critique of Heidegger and Derrida contained therein has attracted some attention in the literature.3 Yet, one fundamental aspect is usually not taken into account: although Agamben introduces the witness and his or her testimony as an alternative to

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1Agamben, Remnants of Auschwitz, 130.
2As developed in Agamben, Language and Death; Potentialities; and The End of the Poem.
3For the reference to this sentence, see Librett, “From the Sacrifice of the Letter”, at 32; Ojakangas, “Conscience, the Remnant and the Witness”, at 707. For the critique of Heidegger and Derrida, see Thurschwell, “Cutting the Branches for Akiba”; Vogt, “S/Citing the Camp”.
voice and writing, he does not discuss how both Heidegger’s account of the voice and Derrida’s (later) reflections on the letter involve an account of testimony and bearing witness as well. Therefore, a proper assessment of Agamben’s critique of Heidegger and Derrida as well as of Agamben’s claim that the witness offers an alternative to the voice and the letter should include a reflection of how testimony and bearing witness is at stake in Heidegger’s voice and Derrida’s letter. It is the task of this article to offer such an assessment.

To this end, I will first provide my own account of Agamben’s earlier critique of Heidegger’s voice and Derrida’s writing as a critique concerning the characteristic structure of metaphysics. Second, I will discuss Agamben’s concept of the witness and show in which sense it offers an alternative to this characteristic structure of metaphysics as well as to the voice and the letter. Finally, in the third section, I will show how Heidegger’s and Derrida’s account of testimony are implied in their understanding of the voice and the letter, respectively, and how this affects Agamben’s critique.

1. The Presuppositional Constitution of Metaphysics

Throughout his earlier work, Agamben discusses the notions of the voice and the letter in light of an inquiry into the basic structure of metaphysics. Although his inquiry is inspired by Heidegger’s account of metaphysics as onto-theology and Derrida’s account of metaphysics as metaphysics of presence, he nevertheless distances himself from their accounts in one crucial respect. This can best be seen if we consider how he distances himself from Derrida’s account of metaphysics as phonocentrism, that is, as a thought that privileges the voice, phone, over the letter, gramma. Commenting on Derrida’s grammatology, Agamben writes:

For metaphysics is not simply the primacy of the voice over the gramma. If metaphysics is that reflection that places the voice as origin, it is also true that this voice is, from the beginning, conceived as removed, as Voice. To identify the horizon of metaphysics simply in that supremacy of the phone and then to believe in one’s power to overcome this horizon through the gramma, is to conceive of metaphysics without its coexistent negativity. Metaphysics is always already grammatology and this is fundamentology in the sense that the gramma (or the Voice) functions as the negative ontological foundation.

At first sight, this quotation affirms Derrida’s basic insights into the constitution of metaphysics: metaphysics places the voice at the beginning, in the origin, but this origin is never present; it is only present afterwards, in its re-presentation. Grammatology, as the thought of the letter, aims to think the primacy of the supplementary dimension of presence and givenness: due to the absence of the origin, meaning and reality are only present in their representation and by means of a supplement. Thus, for Derrida, grammatology offers an alternative to the metaphysics of presence and its phonocentrism. Agamben disputes this latter aspect: rather than offering an alternative to metaphysics, it is metaphysics itself that argues that the origin and the voice are always already “removed”; this means that they are never simply present or given, but rather presupposed. Consequently, grammatology does not overcome metaphysics, according to Agamben, but rather captures its basic presuppositional constitution.

As a side remark in Derrida’s defence, let me note the following. Although Agamben presents his comments as contradicting Derrida’s claims, grammatology and the accompanying practice of

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deconstruction are not concerned with ending or surpassing metaphysics for Derrida. Rather, grammatology examines the closure of metaphysics. Closure has a specific meaning for him; it concerns “the circular limit within which the repetition of difference infinitely repeats itself”. Thus, grammatology unfolds the differential “playing space” of metaphysical discourse, as Derrida puts it and as has been thoroughly examined by, for example, Simon Critchley. The thought of the letter is thus on the threshold of metaphysics, describing how the discursive dimension of philosophy contaminates its metaphysical content, and the dispute between Derrida and Agamben thus concerns the question of whether this account of the playing space of metaphysical discourse belongs to a constitution to which also metaphysics belongs.

To prove that metaphysics is not exactly a metaphysics of presence but rather a metaphysics of the presupposition, Agamben offers three important examples from ancient Greek thought: Aristotle’s definition of essence as to ti en einai, Plato’s famous formula for the good as epekeina tes ousias, beyond being(s), and Plotinus’ claim that every form (morphe) is a trace of the formlessness of the One. These three examples demonstrate how metaphysics is marked by a presuppositional constitution: the origin is presupposed rather than presented. Let me explain what this means by discussing the first example in some detail.

Aristotle’s neologism for essence, to ti en einai, may be translated as “being that has always already existed”, or as Heidegger suggests “was immer schon war” (“what always already was”). In the long quotation above on the relation between phone and gramma, Agamben characterizes metaphysics by its “negative ontological foundation”. The expression “always already” that appears in both Agamben’s and Heidegger’s translation of Aristotle’s to ti en einai captures the type of negativity in the constitution of metaphysics: it only makes sense to speak of the essence of a being if this particular mode of being is presupposed. The temporal structure expressed by “always already” in Aristotle’s definition implies that essence is removed from the present because its being extends beyond what is given here and now. Agamben discerns a similar structure in Aristotle’s understanding of prote ousia, the first substance, which operates as the hupokeimenon – the subject as presupposition – in every logos or predication. Thus, as Agamben writes, the first substance “is itself the absolute presupposition on which all discourse and knowledge are founded”; consequently, it cannot be addressed in discourse and knowledge itself; in this sense, also the first substance is removed and “e-eliminated” from thought.

Clearly, Agamben’s interpretation of Aristotle is indebted to Heidegger – I already mentioned that Heidegger has made us attentive to the “always already” that resounds in to ti en einai. Yet, there is also a striking difference in their reference to Aristotle as two exemplary quotations of Heidegger on to ti en einai and hupokeimenon, respectively, may indicate. Commenting on to ti en einai, he writes: “Is there not contained in this ‘what always already was’, and now, what is more, even in the nature of previousness [Vorgängigkeit], the moment of constant presence?”. Discussing the first substance as hupokeimenon of the predication, he notes: “What is continuously coming to presence is what we must go back to in all logos, asserting, as what always already lies at hand, the hupokeimenon, subjectum. What always already lies at hand before us is, from the point of view of phusis, of emergence, what is proteron, the earlier, the a priori.” In both quotations, Heidegger emphasizes the “always already” as presupposition:

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6Derrida, L’écriture et la différence. As Critchley describes closure: “Now it is precisely this situation, in which the space of philosophy is criss-crossed by the crab-like traversals of the non-philosophical, which describes the problem of closure” (Critchley, The Ethics of Deconstruction, 70).
7Agamben, Language and Death, 40. Heidegger, Kant und das Problem, 240.
8Agamben, Potentialities, 37.
9Heidegger, Kant und das Problem, 240.
10Heidegger, Einführung in die Metaphysik, 202.
essence is marked by “previousness” and the *hupokeimenon* is “the earlier.” Yet, he interprets this presupposition as part of the metaphysical quest for the “permanence in presence” (*Beständigkeit in Anwesenheit*) or the “permanently presenting” (*beständig anwesend*). For Heidegger, as well as for Derrida, metaphysics of presence thus consists of a particular interpretation of the presupposition expressed by the “always already”: what is presupposed in metaphysics is a permanent presence. Therefore, metaphysics is suspended as soon as the presupposition of permanent presence is suspended. However, as Agamben adds to this interpretation of metaphysics, the suspension of permanent presence does not automatically suspend the presuppositional constitution itself. In fact, as can be seen from the frequent usage of the expression “always already” in both Heidegger’s and Derrida’s work, the presuppositional structure itself does not disappear from their work at all, as Agamben insists.

For Heidegger, the “understanding of being” is something in which “we are always already involved”, as he argues in the opening pages from *Sein und Zeit*. The presupposition of this understanding of being (called a *Faktum* by Heidegger) determines the course of *Sein und Zeit*. In *Language and Death*, Agamben shows how this presupposition also appears in relation to Heidegger’s conception of the voice of conscience. This voice, as is well known, has nothing in particular to declare, but “it is a pure ‘giving-to-be-understood’ (zu-verstehen-gaben)”, as Agamben notes. This “pure giving-to-be-understood” of the voice of conscience connects Heidegger’s voice to the other accounts of the voice that Agamben gives throughout his work as “a pure intention to signify without any concrete advent of signification; a pure meaning that says nothing”. As he argues at several occasions, this latter voice is no longer an animal voice and not yet a meaningful word; rather, it is the human voice that is presupposed in every meaningful linguistic utterance. Metaphysics presupposes this human voice to bridge the gap between the two realms to which the human being belongs: life and language. The role of the presupposed human voice is to grant humans as living beings an *a priori* access to language. According to Agamben, this voice reappears in the context of *Sein und Zeit* as the source of the pure form of understanding that does not give any specific meaning to be understood, but simply describes that understanding (as well as language) is a realm in which humans always already exist.

Thus, for Agamben, the voice (of conscience) is the sheer presupposition “that there is understanding”; this presupposition “renders all understanding possible”, but remains “unthought” itself. This “remaining unthought” is another way of expressing that the Voice – often written with a capital V here by Agamben – is always understood as a *removed* voice: because it is what renders all understanding possible, the voice is presupposed by as well as removed from understanding (and, hence, unthought): Dasein “always already understands itself”.

To a certain extent, Derrida would agree with Agamben’s account of Heidegger because he criticizes exactly the same occurrence of the “always already” of understanding in Heidegger’s work. Yet, this does not mean that this expression is absent from Derrida’s work. Quite the contrary, for Derrida, “always already” does not express the structure of the voice, but rather that of

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12Agamben, *Language and Death*, 58.
14Agamben, *Potentialities*, 44. Note that Agamben continues to argue that it is the work of Derrida that draws the ultimate conclusion of this position. Derrida does posit language in the beginning and does think this beginning, but does so as writing and *gramma*, thus presupposing the *negative* structure of language. That is to say, language in the beginning is negativity and self-presupposition.
writing. In relation to Heidegger’s question of being, Derrida notes that “‘always already’ precisely signifies the original exile from the kingdom of Being […] and signifies that Being never is, never shows itself, is never present, is never now, outside difference.” Similarly, in relation to the question of the voice and the origin of speech, “always already” expresses that the subject is not the origin of speech: “For the origin is always already eluded on the basis of an organized field of speech in which the speaking subject vainly seeks a place that is always missing.” The subject is not the original voice and has no access to an original meaning because the origin of speech “always already elude[s]” the subject. In this context, Derrida argues that writing supplements the voice as well as its elusiveness in its presence, meaning and origin. In relation to writing and the letter, “always already” does not only imply that an original voice or meaning is always absent (and, in fact, was never there), but also that the letter has always already taken the place of this absent voice and meaning as their double and supplement:

Everything begins with reproduction. Always already: repositories of a meaning which was never present, whose signified presence is always reconstituted by deferral, nachträglich, belatedly, supplementarily: for the nachträglich also means supplementary. The call of the supplement is primary, here, and it hollows out that which will be reconstituted by deferral as the present. The supplement, which seems to be added as a plenitude to a plenitude, is equally that which compensates for a lack (qui supplée). “Suppléer: 1. To add what is missing, to supply a necessary surplus”.

At this point, Agamben’s analysis intervenes. Although the discursive role of the “always already” in Derrida’s texts is to efface and cross out the primacy of presence and origin, it shares with the metaphysical framework exactly its presuppositional structure. Although Derrida demarcates the non-place of the voice when he writes that “the speaking subject vainly seeks a place that is always missing”, it is the letter that supplements and takes the place of this voice. Although Derrida’s analysis affirms that the voice (as the origin of speech) is nowhere, has never been present and is, in this sense, nothing (“The substitute does not substitute itself for anything which has somehow existed before it”), Agamben will argue that his account of writing maintains “the empty form of presupposition”: the letter is a presupposition that has no particular content, but is rather the empty form of presupposition as expressed by the formula “always already”.

For Agamben, this means that Derrida’s work has discovered this presuppositional structure of metaphysics because there is indeed a structural relation between the notion of *gramma* and the presuppositional structure of metaphysics. To prove this, he refers to the early grammarians’ interpretation of the first sentences of Aristotle’s *Peri hermeneias* in which the letter is not only interpreted as an image of the voice, but also as the constitutive element or *quantum* of the voice and thus of language. This implies the following: “As a sign, and, at the same time, a constitutive element of the voice, the *gramma* comes thus to assume the paradoxical status of an index of itself (index sui)”: the letter is both an image of the voice and a constitutive element of the voice; hence, it refers to itself through the voice. This is why Agamben can write: “The *gramma* is thus the form of presupposition itself and nothing else.”

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24Agamben, *Potentialities*, 37. On this page, Agamben brings Aristotle’s *to ti en einai, prote ousia* and *gramma* together in one, dense passage on the structure of presuppositionality.
This has two consequences. First, if \textit{gramma} is indeed nothing but the (empty) form of presupposition and if metaphysics is marked by a presuppositional structure, the suspension of particular presupposed beings – be it God, subject, spirit, or will – is not enough to surpass metaphysics. Nevertheless, as Agamben maintains, because it is “the philosophical task par excellence” to render the structure of presuppositionality itself inoperative – “was philosophy not perhaps the discourse that wanted to free itself of all presuppositions?” – the suspension of the presuppositional constitution as such is required.\textsuperscript{25} Second, Agamben also acknowledges that an important change is taking place in the transition from classical metaphysics to a thought of the letter that maintains the empty form of presupposition: classical metaphysics is built upon the presupposition of the human voice that articulates the connection between life and language; effacing this particular presupposition and putting the letter in its place hands thought and philosophy over to the pure presupposition of language. It is in relation to these two consequences that Agamben brings the notion of the witness into play.

2. Bearing Witness to an Impossibility of Bearing Witness

The notion of the witness comes into play in relation to one particular presupposition, namely the presupposition of language as it can be found in the definition of the human as the living being having language. For Agamben, the presupposition that there is language, understanding or a signifying human voice is \textit{theological} in nature and threatens the true task of philosophy: every thought that departs from the theological adage “in the beginning was the Word” (John 1:1) hands itself over to what remains unthought.\textsuperscript{26} The presupposition of language expressed in this theological adage is also present in the philosophical definition of the human being as \textit{zoon echon logon}, the living being that has language: according to this definition, the human is defined by its having language, and the human is always already presupposed to have a signifying voice; this signifying voice demarcates the human from the non-human.

Yet, in its task to eliminate all presuppositions, philosophy can no longer invoke this theological adage. Along these lines, the problem of the presupposed voice is retaken in \textit{Remnants of Auschwitz}, leading up to the quotation this essay opened with:

Outside theology and the incarnation of the [Word], there is no moment in which language is inscribed in the living voice, no place in which the living being is able to render itself linguistic, transforming itself into speech.

[... ] But precisely this impossibility of conjoining the living being and language [... ] – far from authorizing the infinite deferral of signification – is what allows for testimony. [... ] In the non-place of the Voice stands not writing, but the witness.\textsuperscript{27}

This quotation puts \textit{Remnants of Auschwitz} in line with Agamben’s earlier concerns of the voice and the letter. The first part states that, if we suspend theology, there is no \textit{human} voice that is naturally given and that connects life to language and the mere (animal) sound to the meaningful human discourse. Rather, a gap opens up between life and language. This gap is not a theoretical one caused by the suspension of a theological presupposition. Rather, this presupposition runs

\textsuperscript{25}Agamben, \textit{Potentialities}, 45.
\textsuperscript{26}Agamben, \textit{Potentialities}, 43–44. In the essay from which these comments on theology stem, Agamben criticizes especially Gadamer’s hermeneutics; cf. van der Heiden, “The Absolute Presupposition of Language”, 92–109.
\textsuperscript{27}Agamben, \textit{Remnants of Auschwitz}, 129–30. In the quote, I replaced “Verb” by “Word” because Agamben is referring here to the theological idea of Jesus as the incarnation of the Word.
ground confronted with a form of the human that is produced in the extermination camps: a form of life that Agamben famously calls “bare life”, which is manifested in the so-called Muselmänner. While in Homo Sacer, bare life is mainly a category of political ontology caught in the distinction between nomos and phusis, Remnants of Auschwitz brings bare life back to the distinction between phone and logos. Bare life is a human life in which “language is no longer in the beginning”; this life manifests that “the human being is capable of not having language”. Hence, it is a life beyond the presupposition of language: the Muselmänner have “nothing to say, nor do they have instructions or memories to be transmitted”; they lack a signifying voice. If human existence is determined as the capacity to understand itself and to bear witness to its ownmost potentiality-of-being, as Heidegger argues in Sein und Zeit, bare life confronts us with a human existence that cannot bear witness to itself, to its own mode of being or to its own memories. This is phrase is repeated as the chorus of Remnants of Auschwitz: bare life confronts us with “the impossibility of bearing witness”.  

This does not mean that the Muselmänner do not have a voice at all. Rather, if they utter sounds, they are not meaningful; in this sense, the Muselmänner lack a voice as the intention to signify. To illustrate this, Agamben discusses a striking example from Primo Levi’s account of the camp in which the latter tells about the child Hurbinek who utters sounds or words (“a sound that is uncertain and meaningless: mass-klo or matisklo”) that do not signify anything and are incomprehensible to those that hear them.

Keeping Agamben’s ongoing discussion with Derrida in mind, let us not forget that it is also one of the goals of grammatology to think a realm in which the signifying voice and the primacy of meaning is left behind. In this sense, the letter also suspends the theological primacy of language as the “always already” of language and meaning: the letter as the element of the voice indicates that the basic dimension of language is not a pure intention to signify but rather the empty form of presupposition. Yet, in reference to Hurbinek’s voice, Agamben explicitly rejects this grammatological surpassing of the theological adage:

[It is] not enough to bring language to its own non-sense, to the pure undecidability of letters (m-a-s-s-k-l-o, m-a-t-i-s-k-l-o). It is necessary that this senseless sound be, in turn, the voice of something or someone that, for entirely different reasons, cannot bear witness.

When Hurbinek utters mass-klo or matisklo, Primo Levi is interested neither in the sheer lack of meaning of these sounds nor in the endless deferral of signification that is explored by the letter as elements of the voice (“m-a-s-s-k-l-o, m-a-t-i-s-k-l-o”). Rather, Levi is concerned with a “different insignificance”, namely that Hurbinek is not capable of bearing witness to himself or his experiences. In his testimony of Hurbinek, Levi attests to the child’s voice as a voice that does not signify, that is, to a voice that is incapable of bearing witness.

The previous sentence discloses the main characteristic of bearing witness as it interests Agamben: bare life’s impossibility to bear witness to itself does not imply a sheer absence of

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28 In fact, he treats the distinction between nomos and phusis as parallel to the one between phone and logos, see Agamben, Homo Sacer, 8.
29 Agamben, Remnants of Auschwitz, 39, 158.
30 Agamben, Remnants of Auschwitz, 34.
31 I refer here to the concept of Bezeugung or attestation which is also at stake in Heidegger’s account of the voice of conscience; see Heidegger, Sein und Zeit, 267. I will return to this concept in the third section of this essay.
32 Agamben, Remnants of Auschwitz, 34. My italics.
34 Agamben, Remnants of Auschwitz, 39.
bearing witness since it is Primo Levi who bears witness to Hurbinek’s voice as a voice with a “different insignificance”. As Levi writes: although Hurbinek is incapable of bearing witness, “he ‘bears witness through these words of mine’”. For Agamben, this exemplifies the mode of bearing witness that applies to the bare life of the Muselmänner – it cannot speak itself, but it requires another voice, intimately involved in it, who speaks of this incapacity to speak: “Whoever assumes the task of bearing witness in their name knows that he or she must bear witness in the name of the impossibility of bearing witness.”

Thus, Agamben understands the category of the witness in quite a particular way: the witness is not the one who bears witness to his own experiences but to the impossibility of bearing witness he or she discerns in an other’s life, namely bare life. This implies that bearing witness is a complicated, dual mode of speech that encompasses two witnesses and brings them together in one mode of speech: the “complete witnesses”, the Muselmänner who experienced something they cannot bear witness to, and the “pseudo-witnesses”, who speak for the complete witnesses (“by proxy”) and attest to their impossibility of bearing witness. This is the basic theme of Remnants of Auschwitz, namely to show that this form of bearing witness gathers two witnesses that cannot be separated:

Testimony takes place where the speechless one makes the speaking one speak and where the one who speaks bears the impossibility of speaking in his own speech, such that the silent and the speaking [... ] enter into a zone of indistinction.

What are this indistinction and its zone? My considerations above show how the argumentative force and logic of Remnants of Auschwitz can indeed be interpreted in light of Agamben’s account of the presuppositional constitution of metaphysics.

First, bare life is a human life that lies outside of the presupposition of language; it is exiled from language. The Muselmänner show that the human is capable of not having language. As Agamben explains in his numerous reflections on the concept of potentiality, the potential to … (have language, speak, or understand) is always also the potential to not … (have language, speak, or understand): if something is potential, it may be actualized but may as well not be actualized. Applied to his reflections on bare life, this account of potentiality means that the human is not simply the living being that has language, but rather the living being that is capable of having language. Language should be thought as a human potentiality rather than as a presupposed actuality. Consequently, the human is also the living being that is capable of not having language.

Second, one should note the remarkable complementarity between the metaphysical determination of the human being and the nihilistic production of bare life in the camps: whereas the metaphysical definition of the human being is based on the presupposition that the human potential to have language is actualized, the nihilistic production of bare life actualizes the human potential not to have language by destroying the human capacity to speak and to bear witness

35Agamben, Remnants of Auschwitz, 34.
36Agamben, Remnants of Auschwitz, 34.
37Agamben, Remnants of Auschwitz, 120.
38On this point, I agree with Librett, “From the Sacrifice of the Letter” that Agamben places his reading of the testimonial literature of Primo Levi and others in light of the problematic of metaphysics, but I reject his suggestion that this would lead to a Theodicy (30–32): at no point Agamben claims that the production of bare life is necessary to overcome this problematic of metaphysics; rather, bare life and the testimonial literature are phenomena that cannot be thought within the presupposition of language and testimonial literature shows that even when there is no bearing witness by the complete witness, their existence is nevertheless attested to.
39See Agamben, Potentialities, 177–84; Agamben, Homo Sacer, 44–48.
to him or herself. In both cases, the potentiality to have language is lost as potentiality.\textsuperscript{40} Hence, metaphysics and nihilism share their tendency to efface the primacy of potentiality, although they do so in favour of an opposed actualization.

Third, given the separation of the Muselmänner as the humans who cannot bear witness to their existence from the “normal” humans who can bear witness to their existence, Agamben’s account of bearing witness is concerned with restoring the capacity to bear witness to bare life.\textsuperscript{41} Restoring this capacity takes place \textit{if and only if} bearing witness is the mode of speech in which the complete witness and the pseudo-witness are indistinct. It is only in such a speech that the human potential to have language can be attested to as potentiality.

Especially in chapter 4 of \textit{Remnants of Auschwitz}, it becomes clear that bearing witness is thus indeed necessary to overcome the presupposition of language: humans that have language are incomplete witnesses to their own existence as long as they are mere speaking subjects that presuppose language; they can only bear witness to their existence if they can give a voice to the potentiality to have and not to have language. Again, Agamben describes this in terms of the gap between experience (or life) and language. Bare life manifests that capacity of human life to suffer everything: “This means that humans bear within themselves the mark of the inhuman, that their spirit contains at its very center the wound of non-spirit, non-human chaos atrociously consigned to its own being capable of everything.”\textsuperscript{42} Human existence is marked by pure potentiality (or contingency): it is capable of everything. Therefore, the presuppositional structure of metaphysics can never grasp human existence because every presupposition excludes certain possibilities. The bare life of the Muselmänner shows that humans are capable of experiences that rob them of their speech and understanding. Consequently, the humans that have language and understanding are necessarily incomplete witnesses to their “own being capable of everything”. Therefore, bearing witness to human existence is only possible if the human voice gives voice to something that cannot bear witness (to) itself, namely the potentiality that marks human life in its relation to language.


In distinction to the letter that merely brings “language to its own non-sense”, the witness bears witness to “the voice of something or someone that, for entirely different reasons, cannot bear witness”. Thus, according to Agamben, the witness offers us a way out of the presuppositional constitution of metaphysics and its dependence on the (removed) voice and the letter: it is by bearing witness to an impossibility of bearing witness that it becomes clear that the human can also \textit{not} have language. Yet, if it is indeed the phenomenon of bearing witness that provides this alternative, it is quite striking that Agamben does not take into account how Heidegger’s voice and Derrida’s letter are intrinsically connected to the same phenomenon. What happens to the relation between the voice, the letter, and the witness if we do take Heidegger’s and Derrida’s understanding of bearing witness into account?

Despite Agamben’s attention to Heidegger’s conception of the call and the voice of conscience, he never includes an analysis of Heidegger’s notion of attestation (\textit{Bezeugung}) (in the German intrinsically connected to testimony (\textit{Zeugnis}), the witness (\textit{Zeuge}) and bearing

\textsuperscript{40}This argument runs parallel Agamben’s reflections in “Bartleby, or On Contingency”, in \textit{Potentialities}, 243–71: the onto-theological affirmation of being and the nihilistic affirmation both obscure the primacy of potentiality to be and not to be (259).

\textsuperscript{41}This restoring of potentiality is also a major theme in “Bartleby, or On Contingency”: “Remembrance restores possibility to the past” (Agamben, \textit{Potentialities}, 267).

\textsuperscript{42}Agamben, \textit{Remnants of Auschwitz}, 77.
witness (Zeugen)) although the call and the voice are introduced in the wake of this notion. In Sein und Zeit, attestation enters the scene from section 54 onwards. It is needed there because Heidegger concludes section 53 with the remark that the possibility of an authentic death and an authentic wholeness, which is at stake in the sections leading up to section 53, is only an ontological possibility “hovering over us” (schwebend) because it is not yet anchored in Dasein’s existence. Therefore, what needs to be added to the analysis up to section 53 is that this existence itself attests to this authentic potentiality-of-being; only in this way it is shown that Dasein itself is involved in disclosing this potentiality-of-being:

The question hovering over us of an authentic wholeness of Dasein and its existential constitution can be placed on a viable, phenomenal basis only if that question can hold fast to a possible authenticity of its being attested by Dasein itself.43

Subsequently, the notions of the voice and the call are introduced as part of Heidegger’s account of Dasein’s self-attestation: by the call of conscience, Dasein attests to itself of its ownmost potentiality-of-being. This implies that in Sein und Zeit, attestation is more primordial than the voice and the call since these latter two notions are introduced to unfold the phenomenon of Dasein’s self-attestation. This leads to the question of whether Heidegger’s analysis is not closer to Agamben’s concerns than the latter is willing to admit. The answer to this question is twofold.

First, although Agamben rejects the distinction between authenticity and inauthenticity in relation to Heidegger’s account of death, this distinction appears in a different light when approached in connection to attestation and brings it indeed quite close to Agamben’s concerns.44 Whereas Dasein’s ownmost potentiality-of-being is presupposed in inauthenticity, authenticity is the mode of being in which Dasein gives itself to understand this potentiality-of-being. Hence, whereas inauthenticity implies a distinction between actual (inauthentic) existence and a presupposed potentiality-of-being, authenticity may be characterized in Agamben’s vocabulary as a “zone of indistinction” in which Dasein’s ownmost potentiality-of-being calls Dasein out of its inauthentic existence. In fact, that the overcoming of such a separation is indeed intended by the course of Sein und Zeit from section 54 onwards can most clearly be traced in Heidegger’s characterization of the voice of conscience as “an alien voice”: “The caller is unfamiliar to the everyday they-self, it is something like an alien voice.”45 This means that the realms that are separated in inauthentic existence – everyday existence is foreign to the caller – are brought together in authentic existence; this is the very reason for Heidegger to turn to attestation in the first place: in authentic existence, Dasein is involved in the disclosure of what remains hidden and presupposed in everyday existence.

How does this affect Agamben’s claim that the voice is presupposed? As I explained in the first section, this claim heavily depends on the role of the “always already” in Sein und Zeit: the voice always already calls and the understanding of being is always already given. However, for Heidegger, “always already” is a formula that is used first and foremost for the realm of everydayness in Sein und Zeit: authenticity corresponds to the attestation that gives to understand and announces what is presupposed in everydayness. In this sense, the voice and the call are indeed presupposed by everydayness (and alien to it), but are themselves the very taking place of an authentic mode of being.

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43Heidegger, Sein und Zeit, 267; Heidegger, Being and Time, 246.
44Agamben, Remnants of Auschwitz, 73–76.
45Heidegger, Sein und Zeit, 277. Heidegger, Being and Time, 255.
Second, however, it is important to note that for Heidegger, it is Dasein itself that calls. This means indeed, as Agamben argues, that Dasein has a voice itself and that understanding depends on the miracle of this voice and its call taking place. Exactly on this point, Agamben effectively criticizes Heidegger’s conception of the voice as well as of attestation: rather than depending on the miracle of the voice, Agamben argues that human existence, if it is really understood as potentiality (as Heidegger also aims to do in *Sein und Zeit*), the taking place of the voice and its call cannot be taken for granted. Rather, also this taking place should be understood in terms of potentiality. The human potential to speak and to understand cannot simply have a voice itself because the human is the living being that can also not have a signifying voice. Exactly at this point, Agamben traces the subtle dependence of Heidegger’s analysis on the presuppositional constitution of metaphysics. If Dasein indeed bears witness to its potentiality — “its own being capable of everything”, as Agamben writes — this potentiality cannot be assumed to have a signifying voice itself since this potentiality affects the status of the voice and of understanding as well. This potentiality does not only make the Faktum of the understanding of being possible, one might argue in line with Agamben, but can also interrupt and suspend this Faktum, as the analysis of bare life indicates. For Agamben, the phenomenon of bearing witness comes into play because the experience of the potentiality-of-being can exceed the limits of language and understanding. Therefore, Agamben argues that the phenomenon of bearing witness that interests him is the one that is concerned with the “indistinction” of two witnesses: the first one experiences that the potentiality-of-being may exceed the limits of the understanding and the second one gives a voice to this mute experience.

Thus, although Heidegger’s account of attestation is concerned with Dasein’s involvement with its own potentiality-of-being, he does not reach into the “different insignificance” to which Agamben’s analysis of bearing witness leads: the pure potentiality of human existence lies beyond the significance of being as disclosed in our understanding of being and, therefore, bearing witness to the human potentiality is only possible if bearing witness reaches beyond the realm in which understanding always already exists.

If we are right in our conclusion that the ultimate difference between Heidegger’s attestation and Agamben’s bearing witness is not so much concerned with the notion of authenticity but rather with the conception of a potentiality of human existence that may exceed the limits of language and understanding, the question of why Agamben fails to address Derrida’s account of bearing witness becomes even more pressing. First, especially in “Poétique et politique du témoignage”, Derrida criticizes Heidegger exactly for his evasion of the problem of an impossibility of testimony. Moreover, in *Demeure*, he analyses what it means to testify to an absence of testimony, which is Derrida’s version of Agamben’s bearing witness to an impossibility of bearing witness. Finally, for Derrida, this reflection on bearing witness goes hand in hand with a reflection on the letter as is especially clear in *Demeure*. Therefore, let us look more closely at how the witness and the letter are related for Derrida.

For Agamben, as we saw, the presupposition of language culminates in the concept of the letter as the constitutive element (the *quantum*) of the voice. Yet, in his account of the letter, he does not address a fundamental ambiguity at the heart of the notion of the letter that, for

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46Therefore, it will come as no surprise that Agamben’s analysis of Heidegger’s *Stimmung* and *Angst*, where all beings lose their meaning, is more favourable than his analysis of the voice of conscience; see Agamben, *Language and Death*, 54–58.


48Derrida, *Demeure*, 33.
Derrida, immediately affects the value of testimony: the letter wavers between two values, between the literal and the literary.

The letter as the meaningless substratum and quantum of the voice accounts for the letter’s repeatability: the same letters appear in different sounds. Thus, despite the meaninglessness of the letter, the letter does grant permanence to what is said: what is written down can be read again. This value of the letter and its repeatability is of crucial importance for our common understanding of testimony. Before a court of law, the witness is supposed to give a literal account of what happened. Here, “literal” expresses here the (problematic) relation of testimony to the value of truth: only a literal testimony (as opposed to a fictional testimony) is trustworthy and acceptable. Moreover, a witness will only be trusted if he or she sticks to the original testimony and repeats it with constancy – also in this regard, the literal, repeatable character of testimony is indispensable for its acceptability.49 Thus, the value of “literal” implies both a non-contaminated account of what happened and the capacity of the testimony to be repeated without alteration; this value is presupposed in our common conception of testimony.

Although this connection between the letter and the testimony exists in normal testimony, this does not affect Agamben’s account of the witness since his account of bearing witness concerns the disruption of this common form of bearing witness: “Whoever assumes the charge of bearing witness in their name knows that he or she must bear witness in the name of the impossibility of bearing witness. But this alters the value of testimony in a definitive way […].”50 Perhaps one might say that, for Agamben, the value of testimony that intrigues him arises as soon as its connection with the letter as the literal is interrupted. Yet, what Agamben never mentions is that, when it comes to this value of the letter – its literality – Derrida’s and Agamben’s concerns coincide. In Demeure, Derrida discusses the problematic dimension of this value of literality of testimony (and its relation to truth) at great length and shows how another account of bearing witness is required that cannot maintain the claim to literality.

In his exploration of this other form of bearing witness, Derrida brings into play the second value of the letter: the literary and literature. He argues that our conception of testimony excludes the possibility of literature: before a court of law, a testimony that presents itself as literature will never be accepted. Yet, as he continues, every testimony implies the possibility of perjury, lie and literature: because testimony necessarily depends on the trustworthiness of the witness, there is no testimony that is secured from this possibility of deception or non-literality. At the same time, however, because literature is not allowed in court, this possibility can never come to language in testimony. Thus, the possibility of literature that haunts every bearing witness cannot be attested to in testimony because it would deprive it of its value of testimony. Thus, the possibility of literature is presupposed by every common testimony; yet, this presupposition cannot be brought to speech in testimony because it makes this testimony impossible: if witnesses add to their testimony that they could be lying, their testimony will not be accepted. In this impasse, it is not a literal testimony but rather a literary testimony – a fictional variation of testimony, a form of literature – that may be able to bear witness to what cannot be attested to in testimony.

It is this value of literature and fiction that points to an important similarity between Agamben and Derrida that the former does not acknowledge in his critique of the latter’s account of the letter. Both are concerned, pace Heidegger, with bearing witness to an impossibility of bearing witness. This particular form of bearing witness requires a displacement of normal testimony and it is literature that makes such a displacement possible on the level of discourse. Derrida’s attention to the letter as literature points out this necessary condition of a bearing witness to an

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49 Derrida, Demeure, 36–37.
50 Agamben, Remnants of Auschwitz, 34.
impossibility of bearing witness. Nevertheless, this similarity cannot hide another difference, which after our reconsideration of the value of the letter in terms of literature may once again be formulated in terms of a difference between the witness and the letter.

For Agamben, bearing witness to an impossibility of bearing witness is understood from the position of the subject of speech, which involves the remarkable doubling of the witness (in a complete witness who cannot speak and a pseudo-witness who speaks for the complete witness). Derrida, however, when analysing how to attest to an absence of testimony, describes bearing witness in terms of a doubling of testimony in a proper testimony depending on the literal and excluding the literary, and a pseudo- or quasi-testimony, which is a form of literature.

Derrida’s focus on the discursive side of testimony (rather than on the subject’s position) does not mean that we cannot find the distinction between complete witness and pseudo-witness in Derrida’s account of testimony. In fact, Derrida’s discussion of Blanchot’s *L’instant de ma mort* offers such a distinction. *L’instant de ma mort* is a testimony in the form of a fictional story of something that happened to Blanchot 50 years before he wrote it. In the story, Blanchot distinguishes between a narrator and a young man. Although they are the same person, the narrator does not have access to the experience of the young man: apparently, this experience has broken him in two and a proper testimony of this experience is no longer possible. In this context, we may see the young man as the complete witness who is changed by this experience to such an extent that he is no longer the same person; the narrator is at best the pseudo-witness who has no full access to what has happened but has as his task to voice the experience of the young man who can no longer speak. Hence, as for Agamben, Derrida is interested in thinking an experience that robs the complete witness of the capacity to testify; therefore, in order for this experience to be brought to speech, another, pseudo-witness is needed who somehow does not have access to the experience, but nevertheless was near to this experience. Yet, unlike Agamben, Derrida insists that this distinction between complete and pseudo-witness are an effect of the letter, that is, of the linguistic-discursive possibility of bringing something to speech by means of a displacement. The risk that this displacement includes, namely that the pseudo-witness is a false witness, cannot be separated from the chance it also offers, namely of bringing to speech this experience that breaks a human being into two. Literature, for Derrida, is the necessary supplement to bring the difference between complete and pseudo-witness to speech. Thus, the possibility of this form of bearing witness for an impossibility of bearing witness depends on the letter and its insoluble ambiguity of literal and literary, of proper and quasi-testimony – in its movement from literal to literary, the letter discovers the “playing space” of testimony.

At this point, we once more encounter the difference between the witness and the letter, but now in a different sense of the letter, namely in the sense of the displacement from the literal to the literary. Although Agamben also brings into play the value of supplementarity, he does not do so on the level of the letter but rather on the level of the witness: the (pseudo-)witness supplements the complete witness. For him, it does not make sense to claim that this supplementarity is born from the letter, that is, from the supplementary movement of language that is always already given. As I noted before, the possibility of literature is a necessary condition for this supplementary movement; also Blanchot’s story shows this: it is only thanks to the displacement of the letter and the distance it implies to the original traumatic experience that the narrator can bear witness to this experience. Yet, for Agamben, the possibility of literature is not a sufficient condition for this supplementary movement: the supplementarity of the witness is born from the disjunction of life and language – which in Blanchot’s story can be found between the impossibility to speak of a trauma and the necessary displacement to bring such a traumatic experience to speech. Agamben’s insistence on the difference between the witness and the letter concerns this disjunction which for him is not only a fact of language (as letter) but of human existence: “the human
being exists […] in the missing articulation between the living being and logos." Because human life is not always already taken up in language, the figure of the (pseudo-)witness is not only an effect of the linguistic movement of testimonial discourse; rather, this linguistic movement as employed in testimonial literature belongs to “the ἐθος of this disjunction”: the lack of this articulation between life and language does not give rise to the insignificance of the letter as the constitutive element of language, but to the witness’s involvement with a “different insignificance” of a voice that “cannot bear witness”.

Testimony is thus grounded in the pseudo-witnesses’ intimate involvement with what cannot speak or bear witness, which gathers together the complete witness and the pseudo-witness, an unspeakable traumatic experience and a bearing witness that gives voice to the voiceless. Perhaps, one may suggest with Agamben, human speech is born from this intimate involvement of humans with “the wound of […] non-human chaos atrociously consigned to its own being capable of everything”.

Bibliography


51Agamben, Remnants of Auschwitz, 134.
52Agamben, Remnants of Auschwitz, 77.
