

## Book Review

Chinmaya Lal Thakur

Title	<i>Before the Law: The Complete Text of Préjugés</i>
Author	Jacques Derrida, Sandra van Reenen and Jacques de Ville
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It would be an understatement to say that the translation and publication of the complete text of Jacques Derrida's *Prejudges: Before the Law* has been much anticipated in the English-speaking academia. Almost every reader who has been familiar with the section(s) on Sigmund Freud and Franz Kafka published earlier has wanted to read the entire text that was originally presented by Derrida at a colloquium held at Cerisy in 1982 on the theme 'Comment juger? (a partir du travail de Jean-Francois Lyotard)'.

One of the most significant points that Derrida raises almost at the very beginning of *Préjugés* relates to the title 'Prejudges' itself. He suggests that Prejudges is simultaneously an attribute as well as a noun in reserve. In other words, the word can be an adjective as well as noun but, in the case of this book, it is neither one nor the other. As a noun, it indicates the prejudices which we might have about the subject of judgement while, as an adjective, the title refers to the prejudged beings that we are. For it is entirely possible, as Derrida underlines, "to be judged, or to have been judged, or to be judged in advance, even though no one is there or has ever been there...to have judged us or to have had the right to judge us." (Derrida, 8-9) The meaning of judgement or what it means to judge, Derrida suggests, is therefore underlined by a question i.e. "How to judge?". This implies that there occurs (in the event of the eruption of the said underlying question) the suspension of the classical prerogative of judgement i.e. the requirement that one must first say or conceive the being and/or affirm the essence of a function before asking how it functions.

As Rodolphe Gasche argues, Derrida in *Préjugés* is concerned with the commonplace belief that judgement is a unitary thing and its nature and essence are known to us. To counter such a (misplaced) notion, Derrida investigates into the antepredicative and precategorical judgments in a judgement that come to light when prereflexive opinions relating to the latter have been bracketed off (in temporal terms). In *Préjugés*, Derrida therefore evokes the network of judgments that, before an active performance of or subjection to a judgement, together constitute the 'passive'

and sedimented level of judgement. (Gasche, 92-95) In other words, according to Gasche, what Derrida accomplishes in this thin but significant volume under review is to be able to “bring judgement into play as an activity, or, more precisely, as a performance, that can proceed only in the absence of all [presumed] assurances... Derrida’s goal is not simply to do away with judgment but, rather, to complicate what is involved in it and to make such insight fruitful for judgment as a performance. If there is judgment only when it lacks the comforting knowledge of what the essence of judgment is, then judgment requires the confrontation of the aporias that seem to thwart its very possibility” (99)

Interestingly, Lyotard’s own work highlights importance of the pragmatics of narratives as a site, as an instance where judgement can be performed when we come to recognize the great and invincible power of telling stories that we possess. This fact is crucial for Derrida’s own argument in the book under review as he not only refers to Lyotard’s writings at multiple places but also because the symposium at Cerisy, as stated earlier, was itself organized around the life and works of Lyotard. Lyotard in “Lessons in Paganism”, for example, argues that *The Gulag Archipelago* (1973) is so effective a book as it contains various scenes and images that stir the reader’s imagination and make the latter collude with the narrative imagination of Aleksandr Solzhenitsyn’s heroes. He writes:

... So why is it [*The Gulag Archipelago*] so important? Because Solzhenitsyn passes on stories as he narrates his story. Once again, it is a matter of pragmatics. The functions of the narrator and of what he is talking about (the narrated) are permutable because his companions (the narrated) are his narrator-heroes. And because it is also possible for the narrator to change places with the people he is addressing, with his companions and with us. After all, anyone can tell stories; that is the source of Everyman’s strength. Anyone who discusses the *Gulag* is simply using the book as a reference for his own discourse, and using it to make up another narration, his own narration, and addressing readers who may or may not be the same. You will notice that the roles change. It is not simply the form of the narrative that changes; it is also its object. Y talks about Z, Solzhenitsyn talks about Y, and Lefort talks about Solzhenitsyn. This succession of serial stories is admirably common-place, and it implies no recurrence and no revenue. (Lyotard, 135)

*The Gulag Archipelago* for Lyotard, then, instantiates justice in that it serves as a 'work of art', as a product of the (Kantian) 'pure will of the imagination' - as indicated in the great philosopher's third *Critique*. (133)

In his comment on *Préjugés* referred to earlier, Rodolphe Gasche underlines the fact that Gilles Deleuze, in his reading of judgement, differs quite markedly from both Derrida and Lyotard. Deleuze, argues Gasche, writes against the doctrine of judgement which has been propounded and consolidated from a Judeo-Christian viewpoint. For Deleuze, it is Spinoza who breaks away from the doctrine and so do his four disciples- Nietzsche, D.H. Lawrence, Kafka, and Antonin Artaud. Deleuze suggests that the doctrine of judgement is based, as Nietzsche suggested, on the condition of "the consciousness of being in debt to the deity" and the debt is such that it is infinite and hence unpayable. (Deleuze, 126) In such a situation that characterizes our existence, it is not the act of judging, of course, that is postponed or put off till tomorrow. Rather, it is the act of postponing, carrying to infinity itself that makes judgement possible. (127) There is therefore, in the doctrine of judgement that Deleuze critiques, an inextricable relationship between existence and the infinite in the order of time.

In contrast with judgement, what Deleuze proposes is not so much the prejudicative but the antijudicative or the Antichrist. The latter is a landslide, an uncontrolled eruption and not some newly acquired ground or foundation for establishing another creditor-debtor relationship. It is constituted by finite relations, in a period of time, where confronting bodies are marked by each other and debt is inscribed directly on them. (127-128) These combative bodies thus reveal the existence and thriving of a system of cruelty in opposition to the doctrine of justice. (128) Deleuze further underlines the fact that this system of cruelty is indelibly linked with 'combat' i.e. the tendency to multiply and enrich forces, attract as many forces as possible and also to configure a situation where the gathered forces react against each other. In this way, he suggests, "combat is the way to have done with God and judgement". (134)

As indicated by the preceding discussion in this review, in their respective critiques of the theme and doctrine of judgement, Lyotard and Deleuze appear to move towards the Kantian will and imagination and cruelty. The question that their move raises is whether it is possible for Derrida or some other thinker to probe deeper into the relationship between deconstruction and justice in the (Derridean) terms established by *Préjugés*. Gasche attempts to answer this question in the sense that he points us towards Derrida's essay "Force of Law". He argues that the essay provides hints towards exploring the manner in which deconstruction and justice relate with each other.

In “Force of Law”, Derrida suggests that the possibility of deconstruction is ensured by the deconstructible structure of law itself or, in other words, by justice as law. Indeed, if deconstruction and justice themselves exist beyond or outside law, they are not deconstructible. Therefore, in this sense, Deconstruction is justice as it appears to take place in the interval of time between the undeconstructibility of justice and the deconstructibility of the law. (Gasche, 100-101)

As Gasche’s exegesis briefly and inadequately summarized in the previous paragraph would indicate, the publication of the complete text of Derrida’s *Préjugés* is indeed a significant development as the work appears to establish a conversation with other writings of Derrida which also ‘touch’ on the question of justice such as “Force of Law”, “The Law of Genre”, and *The Politics of Friendship* (1994). Moreover, the book also indicates that the theme of judgement continues to remain important in twentieth century Continental thinking and deserves the continued attention of scholars and critics even as the approach that thinkers like Lyotard and Deleuze have on the subject might be markedly different from Derrida’s.

#### Works Cited

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