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THE SECULAR GOOD IN DENIAL:  
*THE LESSER EVIL* AND THE POLITICS OF FRIGHT

*Institutionalized violence is visible to all today in the catatonic state that is the gift of generalized production and administration. Measured against these, much of contemporary violence amounts instead to counterviolence. If there is a regression in denouncing thoughtlessness, it is an analytical step backward from oppressions to the economies that make them possible.*

—Reiner Schürmann<sup>1</sup>

A review of *The Lesser Evil: Political Ethics in the Age of Terror*, by Michael Ignatieff, (Princeton: Princeton University Press, 2004). *xii* + 212 pp.

**T**HIS REVIEW CRITICALLY AND BRIEFLY EXAMINES the disastrous consequences of the politics of fright and the ethics of the “lesser evil” as advocated by Michael Ignatieff in *The Lesser Evil: Political Ethics in the Age of Terror*.<sup>2</sup> In light of his arguments, this paper unravels the assumptions at the heart of his theory and raises certain problems with the way he formulates the issue of political ethics as well as his recommendations for American policy makers (who seem to be the target audience of this book). To this end, the review presents four sections. First, it presents a summary review of Ignatieff’s work. Next, it critically engages with selected issues raised in the book, before, finally, presenting a case and a brief radical phenomenological account of the conditions of evil that does away with our civilizational binarism of good and evil and thereby with that of lesser and greater evil.

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<sup>1</sup> Reiner Schürmann, *Heidegger on Being and Acting: From Principles to Anarchy*, trans. Christine-Marie Gros (Bloomington: Indiana UP, 1987), 60.

<sup>2</sup> Michael Ignatieff, *The Lesser Evil: Political Ethics in an Age of Terror* (Princeton: Princeton UP, 2004). *xii* + 212 pp. In this paper, all page references in brackets refer to this book.

## I

The Lesser Evil consists of a preface and six chapters. The "Preface" sets the stage for the upcoming arguments by taking the global danger of terrorism as a given. Terrorism, it is asserted, is as much a threat to the western democracies as it is a menace in many non-western countries. Facing terrorism, many countries have resorted to systematic counter-violence—"torture, illegal detention, unlawful assassination" [viii]. Such reactions against terror, while needing no justification in many regimes around the world, in fact threaten the very foundations of liberal democracies. Thus, terror threatens our western democracies both from without and from within: from the outside, it intends to disrupt security and the stream of the everyday through spectacular shows of force that involve the loss of innocent lives; from the inside, it destabilizes the political process of our procedural democracies through the consequent imposition of war measure acts, increased security, suspension of civic and human rights, in short, undermining the very foundations of democratic political life. The book addresses this problem by outlining a politics of lesser evil, in the face of the greater evil of terror, in order to ensure that the very liberal democratic principles survive our age of fright.

The first chapter emphasizes that the question of the lesser evil becomes particularly pertinent at the time of danger. Given the old Roman adage that "the safety of the people is the first law" [1], following September 11, 2001, a sense of urgency has arisen not only in tightening security in response to terrorism but also in finding the appropriate "limits to any government's use of force" in the liberal democratic tradition of the United States [2]. The "liberty of the majority is utterly dependent upon their security" [5], but the question is how to maintain a system of checks and balances in a society that perceives itself under attack. Hence the "lesser evil morality" is based on an "ethics of balance" that "cannot privilege rights above all, or dignity above all, or public safety above all." This morality recognizes that the society's leaders must take decisive action at certain points, which may involve sacrifices such as the suspension of liberty [9]. In the face of en masse roundups of certain ethnicities in the United States, the ethics of lesser evil will enable the statesmen of America to maintain security without compromising the very principles that make the United States a liberal democracy. While uneasy and "morally hazardous" [13], this ethics is a response to terrorism that aims to destroy the principles of liberty and democratic decisions making. Having recourse to lesser evil must meet certain conditions. Many decisions made under its rubric should be considered "as a last resort," based on "a demonstrable state of necessity" and "in full awareness that evil is involved." Such decisions must be submitted to the judgment of the citizens and

justified publicly [19].

Having sketched the basics of the ethics of lesser evil, Ignatieff continues in Chapter Two to establish what constitutes an emergency which justifies the abridgement of rights. Emergency is always a temporary state of affairs. The author's textbook-style categories of national, territorial, and selective kinds of emergencies [26-27] allow him to narrow down his focus to selective emergency and ask, "How can the rule of law be maintained if the law can be suspended as necessity dictates?" [26]. His answer, based on an ethics of lesser evil, is a rather simple one: in democracies, abridgements of rights must be kept to a minimum in effect and duration and must at all times demonstrably yield increased security [29-30]. Against the pragmatist approach (that does not hold a firm measure) and civil libertarians (who uphold and stress democratic rights), Ignatieff advocates the position that the measure of restriction and abridgement in the times of emergency should be nothing but human dignity—upon which democratic system is founded [35]. Much of Chapter Two contains responses to the various aspects of the civil libertarians' arguments, especially their appeal to the law that upholds, guarantees and protects rights. Referring to Carl Schmitt, Ignatieff argues that while laws are reducible to politics, they are not beyond politics [41-42]. Terrorism suspends the universality of human rights. As such, at the time of emergency some rights are rendered more important than others [46]. Hence the necessity of an ethics of lesser evil to decide just that: what is it that precisely defines an emergency and summons such an ethics?

Chapter Three opens with a sharp—and from this point onwards, decisive—rearticulation of the distinction between liberal democracy (the state in general) and terrorism. Since I shall return to this distinction in my critical remarks below, I will only allude here to the fact that the distinction is a foundational one for Ignatieff: It allows him to place virtually all that falls outside liberal democracy and involves some sort of violent expression or force (e.g., revolutions) within a convenient category of terrorism (see his definition of terrorism on page 82). It also causes him to commit the error of hindsight by viewing the events of the past through a present-day American definition of terrorism. As such, the author offers several glimpses of the various aspects of the Russian Revolution, the Weimar Republic, Argentina, Colombian FARC, and Peruvian Sendero Luminoso to point out the detrimental effects of terrorism in the ethico-political judgment that is so essential to liberalism. Noteworthy in such examples is the stipulated equation of communism with terrorism: since the sort of terrorism we face today is only a recent phenomenon, it does not hurt to bundle up old enemies as the predecessors of today's terrorists! Furthermore, Ignatieff discusses the 1970s rise of terrorist cells in various liberal democracies: Italy, Germany, Spain, and the UK. The defense of the rights of immigrants in the face

of sweeping security measures that homogenizes members of certain communities in the West is a theme that runs through this chapter [76].

This historical analysis leads to Ignatieff's typology of terrorism (may I add again, textbook style) in the next chapter: insurrectionary, loner, liberation, separatist, occupation, and global terrorisms are the six neatly defined categories of terrorism [83]. The common denominator of these categories is the violent struggle against the state regardless of the "type" of the "state." The state and terrorism stand opposing one another at all times. One should not really ponder the historical or factual accuracy of his distinction, for it is a conceptual distinction that is obviously informed by Ignatieff's (rather uncritical) political allegiance to liberal democracy—a point to which we shall return later. The important point in this chapter is that "the risk of political violence... is never absent from democratic politics.... Terrorism, therefore, is not merely an external threat to democratic politics but is intrinsic to it" [84]. This observation is a key point in the book; it helps the author to uphold and reinforce his conceptual distinction between the state and terrorism. The three cases he probes in this chapter—Algeria, Israel, Sri Lanka—help him to maintain the preservation of the state as the utmost political principle [88-89]. He rejects the "argument from weakness"—the contention that the weak are entitled to use any means available to fight against perceived injustices—based on the principle of state self-preservation. At least in this case, the greater evil of injustice does not justify the lesser evil of political violence [91]. Such a sweeping generalization allows him the wholesale rejection of liberation movements as terrorism. The terrorizing of an apathetic population by FARC in Colombia and RUF in Sierra Leone exemplify his point [96]. The chapter wraps up by making certain recommendations to the state policy-makers [107]. Terrorism is a greater evil not because of the use of violence per se but because of the use of violence as a first resort [110].

Chapter Five presents a discussion on violence as nihilism in order to show "why both terror and counterterror can become ends in themselves, and why so many wars on terror degenerate into a downward spiral of violence" [114]. The duality between the state and terrorism is maintained throughout this chapter, and the aim is clearly to demonstrate the merits of the lesser evil. There are three distinctive ways—"the tragic, the cynical, and the fanatical—in which nihilism can come to dominate both a terrorist campaign and a war on terror" [119]. He rightly warns, therefore, against the assumption that the democratic values of western societies necessarily inform the actions or attitudes of those who defend them [121]. However, Ignatieff acknowledges the state's need for violence without really exploring the ramifications of institutional violence. The problem of institutional violence, to which I shall return below, is rather dealt with

through democratic supervision. “Liberal states cannot be protected by herbivores. But if we need carnivores to defend us, keeping them in check, keeping them aware of what it is they are defending, is a recurrent challenge” [121]. This position is obviously a comfortable one for the author, and one can clearly see how it uncritically leads Ignatieff to be an apologist for the assassination of selective Palestinian militants by the Israeli military—an action that he considers the lesser evil under the circumstances [129]. On other grounds, he rejects the use of torture and finds the use of torture “anathema to a liberal democracy” [143] because the regulated use of torture always leads to greater evil [142].

The last chapter of the book reinforces the prior assertions of the book, that “we must defend ourselves with the force of arms,” but reminding the reader, in line with the logic of the lesser evil, that a war on terror “is a war for the sake of law, and not a war against law itself” [145-46]. Especially at issue here is that of the weapons of mass destruction and his claim that the older forms of deterrence (i.e., the Westphalian deterrence) would not apply to the terrorism of our age [152]. The response to fundamentalist terrorism is to cultivate democracy in the Arab world [154]. At times, the politics of lesser evil may not accord with our international commitment [165], but in cases when preemptive strike, however rare an occurrence, becomes inevitable as an option, it should be considered as a lesser evil and “should be strictly constrained” [166]. In the end, Ignatieff warns against considering the West superior to other cultures, reminding us of the contingency of the formation of the western civilization [168-69].

## II

Ignatieff’s aim in this book is not only to advocate and protect democracy against terrorism, but more importantly, to shield liberal democracy from itself, as the liberal-democratic political theory does not necessarily guarantee a superior political ethics, nor is it fully equipped, conceptually, to deal with situations like the ones it faces today. Even prior to the recent change of political discourse to that of “evil” and “terrorism,” facts of history (when simplified) show that liberalism is poorly equipped to impede the rise of populist movements of future totalitarian powers (as in Russia 1917 and Germany 1933). But in dealing with the threats from the outside, in the case of terrorist attacks, there is a possibility that liberal democracy would undermine its very own founding principles of liberty, the democratic process, and check-and-balance system. Ignatieff’s book aims at preventing such a reversal. As such, his work entirely falls within an established tradition of liberal political philosophy.

Having acknowledged that, however, I must point out an operative neo-Hobbesian impulse in his work that involves a particular sense of fright towards others (associated with the American cultural values of frontier mentality and risk society). No wonder a scholar who at some point advocated the “needs of the stranger” who enriches our lives and our democracies,<sup>3</sup> retreats into the uncritical neo-Hobbesian submission to the sovereign—in the name of the lesser evil—to avoid the politically-heightened cultural Angst of chaos and terrorism as epitomized by the inerasable images of burning Twin Towers and the agonizing memory of the innocent lives lost. With liberal democracy as an absolute measure of the secular, political good at his disposal, Ignatieff’s distinction between democratic states in the West and many of their allies, on the one hand, and terrorism as an en masse and amorphous ensemble of very different phenomena with mostly non-western ethnic or ideological origins, on the other, appears as eerily reminiscent of Huntington’s “clash of civilizations” and Fukuyama’s “end of history” theses.

This general observation must indeed acknowledge several others: (1) Ignatieff’s understanding of modern politics must rightly be placed in the history of secularization, but his notion of political legitimacy is based on an ethics incompatible with secularization; (2) in connection with the first point, Ignatieff’s binarism between the legitimacy of the sovereign in the face of inexcusable challenges to the sovereign by “terrorists” remains a problematic and utterly unjustifiable one, and it only serves the author’s desire for a clear-cut bifurcated political mapping; (3) and finally, the entire notion of lesser evil reveals its shortcomings, given that Ignatieff pragmatically treats evil as a necessary condition of life in the era of terrorism. Let me briefly elaborate on each one of these observations before attending to the main contention of this review, however briefly, about the very concept of evil.

*First, liberal democracy represents the ultimate secular good, in Ignatieff’s work. Ignatieff’s work suffers from an uncritical adherence to the Manichean division between the absolute evil of terrorism and the secular good of liberal democracy. Democracy keeps state violence from becoming unrestrained [109]. As such, his work represents the continuation of a longstanding theologico-political notion that can be traced back to the Judeo-Christian tradition. Ignatieff’s understanding of modern politics must rightly be placed in the history of secularization understood as the weakening, but not exclusion, of theological elements. However, his notion of political legitimacy is based on an ethics incompatible with secularization because secularization involves a conscious attempt at distancing power from absolute values, however painful it might be. His*

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<sup>3</sup> Michael Ignatieff, *The Needs of Stranger* (New York: Picador, 1984).

theologico-political notion of liberal democracy conceives of the latter as the arch representative of the political good in our society—a replacement, I must cautiously add, for the Christian god. Thanks to our lucky stars, and Ignatieff agrees with this point [169], we are placed under the political configuration of liberal democracy. But unlike Ignatieff, I do not deny my luck by my critical self-reflection. I trace the claim that we are “rich and free” [169] back to the histories—however contingent—that led to the present point. Ignatieff’s work systematically avoids parts of the history of the West—namely, that we the westerners are “rich and free” thanks to our colonial pasts that provided us with solid productive and institutional foundations for the liberal democracies of today. Anyone familiar with the works of the architects of modern politics—in the liberal tradition consider John Locke’s *The Second Treatise of Government* and in the leftist tradition consider Karl Marx’s two “Letters on India”—the history of western polity is inseparable from the history of colonialism, globalization of capital at the expense of other societies, and more often than not, military occupations. Only a reductive abstraction can allow Ignatieff’s view of liberal democracy as the ultimate secular good—a good in denial of its “evil” past, if you will. He is quite consistent in denying the violent pasts (and presents) of the United States, Israel, the Great Britain, and so on, apparently because any such admission would undermine his adherence to the secular good of liberal democracy. A theory of political violence must be able to acknowledge boldly but also to separate the incongruent or contradictory aspects of modern liberal democracies. As such, Ignatieff’s work does not rework the entire concept of the political—a reworking that is essential to understanding what is to be done on the global scale to deal with the institutional violence that is endemic to *all* political structures today. Instead, he adheres to a received theologico-political notion that enables him, among other things, to reach out to a certain audience, namely, certain interests in the American academe as well as certain circles of the United States policy-makers. The work does not have a universal reach, in other words.

Second, *the duality between the state and terrorism is a necessary political outcome of the acclaimed civilizational superiority of liberal democracy.* Ignatieff’s work inherits the egocentric Hobbesian division between the sovereign and the amorphous “will of all” (those who cause life to be “nasty, brutish, and short”). Following his theologico-political notion, liberal democracy represents the legitimate, epochal sovereign of our time and the ultimate measure for him to determine political good from political evil. But since many (if not most) of the sovereign states in the world—under attack by terrorism of one kind or another—do not fit his liberal democratic state, and since he still defends the non-democratic states against terrorism (due to his neo-Hobbesian notion), one is inclined to conclude that for Ignatieff every state is potentially a liberal democratic one, on the way to

it, or at least structurally capable of becoming one. Hence, my earlier reference to Fukuyama's Hegelian historicism in Ignatieff's eclectic thought. This allows Ignatieff to make sweeping generalizations in order to force his binarism onto very complex situations. One only needs to heed his unmistakable support of Israel against Palestinians in the name of security (for whom?). In this way, he simplifies an incredibly complex conflict of geopolitical proportions that inadvertently grew into a product of the Cold War. He condemns Zionist terrorism just like Palestinian terrorism [103], but in such references he subtly leaves the state outside the equilibrium. In all cases, the greater evil of terrorism necessitates the lesser evil of retaliations, "counter-terrorism" and proxy wars.

The American Revolution is not called terrorism [92], and although he rejects John Locke's support for revolution under tyranny, according to his categories the American Revolution would qualify as "liberation terrorism" [83]. Indeed, the concept of "freedom fighter" is expressly rejected [95], lest it damage his neat binarism between the sovereign and the disorderly threat to it. If the Lockean distinction between liberty and tyranny, however controversial, cannot distinguish a people's fight for freedom and terrorist violence (note the United States' distinction between the Kurdish freedom-fighters and the Islamic terrorist insurgents in Iraq; the Lockean distinction still reigns), I don't know what can. For his part, Ignatieff chooses to disregard the very contexts that would lead to this distinction.

Terrorism functions like a magnet that is violently run through an amorphous mass of metal filings. It draws a line and forces the masses to choose loyalties. As such, it separates and segregates. Drastic and spectacular actions are therefore needed for terrorism to bifurcate a situation that does not necessarily invite binarism. The 9/11 attacks represent a dramatic act of violence by Al Qaeda to amaze the Arab-Muslim world about the vulnerability of the West or the United States. We all know that Western states will not be toppled through such attacks. The 9/11 attacks were meant to force the Arab populace into a binarism that is a precondition for political violence. It is therefore a form of political mobilization. The fact, however, is that the majority of the Arab populace is apathetic to such violence. As a form of mobilization, terrorism cannot be opposed to the state. State terrorism—as in Guatemala, Chile, El Salvador, Iran, or the Contras sponsored by the United States to topple the Nicaraguan Sandinista government in the 1980s—is a fact of political life in our time.

Finally, *Ignatieff's notion of evil refers to a certain reality of political conduct at the age of political violence*. It involves sweeping generalization without much conceptual sophistication. The secular good cannot ultimately protect itself against the acts of violence of evil terrorists and as such is entitled to a certain degree of

counterviolence. This entitlement nonetheless becomes its vulnerability, since there are no built-in mechanisms to protect the secular good from “inner” evil. The “lesser evil” provides a political ethic that protects the secular good against this vulnerability while allowing it to protect itself through the necessary means. The “lesser evil” is therefore an attribute of “us” (secular liberal democracy) against “them” (mostly fundamentalists, but also revolutionaries, separatists, etc.) and this divide seems relatively constant in Ignatieff’s work. Adherence to liberal democracy should suffice to qualify one for “lesser evil.” As such, a political ideology based on representative government and the system of checks and balances—in short, a political good—is the ultimate ground for a *pragmatic* ethics of lesser evil. His concept of “evil” has no philosophical foundation in the theory of justice. Justice for Ignatieff is nothing but a certain secular and political good.

Having said this, the discourse of “lesser evil” seems necessary for an author who recognizes that one cannot rely on state regulations and the state’s ethics to guarantee a war on terror. This means, of course, that liberal democracy suffers from an ethical vulnerability, to which Ignatieff’s “lesser evil” is a response.

### III

In his *Fables and Fairy Tales*, Leo Tolstoy narrates the story of a king who, in order to ensure that “he would never fail in anything,” seeks the answers to three questions: “how to know the proper moment for every deed, how to know which were the most essential people, and how not to err in deciding which pursuits were of the greatest importance.”<sup>4</sup> Dissatisfied with the answers he receives from his advisors and courtiers, he embarks anonymously to pay a visit to a hermit, renowned for his wisdom, who lived simply in the forest. Faced with the hermit’s refusal to provide express answers to his three questions, the king stays with him, helping the hermit with the matters at hand that challenged the hermit’s frail build. A while later, they notice a man, wounded and soaked with blood, rushing out of the woods. With the hint of the hermit, the king attends to the stranger’s wounds, now unconscious, stopping the hemorrhage, thus saving his life. Upon regaining consciousness, the wounded stranger professes to the king of his intent to assassinate him in revenge for the killing of his brother and seizing of his property by the king’s orders. However, with the discovery of his ambush by the royal guards, he was wounded and narrowly escaped capture. Touched by the king’s compassion, the assassin appeals for forgiveness, which

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<sup>4</sup> Leo Tolstoy, “The Three Questions,” in *Fables and Fairy Tales*, translated by Ann Dunnigan (New York: New American Library, 1962), 82-88. All quotes and references in this section of the paper come from this story.

fills the king with delight at reconciling with his enemy. The king promises the wounded man to rectify the hubris of his actions. Upon departure, he puts the three questions to the hermit again, only to be reminded by the wise man that he had answered his own questions already: “Remember then,” avers the hermit,

there is only one important time—*Now*. And it is important because it is the only time we have dominion over ourselves; and the most important man is *he with whom you are*, for no one can know whether or not he will ever have dealings with any other man; and the most important pursuit is *to do good to him*, since it is for that purpose alone that man was sent into this life.

Although I would probably hesitate to endorse the notion of humanity’s purpose in this life in Tolstoy’s Christian ethics as a normative ground (despite the fact that I would not necessarily challenge it either when it comes to practice), the story raises a crucial point: under what conditions can evil be rectified? Note that both the king and the assailant are bound by evil insofar as their actions are informed by the hubris of systemic violence—hubris in the Greek sense of “unrestrained self-imposition.”<sup>5</sup> There is no ultimate measure against which lesser or greater evil can be gauged. Evil is evil. Period. The King is not automatically or arbitrarily granted the position of the good, and if it were not for his quest and his humbling experience in the presence of the hermit, he might not have forgiven the assassin. Of the two men forgiving one another, it is in fact the assailant whose forgiveness has the greatest effect upon reconciliation. He forgives the unforgivable, the death of his brother, although the abyss remains, as Derrida would say, and the assailant does not receive justice insofar as his brother is concerned, despite his forgiveness.<sup>6</sup> A confiscated property can be returned to its original owner, but death is irreversible and cannot be rectified. However, in the story a death, an irreparable damage, becomes the ground for the surpassing of the vicious circle of violence—of the “banality of evil” to quote Hannah Arendt—a passageway to overcome evil, through reconciliation. Insofar as it involves replicating certain acts of violence, evil perpetuates itself—no matter if it is to lesser or greater extents—as an expression of hubris, of injustice and self-imposition. What is missing in the present discussion, therefore, is a discussion of the conditions of evil. I will briefly attend to this as the final remark in this review.

#### IV

We can witness no soul searching like that of the king on the part of the existing

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<sup>5</sup> Schürmann, *Heidegger On Being and Acting*, 189.

<sup>6</sup> See Jacques Derrida, *On Cosmopolitanism and Forgiveness*, trans. Mark Dooley and Michael Hughes (New York: Routledge, 2001), 54.

liberal democratic administrations that happen to reign supreme in world affairs. No wonder a theory of the lesser evil is the best one can aim for, given the circumstances. Despite the intention of preserving liberal democracy from an ingrown peril, Ignatieff's analysis remains parochially pragmatic and as such caught in the systematic hubris that defines our world system by the institutionalized violence that reproduces itself in counter-violence, ad infinitum. It takes one a certain unawareness of such violence to arrogate oneself into measuring evil as lesser or greater.

To adequately formulate the proper concept of "evil" one needs to trace the concept historically and provide a deeper understanding of the complexity of the issue.<sup>7</sup> Allow me to conclude my reflections on Ignatieff's work by offer two quick observations, one by Hannah Arendt and one by Reiner Schürmann. First, Arendt refers to the "banality of evil" and "thoughtlessness." Evil is "banal" in the sense that it resorts, in the everyday, to the recurrent and repetitive responses, "at strictly factual level," that are received by the uncritical minds through perpetuation of institutionalized modes of practice and that, therefore, structurally deprive the agent of the possibility of critical reflections on their practice. As she observed during the trial of Eichmann, he "merely, to put the matter colloquially, never realized what he was doing."<sup>8</sup> As such, banality forecloses on the new and the possible, thereby denying the multiplicity of our common futurity. At the heart of banality resides a certain attitude toward the preservation of institutionally perpetuated modes of practice. It is therefore no surprise that thoughtlessness is concomitant with banality, since the latter denies the genuine, projective gaze into the future as the realm of withheld possibilities and thus into the potential consequences of one's choices. Eichmann "never realized what he was doing" because he merely acted as the agent of an institution; such agency—that is, submission to the assigned task—amounts to thoughtlessness—that is, the separation between acting and thinking (as in terrorism and the "war on terrorism"). Thus the "interdependence of thoughtlessness and evil"<sup>9</sup> is revealed. Thoughtlessness (which is not to be mistaken with stupidity, Arendt warns) becomes endemic to banality as it becomes evermore expansive and permeating. Arendt's reference to Nazism precisely captures these two characteristics of evil and serves us as a model for reflecting both on today's fundamentalism and terrorism and, in many cases, on so-called "counter-terrorism" and militarism. The so-called "degrees" of evil make no sense once we take Arendt's point that evil is embedded in the

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<sup>7</sup> See for example: Richard J. Bernstein, *Radical Evil: A Philosophical Interrogation* (Cambridge: Polity Press, 2003).

<sup>8</sup> Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (New York: Penguin Books, 1994), 287.

<sup>9</sup> Arendt, *Eichmann in Jerusalem*, 288.

imposition of a practice: an imposition for which I would prefer using the ample Greek concept, hubris. I am inclined to add to Arendt's point that the banality of evil can be overcome, among other ways, through a redefinition of the relationship between the self and the other, a relationship that cannot be formulated by opposing the sovereign (good) self and the threatening (evil) other.

Next, Schürmann astutely refers to maximization and dispossession, a radical phenomenological approach that informs the approach of this paper. When phenomenal maximization, which amounts to the universalization of an emergent archic law, denies its own originary singularity—that is, when it denies the singularizing moment that is at the heart of every foundation—the potentially open-ended destiny of the residents of the regime is reduced to a fate foreclosed through dispossession. Singularization cannot be understood without the contextuality that makes it all the more meaningful, without its singular worlding. Universal maximization, the edificial effect of what we call the law, involves the abandonment of the original context of emergence of an injunction, de-worlding it. Dispossession, therefore, involves the denial of the contextuality of an injunction, a denial that leads to the hubris of an institutionalized de-worldedness. Such maximized de-worlded phenomenality, sanctioned through law and enforced through surveillance, is violence because it impedes the actor from thinking the existing law back to its singular origins. Evil comes from dispossession as it is defined by civilizational epochs.

For the Greeks, evil meant to be dispossessed of the good, at the very bottom of the ladder crowned by the one; for the Latins, it meant dispossession of telic continuity which whoever acts against nature will bring upon himself; for the moderns, it meant a dispossession of enlightenment which turns one radically away from self-consciousness. Each time the good posits itself, which is why it determines what holds as law. So long as otherness remains conceived as negation and denial itself is denied, evil can only stand opposed to such self-positing.<sup>10</sup>

A proper conceptualization of evil will show that evil has its roots in the reduction of the realm of the possible through normative impositions embodied in self-positing maximized laws, which give rise to the condition of evil. Many of our contemporaries conceive of such de-worlded and de-worlding laws as the good. This good keeps us within the existing and established modes of practice, reducing our creativity to pragmatism, keeping us within the banality that withholds the present from revealing our human futurity in the realm of the possible. Tolstoy's story presents a possible mode of acting and thinking that

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<sup>10</sup> Reiner Schürmann, "Conditions of Evil," translated by Ian Janssen, in Drucilla Cornell, Michel Rosenberg, and David Gary Carlson (eds.), *Deconstruction and the Possibility of Justice* (New York: Routledge, 1992), 393. See also, Reiner Schürmann, *Broken Hegemonies*, trans. Reginald Lilly (Bloomington: Indiana UP, 2003), 621-32.

would surpass banality and thoughtlessness, maximization and dispossession—in short, the hubris of universalized self-imposition.

Unless the much-coveted “secular good” becomes aware of the hubris imposed upon all of us through institutionalized violence (a violence the secular good participates in propagating through normative imposition and violent dispossession of possible phenomenologies, through banality and thoughtlessness), it remains in denial. To understand the very concept of evil properly we first need to refrain from the politics of fright and step back from all gestures of sovereignty. We also need to deny ourselves the comfort of denial. And the time is *now*, for “it is the only time we have dominion over ourselves.”

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