

Remnants of Dissent

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Recommended Citation

Docherty, Thomas. "Remnants of Dissent." *CLCWeb: Comparative Literature and Culture* 21.3 (2019): <<https://doi.org/10.7771/1481-4374.3545>>

This text has been double-blind peer reviewed by 2+1 experts in the field.

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CLCWeb: Comparative Literature and Culture

ISSN 1481-4374 <<http://docs.lib.purdue.edu/clcweb>>
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Volume 21 Issue 3 (June 2019) Article 2

**Thomas Docherty,
"Remnants of Dissent"**

<<http://docs.lib.purdue.edu/clcweb/vol21/iss3/2>>

Contents of ***CLCWeb: Comparative Literature and Culture 21.3 (2019)***

Special Issue ***On Complicity and Dissent***. Ed. Nitzan Lebovic

<<http://docs.lib.purdue.edu/clcweb/vol21/iss2/>>

Abstract: In his article, "Remnants of Dissent," Thomas Docherty explores the relation of dissent to guilty complicity in post-war Europe. The article opens with a consideration of the position of Karl Jaspers in 1945 and examines how Jaspers worked through the various modes of guilt that flowed from diverse modes of living under Nazism. Of particular interest is the status of silence in the face of tyrannical Nazi oppression and murders. The essay explores how the workings of language, and its manipulations by the Nazis, helps to normalize such tyranny and to make resistance to it both dangerous and difficult. The detailed examination finds, via individuals such as Wilhelm Furtwängler and Václav Havel, that there is a vital distinction to be made between dissent and dissidence and that this distinction depends upon the ways in which political discourse is regulated.

Thomas DOCHERTY

Remnants of Dissent: Language and Political Guilt after 1945¹

When the American military forces arrived in Heidelberg at the end of the war in 1945, they composed a "White List" of individuals who, they believed, had demonstrated enough personal and political integrity over the preceding twelve years to occupy, now, some key leadership positions for the rehabilitation of a post-Nazi Germany. One name on the White List was that of Karl Jaspers, who – along with his Jewish wife, Gertrud – had remained in Germany and had nonetheless survived the years of Nazi rule.

Those years had been neither easy nor straightforward, of course. First, Jaspers had watched in horror as his former friend, Heidegger, became Rector of Freiburg University in 1933 and promptly denounced "the much lauded 'academic freedom'" calling it a principle that would henceforth be "expelled from the German university" (Heidegger). This was the very freedom that had been the cornerstone of Jaspers' 1923 text, *Die Idee der Universität*, in which he wrote that the university "derives its autonomy – respected even by the state – from an imperishable idea of supranational, world-wide character: academic freedom" ("Idea" 19). Such freedom "is a privilege which entails the obligation to teach truth, in defiance of anyone outside or inside the university who wishes to curtail it" (19).

Then, on 26 January 1937, the Nazi authorities had passed the "German Law Concerning Civil Servants" (*Deutsches Beamten-gesetz*), known as the Civil Service Act. This Act extended the requirements of the 1933 "Law on the Restoration of the Professional Civil Service," which had barred "non-Aryans" from employment in the civil service. Now, in 1937, the new requirement added that not only civil servants themselves but also their spouses had to be "citizens," or *Reichsbürger*, if they were to retain their position (Georgiadou 341). While Gertrud might be a "subject," or *Staatsbürger*, she could not, as a Jew, become a citizen. The enforcement of this law, carried out under the aegis of Ernst Kriek as Rector of Heidelberg, became instrumental as a pretext under which Jaspers would be forcibly "retired" from his position in the University of Heidelberg. Finally, in this cumulative weakening of Jaspers' position, he would also be barred from all forms of publication in Germany, with effect from 1938.

Thus it was that Jaspers was officially, formally, and effectively silenced at the hands of the Nazi state. His silencing might have been legal (that is, in accordance with the law of the land), but it was hardly legitimate (that is to say, it was not justifiable in the transcendent terms governing academic or, indeed, any other freedom). This silence, however, has a complicated status, even beyond the fundamental philosophical question regarding the conflict between what is legal and what is legitimate. On one hand, the silence is politically enforced and thus constitutes an oppression of Jaspers' freedom to speak and to associate with both his fellow intellectuals and with the general public ("Idea" 51). Simultaneously, however, it may also have been something that was, no doubt incidentally and serendipitously, instrumental in keeping him alive through the twelve years. After all, those who spoke out against the regime and who dissented openly were not safe.

The troubling question that follows is this: did the silence – or the simple fact that Jaspers accepted the imposition of such silence without dissenting from it openly, assertively and loudly – constitute any form of tacit complicity with the regime? Did the failure openly to dissent place him in a position where he was at least tacitly complicit with the regime's actions, and thus partly responsible for the atrocities that the regime committed? Does there exist a position of respectable *neutrality* in a silence that hovers between complicity and dissent, or is the division between dissent and complicity absolute?

This question clearly haunted Jaspers. In 1946, on his return to full legal rehabilitation, he republished *Die Idee der Universität* and spoke (alongside Julien Benda and other celebrated figures) on "the spirit of Europe" at the inaugural *Rencontre Internationale de Genève*, where he pondered the question of the relations between the intellectual and the polity, the function of the intellectual in relation to politics (Docherty *New Treason*). Most significantly for this present argument, he gave a series of lectures in Heidelberg to be published as *Die Schuldfrage*. With help from his former student, Hannah Arendt, the text appeared in English via New York's Dial Press in 1947 as *The Question of German Guilt*. Right at the start of this text, he addresses directly the question and status of silence.

Initially, Jaspers considers the question of silence under the ostensibly neutral terms of the kind of academic freedom that he had placed at the center of his idea of the University. What, he asks, does

¹ This essay appears, in a different form, in Thomas Docherty, *Political English* (Bloomsbury, 2019)

political power want? Does it want "free research, a region free from its immediate influence"; or would it prefer to control and delimit the bounds of thought and research – ideologically to determine results in advance and skew "research" to ensure the production of such results? (*Question 9*). "Before 1933 we had permission to think and talk freely, and now we have it again," he writes (9). This renewal is clearly a positive. However, it does not follow for Jaspers that talk should be or even could be completely unconstrained, given his open acknowledgment that "all thought and research depend on the political situation" and that "talking about all things as we like and please is license, anyhow" (9). Speaking out, even now in 1946's opening of a period of catharsis, requires what he calls "political tact" that will circumscribe what we can and should say or discuss (9). As he puts it, "Though it may be painful and not an ideal situation, political tact may at times exact silence on certain questions and facts everywhere in the world, in the interest of the most propitious solution" (9).

Such a statement suggests that his silence during the twelve years should be construed not as complicity – that is, not as constituting assent to the regime and the atrocities it was committing and about which he knew – but instead as a matter of "political tact." That stance not only excuses the silence, but also removes it from the realms of neutrality and instead positively weaponizes it: it is as if silence is to be construed as a deliberate political tactic that was instrumental in seeking "the most propitious solution" to the predicament of living with and alongside Nazism and – purely by the fact of living with it and surviving it – thus finding oneself potentially complicit in atrocity.

Further, Jaspers here also implies that talk itself is somehow cheap, that it constitutes license instead of liberty when it becomes talk about "all things" and when it is essentially self-indulgent, "talking about all things as we like and please" (9). Political tact actually *requires* silence in some situations, if the best political goal – that of liberty from tyrannical authoritarianism – is to be achieved. This latter observation raises a further issue regarding "the economics of free speech" (9). Crudely put, does "free" speech actually have a price?

Shakespeare had considered this, in *Hamlet*. When the Ghost first appears, it maintains a silence, despite Horatio's repeated pleading with it to speak. When Hamlet hears of the Ghost's presence, he bids Horatio and Marcellus to "Let it be tenable in your silence still," to "Give it an understanding, but no tongue." Then, the following night, when Hamlet himself meets with the Ghost, he notes that "It will not speak" (1.2). The Ghost would address Hamlet alone; and Hamlet withdraws to a sequestered and secret spot with the Ghost to hear what might be said, as if in some clandestine or underground meeting. He knows that this speech and hearing may cost him dear, but argues "what should be the fear? / I do not set my life at a pin's fee." As the Ghost also knows, freely speaking out will entail a price; and that price is a matter of life and death. Having heard what the Ghost reveals about the political atrocity of his murder, Hamlet then immediately demands a tactful silence from his colleagues, Horatio and Marcellus, making them swear to "Never make known what you have seen tonight."

This is not how we usually view such matters. Dissent – especially dissent from the norms and rules of a political regime – is usually evidenced not by silence but by the very positive act of speaking out, loudly, bravely, defiantly and heroically in an assertion of the values of free speech. Dissent is not usually tacit, but characterized by what the cliché calls "speaking truth to power." Dissent thus sides with the explicit statement of truth and is set up in (literally) *explicit* opposition to brute power which, by implication, finds its basis in lies and in the coercive demand for complicity in lies among those over whom power is exercised. Dissent questions the legality of power by asserting the legitimacy of truth-telling – and doing so aloud.

One recent thinker who was utterly explicit about the responsibility of the intellectual to dissent by speaking out was Edward Said. In his 1993 Reith Lectures, published as *Representations of the Intellectual*, Said describes the intellectual as being intrinsically charged with a special responsibility. The intellectual "is an individual endowed with a faculty for representing, embodying, articulating a message, a view, an attitude, philosophy or opinion to, as well as for, a public" (*Representations 9*). The intellectual's function "is publicly to raise embarrassing questions, to confront orthodoxy and dogma (rather than to produce them)... to be someone who cannot easily be co-opted by governments or corporations" (9). The intellectual must speak out on behalf of others who are silenced in various ways, to represent the forgotten. It follows, for Said, that silence is not an option, because "There is no such thing as a private intellectual" (9).

According to this account, Jaspers stands in an awkward position. There was no doubt that Jews, Romani, homosexuals and others (including critical intellectuals) were being persecuted and then systematically murdered – and "forgotten" – by international politics. Is it not the case that the failure even to *speak* against this constitutes not just appeasement but, worse, complicit support for it? In considering this question under the general rubric of guilt, Jaspers invites the question of whether

what we might call "political silence" was a tactic governed primarily by ostensibly justifiable self-preservation (ask yourself "what would I have done?") or whether it contained, within its intrinsic nature, an indirect assent to – and thus complicity with – the regime whose guilt the silent philosopher or intellectual must inevitably share. If he salvages the respectability of such silence, can we go further and claim this kind of tactful reticence as itself a mode of dissent? Must it be the case that dissent should always speak out?

The Question of German Guilt answers this in a complicated, even convoluted fashion. Jaspers distinguishes four types of guilt: criminal, moral, political and metaphysical. At one extreme, criminal guilt belongs to those who directly committed crimes in the Nazi atrocities; and the Nuremberg courts will adjudicate on their crimes. At the other extreme lies metaphysical guilt, a guilt shared by all as a condition of human existence as such, akin to what Cioran would call "*L'Inconvénient d'être né*" (Cioran), a guilt suggestive of theological notions of "original sin." Between these lies moral guilt, which arises from the responsibility that I have for all my deeds, even if I was "just following orders"; and so this still refers to actual material acts. It is the category of "political guilt" deriving from that fact that "Everybody is co-responsible for the way he is governed," that becomes the most pressing guilt-question for Jaspers (*Question 31*).

This convoluted schema allows Jaspers to identify – and to limit or circumscribe – his own guilt. It also essentially exculpates him and his silence almost completely. He is neither criminally nor morally guilty and thus cannot be charged with complicity in the atrocities. He is metaphysically guilty, but then so is everyone, German or not, Nazi or not – so this hardly counts as a distinguishing trait. "Political guilt" is what pins him and his fellow Germans down, because they allowed Nazi power to rule the state. This is an odd guilt, for it fails to individualize and holds an anonymous mass responsible for the politics of the state (Arendt, *Responsibility* 21, 28-30, 147-8). The schema permits Jaspers to acknowledge a guilt-without-complicity in which "political guilt" is *shared* while he *avoids being complicit* with the atrocities to which guilt can be ascribed. However, although ostensibly evading complicity, this does not yet fully elevate his silence-as-tact to the status of dissent (Docherty, *Complicity* 31-3).

The question remains: can silence within a totalitarian or authoritarian regime become a mode of dissent, or must it imply complicity with the regime? The status of silence here invites us to consider more carefully the fundamentals of language itself in relation to dissent and complicity; and it is to this that we can now turn.

Another intellectual who remained in Nazi Germany was Wilhelm Furtwängler, musician and conductor. Unlike Jaspers, Furtwängler was anything but silenced: the Nazis were only too happy to celebrate him and wanted to use his international prestige to give respectability to the regime. Furtwängler's refusal of taciturnity was not via the spoken word but via music. Furtwängler employed Jewish musicians, refused to sign correspondence with the obligatory "Heil Hitler," and did not give the Nazi salute. However, he did not openly speak out directly against Nazi rule: his "dissent" was, essentially, a lack of assent. His music, he claimed, was itself intrinsically a defiance of the regime: aesthetics transcending – and allegedly overcoming – politics and history (Roncigli 75-93; Gregor 845).

In *Taking Sides*, Ronald Harwood's 1995 play about Furtwängler and the de-Nazification procedures, the character of Major Edward Arnold confronts Furtwängler with some of his recorded statements during the twelve years, including especially disparaging comments about Jewish people: "Jewish musicians lack a genuine affinity with *our* music," or "Jewish penpushers should be removed from the Jewish press." Furtwängler replies that, to survive, he had, first of all, to use the approved language of the Nazis. When he said what he said about Jews, he indicates the necessity of what Jaspers would have called political tact: "It depends on the circumstances, to whom one was speaking... I used their language, of course I did, everyone did." He argued that the Nazis controlled the language, via control of the press, adding: "They regarded any action of dissent, however small, as a criticism of the state, tantamount to high treason." Such treason, for the Nazis, could be discerned in the failure to speak the approved lexicon.

Furtwängler's fundamental claim is that "his" language – the language of music, standing now opposed to the linguistic norms of the Nazi regime – is the language to which he was essentially always faithful; and that it was in the expressions made in musical language that we find his real and basic dissent from the regime. "I know that a single performance of a great masterpiece was a stronger and more vital negation of the spirit of Buchenwald and Auschwitz than words," he says. "Human beings are free wherever Wagner and Beethoven are played. Music transported them to regions where the torturers and murderers could do them no harm." Music, here, operates with the same authority as does the concept of academic freedom in the University for Jaspers: it transcends

the bounds and bonds of nationality that are structured by a specific national language and the politically controlled norms that such a national language establishes. It takes the listener and composer outside of a nation to regions elsewhere; and it appeals to that transcendent supra-national or international condition as the basis for its authority and autonomy.

This argument indicates that it is complicity with a *language* – and above all with a language that is a marker of national identity and thus a specifically *politicized language* – that establishes guilt and responsibility for the norms that the language articulates as “truths”; and, clearly, silence will complicate this. Spoken dissent is, perhaps rather fundamentally, an attempt to change a political condition by changing a language, with all that such an act of translation might entail.

What does “complicity with a language” – and especially with a “political language” – actually mean in practice? In simple terms, it means speaking in accordance with the norms that govern communication in that language. My insertion of “norms” here indicates that the language is not merely a mode of communication, but also a mode of “communion” – the making of identity – with others who share the norms and normative value-systems that pass as legitimate, even comprehensible, within that language. Further, such norms of communication constitute, at least tacitly, the grounds for establishing “the truth” for the speakers of the language in question; and, in turn, that truth constitutes their shared identity. The claim for identification among speakers is, in fact, the construction of a shared complicity in holding to the normative values in question. This is tantamount to saying that a language constitutes a nation, which is not hugely removed from Wittgenstein’s observation that “to imagine a language is to imagine a form of life” (Wittgenstein 8). However, there are significant issues underlying this, relating to the morality or otherwise of both dissent and complicity.

From the foregoing, it seems clear that we usually consider two interlinked elements as being central to dissent: speaking, and truth. These two are intimately linked by Nietzsche when he considered “Truth and Lying in an Extra-Moral Sense” in 1873. For Nietzsche, what passes as “true” is nothing more than a matter of linguistic convention and conformity with other speakers of a given language in a given language-community. To put this much more crudely than Nietzsche might have intended, “truth” is “nationalized” as and when we consider “the nation” to be identified with its dominant language or, indeed, whenever we identify the core of the intentional self with a specific national language.

Nietzsche was unsentimental about truth and happy to confront the moral pieties usually surrounding it. Truth-telling presupposes a social existence; and that social existence depends on us regulating our intrinsic demand for individual superiority over others with the demands of peaceful coexistence. The truth, in these circumstances, is primarily simply a matter of linguistic convention and agreement. We agree on “a binding designation” for things; and we pass over *in silence* anything that might disrupt the social condition of peaceful existence. In this way, we can merely simulate agreement without ever arriving at the kind of commitment to a norm that entails our complicity with it. This, in fact, is the essential element in international or any other political diplomacy. It depends upon dissimulation (Arendt *Crises; Between*).

There is, within this, a sophisticated version of silence which consists in speaking without saying anything. Seamus Heaney writes of it in his poem “*from Whatever You Say Say Nothing*,” in which he acknowledges the ways a divided community – in this case, in the north of Ireland – can survive. There are a series of codes that allow understandings to pass silently – including understandings that speakers are opposed to each other: “I live here, I live here too, I sing, / Expertly civil-tongued with civil neighbours” (Heaney 57). Crucially, both sides or tribes agree – and maintain peaceful coexistence – precisely by saying nothing, by a speech that, even though it makes extremely pointed statements – “They’re murderers” – reduces those statements to the level of “what everyone says.” In doing so, the statements become truisms, even banal cliché; and this, in fact, shows the power of such a “saying nothing,” for it withstands the pressures exerted politically even by the most extreme situations, including that of sectarian murder. Heaney has an appropriate term for this kind of “spoken silence”: he calls it “the famous / Northern reticence, the tight gag of place / and times.” Such a “reticence” is precisely what sustained Furtwängler or Jaspers.

We might usefully see the full force of such reticence by setting it against another literary example of saying nothing. This second example comes from Shakespeare, and it involves Cordelia in *King Lear* expressly speaking and uttering aloud the very “nothing” that throws Lear into a violence in which he confuses the personal with the political, a confusion that is integral to totalitarianism. In the opening scene, Lear demands speech from Cordelia: “What can you say to draw / a third more opulent than your sisters? Speak” (1.1.87-8). Cordelia has already told the audience, in her very first words, spoken as an aside, that she will “Love, and be silent.” Yet silence is precisely what she disavows

when called upon to speak in the scene; and, in expressly uttering the word "nothing," in expressly saying "nothing," she dissents from the entire national politics of the moment and causes extreme social and political disarray.

Goneril and Regan have both been complicit in Lear's political maneuvering, going along with his game or regime, speaking his language, humoring and thus flattering him and assuring him of his power even as they plan to claim that power themselves; Cordelia is here the dissenting voice. Her dissent is not dissent in the form of opposition to a position taken by power; it is dissent from the entire language-game that establishes that power in the first place. It provokes civil unrest, her exile to France, and a civil war with extreme terrorist violence (such as Gloucester's blinding, or the Fool's torture and hanging (Clayton 142-5)).

Saying "nothing" – as opposed to "saying nothing" – is extraordinarily powerful. More, it provokes an explosion in historical action, replacing politics (and diplomacy, Churchill's famous "jaw-jaw") with force and war. The real power of Cordelia's dissent is not figured in her opposition to Lear. That would be a very limited dissent, in that it would remain essentially complicit with the structures of power in the regime while simply undermining the individual who holds sway (and this is the position of Goneril and Regan, ostensibly faithful to Lear while determined to occupy his position). Rather, Cordelia, in saying "Nothing," stands in opposition to the entire normative structure of power in the regime itself.

In *Taking Sides*, Harwood shows Arnold cynically intent on "proving" that Furtwängler was, essentially, a Nazi, on the grounds that his dissent was not explicit. Furtwängler's defense is clear: "I am no better than anybody else," he says. "In staying here, I believed – I thought – I walked a tightrope between exile and the gallows. You seem to be blaming me for not having allowed myself to be hanged" (Harwood 2). Behind this lies a specific view of the dissenter: dissent has to be proved always *in extremis*, through personal sacrifice. It is as if it is only in becoming thoroughly a victim oneself that one can prove the authenticity of one's dissent. Such a view is utterly "purist," and at the same time, utterly self-defeating. Yet, as in Harwood's dramatic setting of this predicament, Arnold will discredit Furtwängler's stance by accusing him of hypocrisy on the simple grounds that he did *not* become a victim: on the grounds that he survived. Furtwängler's position is, like that of Jaspers, complex: "I tried to defend the intellectual life of my people against an evil ideology. I did not directly oppose the Party because, I told myself, this was not my job. I would have benefited no one by active resistance." (Harwood 2)

It is, in our time, a measure of the homage that we pay to making dissent completely explicit that we more or less demand that it be a matter of life and death. It is as if we can acknowledge dissent only to the extent that it jeopardizes the life of the dissenting speaker. Such an attitude is part and parcel of an entire ideology that would subscribe to the view that it is the victim of injustice who is, *ipso facto*, just; or that if one seeks authoritative legitimation for one's views, it is better to do so from the position of utter victimization, in the shadow of the gallows. In a different context (the immediate aftermath of 9/11), Jacqueline Rose argued rightly that "The victims of injustice ... are not always, automatically, just. The state of Israel, for example, was founded on the back of a horror perpetrated against the Jewish people which was for some the worst, for others the culmination of the injustices carried out against the Jewish people over centuries. This has not made the state of Israel just towards the Palestinians" (Rose).

Paradoxically, the purist stance actually devalues dissent, even as it seems to attend to its seriousness. Dissent, as the voice of criticism, always takes a stand against any and all fundamentalist ideology or fundamentalist solidarities. Here, it is worth recalling Said's other great description of the critical attitude, when he wrote that "I take criticism so seriously as to believe that, even in the very midst of a battle in which one is unmistakably on one side against another, there should be criticism, because there must be critical consciousness if there are to be issues, problems, values, even lives to be fought for" (*The World* 28). When the purist demands that the dissenter pays for her or his stance with her or his very life, then the purist becomes herself or himself utterly complicit with fundamentalism as such, for she or he rests the legitimacy of her or his stance not upon argument and doubt (Said's "critical consciousness") but upon the absolute certainty of the gallows.

The Manichean purist disallows political discourse and debate and disallows the play of uncertainty in a "respectable neutrality." So, our pressing issue now becomes the relation between the alert critical consciousness, usually realized through speaking out, and respectable neutrality, as in the political tact that engenders silence or abstention from taking a view. This is, essentially, a question of the political manipulations of language and of silence.

In his examination of the language of the Nazis, Victor Klemperer points to the Nazi refusal of both reticence and doubt, the refusal of any kind of neutrality. His description of this draws attention to the value of a specific punctuation mark: "it was endlessly claimed by Hitler and others during the period

that all progress was thanks to the intransigent, that all inhibitions stemmed from the supporters of the question mark" (Klemperer 71). Klemperer goes on to insert his own moment of doubt here, but followed by a determination of certainty: "This [regarding the question mark] is not necessarily true, but it is certainly the case that only the intransigent have blood on their hands" (71). The clear and present danger is that, in our contemporary predicaments, dissent is being prevented by a Manichaean politics of polarization that has learned more or less directly from the 1930s, and that demands fealty, else one will be branded not as a critical opponent but as a "traitor" or "enemy of the people."

This is precisely the language used, for example, by the right-wing UK mainstream press to describe people who oppose the UK's "decision" to leave the European union. The *Daily Mail*, one of the UK's most widely-read newspapers, described High Court judges as "Enemies of the People" when they observed existing legal propriety, ruling that the UK Parliament must have a say – must have a voice, must speak – over the notification to the EU that the UK government would invoke Article 50 of the Lisbon Treaty, stating an intention to withdraw (Daily Mail). The *Telegraph*, a more seriously high-minded right-wing UK paper, branded Conservative MPs who sided with the Labour opposition in one debate as "Brexit mutineers," displaying their photos as in some rogue's gallery, following which numbers of these politicians received numerous death-threats (Swinford; "Anna").

These rhetorical or linguistic tactics aim to reduce the possibilities of genuine dissent by refusing to permit the existence of a ground where critical consciousness – thinking as such with its attendant doubts – can be exercised. Similar polarizations are visible in the US, where Donald Trump's infantile lexicon reduces and narrows everything down to the most mean-spirited and anti-intellectual, anti-thinking, attitudes possible (Jacobson). In the US case, one can still speak out, of course; but whatever one says is immediately translated into the personalist chants of the bully in the playground, thereby losing political authority, credibility or legitimacy. When what one can say and what can be heard are atrophied and reduced in scope, it will follow that there will eventually be no vocabulary left with which to criticize power at all. And that is a very different mode of silence from that which affected and afflicted Jaspers or Furtwängler, say.

In some circumstances, then, silence may appear to be awkward, but it becomes evidently the lesser of two evils. However, as Hannah Arendt points out, the pragmatism that enjoins the adoption of the lesser of two evils is utterly flawed, politically. First, there is the simple fact that "those who choose the lesser evil forget very quickly that they chose evil (*Responsibility* 34)." Having made their choice, they become committed to it – complicit in its norms – instead of retaining doubt and preserving the possibility of establishing the good – however deferred it may be – through tactful reticence. Indeed, the subscription to the pragmatism of the "lesser of two evils" argument is even worse than this suggests, for it is structurally intimately linked to the very regime of power from whose "worse" evil one is allegedly distancing oneself in adopting the lesser evil. To comfort oneself by stating that one adopts the lesser of two evils is to fall into a logic that is itself "one of the mechanisms built into the machinery of terror and criminality." This is so because it helps to normalize evil as the only condition available; and the "lesser of two evils" argument is "consciously used in conditioning the government officials as well as the population at large to the acceptance of evil as such" (*Responsibility* 34, 36).

This is not just of historical interest. As my examples of the language of Brexit and of Trump show, the issues here are alive and pressing for us, today. Shall we remain silent? What is the price of speaking out?

In the context of the Nazi regime, the consequences of pragmatism were disastrous. Arendt is coruscating in her analysis. "The extermination of the Jews," she writes, "was preceded by a very gradual sequence of anti-Jewish measures." Nazi tactics depended on incrementalism. Each such anti-Jewish measure "was accepted with the argument that refusal to cooperate would make things worse – until a stage was reached where nothing worse could possibly have happened" (*Responsibility* 36-7). This, obviously, is the case *in extremis*. However, quite apart from its own intrinsic importance, we should note that it is a model for mundane and everyday politics, in which silence – a hesitation to dissent – becomes instrumental not just in permitting but also in virtually *requiring* complicity with a politics that we might want to reject but with which we find ourselves becoming compliant and complicit. This particular mode of silence – a silence co-opted as complicity, as opposed to reticence – is clearly troubling.

The attempt, then, to justify or excuse action – or a very specific mode of silence – on these grounds looks flawed both philosophically and morally. Complicity is assured for the regime through a structure in which those who wield power (often legally but illegitimately) do not directly force individuals into collaboration or compliance; rather, they reduce the number of options available and

eliminate any possibility of dissent by a gradualist approach to change. Above all, however, the gradualist approach to change in question here is *linguistic*: it relates to the gradual shifting of semantics.

Silence is culpable when it is aligned with a political regime that exercises its power through these perverse manipulations of language and, most specifically, through a reduction or diminution of the political lexicon itself. It is always in the face of the reduction of the possibilities of linguistic change that silence becomes not political reticence, but complicity with illegitimate and illegal power. In the face of this, dissent requires instead the extension of our political vocabularies; and that extension may, on occasion, include the political tact of reticence.

There is, then, a profound difference between silent complicity and silent dissent. The silence that indicates complicity is one that actually contributes to the incremental power of an established regime by accepting its norms and its language; that which denotes dissent refuses to do this and seeks instead a new language. For Furtwängler, it was music; for Heaney, it was poetry; for Jaspers, it was academic freedom.

At a much lesser level than in Nazi Germany or in Troubled Ireland, silent complicity (as opposed to silent dissent) undergirds all bureaucracies that exist in everyday consensual life. Indeed, bureaucracy is utterly dependent upon such silent complicity. Writ large, it operates in contemporary politics and societies as a mode of government.

Timothy Snyder refers to the structure that underpins this as "anticipatory obedience." Detailing how some citizens who were not Nazis were caught up in the gradualist anti-Semitic persecutions in Austria in 1938, he notes that the "anticipatory obedience of Austrians... taught the high Nazi leadership what was possible" (Snyder 19). By 1941, with the German invasion of the Soviet Union, "the SS took the initiative to devise the methods of mass killing without orders to do so. They guessed what their superiors wanted and demonstrated what was possible. It was far more than Hitler had thought" (Snyder 19-20).

Anticipatory obedience – another phrase for silent complicity – enables established political power itself to remain silent: the Nazi regime did not need to tell people what to do, for those people were already anticipating what they "should" do, and were doing it, to excess. Similarly, Stalin often gave no specific orders but permitted certain hints to gain traction; and the enthusiastic cadres, keen to gain favor in the regime, exceeded what they imagined might be the most extreme actions (*For the University* 116ff). Anticipatory obedience operates precisely as complicity with tyrannical authoritarianism, excuses it, and extends its workings.

In doing so, anticipatory obedience also claims to work in the service of a certain realism: a pragmatic acceptance of "how things are." The questions for a dissenting voice, however, are simple: who determines "how things are"; how do they guarantee complicity with their views; and who determines how to change how things are? For us, here, what is the role of language in dissenting from whatever passes as the current reality of the world?

Václav Havel understood this. Writing in 1979, he echoes what we saw above from Nietzsche: "The principle involved...is that the centre of power is identical with the centre of truth." Next, following the logic of anti-fundamentalist criticism, the ideology from which he would dissent is one that "offers a ready answer to any question whatsoever," a certainty that gave the ideology a "certain hypnotic charm" (Havel 25). Under these conditions, the pragmatic acceptance of "reality" is an acceptance of what the power of the state determines as reality, hypnotizing us, magically charming us into complicity with it. The state entertains no doubt about what constitutes truth and reality; and acceptance of this precludes the possibility of exercising a critical consciousness against such fundamentalism. In exploring this, Havel turns explicitly to a specific sign: a sign that marks a supposed political commitment to a totalitarian regime.

"The manager of a fruit and vegetable shop," he writes, "places in his window, among the onions and the carrots, the slogan: 'Workers of the World, Unite!' Why does he do it?" (27). Havel suggests that this is not an expression of the greengrocer's opinions. Rather, he puts the slogan in his window "because it has been done that way for years, because everyone does it, and because that is the way it has to be. If he were to refuse, there could be trouble" (27). Here is a sign that indicates ostensible *assent* to the prevailing powers; yet it is one that does not signal any genuine expression of a statement freely and autonomously made by the greengrocer. The sign "helps the greengrocer to conceal from himself the low foundations of his obedience, at the same time concealing the low foundations of power," writes Havel (28). Any "truth" in the slogan's words is simply a Nietzschean noise that permits peaceful survival.

However, it cannot be completely the case that the sign "conceals" anything, since Havel, at least, has seen right through how the sign operates: nothing here is concealed at all. The sign really says

that, for the purposes of his own sustenance, the greengrocer speaks the dominant language of the state power. This is what we usually call "being realistic"; and the greengrocer's sign is, in this, a prime example of *saying nothing* while ostensibly speaking. It "speaks truth to power" in the sense that it allows power to determine the conditions of what passes as true and stands in peaceful accord with that.

The primary drive in such a social order, which Havel calls a "post-totalitarian" order, is not directed at preserving the privileges of the ruling class; rather, it is the drive to sustain the system itself, the sustaining of "a blind *automatism*" (30). Further, this operates through a manipulation of language: "government by bureaucracy is called popular government; the working class is enslaved in the name of the working class; the complete degradation of the individual is presented as his or her ultimate liberation ... the arbitrary abuse of power is called observing the legal code," and so on (Havel 30). To survive, individuals "need not believe all these mystifications, but...they must at least tolerate them in silence" and, insofar as individuals do this, they "confirm the system, make the system, *are the system*" (31). So far, then: silent complicity – but complicated by the fact that this silent complicity is articulated in the written slogan.

Alongside the greengrocer, Havel then adds an office worker, who also displays the same slogan in the corridor of her office. Neither of them actually reads the slogans, but "their mutual indifference to each other's slogan is only an illusion: in reality, by exhibiting their slogans, each compels the other to accept the rules of the game and to confirm thereby the power that requires the slogans in the first place. Quite simply, each helps the other to be obedient... They are both victims of the system and its instruments" (Havel 36). Again, so far: silent complicity becomes mutual coercion in complicity; but the point is that these two characters do not read the slogan.

The ascription of complicity is complicated – and even reversed – by the fact that both the greengrocer and the office worker know exactly what is going on with their respective postings of the sign. Neither of them actually subscribes to the words on the sign; and both of them know that fact. They can therefore both "speak" the sign while at the same time *ignoring* it: that is to say, their attitude effectively *silences the regime* even as the regime appears to be speaking through them.

What is at stake here is the establishment of a massive *décalage* between the world of the state (or regime) and the world of everyday life: there is, if you will, a distance between official politics and clandestine society. For Havel, this helps us to see that one can *dissent* from the official account of reality – that given by the language and signs of the regime and state – while not necessarily being a *dissident* who actively speaks out against the state and regime. For Havel, the "dissident attitude" arises from the simple fact that a specific individual is trying, existentially, to side-step the lies that shape a totalitarian regime. Dissent here is, effectively, the silencing of the regime by the reduction of its slogans to background – if nonetheless insistent – noise.

The dissident is trying to "live within the truth," as Havel repeatedly phrases it. Given, however, what we know from Nietzsche, we can now be clearer about the co-existence of two regimes: official and clandestine. The official regime lies, and everything in official society and public life is geared towards the service and sustenance of those lies. The consequence is that the official polity becomes a bureaucracy, requiring that the material and historical facts of real life serve and consolidate the abstract and theoretical determinations that the bureaucracy suggests should be the political case. It thus becomes a self-regarding and self-serving system, with its own linguistic norms – "Workers of the World, Unite!" for example – that permits of *no other language* that would allow for there to be any doubt about its intrinsic logic.

Our greengrocer has choices here. He can mouth those words and endorse them; he can mouth those words in routine fashion, so endlessly rehearsing them as to evacuate them of any semantic content and reduce them to banal and meaningless cliché; he can choose not to put the sign in his window at all; finally, he can choose to say, aloud, that he dissents from the words on the slogan and can offer a different one. This last choice makes him a dissident; and it is only the first option – endorsement – that would make him fully complicit with the regime. Rehearsing phrases until they become semantically empty cliché permits the regime to continue and protects the greengrocer from harassment. Silence – not showing or uttering the phrase at all – permits him to *dissent* and get on with his life, but *without yet entering into open dissidence*.

This is the silence in which dissent exists for many people in everyday life; and this is the case not just in totalitarian regimes, but in any and every society that is shaped by bureaucracy – any society that is "administered" and "managed." This includes many so-called democratic societies. As one who dissents in this way – but without assuming the mantle and responsibility of the dissident, with its attendant political risks – our greengrocer can fully participate in the unofficial and clandestine society, can be attentive to a *samizdat* culture, and can thus weaken the official regime because, although he

lets its words exist, he essentially silences it by refusing to take cognizance of those words, preferring those in the samizdat or clandestine culture. Like Cordelia, he can find – and make – a world elsewhere, in a different tongue.

Essentially, this is a political strategy of weakening the official totalitarian polity by establishing a "second culture" whose own language will eventually supersede that of official culture and of the regime (Havel 78ff). In this, "silent dissent" simply means that whatever one says has no "official" existence and cannot be officially recognized; yet such silence is a crucial aspect of listening to and authorizing or legitimizing the clandestine or unofficial speaker, the dissident who does speak out. Living one's life here without endorsing the regime does not indicate that one's silence makes one complicit with it. On the contrary. Interestingly – in the light of the foregoing discussion of the musician Furtwängler – one of the key determinants that shaped the formation of Havel's *Charter 77* was, in fact, the defense of an underground rock band, the Plastic People of the Universe, whose members had been politically imprisoned.

Havel demanded that people be able to live in dignity, and he saw this in existential terms. The dignity in question occurs at what he calls a "pre-political" level, or what I call "clandestine culture." Yet, he also holds that, in this demand for dignity, "every free human act or expression, every attempt to live within the truth, must necessarily appear as a threat to the system and, thus, as something which is political *par excellence*" (Havel 48). Silence can itself become the very foundation – a ground in dissent – for speaking out, dissidence. The very fact of the existence of a *silence that can be heard* poses a threat to official politics. Political dignity does not make it incumbent on everyone to speak out, always and in all circumstances.

Timothy Garton Ash expresses this succinctly. He asks about tact within free speech, inquiring "In what style, with what conventions and mutual understandings, should we choose to express something (or not)?" (Ash 79). That parenthesis at the end, clearly an afterthought, becomes eventually in his thinking a clear statement: "A right to say it does not mean that it is right to say it"; and then, going yet further, he adds "A right to offend does not entail a duty to offend" (79).

Our concluding problem in considering reticent silence as we work out the relations of dissent to complicity is this: we already have a group of "dissenters" who have indeed formed a "parallel polis." These are not the oppressed poor; rather they are the already privileged and rich who more and more brazenly refuse to pay their taxes, seeing taxation – and its attendant commitment to a social order – as purely voluntary (Jameson 247). Yet the issue is that this parallel polis now operates as the world's governing body. They have already forced a coup d'état. They propose what Mark Fisher terms "capitalist realism" as the only game in town. It is a game of language, and one that narrows the lexicon reducing it entirely to the language of markets and money. As Fisher writes, "capitalist realism has successfully installed a "business ontology" in which it is *simply obvious* that everything in society, including healthcare and education, should be run as a business" (Fisher 17; Marquand 96-110).

My contention is that this "ontology" is itself dependent upon language. More specifically, it is dependent upon the *contraction* of our vocabulary such that discursive words give way to the tyranny of abstraction and number. The events of 2008 have shown that the dominance of this language has entailed disaster for many. The determination of those in power to sustain this language and to disregard any other vocabulary is a symptom of a contemporary tyranny.

There is one institution, however, that has an absolute duty to dissent from this and that exists primarily to expand the range of linguistic possibilities. That institution is the university, founded upon a principle of academic freedom, as Jaspers argued. That freedom is, or should be, the cornerstone of our professional ethics; and the tragedy of our time is that our institutions (though not all academic individuals within the institutions) have forgotten such ethics, preferring to hang a sign in their window and to endorse enthusiastically its content. That sign says that knowledge is a private matter, available like any other commodity for negotiated sale, in a market that takes acquisitive individualism and greed for granted as the fundamental principles governing all human relations; and the point of the university is to serve such "capitalist realism."

Those within the university institution who remain silent in the face of this have forgotten their responsibility, as the critical consciousness of their society, to expand the range of human possibilities and the range of what can be thought. If we fail in this, we will find ourselves in the predicament faced by Jaspers; and the best we can hope for is to accept our political guilt. We need not fail; we must not fail.

On 28 October 1964, interviewed by Günter Gaus, Hannah Arendt revealed her deep intimacy with the German language. Gaus asks her what she misses from pre-Hitler Europe, and she replies: "The Europe of the pre-Hitler period? I do not long for that, I can tell you. What remains? The language remains" (*Essays* 13). As she glosses this, she argues that "It wasn't the German language that went

crazy" (13). That is wrong; and the tragedy resulted from the fact that the *intentions* of the people identified with the national crazed language, and they thus became complicit with the craziness.

In the end, "what remains" for us is, indeed, the language. Like the poets, like the musicians, we academics have a responsibility to it and to the international community who need the language to be open, exploratory, unconstrained. Dissent must speak, and it is incumbent on us, in the university, to find or invent a language that is adequate to extending the future and sustaining the species.

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