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Sovereignty and the Death of Communism

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Abstract

When Nicolae Ceauşescu delivered his final speech to the crowd gathered below Bucharest's Central Committee headquarters, he extended his "revolutionary" greetings. Harun Farocki's documentary, *Videograms of a Revolution*, captures the moment when the crowd turned, and booed his words, instead of the cheers that the sovereign had become accustomed to over his 25 year tenure as Romania's dictator. When the jeering began, the cameras faltered, momentarily tilted up towards the sky from their previously fixed position on the figure of the sovereign on the balcony, before cutting out all together. Static aired for a few seconds, before the cameras once again began filming, but this time it was revolutionary footage. The brief moments of looking to the sky, followed by static, marked the transition of the nation's turn from Ceauşescu's rule to an unknown future. The sky and the static marked the moment of revolution. But were either Ceauşescu or the crowd opposing him en masse for the first time actually revolutionary? Where was the position of sovereignty located during this confrontation? Where, for that matter, was the spirit of communism? The moment when sovereign power passes from one body to another is what this essay will analyze, through three approaches: the concrete political example of the fall of Nicolae Ceauşescu, Romania's dictator from 1967 to 1989; Badiou's reflections on this event in his essay, "Philosophy and the Death of Communism"; and Spinoza's account of sovereign power in the *Political Treaties*. Through reading these examples, I will argue that the operative paradigm of interpretation which comes closest to naming the dynamics of such a transition of political power is "performative contradiction."

Keywords: *sovereignty, performative contradiction, Nicolae Ceauşescu, revolution, 1989*

Introduction

When Nicolae Ceauşescu delivered his final speech to the crowd gathered below Bucharest's Central Committee Headquarters, he extended his "revolutionary" greetings. Harun Farocki's documentary, *Videograms of a Revolution*, captures the moment when the crowd turned, and booed his words, instead of the cheers that the sovereign had become accustomed to over his 25 year tenure as Romania's communist dictator. When the jeering began, the cameras faltered, momentarily tilted up towards the sky (why towards the sky?) from their previously fixed position on the figure of the sovereign on the balcony, before cutting out all together. Static aired for a few seconds, before the cameras once again began filming, but this time, it was revolutionary footage. State television had a moment of hesitation, and then became static. The brief moments of looking to the sky, followed by static, marked the transition of the nation's turn from Ceauşescu's rule to an unknown future. The sky and the static marked the moment of revolution. The revolution was in the static.

When these events occurred, on December 21st, 1989, the Berlin Wall had already fallen. Inside Romania's borders, protesting had began in Timisoara a week prior, and the stage was already set for the crowd's revolutionary response to Ceauşescu's revolutionary greetings. Ceauşescu's words were carefully chosen. He perhaps saw himself as the embodiment of Romania's revolutionary communist values. He saw those values under attack all around his borders, and was proud to try and preserve the spirit of the revolutionary proletariat in the face of mounting adversity. The crowd was also revolutionary, confronting a dictator head on, calling for change in a voice that had been unthinkable a few months prior.

But were either Ceauşescu or the crowd opposing him en masse for the first time actually revolutionary? Where was the position of sovereignty located during this confrontation? Where, for that matter, was the spirit of communism?

I will turn to Spinoza for his treatment of sovereignty, because of the nature of the relationship he describes between the sovereign and the people. Specifically, the passage of sovereignty: when the individual members of the nation, who have invested their natural power in a common leader, seek to reclaim it, will be relevant to this reading of the Romanian revolution. For the Spinoza of the *Political Treaties*, the transfer of power to a sovereign is absolute. No individual can take back the power he has relinquished; but the sovereign, through his actions or failures of actions, can lead to his own demise. He cannot be overthrown by the multitude. He must bring about his own end. *In speaking a demise which was already certain, Ceauşescu performs a sovereign divestment, together with the multitude, of his own sovereignty. The revolutionary greetings he offers the crowd perform their literal truth, released from any intentionality, even as the sovereign authority to extend them slips away from him.*

The Ceauşescus were executed by a firing squad, who shot the couple before the cameras were ready to record. Consequently, not even a recording of the event was witnessed by the public, and rumors surfaced almost immediately, questioning whether they were in fact dead. A whole field of interpretation has evolved from this first moment of doubt, extending in scope to cover every aspect of the revolution, suggesting that the entire chain of events was staged by internal organizers. While this level of paranoia is not without legitimate cause, especially in the example being discussed here, it does seem to negate the role of the multitude in a way, and bears examination within the atmosphere of this theoretical paradigm. In *A Political Treaties*, the power balance between the people and their sovereign exists in something like a “checks and balances” system. This reading would allow for opening up dialogue around the possibility that the revolutionary multitude is every bit as powerful and active an agent as internal coup organizers. The connection is made plain by Spinoza, where the multitude and the leaders form a contiguous line of sovereign power.

The moment when sovereign power passes from one body to another is what this section will analyze, through three approaches: the concrete political example of the fall of Nicolae Ceauşescu, Romania's dictator from 1967 to 1989; Badiou's reflections on this event in his essay, “Philosophy and the Death of Communism”; and Spinoza's account of sovereign power in the *Political Treaties.* Through reading these examples, I will argue that the operative paradigm of interpretation which comes closest to naming the dynamics of such a transition of political power is “performative contradiction", the definition of which will be discussed at here, and in a separate chapter.

The 'Death' of Communism

In his essay, "Philosophy and the death of communism", Alain Badiou attempts to resurrect the spirit of communism over and against the fall of the so-called communist nation-states of the Eastern Block. He points out that what died with the fall of these communist states was not the pure concept of communism itself, in its eventfulness, but the exposing of the empty facade of the imposters which called themselves by this name. Badiou argues that what occurred during the events of late 1989 in Eastern Europe was not something that we might call an "event", like for example, the genuine communist uprising of October 1917, in Russia, but something much more ordinary, and orchestrated, something which could hardly be called revolution.

"Note that it is not the uprisen solar masses who decided the end of the Party-State, the end of the Soviet empire. The regulating of this elephant occurred through an internal disordering, which was both concrete and yet devoid of perspective. The affair to this day has remained entirely a state affair."[1] The state generated its own demise. This is how Badiou interprets the fall of the USSR, and it echoes what Spinoza said several hundred years prior about how a sovereign must be careful not to become his own enemy. "And so he who holds dominion is not bound to observe the terms of the contract by any other cause than that, which bids a man in the state of nature to beware of being his own enemy, lest he should destroy himself."[2] It was not the revelation of the crimes of the dictatorships that finally caused the people to overthrow these states in 1989. It was the states themselves that caused their own end. But, Badiou argues, the subjective political history of the idea of communism is separate and independent from the objective history of a specific 'state', and therefore, communism endures even after the death of communist states.

For Badiou, Ceausescu's revolutionary greetings were not revolutionary, and neither was the crowd's negative response. Indeed, for him, the revolutionary event is reserved for true communism, for October '17, and nothing else. "An abrupt and complete transformation in a situation does not in any way signify that the grace of an event has occurred."[3] The overthrowing of a dictator is not enough to secure the status of an event, because a dictator being overthrown is not a truly singular occurrence. "That thousands of people marked here or there, in the streets and in a few factories, that they were happy with what was happening was the least they could do. But the indication that they thought and wanted the experience of a novelty without precedent, alas, that was not observed."[4] At least, not since October '17. The authenticity of that event is not something Badiou feels the need to questioned, because for him, it is "the glorious uprise of the multiple."[5]

Badiou appears disappointed by the events of late 1989 because what the Eastern Block states seemed to be fighting for was nothing more glorious that what was already well under way in the 'west'. In short, what these so-called revolutions seemed to be asking for was capitalism. "Elections and property owners, politicians and racketeers: is

1 Alain Badiou, "Philosophy and the Death Communism," in *Infinite Thought* (London & NY: Continuum, 2003), 134.
2 Benedict de Spinoza, *A Theologico-Political Treaties and A Political Treatise*, trans. R. H. M. Elwes Mineola (NY: Dover Publications, 2004), 312.
3 Badiou, 129.
4 Badiou, 134.
5 Badiou, 127.

this all they want? If so, it is quite reasonable to trust the execution of such processes, not to the inventions of thought, but to specialists in the maneuver of apparatuses, indeed to the experts of the International Monetary Fund. As for a little supplement to the soul, the Pope is in on the affair."[6]

Capitalism is not an idea, but rather a maneuver of apparatuses, and as such, it is not worthy of the title of 'event', or revolution, which is reserved for "the experience of a novelty without precedent". Communism, on the other hand, even under another title, is "the philosophical and thus eternal concept of rebellious subjectivity."[7] So, while an event is the new, it is also the eternal, and the moment *par excellence* of its example is October '17, but under no circumstances November or December '89. Even more than this, as Badiou argues here, what the concept of communism signifies in an absolute sense, is "philosophy under the condition of politics."[8]

The idea that a revolution for capitalism might signify an event is absurd to Badiou, because capitalism is a banal pursuit of goods and services, whereas communism is the very history of the concept of "we", the essence of politico-philosophical thought. Communism is: "Egalitarian passion, the Idea of Justice, the will to break with the compromises of the service of goods, *the deposing of egoism*, the intolerance of oppression, t*he vow of an end to the State.*"[9] Here, communism is an anti-state movement, and any state claiming to be communist leads to its own demise, because the state cannot carry the burden of the concept of "communism". Indeed, if "communism" and "state" are ultimately antithetical, as Badiou seems to be saying, then such a thing as a "communist state" cannot exist outside of a literal paradox, or oxymoron, or what we might call a performative contradiction. We would then evoke a state which state's first of all not just its essential provisionality, but its permanent illegitimacy. This it insists on by sovereign right, the very right with which, by this stating, it overthrows. Were it a constative contradiction, rather than a performative one, the sovereign would declare "I hold power," when he does not.

"We, Faithful to the Event of October '17"

"There is no longer a 'we', there hasn't been for a long time."[10] Yet, Badiou and other "communist" echoes remain faithful to this "we," remain a part of this "we", and this is what allowed the secret truth about communism in Eastern Europe to be revealed: there was no communism in Eastern Europe. "It is the death – once again, the ancient death – of the hypothesis which allowed these 'revelations' to have such efficacy."[11]

But this "we" faithful to the pure event of the communist idea, is an already dead "we", haunting Europe, Asia, and the Americas. (I will not go into this here, but let it be said that any talk of "the death of communism" is dubious, as long as there are self-proclaimed communist countries – China, Cuba, North Korea, to name a few – which are doing at least as well, or as badly, as self-proclaimed capitalist countries. I also will not go into this here, but the economic relationships which exist, through trade and other

6 Badiou, 134-135.
7 Badiou, 131.
8 Badiou, 130.
9 Badiou, 130, emphasis added.
10 Badiou, 126.
11 Badiou, 137.

alliances, between so-called communist and capitalist nations, also make it somewhat futile to talk of an end of communism, or to speak of the divide between communist and capitalist nations as absolute.)

"The simulacra of the 'Romanian revolution' now recognized, also gives us a paradigm. In truth, what has occurred is nothing more than this: what was subjectively dead must enter into the state of death, and finally be recognized there as such."[12] In a sense, what Badiou is arguing here, specifically with regards to Romania, is that what the revolution of '89 facilitated was not the death of communism for that country, which was already dead, but the mourning of that death, the mourning of the already lost communism. That is the symbolic death that Ceausescu's actual death represented.

Badiou might be talking not about Ceaușescu's dead body, but about the dead bodies in Timisoara which were staged for the cameras. With this critique, he is following in the footsteps of a handful of other philosophers, such as Agamben who, in *Means without Ends*, describes the events in Timisoara which triggered the uprising in Bucharest, where a contested number of protesters were killed: "For the first time in the history of humankind, corpses that had just been buried or lined up on the morgue's tables were hastily exhumed and tortured in order to simulate, in front of the video cameras, the genocide that legitimized the new regime. What the entire world was watching live on television, thinking it was the real truth, was in reality the absolute nontruth."[13]

It is interesting that the Romanian revolution produced so many questionably dead bodies, generating so much doubt about the state of the dead. Ironic (and I won't make a joke about Dracula here), because there is a genuine, serious question about the dead, and their status as dead, which is what Badiou is bringing to our attention by speaking about the twice dead, the ancient dead, figure of the communist multitude, which nonetheless endures, in spite and because of its death.

Badiou himself, in this essay, seems to want to resurrect the dead secular "we", to rise up for the "event" of October '17, to attest and bear witness to the authenticity of *that* event, to which Badiou remains faithful. The authenticity of that event is not something he calls into question. By contrast, the Romanian revolution, the collapse of the USSR, the fall of the Berlin Wall, these he does not consider to be events, and here, the dead are marshaled to testify against the state and its crimes, and prove the total lack of singularity of these non-events. "Everything dies – which also means that no death is an event."[14] This is the logic Badiou attempts to use to prove that what happened in Eastern Europe was not a real event, which means that it was not a revolution, a term he would like to reserve exclusively for a communist uprising, such as the Bolshevik Revolution of October '17.

The Infinite Death of Communism

Communism is dead on arrival. It begins as a *specter*. It is already dead, and we have no knowledge of its birth. And when the state that claims to be communist falls, then communism dies a second death, and a third, and a fourth. Badiou hints at all this, but

12 Badiou, 128.

13 Giorgio Agamben, *Means without Ends: Notes on Politics*, trans. V. Binetti and C. Casario (Minneapolis: University of Minnesota Press, 2000), 80.

14 Badiou, 128.

then says something else. If this is what he had in fact asserted, then he would have to acknowledge that communism was already dead during the October Revolution, and this could hardly be an event that Badiou remains faithful to. All collective uprisings would fall equally into question, since to him, "every historical event is communist, inasmuch as 'communist' designates the trans-temporal subjectivity of emancipation".[15] So there is no reason to split hairs – hairs growing from the organization of capital – about the differences between the Romanian Revolution of 1989, and the Bolshevik Revolution of 1917, based on how, or whether, the state intervened, stole, or mutated these revolutions. "Certainly, October '17 as event engages practical fidelities, but the thought which cements them together depends on the event as such, and not on its state projection."[16] If he can remain loyal to October '17, "based on the thought which cements them together", in spite of what it actually became, in its instantiation as a party state, then why can we not give the same credit to the revolutions of '89? Why Badiou's extremely broad definition of "communism" is somehow not broad enough to include Romania is not clear, especially since he is so willing to divorce the thought of the revolution from the real political outcome. Say what he will about the simulacra of the Romanian Revolution, – the consequences of state intervention in the revolution, if we are content with this reading – claiming that there was no popular uprising component, no desire for "the trans-temporal subjectivity of emancipation", is disingenuous, as long as he is prepared to give credit to the Bolshevik Revolution.

Thinking through Death

"Everything dies – which also means that no death is an event."[17] What is Badiou trying to say here? Perhaps that nothing (productive) comes out of talk about the "death of communism", especially when, as he argues, what happened in Eastern Europe at the end of 1989 can hardly be called the "death of communism." At best, he thinks we might call it the death of the death of communism, which is not to say that the two deaths cancel each other out. "Outside the state, there among the emblem and the insurrection, 'communism' had, for a long time, named nothing more that the tomb of a secular 'we'."[18] The events of late '89 simply brought this to light, that what was happening was not communism, but thankfully, whatever it was had died:

"'*Homo liber denulla re minus quam de morte cogita,'* decidedly, Spinoza was right; there is nothing to be thought in death, even if it be the death of an empire, other than the intrinsic nullity of being."[19] But Spinoza does not say anything about the "intrinsic nullity of being", not in this quote, nor anywhere else. Badiou does not sufficiently make clear what the consequences of a second death are, nor even how a second death is possible. And introducing Spinoza, as he does, to make a point about the "intrinsic nullity of being," is problematic. Spinoza can be marshaled for many arguments, but this is not one of them. Spinoza, as he is quoted here, does not say "there is nothing to be thought in death," as Badiou would lead us to believe. This much is evident from the Latin.

15 Badiou, 129.
16 Badiou,135.
17 Badiou, 128.
18 Badiou, 128.
19 Badiou, 128.

The section being quoted is from the *Ethics*, Proposition 67 of Book IV:

> A free man thinks of nothing less than of death, and his wisdom is a meditation on life, not on death. Dem.: A free man, that is, one who lives according to the dictate of reason alone, is not led by fear, but desires the good directly, that is, acts, lives, and preserves his being from the foundation of seeking his own advantage. And so he thinks of nothing less than death. Instead his wisdom is a meditation on life.[20]

For Spinoza, the "intrinsic nullity of being" is not a thought that would ever cross the mind of a free, rational man. Spinoza is not speaking about the impossibility of thought from the position of the dead. He is speaking about the opposite, about how reason leads us to dwell on life, and the desire to improve one's situation, rather than a preoccupation with fear or death.

So why does Badiou introduce Spinoza here, in a discussion about the death of communism? Perhaps it is the strength of the Spinozan multitude, the revolutionary force, that Badiou seeks to invoke.

Recall that one of the things that "communist" signifies for Badiou is "the deposing of egoism."[21] To help the reader better understand his meaning, Badiou includes one of his own poems: "Here I shall start up a chant of which I am the author," one that has been sung on stage and which, we are told, only seems to become more and more relevant and necessary for describing the eternal truth of communism. "It is thus also a chant of announcement, the multiple name of what is always to come."[22]

Among the groups listed in this great revolutionary multiple are "men of great labor sold with the earth whose colour they bear," and "girls demanding the rights of women." It is not clear which people he thinks are the same color as earth, or to whom the last category might pertain. Badiou counts himself together with these "girls" and these men sold into slavery, and announces in the final lines of his chant that together, he and they make up the true revolutionary communist multiple: "It is our intact singularity which has made this great hole in the world in which, century after century, the semaphore of communism is fixed."[23]

The deposing of egoism which is constitutive of the signifier "communist" refers only to capitalist accumulation of private property, and does not extend to the self-fetishization of a privileged western academic who declares himself a true revolutionary, while he dismisses as a banal, staged simulacra, the spontaneous uprising of millions of impoverished and terrorized Eastern Europeans who virtually unanimously banded together to overthrow an entire region of dictatorships.

Spinozan Sovereignty

How does Spinozan sovereingty fit into the question of the mortality of communism? Badiou makes a Spinozan point about sovereignty when he states that communism is a vow to end the state: "Egalitarian passion, the Idea of Justice, the will to break with the compromises of the service of goods, the deposing of egoism, the intolerance of

20 Benedict de Spinoza, *A Spinoza Reader, The Ethics and Other Works,* trans. Edwin Curley (Princeton: Princeton University Press. 1994), 235.

21 Badiou, 130.

22 Badiou, 132.

23 Badiou, 134.

oppression, t*he vow of an end to the State.*"[24] According to this reason, any state that takes on the yoke of communism is making a vow to end itself. Communist states are self-overthrowing.

This is made clear by Marx. The Communist Manifesto outlines that the dictatorship which is put in place after the revolution is temporary. But the transition from the dictatorship of the interim government and the subsequent direct democracy which is supposed to follow is far from clear, and not adequately elaborated. At the end of section 2, "Proletarians and Communists", the Manifesto outlines the necessary steps for organizing the new communist state, such as the centralization of banks, education, manufacturing, agriculture, the abolition of private property and inheritance, and the equal obligation of all to work. After all of these steps are completed, then the new government is essentially supposed to dissolve on its own:

> When, in the course of development, class distinctions have disappeared, and all production has been concentrated in the hands of a vast association of the whole nation, the public power will *lose its political character*. Political power, properly so called, is merely the organized power of one class for oppressing another. If the proletariat during its contest with the bourgeoisie is compelled, by the force of circumstances, to organize itself as a class; if, by means of a revolution, it makes itself the ruling class, and, as such, sweeps away by force the old conditions of production, then it will, along with these conditions, have swept away the conditions for the existence of class antagonisms and of classes generally, and will thereby have abolished its own supremacy as a class.[25] (emphasis add.)

That this is far from what happened in any of the communist states of Eastern Europe is history's sad irony, and the crucial problem which anyone who calls themselves a communist today must confront. Neither Marx, nor those loyal to the project of communism, have given an adequate explanation of how the initial dictatorship is meant to *lose its political character*, nor have the consequences of advocating for a totalitarian dictatorship – even in the name of economic justice – been addressed. But these consequences are clear from Eastern Europe. This is the reality that Badiou seeks to avoid when he choses to champion the October Revolution while dismissing the Romanian one. Both were popular uprisings. Both were in direct response to the horrific conditions of exploitation perpetrated by the powerful few against the many weak.

Spinoza's politics of sovereignty might initially appear deceptively straightforward and simple. At first glance, what Spinoza appears to be saying, in *A Political Treaties*, is simply "might makes right." While the "might" at first appears to belong to the powerful sovereign, this is only the case because the multitude have invested him with this power. In actuality, it is the people who have the might. The power balance between the people and their sovereign exists in something, again, like a "checks and balances" system, albeit a potentially bloody one. What Spinoza argues is that while this is an imperfect system, there is more possibility in it for a reasonable and peaceful society than a corrupt and oppressive one.

24 Badiou, 139, emphasis added.

25 Karl Marx and Friedrich Engels, *The Communist Manifesto*, ed. Friedrich Engels (London: William Reeves, 1888), 15. Emphasis added.

Spinozan Sovereignty and Performative Contradiction

Spinoza tells us that natural right is coextensive with natural power, that every natural entity, whether man or animal, to act in its own self interest and self preservation, as much as its natural power allows it to. “For instance, fishes are naturally conditioned for swimming, and the greater for devouring the less; therefore fishes enjoy the water, and the greater devour the less by sovereign natural right.”[26] Regardless of whether one is guided by reason or desire, they have the sovereign right to pursue their personal interests with all the resources they have available, “whether by force, cunning, entreaty, or any other means.”[27] This is not exclusive to the state of nature, but in a commonwealth, there are laws which protect people from each other. In a state of nature, anyone may use whatever means they have to gain an advantage, and do not need to fear retribution from the state, only from other individuals.

Spinoza defines a democracy as “a society which wields all its power as a whole” – a definition not so far off Marx's.[28] The formation of the state comes about when men realize that so long as everyone is acting solely in their own interest, without regard for others, then all live in a general climate of “enmity, hatred, anger, and deceit.”[29] Therefore, reason leads men to conclude that it is in everyone's best interest to form a state, that “their life should be no more conditioned by the force of desire of individuals, but by the power and will of the whole body.”[30] This is akin to what Marx says about the state composed of the proletariat, which will lose its “political character”. For Marx, this happens after all private property, and therefore class, have been forcible abolished. Everything else will fall into place after the confiscation of private property. According to this logic, the wealthy are to blame, and they exploit the majority, who are poor. For the sake of argument, we may concede this point, but then why are we to believe that the ones who after the revolution – even preliminary – control the collectivized wealth of the entire nation will act differently with this power than the wealthy capitalists who have just been overthrown? Is it because of the virtuous nature of the poor? Is it because only those who were born wealthy are capable of dishonesty, greed and exploitation, while those who come into power as a result of a revolutionary impetus towards economic justice are incapable of behaving in exactly the same manner as the ones who were overthrown? Spinoza is less idealistic about the virtues of humankind, takes irrationality and greed into account, and therefore emphasizes the need of structuring the commonwealth according to a system of reason and law, a system who's stability does not rely on the goodwill of its agents.

> A dominion then, whose well-being depends on any man's good faith, and whose affairs cannot be properly administered, unless those who are engaged in them will act honestly, will be very unstable. On the contrary, to insure its permanence, its public affairs should be so ordered, that those who administer them, whether guided by reason or passion, cannot be led to act treacherously or basely. Nor does it matter to the security of a dominion, in what spirit men are led to rightly administer its affairs. For liberty of spirit, or courage, is a private virtue; but the virtue of a state is its security.[31]

26 Benedict de Spinoza, *Theologico-Political Treaties*, 185.
27 Spinoza, *Theologico-Political Treaties*, 187.
28 Spinoza, *Theologico-Political Treaties*, 90.
29 Spinoza, *Theologico-Political Treaties*, 187.
30 Spinoza, *Theologico-Political Treaties*, 187.
31 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 283.

With regards to questioning Marx, the emphasis must be placed on the transition from the interim dictatorship to the new nonpolitical stateless character of the state. How dependent is this transition on the virtue of the proletariat? The virtue of the interim dictator? If Marx made allowances for human passions (as Spinoza would say) in the administering of the new state, then where is the discrepancy which allowed for the atrocities of the USSR and communist Eastern Europe?

Perhaps Spinoza can help us understand what happened in Eastern Europe, by looking at how the formation of the state occurs from the state of nature. The process of forming the state consists of each individual transferring their natural sovereign power to a sovereign leader, which is to say, the body politic. But there is an implicit understanding in this transfer of power that this arrangement / social contact only works as long as it is mutually beneficial. "We may, therefore, conclude that a compact is only made valid by its utility, without which it becomes null and void."[32] The sovereign's power is absolute, but not infinite, because anyone can break a contract if he has the power to break it.

> The sovereign right over all men belongs to him who has sovereign power, wherewith he can compel men by force, or restrain them by threats of the universally feared punishment of death; such sovereign right he will retain only so long as he can maintain his power by enforcing his will; otherwise he will totter on his throne, and no one who is stronger than he will be bound unwillingly to obey him.[33]

The sovereign must hold the power to enforce his will. It is not given.

Even though Spinoza has stated earlier in this section that "a compact is only made valid by its utility", and that anyone should be expected to break a contract if it ceases to be advantageous, this contract where one's individual power is vested in a sovereign is not so easily broken, because of the power differential between the sovereign and the citizen:

> The sovereign power is not restrained by any laws, but everyone is bound to obey it in all things; such is the state of things implied when men either tacitly or expressly handed over all their power of self-defense, or in other words, all their right. For if they had wished to retain any right for themselves, they ought to have taken precautions for its defense and preservation; as they have not done so, and indeed could not have done so without dividing and consequently ruining the state, they placed themselves absolutely at the mercy of the sovereign power.[34]

The system of sovereignty that Spinoza describes has profound historical significance, is generally understood as "a plea for freedom of thought and democracy"[35], and radical enough to accomodate censorship, excommunication from the Jewish community of Amsterdam, and imprisonment. While it clearly is a plea for religious tolerance, civil liberties, and democracy, it is also more than that. It outlines a radical model of sovereignty which is both absolute and self-collapsing, and conforms to the structure of performative contradiction. Sovereignty emerges as a power that is received, yet absolute, and also one that must be performed and maintained.

32 Spinoza, *Theologico-Political Treaties* 189.
33 Spinoza, *Theologico-Political Treaties* 189.
34 Spinoza, *Theologico-Political Treaties* 190.
35 Spinoza, *Theologico-Political Treaties*, ix.

The key to sovereign power and its transferability is that individuals, as part of a multitude, maintain their power, even though they have transferred it to a sovereign. This multitude can be read in the communist "secular we" that Badiou writes about in "Philosophy and the death of communism", which was discussed in the previous section. If the sovereign who is entrusted with the power fails to preserve it, fails to act in a way that secures the greater good of the multitude, then that sovereign will be stripped of power. This is not a performative contradiction, but a matter of "logic" (as Spinoza would say). The performative contradiction lies in the fact that once a person relinquishes their power to a sovereign, they do so finally and absolutely. At the same time, they retain their power. The social contract is both absolute and conditional. The multitude, as sovereign, always retains and defends its sovereignty, even as it surrenders it absolutely.

To be something, and its mutually exclusive opposite, simultaneously; this is also not a performative contradiction. The perforative contradiction lies in the fact that while the subject is performing the role of subject, they in fact preserve and continue to embody the sovereign power, while the sovereign leader, though acting with absolute power, is the one at the mercy of the multitude, the one dependent on the sovereign power of the multitude. By investing the sovereign with their sovereign power, they preserve it for themselves. By taking the power, the sovereign agrees to act in the best interest of the multitude, rather than his own personal best interest, should the two be at odds, surrendering in this way his inclusion in the multitude's sovereignty.

The problem of revolution emerges when the multitude must take back the power from a sovereign who is not acting in the best interest of the multitude. This act of reclaiming sovereign power is revolutionary because the multitude must act in a unified way, joining their individual sovereign power - reclaimed from the sovereign - to act against the sovereign, who still wields the power of his former subjects. That there should be a fracture in the sovereign force of the multitude: this is revolution. The sovereign and the multitude, both laying claim to the same power; the structure of sovereign power both enables and forbids this.

Spinoza - Political Treaties

Spinoza describes the circumstances of fear under which men live bound to another, and this description applies to the mental state of those living in an oppressive state, under a dictator. There are different forms that this bondage takes:

1. holding someone physically bound
2. binding them through fear
3. offering benefits that the recipient cannot afford to lose
4. offering benefits so the dependent lives to please the benefactor, rather than himself

The first two modes of bondage are only physical, and will be ended as soon as opportunity presents itself. The last two are both physical and psychological, and freedom from these is dependent not on a physical opportunity for escape, but on the cessation of the emotions holding the one captive. "But in the third or fourth way he has made dependent on himself as well the mind as the body of the other; yet only as long as the fear or hope lasts, for upon the removal of the feeling the other is left

independent."[36] In order to accurately gauge the role of hope and fear in running one's life, man requires reason. The more reason man has, Spinoza argues, the more free he is.

The reason the sovereign wields the power to forcefully make a subject conform to a set of laws, or punish him for disobeying, is because men are guided by "passions", rather than by "reason", and in order to preserve the stability and security of the state, for the benefit of all, those who threaten it must be forced to comply. To this end, the Sovereign is granted any and all necessary powers of persuasion and enforcement.

There is a foundational conflict at work in man, from which this rupture at the heart of sovereignty eventually emerges:

1. man is guided by his passions, rather than by his reason
2. man strives to preserve his existence

To the extent that these two guiding aspects of human nature are at odds, man must strive to preserve his existence in spite of the problems generated by the pursuit of his passions. The best way to preserve his existence is to allow reason to guide how he organizes his life. But, Spinoza tells us, man must work towards self-preservation in spite of his passions. This is not set up as an antagonism by Spinoza, but is what he calls "natural right."

> But men are more led by blind desire, than by reason: and therefore the natural power or right of human beings should be limited not by reason, but by every appetite, whereby they are determined to action, or seek their own preservation... For man, whether guided by reason or mere desire, does nothing save in accordance with the laws and rules of nature, that is, by natural right.[37]

Natural right is where the passions and the self-preservation come together, and form the state. This is a productive, rather than an antagonistic, relationship, and for Spinoza, while the irrational desires of man may be opposed to reason, they can never be opposed to natural right. The inevitable consequence of the structure of natural right is the formation of the state and the transfer of individual sovereign power to a Sovereign figure. "If two come together and unite their strength, they have jointly more power, and consequently more right over nature than both of them separately, and the more there are that have so joined in alliance, the more right they all will collectively posses."[38]

Therefore, in order to ensure a life guarded from constant external threats, men join together to combine their power, to wield it as one, and enhance their natural rights. The consequence of organizing society in this way, through joining forces to increase power, is that individual power is forsaken for the benefit of social safeguards.

> Where men have general rights, and are all guided, as it were, by one mind, it is certain, that every individual has the less right the more the rest collectively exceed him in power; that is, he has, in fact, no right over nature but what the common law allows him. But whatever he is ordered by the general consent, he is bound to execute, or may rightfully be compelled thereto.[39]

This is where the initial conflict between passions and self-preservation begins to re-emerge, when an individual who has joined his power to the multitude finds himself

36 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 295.
37 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 292.
38 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 296.
39 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 297.

opposed to that multitude, and is bound to act against his own desires because of the social contract he is participating in. This aspect of forceful compulsion is built into the system in order to preserve the stability of the state. If men were allowed to add or remove their individual power at will, the system would be unstable and inevitably collapse, and ineffective in its stated goal: the preservation of the whole. The security, stability, and efficacy of the state hinges absolutely on state power compelling its citizens to act justly, and not on individual citizens acting according to their own good or bad conscience.

The Law of War

The sovereign has the authority to punish anyone who threatens the stability of the state. Potential threats are posed by members of the state who have no hope of benefiting from the nation, and also those who have no fear of punishment for disobeying the laws of the dominion. "And so, as those who are without fear or hope are so far independent, they are, therefore, enemies of the dominion, and may lawfully be coerced by force."[40] This system is effective in maintaining order and stability only as long as too many people do not fall into this category. If only a few have no hope or fear, they can be compelled and controlled. But if many begin to feel this way, the stability of the state is at risk. "It comes to be considered, that those things are not so much within the commonwealth's right, which cause indignation in the majority."[41]

If a majority of the citizens begin to lose hope in their government, and are not prevented by fear from acting against it, the next step towards the end of the state is that the many unhappy citizens will join forces, as they did in the beginning, when establishing the state. But now, they form a new multitude, from inside the existing state, to overthrow it, and bring about a new state. "As the right of the commonwealth is determined by the common power of the multitude, it is certain that the power and right of the commonwealth are so far diminished, as it gives occasion for many to conspire together."[42] The power of the specific commonwealth is diminished, but this power grows correspondingly in the strength of the multitude. "So much for the right of supreme authorities over subjects."[43]

Civil law, which governs the actions of the citizens, does not apply to governing the actions of the state towards its citizens. This is why a sovereign may use force to compel his subjects, and his subjects, individually, have no power to defend against the actions of the state. Civil law also does not govern the actions of states against each other, who are oriented towards each other just as two people are in the state of nature. When describing the state of nature between two nations, Spinoza refers to it as the law of war:

> Two commonwealths are naturally enemies. For men in the state of nature are enemies. Those, then, who stand outside a commonwealth, and retain their natural rights, continue enemies. Accordingly, if one commonwealth wishes to make war on another and employ extreme measures to make that other dependent on itself, it may lawfully make the attempt,

40 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 304.
41 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 305.
42 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 305.
43 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 305.

since it needs but the bare will of the commonwealth for war to be waged.[44]

This relationship between two states corresponds exactly to the relationship of men to each other in the state of nature, and the same rule of logic applies, leading to the formation of alliances. Just as man, even if he is not entirely led by reason, concludes through his desire for self-preservation that forming an alliance with others is more advantageous than living in constant fear of attack, so too, states come to this realization, and form alliances. But peace is more difficult to arrange than war, because it only requires one party to wage war, whereas it requires two to make peace. "Concerning peace it can decide nothing, save with the concurrence of another commonwealth's will."[45]

These are the matters which concern the sovereign of the commonwealth, and yet another reason why he has complete authority over his subjects, at the same time that he is not bound by common laws with regards to his actions towards them.

> As all these functions, and also means required to execute them, are matters which regard the whole body of the dominion, that is, are affairs of state, it follows, that affairs of state depend on the direction of him only, who holds supreme dominion. And hence it follows, that it is the right of the supreme authority alone to judge the deeds of every individual, and demand of him an account of the same.[46]

Aware of having laid out a structure of governance that functions like a dictatorship, Spinoza – personally no stranger to the brutalities of the state – addresses this apparent power imbalance. "But it is often asked, whether the supreme authority is bound by any laws, and, consequently, whether it can do wrong."[47] He does not speak about what is wrong in the sense of ethics, but according to reason, "in the sense in which philosophers and doctors say that nature does wrong", when it causes harm to it's own self. "A commonwealth then does wrong, when it does, or suffers to be done, things which may be the cause of its own ruin."[48] This is the sense in which Spinozan sovereignty is self-collapsing, the sense in which it is a performative contradiction, or as Derrida might say, it is autoimmune, because the cause of the demise of the state is the state itself. The cause of the collapse is never from without, always from within. For Marx, this was the natural course that communism was supposed to take. For Marx, this autoimmune collapse was the end goal of the state. For Spinoza, the end of a specific sovereign's rule must not be allowed to throw the entire state into crisis. Each sovereign's rule ends at that sovereign's own hands, and the more equipped the structure of the state is to accommodate this transition, the more successful it is as a state. For Spinoza, it is not a question of leaving the position of the sovereign empty. Even if this spot is filled with the proletariat, as it is supposed to be for Marx, the same structure of governance, and the same problems of leadership, would have to be accommodated by the new structure. The question remains: how is a totalitarian dictatorship supposed to lose its political character and transform itself into an economically egalitarian democracy?

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44 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 307.
45 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 307.
46 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 309.
47 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 310.
48 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 310.

The Law of Revolution

Spinoza describes three structures of government; monarchy, aristocracy, and democracy. The description of the final category was interrupted by his death, but trajectory of his thoughts can be ascertained from the structure of the previous sections. For Spinoza, a state is most successful if it is stable. This stability can be accomplished through just and rational rule, but it necessarily must accommodate for a transition of power which does not throw the commonwealth into crisis. Transitions of power are an unavoidable necessity, even if the sovereign passes away from power without conflict. But to what degree a nation can accommodate for the removal of a sovereign in the circumstances of conflict and contested power is the true measure of a successful nation, one that is not dependent on the virtue of a single leader, but on its own structure of governance.

Democracies with a consistent schedule of free elections are most capable of accommodating the transition of sovereign power without causing instability in the commonwealth. If there are not regularly anticipated free elections, how a sovereign passes on power is much more likely to cause instability, which becomes evident when considering a situation of conflict. If a sovereign's rule is indefinite, and he commits abuses, the question of how to break the contract between the sovereign and the multitude must be addressed. “Contracts or laws, whereby the multitude transfers its right to one council or man, should without doubt be broken, when it is expedient for the general welfare to do so.”[49] The presence of a performative contradiction at the heart of the sovereignty, and the governance structure that Spinoza describes, is evident from the fact that only the sovereign can decide if it is in the best interest of the multitude to break this contract: “But to decide this point, whether, that is, it be expedient for the general welfare to break them or not, is within the right of no private person, but of him only who holds dominion.”[50] The multitude can and must break the social contract when necessary, but the sovereign alone determines this necessity. The sovereign determines that his own actions are inadequate for the preservation of the general welfare of society. He is a self-overthrowing sovereign. And the commonwealth must make laws which adequately prepare it for such a transition of power. The sovereign, as the maker of law, must make adequate preparation for the cessation of his own power, for the sake of preserving the stability of the state.

> Notwithstanding, if [the laws] are of such a nature that they cannot be broken, without at the same time weakening the commonwealth's strength, that is, without at the same time changing to indignation the common fear of most of the citizens, by this very fact the commonwealth is dissolved, and the contract comes to an end[51],

if a state has left no room for a change in leadership without destabilizing itself, then the state is already unstable.

“And therefore such contract is vindicated not by the civil law, but by the law of war.”[52] Civil law is what the sovereign of the commonwealth establishes for the rule of

49 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 311.
50 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 312.
51 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 312.
52 Spinoza, *A Theologico-Political Treaties and A Political Treatise*, 312.

its citizens, and does not apply to the sovereign. Law of war is essentially the state of nature, or natural right, which is absolute over all. But the sovereign treads on dangerous territory. Even though he is not bound to comply with civil law, and is *above the law*, as they say, exploitations of this power, if they lead to indignation in the majority, leads to the sovereign's demise. This is what happened in Eastern Europe.

Returning to the events of the Romanian revolution of 1989, starting from the moment when Ceauşescu offered his revolutionary greetings to the moment when the static ceased, isolating this as the site of the transition of power from Ceauşescu back to the multitude, let us reexamine what a Spinozan interpretation would mean for these events. The doubt surrounding the legitimacy of the revolution, accusations of internal coups, etc., are important to acknowledge, because what they point out is the diminished role of the multitude in the formation of the new government, the presence of old regime faces in the new regime, the murky events following Ceausecu's apprehension involving “terrorists”, etc. All of these concerns are legitimate, and accurately perceived by critics on both sides of Romania's borders. But they are not sufficient to claim that the revolution was not authentic, not an “event” as Badiou would say, because the implicit claim made by this critique is that an “authentic” revolution involves only the actions of the multitude. Perhaps this understanding of revolution - as something which should be bloody, or absolutely singular, rather than simply a turning from one power to another - is a residue from Marx's hope for the necessarily violent proletariat uprising, which must lead to totalitarian, centralized, dictatorship. Spinoza presents us with a different model of revolution, one that emphasizes the central role of the sovereign, and his advisors, in the transition of power. Through this lens, the transition of power that occurred from Ceauşescu to - momentarily static, and then - Iliescu, who's involvement in the communist party under Ceauşescu is well documented, is one of the most contiguous possible transitions, in terms of governance. It is also the least radical one. The moment of static is all it took for the former heir apparent, who emerged as such by the early 1970s, to become the actual heir.

What the *Political Treaties* might also help analysts of the revolution to consider is that perhaps it was not so much an internal coup, but rather more like a suicide. “And so he who holds dominion is not bound to observe the terms of the contract by any other cause than that, which bids a man in the state of nature to beware of being his own enemy, lest he should destroy himself.”[53]

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Contradicția performativă şi moartea infinită a comunismului

Nicolae Ceauşescu şi-a prelungit urările „revoluționare" când şi-a tinut ultimul discurs în fața mulțimii strânse în piața sediului Comitetului Central din Bucureşti. Documentarul lui Harun Farocki, *Videogramele unei revoluții,* surprinde momentul când mulțimea a început să-l huiduie în loc să-l aclame aşa cum se obişnuise suveranul în cei douăzeci şi cinci de ani cât fusese dictatorul României. Când au început strigătele mulțimii, camerele au ezitat puțin, s-au întors puțin spre cer, desprinzându-se de figura dictatorului, apoi s-a întrerupt emisia. Câteva momente s-au văzut doar paraziți, apoi s-a reluat transmisia, dar de data aceasta din perspectiva revoluționară. Cele câteva clipe ale cadrelor cu cerul, urmate de paraziți au marcat tranziția de la conducerea lui Ceauşescu la viitorul necunoscut al națiunii. Imaginile acelea au însemnat momentul revoluției. Dar se poate spune ca Ceauşescu sau mulțimea care i se opunea pentru prima oară erau nişte instanțe revoluționare? Unde era localizată suveranitatea în timpul acestei confruntări? Şi, nu mai puțin important, unde era spiritul comunismului? Momentul în care puterea suverană trece de la un corp la altul este ceea ce voi analiza în eseul de față, prin prisma a trei demersuri: exemplul politic concret al căderii lui Ceauşescu, dictatorul României între 1967 şi 1989, reflecțiile lui Badiou asupra acestui eveniment din eseul său „Filosofie şi moartea comunismului" şi analiza lui Spinoza asupra puterii suverane din Tratatele politice. Discutând aceste exemple, voi susține că paradigma interpretativă care se apropie cel mai mult de dinamica unei asemenea tranziții a puterii politice este cea a „contradicției performative".