

A Hegelian Reading of Derrida's *The Beast and the Sovereign*, Vol. I, to Philosophically Expound Ambedkar's Critique of Caste in his 1932 "Statement of Gandhji's Fast"

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Abstract: This paper will attempt a Hegelian reading of Derrida's *Beast and the Sovereign Vol 1* lectures to unpack certain apories and paradoxes in Ambedkar's brief 1932 statement on modern India's founding figure, Gandhi. In that small text Ambedkar is critical of Gandhi's seemingly saintly attempt at fasting himself to death. Ambedkar diagnoses that Gandhi's act of self-sacrifice conceals a type of subtle coercion of certain political decisions during India's independent movement from British colonialism. In order to unpack philosophical assumptions in Ambedkar's statement, this paper examines Derrida's startlingly original insights into animality, law, and sovereignty in confronting two of the Western tradition's giants in political philosophy, namely Hobbes and Schmitt. My intuition is that Derridean deconstruction can be expanded further by deploying certain Hegelian resources. My ultimate aim is to show how Western notions of man, soul, God, the sovereign, and the state begin to dissolve when examining the Hindu metaphysical cosmology of the caste system. My thesis and concluding reflections argue that only by destroying that cosmological system of politico-metaphysical inequality can a true democratic notion of the sovereign state emerge in the Indian context.

Keywords: Bhimrao Ramji Ambedkar, Jacques Derrida, Georg Wilhelm Friedrich Hegel, social contract, social philosophy.

Introduction

This paper opens with a central philosophical concept in Hobbes's *Leviathan* on skepticism about reliance on men to 'mediate' God's speech as opposed to receiving God's speech directly and 'immediately.' It turns out that this has everything to do with what that means with regard to obedience to a sovereign in the use of reason to believe or not believe anything; this includes beliefs about authority in general and authority which commands belief. And of course justifying obedience to the Sovereign is the mystery and cornerstone of Hobbes' whole undertaking. And, as we all know, Western secular modernity would not have been possible without this great Hobbessian innovation. The question of skepticism, belief, reason, and authority comprises a key moment in Hobbes's

Leviathan (1651), namely “Of the Principles of Christian Politiques” in the third Part: “Of A CHRISTIAN COMMON-WEALTH” (Tuck 2008, 26).

We will then unpack this passage utilizing critical resources from Schmitt’s small text of 1938, namely *The Leviathan in the State Theory of Thomas Hobbes*. There, Schmitt brilliantly deconstructs the repetition, difference, and othering of moments in a progression that leads from the animal nature of man in the state of nature to the miraculous conversion of citizens in the social contract; but this is intertwined with an original interpretation of the question of divinity and sovereignty of state in Hobbes by deconstructing the notion of the ‘mortal God’ (Schmitt 2008, 32) in Hobbes’s framework.

We will try to show that Schmitt intuitively a complex set of interrelations in a contorted, seemingly impenetrable event: he unearths the indiscernible epochal shift beneath the normative and empirical history of political conceptions that gave birth to secular modernity. Returning to Hobbes while innovating at the same time, Schmitt speaks of what one can call an interrelation between: a) the relation between man and soul in the divine structure of a primordial, preternatural, pre-modern/medieval Christian cosmology that englobes any kind of foreseeable future sovereign structure that is of pure human, artificial origin and b) the relation between a transformed man and the birth of the valid, juridical sovereign through the artificial construction of what will eventually be the non-divine (not derived from the divine) modern constitutional ‘covenant’ that is of human origin, i.e. the prototypical version of the human as modern democratic ‘political citizen.’

Put another way, there is a relation between the created man (as an element of the Creation) and soul relation (in the state of nature), which gives way to the birth of the leviathan; the latter itself is an intrinsic relational unity as ‘mortal God,’ or the ‘huge man’ as “machine animated by the sovereign-representative person.” (Schmitt 2008, 32)¹ Something transpires in terms of this transfiguration of the man-soul relation, which was derived from an immaterial, a prior transcendental creation (namely the Judeo-Christian God), to this new relation of the political human and or the state as a ‘mortal God’; the latter itself is a new Being that has its own ‘animation’ (not soul) through the ‘sovereign-representative person.’ (Schmitt 2008, 32) We need to dissect all these elements, their relations, and interrelations, while uncovering their deeper meaning.

Once we lay out these two moments in Hobbes and Schmitt, while breaking down their parts, analyzing them, and synthesizing them into higher conceptions, we will move to Derrida’s reading of both in his intriguing and cunning lectures on the *Beast and the Sovereign* (2001-2002). In those last lectures towards the end of his life, we find some real gems to appropriate while

¹ This passage is taken out of chapter III of which the title is given as “The leviathan is the ‘mortal God’; at the same time he is representative-sovereign person and a huge machine.” (Schmitt 2008, 4)

appreciating some of his dazzling deconstructive moves on questions of animality, law, and sovereignty when encountering the two towering giants of modern Western political philosophy (Derrida 2009).² This way we can lay down the conditions for our own reading of Ambedkar's 1932 statement on 'Gandji's Fast' (Thorat and Kumar 2009).

Our hypothesis is that meta-concepts – man, soul, God, nature, sovereign, state – in Hobbes and Schmitt, from their strictly Judeo-Christian roots, require a confrontation with the absolute limits of the Derridean deconstructive attempt to decompose the Western metaphysical and onto-theological constructions of thought in general. In the process, Derrida had to invent new terms and neologisms while amalgamating and distending existing terms into other variations of themselves. He tried to work within the 'closure' of the Western metaphysical tradition (not 'end') to catch a glimpse of what is other to the tradition (Derrida 1974, 4). From this perspective, we can try to experience while reflecting on the epochal passage, namely an impossible simultaneity of experience and reflection, from what is strictly within the Western metaphysical context (and its determination of its political philosophical tradition, too) to the 'Other' that in its infinity³ is irreducible to the West. It transcends its dialectical opposition to the West if characterized as the 'non-West' or 'East.'

Our aim is to expand on Ambedkar's critique of the Indian caste system derived from an ancient Hindu metaphysical cosmology. This involves his strenuous critique of the moral failure of the early to mid-twentieth century Gandhian event of de-colonial liberation from the British Empire that culminated in the birth of an independent, liberal, secular, constitutional, pluralistic democracy in India. It is that very democracy today that is presented to the rest of the world as a shining example of peace and coexistence given the sheer magnitude of its size. Our thesis is that intertwining dimensions from all three

² We know that Derrida treated Hobbes, but for many Derridean scholars at the time, it was great to see him reference Schmitt in these lectures. Towards the end of the first session on December 12th, 2001 (just one day over three months after the Sept. 11, 2001 terrorist attacks), Derrida (2009, 29) states: "Civil war is the death of the Leviathan, the death of the state, and that at bottom is the subject of our seminar: What is war, today, how can we tell the difference between a civil war and a war in general? What is the difference between civil war as 'war of partisans' (a notion of Schmitt's, who sees in Hobbes 'truly a powerful and systematic political thinker') and a war between states? What is the difference between war and terrorism? Between national terrorism and international terrorism. This systematics of Hobbes is inconceivable without this prosthetic (at once zoologicistic, biologicistic, and technomechanist) of sovereignty, of sovereignty as animal machine, living machine, and death machine." The little Schmitt quote within Derrida's quote is taken from *The Concept of the Political* (Schmitt 2007, 65). In the second session (December 19th, 2001) of *The Beast and the Sovereign*, Vol. 1, Derrida (2009, 44-55) analyzes two very long passages from *The Concept of the Political* to which we will return. For more on Derrida and Schmitt, see Marder (2012; 2011).

³ We pay homage to Levinas's ethics as prior to ontology in our responsibility and respect for the Other. See Levinas (1991).

thinkers – Hobbes, Schmitt, and Derrida with Hegel always hovering on the horizon – can be illuminated and deepened to bring to fruition hidden, unarticulated philosophical assumptions in Ambedkar’s statement on a pivotal Gandhian event: one that sealed the fate of millions of oppressed Dalits or the ‘outsider caste’ (formerly known as ‘Untouchables’) prior to the birth of modern independent, secular, constitutional, legal Indian democracy. Our purpose is to understand how democratic theory and the phenomenological nature of caste point to skeptical issues of political epistemology that are of a unique nature in the Indian civilizational context and South Asia more broadly speaking.

But we must bracket any simplistic historical, intuitive, and empirical distinctions between ‘West’ and ‘East.’ For we have to admit from the outset, we are dealing with a precolonial, colonial, de-colonial, postcolonial, and neocolonial spectrum in the Indian historical progression since caste has survived, albeit transformed in various ways, through these various historical phases. Perhaps we speak of a new sense of historical time and historical movement that can also account for epiphenomenal and trans-historical mysteries such as caste. Nevertheless, ultimately, purely Western political philosophical frameworks lead to certain distortions, inconsistencies, and incoherent assemblages when trying to overcome certain skeptical obstacles in political epistemology in this unique, non-Western civilizational context.⁴ Hence the ideal is to imagine a new liberal, secular, constitutional, legal democratic system in India where the caste system is completely abolished. But that would take the creation of new philosophical intuitions, concepts, and categories that are not available in the Western thinkers under discussion, namely Hobbes, Schmitt, Derrida, and Hegel.

A steady reading is required of the initial Hobbesian skeptical moment, which brings skepticism and reason into tension when it comes to obedience to the sovereign and obedience to believe the sovereign’s articulation of anything (Tuck 2008, 256). And then we can move to Schmitt’s inventive and powerful analysis of the *Leviathan* in his little groupings of chapters in the scintillating text, *The Leviathan in the State Theory of Thomas Hobbes* (1938). To recall, however, we said Hegel, particularly his *Phenomenology of Spirit* of 1807 (and not so much his *Philosophy of Right* or anything else in his massive corpus), forms the horizon for our analysis of Derrida’s reading of Hobbes and Schmitt to examine the conditions of possibility by which we enter into Ambedkar’s critique of the phenomenon known as the Gandhian fast.

The event of the ‘fast’ – phenomenologically reduced beyond any empirical or historical description – becomes an ontological site. Indeed in 1932 Gandhi threatened to fast himself to death if his wishes regarding a future, post-colonial democratic electorate by competing Indian political parties, factions, and

⁴ To our knowledge, the specifically Hindu metaphysical articulation of the phenomenon of caste first originated in the Indian subcontinent with ancient scriptures in Sanskrit that include the Vedas, Upanishads, and the great Epics – Ramayana and Mahabharata. See Doniger (2010).

constituencies were not met. In a nutshell, Gandhi threatened this extreme act of 'self-immolation' – as Ambedkar called it – (Thorat and Kumar 2009, 192) if a separate electorate were given to the Dalits, or the formerly known as 'untouchable,' outsider caste (Thorat and Kumar 2009, 187). Ambedkar refers to the Dalits, which means 'broken or oppressed' in Sanskrit, as the 'Depressed Classes' in this text (Thorat and Kumar 2009, 187).

Before asking why this Gandhi-Ambedkar debate was so crucial at the time (fifteen years before eventual independence from the British Empire), one has to inquire into the caste system itself and how it relates to the socio-political body. The Dalits are outside the fourfold Hindu caste system (Brahmin/priests, Kshatriya/warriors, Vaishya/merchants, Shudras/workers) but kept in relation to it as the profane Other within a highly granular, differentiated system of domination. An asymmetric, non-dialectical relation is posited between the fourfold and what is exterior and Other to it. The higher castes are 'pure' along a spectrum, whereas the Dalit/'Depressed Class' are considered impure; they must be kept outside of any and every dimension of ordinary human existence, transaction, conscience, and thought (public or private) that would permit equality between them and those within the cherished caste hierarchy. Segregated souls get materialized in bodies divided in public space, thereby collapsing both the private-public distinction and the soul-body distinction: no doubt, these two binaries form the crux of the Western identity from antiquity to the present. Yet we are not speaking of strictly a Western context even under British colonial rule. As we shall see in Ambedkar's text, this characterization and position of impurity and alterity to the fourfold caste system is not something Dalits accepted by choice nor self-determination. For not only does this require a system of social, political, cultural, and economic domination but one of inhumane treatment and sadistic humiliation that passes itself off paradoxically as morally and metaphysically just, i.e. normalized sense of existence in the polity.

In a way, we are confronting – in the Hindu invention of the caste system – something unthinkable. The unthinkable is not simply that which cannot be thought; it is a remainder or trace to which we cannot admit – that in fact the unthinkable is that which can be thought and felt, and therefore a paradox.

We witness an inhuman system within 'humanity' that is constructed beneath the surface of visible reality: a hidden reality of prejudged souls from previous lives in which some people are considered (due to the arbitrary luck or chance of birth) as enlightened, elevated, and therefore human. But some are other to the human; they are tarnished, darkened, and demonic as those designated others who are the only ones who can and should handle human excrement and dead bodies; hence they are neither human (with regard to the four other castes) nor animal (simply a non-human organism which lacks reason in the state of nature). In other words, they are a social construction but with transcendental-metaphysical origins. In some senses, we need to deconstruct the

whole Western metaphysical and Judeo-Christian notion of 'birth' just as Heidegger did of 'death.'⁵ Hence the justification for our appropriation of Derrida's deconstructive lectures on animality, sovereignty, and law, and the necessity of their transformation and elaboration to spaces where Derrida did not go, given Derrida's engagement with the entire Western metaphysical tradition. The application of Derridean deconstruction to this topic is sorely needed.⁶

In the movement towards independence from British colonialism and the eventual creation of an independent, liberal, secular, legal, constitutional democracy in India, Gandhi resisted Dalit independence from this structure of the 'outsider' Other but always contained in relation to the caste as an eternally subjugated group. It is a type of enslaved alterity: never admitted into the fold but tethered to it at a sufficient distance to maintain the pure-impure distinction while sacrificing any chance for the rope to be cut. Indeed the creation of a separate electorate would have given the Dalits their liberation. The abysmally mysterious machinations underpinning Gandhi's decision to fast to death precisely on this issue is what Ambedkar sets out to unravel. As we shall see, Ambedkar took issue behind the allegedly 'saintly' intentions of Gandhi the 'Mahatma' and his dramatic act of self-annihilation.

This is a tropological space where we can analyze the problematic epochal shift from decolonization from an external Sovereign-God (the British Empire) to

⁵ It does not go unnoticed to us, and we will have to return to it time and again in all philosophical investigations, why Heidegger failed to give as robust a critique of the metaphysical conceptions of birth as he did of death in Division II of *Being and Time*. There, Heidegger asks desperately about a great neglect and potential failure of his whole attempt to ground the conditions in the Dasein-analytic in order to frame the possibility of undertaking fundamental ontology as the response to the 'question of the meaning of Being in general.' He states in Chapter V, "Temporality and Historicity": "Although up til now we have seen no possibility of a more radical approach to the existential analytic, yet, if we have regard for the preceding discussion of the ontological meaning of everydayness, a difficult consideration comes to light. Have we indeed brought the whole of Dasein, as regards its authentically *Being-a-whole*, into the fore-having of our existential analysis? It may be that a formulation of the question as related to Dasein's totality, possesses a genuinely unequivocal character ontologically. It may be that as regards *Being-towards-the-end* the question itself may even have found its answer. But death is only the 'end' of Dasein; and, taken formally, it is just *one* of the ends by which Dasein's totality is closed round. The other 'end,' however, is the 'beginning,' the 'birth.'" See Heidegger (1963, 425).

⁶ Fields in continental philosophy such as phenomenology, Heidegger's fundamental ontology and the later History of Being, existentialist and structuralist Marxism, poststructuralism (particularly Foucault and Deleuze on anti-fascist and hence anti-normalization processes), and Derrida's deconstruction are critical in this endeavor. There is no way to understand the phenomenon of caste if we do not respond to traditional dialectical procedures in Western metaphysics from the ancient Greeks to the three-moment dialectic ascribed to Hegel. Even Hegel's philosophy (in our reading of it) is not reducible to a simple three-moment of dialectic. Hence his thought forms the horizon by which we will apply Derrida to the reading of Ambedkar.

our critical deconstruction of the birth of the secular, constitutional, liberal, pluralistic democratic state in India. For such a 'democracy' maintained its subsistence and in many respects is conditioned by the Hindu will to the metaphysical truth of caste and the transmigration of souls: namely the strange animal-human-machine-divine entity that is the hierarchical, feudalistic, and thus supremely anti-modern and anti-Western enigma called the caste system. Therefore, Derrida's reading of the animal, sovereignty, and law in his curious encounter with Hobbes and Schmitt has the utmost consequence for us. It raises the possibility of a radical philosophical rethinking of the nature of society, state, and modernity – whether in Western or Eastern civilizations.⁷ One can attempt to interpret caste while intermingling conceptual dimensions within the scintillating texts of Hobbes, Schmitt, and Derrida but also articulate how the philosophical deconstruction of caste surpasses those Western impulses too.

⁷ In the third session (January 16th, 2002) of the *Beast and Sovereign*, Derrida analyzes another long passage from Schmitt's *The Concept of the Political* (1932) to which we will return time and time again. Derrida (2009, 73) summarizes the points he gleans from the long Schmitt passages: "What must be noticed in this Schmittian logic – whether or not we subscribe to it – what we must note from our point of view here is first of all this series of gestures (at least three), whereby: 1) Schmitt announces or denounces the nonpolitical nature of the concept of humanity or the humanitarian, of humanitarianism (Universal Declaration of Human Rights beyond the state, etc.); 2) Schmitt announces or denounces, under this apparent nonpoliticality, a self-interested hyperpoliticality, a disguised intensification of political interests of an imperialist and especially economical form; 3) (and this is what will matter most to us), Schmitt announces and denounces what is terrifying (*schrecklich*) and even terrorizing in this pretension, in this hyperstrategic, hyperpolitical hypocrisy, in this cunning intensification of the political. What is terrifying, according to him, what is to be feared or dreaded, what is *schrecklich*, scary, what inspires terror, because it acts through fear and terror, is that this humanitarian pretension, when it goes off to war, treats its enemies as 'hors la loi [outside the law]' and 'hors l'humanité [outside humanity]'... i.e. like beasts: in the name of the human, of the human rights and humanitarianism, other men are then treated like beasts, and consequently one becomes oneself inhuman, cruel, and bestial. One becomes stupid [*bête*], bestial, cruel, fearsome, doing everything to inspire fear, one begins to take on the features of the most fearsome werewolf (let's not forget the wolves), because one is claiming to be human and worthy of the dignity [*digne de la dignité*] of man. Nothing, on this view, would be less human than this imperialism which, acting in the name of human rights and the humanity of man, excludes men and humanity and imposes on men inhuman treatments. Treats them like beasts." One could assume that Derrida is looking at the immediate months ensuing after 9/11 and before the American imperialist wars begin. He is not simply making a critique of war but asking profound questions about and articulating non-dialectical tensions between concepts of the human, humanity, human rights, the political, and man as animal in treating other men as animals and hence becoming cruel, inhuman. We will not be looking at the post-9/11 American imperialist war machine that sought to vanquish the 'inhuman' enemy of the terrorists in their attempt to defend 'humanity' and democratic 'human rights.' Rather, we will need to invert, distort, disaggregate these Derridean ideas to uncover a great complexity at work in the Ambedkarite critique of Gandhi's alleged humanism and ascetic event to fast himself to death.

Our deductions from Hobbes to Schmitt's reading of Hobbes to Derrida's reading of both within the horizon of Hegelian phenomenological disclosure will be difficult to navigate; that is because the reconstruction of Ambedkar's critique of the Gandhian 'fast' event has to (by necessity) take place outside the scope of traditional readings of the Western political philosophical canon. How this occurs is the question. Perhaps it becomes a philosophical question of method when dealing with comparative contexts of political epistemology, or the conditions by which we can even know what we mean by knowledge of the 'political' and even 'political philosophy.' We cannot claim to provide any contribution to the fine, detailed scholarship on Hobbes and Schmitt and how to interpret the texts within their respective historical contexts.⁸ This is not making any kind of excuse at whim. We have to appropriate elements and moments in the texts, de-sever any natural intuitive relations within them, which means resist any meaning which may arise from a naturally inhabited Western mindset, and creatively formulate new propositions to deepen the Ambedkarite critique of caste.⁹ That is the sole goal of this paper.

Main Text

On Hobbes's *Leviathan*

We turn to a crucial paragraph in Hobbes that is germane for our own investigations. In "Of the Principles of Christian Politiques" in the third Part: "Of A CHRISTIAN COMMON-WEALTH" of the *Leviathan*, Hobbes raises a number of critical issues regarding the relation between man's¹⁰ self-reliant reason,

⁸ See the work of Schwab (1985; 1996; 2008); McKormick (1997).

⁹ Earlier we referred to the potentiality of the phenomenological method as developed by Husserl, and a foundational moment in twentieth century continental philosophy. In Vol. II, Part I of his famous *Logical Investigations*, Husserl (2001, 85) defines phenomenology as: "the pure phenomenology of the experiences of thinking and knowing. This phenomenology, like the more inclusive pure phenomenology of experiences in general, has, as its exclusive concern, experiences intuitively seizable and analysable in the pure generality of their essence, not experiences empirically perceived and treated as real facts, as experiences of human or animal experients in the phenomenal world that we posit as an empirical fact. This phenomenology must bring to pure expression, must describe in terms of their essential concepts and their governing formulae of essence, the essences which directly make themselves known in intuition, and the connections which have their roots purely in such essences. Each such statement of essence is an a priori statement in the highest sense of the word. This sphere we must explore in preparation for the epistemological criticism and clarification of pure logic: our investigations will therefore all move within it." Getting to the 'essence' of caste as it is immediately intuited is irreducible to any sociological, historical, anthropological or political conceptions of it.

¹⁰ We prefer to use a more neutral and inclusive gender term than 'man, men, his, him, or he.' We are pointing to Hobbes's seventeenth century context and only refer to his passage. This says nothing about the assumption that only men (and in that heteronormative) can receive

skepticism, and the paradoxical conditions of obedience to the sovereign vs. God's mediated speech from men to other men: or God's immediate speech to some men who then transmit it or mediate it to other men. Something splits apart in the event of speech, dividing it in which immediacy is something assumed or believed whereas mediation harbors the possibility of always passing itself as immediate when it is not.

The following passage will serve as the point of departure of our analysis. As we read Hobbes, we can graft moments of Ambedkar's critique of Gandhi and his act to fast himself to death while interpreting them within the margins of the *Leviathan*. Hobbes states:

When God speaketh to man, it must be either immediately; or by the mediation of another man, to whom he had formerly spoken by himself immediately. How God speaketh to a man immediately, may be understood by those well enough, to whom he hath so spoken; but how the same should be understood by another is hard, if not impossible to know. For if a man pretended to me, that God hath spoken to him supernaturally, and immediately, and I can make doubt of it, I cannot easily perceive what argument he can produce, to oblige me to believe it. It is true, that if he be my Sovereign, he may oblige me to obedience, so, as not by act or word to declare I believe him not; but not to think any otherwise then my reason perswades me. But if one hath not such authority over me, shall pretend the same, there is nothing that exacteth either belief, or obedience. (Tuck 2008, 256)

In this passage we have the following elements we can break out:

God is an entity capable of the act to speak immediately to a man and hence man has the capacity to hear God. God's speech to man can occur directly and immediately, which means man has the capability to receive this speech. But with God's infinite will, God can also be that God who speaks to man through mediation of another man, the latter of whom may have received that speech in an immediate way. But one can also doubt God's immediate speech to a man who then transmits it to another man because man's knowledge of God's speech transmitted through other men is not immediate. At this point doubt becomes impossibility of knowledge. From this we find that there is no obligation in the possibility to believe in mediated knowledge (God's speech to man through another man). Obligation to believe then has a tenuous relationship to obligation to be obedient to an authority.

Hence Hobbes raises the issue of what happens when man is a Sovereign. Even if this mediated speech through a Sovereign (God speaking to Sovereign to speak to man) could oblige obedience. Obedience to the Sovereign is exchange for protection when men are uplifted from the state of nature, but then the Sovereign himself is bound to certain duties in his governorship of men. But even at this moment, Hobbes opens up a delimited freedom of man (not the unbridled

knowledge from God or hear God's speech and that only men can become Sovereign. That is not at all the case today in most of the Western world.

freedom from the state of nature) in his ability to doubt Sovereign's transmission of knowledge about God's immediate speech to the Sovereign. However, if this knowledge transmitted by the Sovereign goes against man's capacity reason (say the Sovereign announces the idea of 'flying horses'), then man has the ability to doubt. Hence obligation to Sovereign is in tension when one goes against their own reason and thus is skeptical of being forced to believe, obliged in believing something or anything at all. Obligation to believe in obedience and the obedience to believe in general becomes questionable.

Put another way, obedience to the Sovereign is one thing, but obedience to the transmission of knowledge (from an immediate experience of God's speech) that is then mediated opens up the possibility of error and hence doubt through reason. Human speech of God's speech has to be by nature susceptible to error if we assume humans are fallible when God isn't. Assuming that obedience can occur through speech and behavior, and such speech and behavior cannot be compelled if they go against reason, then the specter of illegitimacy haunts both the idea of obedience to sovereignty and the obligation to believe in obedience or not in general.

If one is not the Sovereign, and does not have authority over man but still pretends to mediate speech from God (say the Catholic Pope), then there cannot be any confirmation of either belief or obedience to that authority to believe. So, in our concluding reflections of this passage in Hobbes, we have the following deductions.

The possibility of God's immediate speech to a man but also the impossibility of knowing and obliging obedience to that knowledge when that immediate speech to man becomes mediated speech to another men. (Since God is not present as a human being in the flesh today, one can argue beyond faith that all speech about God is human speech about God's speech to humans.)¹¹ And this is even true if that man who receives this immediate speech from God is the Sovereign, which can oblige obedience in the abstract sense, i.e. transcendence from the state of nature to the social contract. But even there reason can doubt the transmission of God's speech from the Sovereign to other men if what is being transmitted goes against the dictates of reason. Because one only has to doubt that there was a real, single, unique historical event that involved a transition from the state of nature to the so-called 'social contract.'

The question is not whether the 'social contract' is a fiction; the question is whether the transition to it can ever be proved as a real event in human history, which presupposes human consciousness itself as attuned to the very historicity

¹¹ One can easily see the relevance of Hegel's early lectures on religion through the *Phenomenology* through his System to the later lectures on the *Philosophy of Religion*, which were so crucial for the eventual development of nineteenth and twentieth century theologies in all Christian traditions, not just the Lutheran and Protestant traditions. For an inventive critique of how about Hegel and scholarship on Hegel treats the philosophy of religion, see Desmond (2003).

of history. To be historically conscious of transcending the nature vs. history divide it means that one cannot be the same being from the state of nature who then 'leaves' that realm and enters the realm of history (of laws, society, contracts) while remaining intact. But if one assumes irreducible and non-representable alterity even in the form of a faint trace as having been this other being (in the state of nature) prior to being the historically conscious being of the social contract that looks back on the 'leap,' then one can neither conceptualize the discontinuity in the event of transformation from within history; nor can they gloss over the irreducible difference in the name of continuity and presence. If the latter were true, no leap would have ever taken place and no social contract as history itself would have ever come into being. This aporia has everything to do with whether speech can be immediate or mediated, and how that affects obligation to believe in obedience and the obedience to believe in the authority of the Sovereign, not as God, but the historical construction of one human to another that would compel law, order, and peace.

On Ambedkar's Critique of the Mahatma

Let us explore these relations and deductions as we unpack Ambedkar's critique of the Gandhian fast. Let us quote some passages from Ambedkar's "Statement on Gandhiji's Fast":

As to the Mahatma, I do not know what he wants. (Thorat and Kumar 2009, 191)

The Mahatma is not an immortal person and Congress assuming it is not a malevolent force, is not to have an abiding existence. There have been many Mahatmas in India, whose sole object was to remove untouchability and to elevate and absorb the Depressed Classes, but every one of them has failed in his mission. Mahatmas have come and Mahatmas have gone, but the Untouchables have remained Untouchables. (Thorat and Kumar 2009, 192)

Whether he knows it or not, the Mahatma's act will result in nothing but terrorism against the Depressed Classes all over the country. (Thorat and Kumar 2009, 192)¹²

Coercion of this sort will not win the Depressed Classes to the Hindu fold if they are determined to go out. And if the Mahatma chooses to ask the Depressed Classes to make a choice between the Hindu faith and possession of political power, I am quite sure that the Depressed Classes will choose political power and save the Mahatma from self-immolation. If Mr. Gandhi coolly reflects on the consequences of his act, I very much doubt whether he will find this victory worth having. It is still more important to note that the Mahatma is a reactionary and uncontrollable force and is fostering a spirit of hatred between the Hindu community and the Depressed Classes by resorting to this method

¹² Mahatma is Sanskrit for 'Great Soul.' The analogue in English would be saintly or holy and someone therefore beloved. In the Merriam-Webster dictionary, it also includes 'high-mindedness, wisdom, and selflessness.'

and thereby widening the existing gulf between the two. (Thorat and Kumar 2009, 192-193)

Before we get to our phenomenological analysis of the event of the 'fast' and what that means – a will to death as the transcendental materialization of a soul seeking release from the body – we must unpack these passages in Ambedkar through the lens of the Hobbesian deductions we just articulated.

Ambedkar certainly doubts why people should be obedient to the 'Mahatma' who is not a Sovereign in himself because he too is a colonial subject at the time of British rule: that is, prior to the birth of the social contract known as the secular, legal, constitutional, liberal, democratic state of post-Independence India. Ambedkar gives us a negative, unflattering sense of Mahatma because he doesn't know who Mahatma 'is' and 'what he wants.' He knows what he is not, namely an 'immortal person.' Mahatma has a strange ontological finitude, one can say, and, like the Congress party, is not something that should have an 'abiding existence.' One can ask in a democracy whether any party should last forever, and perhaps the true hallmark of individual liberty and equality is that new parties should arise: democracy by nature resists permanency.

Ambedkar makes the point of temporariness, which we will have to examine further, when he says that 'Mahatmas have come and gone' but 'Untouchability remains.' One can ask about the nature of the caste system and its bizarre historicity: untouchability remains like a substrate beneath the vicissitudes of historical change, say the precolonial to colonial and soon to be postcolonial independent India. In mystery of this alterior entity, whose Being one can say is the permanent 'outside' to the fourfold caste system, historicity and eternity are not naturally opposed. This will help us bracket what the Mahatma's Being-towards-death¹³ in the phenomenological event of the fast

¹³ This is an obvious reference to Heidegger's ideas on time and death in division II of *Being and Time*. Heidegger (1963, 255) states in Chapter I of Division II: "In our preliminary existential sketch, Being-towards-the-end has been defined as Being towards one's own most potentiality-for-Being, which is non-relational and is not to be outstripped. Being towards this possibility, as a Being which exists, is brought face to face with the absolute impossibility of existence. Beyond this seemingly empty characterization of Being-towards-death, there has been revealed the concretion of this Being in the mode of everydayness. In accordance with the tendency to falling, which is essential to everydayness, Being-towards-death has turned out to be an evasion in the face of death – an evasion which conceals. While our investigation has hitherto passed from a formal sketch of the ontological structure of death to the concrete analysis of everyday Being-towards-the-end, the direction is now to be reversed, and we shall arrive at the full existential conception of death by rounding out our Interpretation of everyday Being-towards-the-end." We will have to return to Heidegger in the background, as we move through Derrida on Schmitt and Hobbes as we explore Ambedkar's critique of the inauthenticity one can say of the Mahatma's Being-towards-death in the event of the fast and its totalitarian and political implications: namely the perdurance of the concealed evil (an 'evasion in the face of real death') that is the caste system's relation to alterity and exteriority

reveals about this permanency: namely untouchability in contrast to the temporary, non-immortal quality of the Mahatma.

Returning to Ambedkar's critique of the specious 'sovereignty' of the Mahatma, on the question of untouchability we can make the following deductions. In a way, Mahatma's wager on his own life as ultimate proof of the transcendental nature of his sovereignty, or that the Indian masses will follow his preferences unquestionably, is no simple event. But this reveals something deep in the heart of the Hindu metaphysical system of the caste. Before expanding on Ambedkar's critique of the Gandhian fast, let us try to analyze how Gandhi justifies morally his continuation of untouchability, while denying them a separate electorate, and what that means for the justification of his peculiar self-conception as a sovereign.

In a paradoxical sense, the Mahatma perpetuates the illusion of immortality. He does so with the game of brinkmanship, his being-towards-death, because, in a way, the wager is not as risky as it would appear to another moral. The Mahatma perpetrates that he could certainly go all the way and come good on his commitment to self-annihilate; but, in a way, he crosses over that act of finality for any other human being, he crosses over and crosses out his death because as the 'great Soul' – he is a transcendental sovereign being. But, in the second sense, he crosses over and crosses out death (before the actual event of physical death, which never comes because he ends up suspending his fast), the 'great Soul' is guaranteed preservation in the general migration of souls, or the Hindu doctrine of reincarnation. If Heidegger, for example defines death as the "possibility of impossibility" and therefore Dasein's greatest possibility "to be" itself authentically is death (Heidegger 1963, 294, 303, 309), then we have something a bit more contorted in the Gandhian event. Death in the Gandhian fast is the impossibility of both the possibility of impossibility and the impossibility of possibility, but ultimately the impossibility of all impossibility itself because death is not a point in time¹⁴: it is an illusion of an event with the reality of a crossover with the promised belief of reincarnation. Death is not anticipated, rebirth is, and hence death is meaningless.

But reincarnation in Hindu metaphysics is like an inverted soul, an exteriority in the form of imprisonment which is the caste system. The soul is what is punished through the body, and not a disciplining of the body to judge

that is irreducible, namely the preservation of the Dalit 'untouchability.' The future democracy that will emerge from the Mahatma's perspective is really a perversion at work akin to what motivates Derrida through Schmitt and Hobbes to question the nature of neoliberal democracies in general.

¹⁴ At some point it would be interesting to compare Heidegger's views on death in *Being and Time*, Derrida on Heidegger's views on death, and at the time the long-awaited views of Derrida himself on the matter in his *Aporias* (1993), and our attempt in reading Ambedkar while elaborating our own phenomenological deconstruction of how death and its impossibility function in the Hindu metaphysical system of caste. See Jacques Derrida, *Aporias*, trans. Thomas Dutoit (Stanford: Stanford University Press, 1993).

the soul. That caste system could not function without a constituted 'Other' – that demonic, impure, irreducible exteriority, which cannot be conceptualized or reduced to the movement of the soul in time or the movement of time in the soul. By trapping the Dalit/formerly known as 'untouchable' in their state of irreducible exteriority and social exclusion, the entire mechanism of caste can continue. And that is the Gandhian feat of the fast. His sovereignty in a way is derived from this paradox of an illusion of the 'immortal God' but also the impossibility of being finite – a one-time occurrence in which all human beings literally only live once and die once regardless of Abrahamic, monotheistic conceptions of an afterlife.¹⁵

So now let us connect this thinking with how Gandhi justifies his sovereign act of the fast with Ambedkar's political critique of its danger and harm, particularly to the Dalits. Reading the Ambedkar passages again, we see that what is actually concealed in this Gandhian movement towards a crossed out death to another rebirth is the perpetuation of a 'terror.' The horror of the caste system and its outside Other is the continued demonization, chastisement, torture, oppression, seclusion and violence perpetrated by both public citizens and the state, as India begins to imagine its post-Independent, post-colonial secular, liberal, legal, constitutional democracy. Ambedkar even uses the word 'terrorism.' (Thorat and Kumar 2009, 192)

Let us in conclusion explore this question: What is the nature of this 'terrorism' embedded in the sovereign act of a will to self-annihilate, namely the Gandhian fast? For Ambedkar, Gandhi's attempt to preserve the caste system and the status of the Dalit as the outsider with no separate electorate forces no other choice by the Dalits but to fight for their political freedom and power. For Ambedkar, the Gandhian threat to self-annihilate will only sow more animus and 'hatred' between the Hindu masses and the Dalit 'community' as he says (Thorat and Kumar 2009, 192-193). For Ambedkar, Gandhi is an 'uncontrollable force,' and as we shall see later in Derrida's ruminations, it turns out the sovereign as personified 'state' stands above the law, whereas the 'animal' falls below it into 'nature.' But this is also what binds them together in a strange way (Derrida 2009, 17).¹⁶ Who pays the price in this model? The human does.

¹⁵ Even in the in the Abrahamic faiths, one only lives and dies once as a human being, and does not reincarnate into different human beings across generations. For a good comparison of the respective theologies of the world religions, see Knitter (2002).

¹⁶ Furthermore, Derrida (2009, 16) states: "The question is all the more obscure and necessary for the fact that the minimal feature that must be recognized in the position of sovereignty, at this scarcely even preliminary stage, is, as we insisted these last few years with respect to Schmitt, a certain power to *give*, to *make*, but also to *suspend* the law; it is the exceptional right to place oneself above right, the right to non-right, if I can say this, which both runs the risk of carrying the human sovereign above the human, toward divine omnipotence (which will moreover most often have grounded the principle of sovereignty in its sacred and theological origin), and, because of this arbitrary suspension or rupture of the right, runs the risk of making the sovereign look like the most brutal beast who respects nothing, scorns the law,

Yet we are not looking from within a Western context and we cannot refer to the unity, self-sameness, and unicity of a monotheistic theological origin. Instead, if we follow the logic of Ambedkar's critique we have a lot more to deal with than the familiar terms of man, animal, sovereign, law, God, and the state in our Western vernacular.¹⁷ Returning to Ambedkar, we can say we have the following terms: the fourfold Hindu caste in the transmigration of souls, so let us call that the so-called supra-human; the oppressed or 'depressed' Other, or Dalit, as the constituted outsider and hence Other and outside the human or anti-human; a non-identifiable conception of the human itself, because what is more than human will be the 'great Soul' Mahatma which can only persist by having what is less than human, namely the Depressed Dalit/formerly known as 'untouchable,' remain in its depressed state; the linkage of the Mahatma, which is not an 'immortal person,' but also the paradox of an eternal historicity whose being-towards death crosses over and cancels death as a possibility (or impossibility) due to the anticipation of reincarnation or rebirth; and the Ambedkarite critique of the Gandhian fast as one of the 'uncontrollable force and reactionary' that breeds 'hatred.' It is very hard to identify a fixed meaning about the human in general within this bizarre system whose origins from antiquity are unknown. Ultimately, Ambedkar finds Gandhi's thinking to be an inscrutable mystery and that he doesn't really know what Gandhi wants (Thorat and Kumar, 2009, 191). By extension, one can harbor a guess as to whether Gandhi himself knows what he wants.

There is a lot to unpack here, given all these terms and ways to imagine their differences, relations and interrelations. Corroborating our thesis there is an inherent skepticism as to whether the political epistemologies of Hobbes, Schmitt, and Derrida's deconstruction of both (the 'Western history of the concept of sovereignty') can help us unpack this monstrous complexity. So we have to invent new terms and see how the deductive relations begin to appear.

Conclusion

So in conclusion let us venture some postulates to see exactly what we are dealing with beyond what Ambedkar himself could articulate. This way we can anticipate how we may compare and contrast our phenomenological

immediately situates himself above the law, at a distance from the law. For the current representation, to which we are referring for a start, sovereign and beast seem to have in common their being-outside-the-law." Derrida is operating with the Western historical context and its particular onto-theological foundations, namely the Judeo-Christian structure. So in some senses his distinctions and terms (sovereign and beast in relation to man and the theological origin) are not easily transferrable to the Eastern context of Hinduism as we shall see. Derrida says: "And is the complex, although relatively short, history of the concept of sovereignty in the West (a concept that is itself an institution that we shall try to study as well as we can)..."

¹⁷ Terms that Hobbes, Schmitt, and Derrida alike have to reckon.

deconstruction of the Gandhian event of the fast with the paradoxes, puzzles, and depths of categories, terms and relations that we find in Hobbes and Schmitt, and Derrida's deconstructive reading of them. But we need to question the inherent limits of this Western tradition too.

Our thinking goes something like this. We cannot assume notions of an impersonal machine with its objective features and qualities known as the sovereign state: one that has external, physical, geographic boundaries, and is held together by political systems, bureaucratic functions in the public sector, a centralized state with branches of government, and a military and police force that upholds and enforces the laws. Western theories of the state and punishment fail us.¹⁸ But we also cannot turn to a Creator God before the first moment of time when humans, plants, and animal life were created. The monotheistic luxury of an origin to everything by one unified Being cannot be presupposed. Hence the distinctions and the attempt to see the mediation between immediate opposites in a movement of differentiation, relations, and syntheses, say the sovereign as a synthesis between the anthropological and the divine, are tenuous at best. But the Derridean terms, or paradoxically that which is above the law or outside, which it shares with the animal too but in a different way, also tend to dissolve in the complexity we have to handle.¹⁹

The Gandhian sovereign is a social body built upon caste, which requires both the distance and enslavement of something other to the human and hence not below it in nature, like the animal, or above it, like a transcendental God, which has the power to 'give or make the law' as Derrida (2009, 17) says. The being-towards death is not a stamp of finality and finitude but nor is it a type of illusory timelessness or immortality, as Ambedkar says; it is other to the finite and infinite, crossing out and preserving their difference, thus pointing to an irreducible third horizon, which cannot be spatialized. In this bizarre metaphysics, death is not a point in time but a stretched event of passage in which anticipated re-birth recapitulates and guarantees the cycle of previous births. One can say a being towards two 'ends' is that between being-towards-birth and being-toward-rebirth.²⁰ The asymmetric irreducible other to this progression is the in-human or the carrier of human waste/excrement and the non-sacral dead body (since the purity of the migrating soul is what is at stake) and that is the Dalit/formerly known as 'untouchable.'

¹⁸ A separate reading of Foucault's *Discipline and Punish* (1975) on these issues and a creative expansion of their terms would be a fruitful project in that regard.

¹⁹ This is also why we are not too quick to judge or reduce Hegel's *Phenomenology of Spirit* to some clear-cut three moment dialectic which follows a linear progression. Hegel still forms the horizon by which we can approach Hobbes before him and Schmitt and Derrida after him.

²⁰ Again, contrast that with chapter V of Division II of Heidegger's *Being and Time*, where he speaks of the 'two ends of Dasein' as 'being-towards-death' and 'being-towards-birth.' See Heidegger (1963, 425).

The Gandhian fast or the wager that he will go all the way through to self-annihilation is like that false immortal Sovereign sacrificing himself in order to preserve the metaphysical-social body of caste: the new terrorism will then hide beneath the surface of a future, secular, legal, constitutional, liberal democracy pretending to guarantee 'equality, liberty, and fraternity.'²¹ One would have to say in this model, the sovereign turns paradoxically the state of nature into democracy, the idea of law becomes antithetical to individual freedom in the preservation of caste and the enslaved Outside, namely the impure Dalit, and the obligation to obedience is not one to the state or law but the myth of the highest act of Being, namely self-annihilation: the Gandhian event of the fast is the crescendo of the entire system where all can witness the truth of this Hindu metaphysical system, the crossing over, crossing out, passing through to the outside or the rebirth that cancels death. Forcing the witness to the event creates the unconscious obedience, necessary for a type of sovereignty that will then be irreducible to any future Western conception of the social contract and liberal democratic state. What this witness is escapes the vocabulary of Western metaphysics and therefore its political philosophy.

To unpack the totality of this mystery requires a steady dismantling of what is at work in the Hobbesian and Schmittian texts but also the highly original and clever reading of them in Derrida's lectures on the *Beast and the Sovereign*. The post-9/11 historical context of the early 2000s in which Derrida gave those lectures takes on an eerie significance, but for an entirely different historical context, namely the dawn of post-colonial independent India. Both contexts attempt to deal with the phenomenon of 'terrorism.' Through Ambedkar, we find that what appeared to be an act of a sacrificial martyr figure who promised peace, hope, and collective compassion was in fact one of a monstrous Other himself – the inhuman logic to keep certain human beings in an inhuman state precisely in the false finitude of a transcendental immortality rooted solely in myth: that death can be surpassed and hence embraced as the highest act of salvation for all precisely when it is deemed illusory. But this precisely is what did not happen in post-Independent Indian democracy, namely the creation of a non-violent, collective compassion. The caste system remains and therefore the Dalit role of the formerly known as 'untouchable' endures while yet another 'Mahatma' has come and gone.

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²¹ That is what the beginning of the modern Indian Constitution proclaims as its goal. Accessed April 14th 2019 https://en.wikibooks.org/wiki/Constitution_of_India/Preamble.

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