

Criminal or Revolutionary? Determining the Ethical Character of Emergent Terror.

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For the broader community, both organized crime and organized resistance elicit a mixture of fascination and apprehension. This of course is most obviously indexed not only by the multitude of literary and cinematic dramatizations of phenomena and identities that pertain to organized crime or social and political revolution, but also by the newsworthiness of those phenomena and identities. The simultaneous appeal and intimidation exerted upon us by –‘real’ and imagined – incarnations of organized crime and organized resistance is in part a function of the fact that both operate according to codes not commensurable with those bureaucratically implemented to sustain normative moral-civic Law and Order. In this sense, both organized crime and organized resistance can be understood to occur as instances of aberrant or abject particularism; collectivities that are repudiated by, and repudiating of, the ruling order. That is, not only are organized crime and organized resistance groups interdicted against by the Law, but their outlaw status is in fact one that is actively sought.* In contemporary world politics, the dialectic between so-called ‘fundamentalist’ terror networks – such as al-Qaida – and dominant Western economic powers can be read in similar terms. Beyond the self-evident interdicted and criminalized status of terror groups, suffice to observe the sensationalism with which terrorist acts and the appending ‘War on Terror’ have come to be framed by the gaze of the mainstream Western media.¹ Recalling Jacques Lacan’s famous dictum ‘Truth has the structure of fiction’, it is expedient to consider the possibility that this gaze is indicative of our own unacknowledged (and unacknowledgable) libidinal investment in phantasmal figurations of cataclysmic disaster visited upon the West in general and America in particular. Indeed, in *Welcome to the Desert of the Real*, Slavoj Žižek posits that this paranoiac fixation upon images of catastrophic violence visited upon the United States, is borne out in a range of Hollywood films from *Escape to New York* to *Independence Day*, which seem to uncannily anticipate the World Trade Center (WTC) attacks (15). In light of these contiguities between the ways in which organized crime, revolutionary groups, and emergent terror are apprehended, should the latter be properly

understood as a modality of criminality, or is it more appropriate to classify modern terror networks in terms of revolutionary identity?

Criminal Identity and the Sentiment of Guilt

In the first instance, it is important to discern certain structural distinctions between the criminal and the revolutionary impulse. While both operate against, and often beyond, the broader social Symbolic ‘economy of exchanges’, we would like to argue that the feature or complex that most meaningfully defines criminal identity is Guilt. Discussing the dialectical antecedence of Crime to the Law in *(Per)Versions of Love and Hate*, Renata Salecl argues that in the wider social horizon, Crime can be properly understood as the traumatic un-Symbolizable Real around which the Law establishes itself (82). In Hegelian terms, we can say that the Law emerges as the ultimately failed (though not necessarily ineffective) negation of Crime. In other words, although the Law inheres to circumscribe and domesticate criminal phenomena, it is never able to fully do so. In her reading of Frank Darabont’s cinematic adaptation of Stephen King’s *The Shawshank Redemption*, Salecl explains this dialectical matrix in terms of the formation of criminal subjectivity:

The crime committed by the subject destroys the subject’s former identity, since it also touches the unsymbolizable kernel, the lack around which the subject structures his or her identity. Thus, after committing the crime, the subject will never be the same again; he or she will never form his or her identity in the same way as before. The new identity the subject forms in prison thus has to do with the real (related to) crime, or better, this identity enables the subject to escape the real. ... [T]he prisoners do not talk about their crimes, they do not boast about their murders: they all claim that they are innocent and that their conviction was a horrible mistake. They do this not because they are sorry for their past deeds: what is more in the prisoner than he himself, that which makes him a convict – the crime – has to remain hidden, unspoken, in order that he can form his new symbolic identity. (82-3)

So that just as the Law is unable to fully tether crime and criminal identity, the criminal subject is similarly not able to fully elude the Symbolical and moral mandate of the Law (unless of course that subject is completely psychotic).² Therefore in Lacanian terms, the identity of the criminal subject is structured by the Crime committed and that subject’s negotiation of its entailing complex of Guilt. In popular culture representations of

organized crime groups such as the Italian Mafia and the Chinese Triads, group identity can be characterized in terms of that group's collective disavowal of their own investment in transgression. For example, in films such as Martin Scorsese's *Goodfellas* and Francis Coppola's *The Godfather*, Mafioso characters are constantly maintaining that they are ultimately legitimate businessmen who 'bend the rules just like everyone else.'³ This collective disavowal must be properly understood as totalitarian in nature.

Describing the mechanism of collective identification *qua* Stalinist totalitarian socialism, Salecl observes that:

Under [Stalin's] socialism, in the eyes of the Party, everyone was potentially guilty of some crime (not believing in the regime, petty theft at the workplace, bribery, etc.). But this was not the guilt that really traumatized people; another more horrible guilt was that most people collaborated in some way or another with the regime (they denounced their colleagues to save their own skins, they did not oppose injustices when they should have, or they simply kept quiet). And it was guilt for this "crime" that essentially determined their identification with the system. People did not consciously identify with the regime, but formed their identities around the trauma of their guilt. (85)

Salecl's notion of the 'totalitarian exploitation of guilt', then, can be applied to the way in which collective identification operates for organized criminal factions. In order to prove his allegiance to the organized crime 'family' the criminal subject-to-be is customarily asked to perform a murder. Often, the designated target is either someone to whom the killer is emotionally connected – such as a childhood friend or sibling – or whose murder would constitute a violation of some other social or moral taboo – such as a priest or social worker. Of course upon completion of his task, the killer is interpellated into the criminal collective because he has become a part of the cycle of Guilt which he has to, in turn, disavow in order to maintain the Symbolical semblance of his identity. In this way, Crime, and the entailing 'sentiment of Guilt', *subjectivates*[▲] the transgressive individual because it renders a subjective identity for that individual by forcing him or her to construct phantasmatic narratives which sustain Symbolic identity against the Real of Crime. That is, it is precisely the sentiment of Guilt that links him or her to a collective disavowal because it not only frames the recidivism of that subject, but also sustains his or her complicity to the criminal coterie in question.

The Ethico-Ideological Cause of Organized Resistance as *Sinthome*

In contrast to the primordial locus of the criminal impulse, the revolutionary impulse is one that is borne out of the realm of normative Law and Order as violent excess. Moreover, although the revolutionary figure is often criminalized by the ruling order, it is significant that the Symbolic identity of most organized resistance groups is nonetheless structured in terms of their constitutive antagonism with organized crime. In other words, at the level of explicit social codification, the collective identity of the revolutionary group is primarily compounded against the register of criminality and moral dissipation. For example, it is widely documented that the Black Panther Movement of the American 1960s and 1970s asserted a differential identity against prevailing organized crime syndicates and worked to put an end to gambling rackets and prostitution rings in black underclass neighborhoods. We can thus say that it is the very point of equivalence between organized crime and organized resistance (viz. crime) that constitutes their incommensurability with each other.

This antagonism between the organized crime coterie and the revolutionary collective can be further understood in relation to *the* fundamental feature that defines the ethical identity of the latter. Namely, that group's unyielding adherence to an ethico-ideological Cause. For both the subjective identity of the revolutionary individual and the constellation of intersubjective collective identification of the resistance group, this Cause is conferred with the status of *summum bonum* and functions as a fundamental structuring principle or what in Lacanian psychoanalysis is called a *sinthome*. In *The Ticklish Subject: The Absent Centre of Political Ontology*, Žižek explains of the Lacanian *sinthome* that it is a knot or point at which all the lines of the predominant ideological argumentation meet (196).⁴ Therefore, as *sinthome*, the revolutionary Cause is what sutures both the public aspect and intra-structural cohesion of the organized resistance group. In the first place, the adherence to, and public promotion of, this Cause affords the revolutionary group a point of coincidence with the greater populace. In order not to *appear* anti-social, the revolutionary group must at the very least maintain/project the *semblance* of their Cause as its proper Symbolic identity. Via their Cause, the message to the public takes the form of the familiar refrain of revolutionary militia groups

throughout history and around the world – from the Jacobins of the French Revolution to the insurgent East Timorese struggling against Indonesian colonization, the message is: ‘Although we oppose the governing forces, we are on the side of the people’. In this way, the Cause also protects the revolutionary group from utter deracination from the ruling order because it effects a tenuous charter, which partially franchises its ideological and extra-ideological transactions. Secondly, because of the inevitable element of corruption and criminality of individual members that constitutes any revolutionary group, and because of the subjective desires and competing exigencies of those members, the revolutionary Cause provides what in Kantian terms would be a *noumenal* site of coincidence whereupon all members are in intersubjective Symbolic accord. To wit, the Cause creates for the microcosm of particularities a united front against organized crime groups and the dominant order.

We have argued above that the meaningfulness and/or efficacy of the revolutionary ideological Cause, of that feature that delimits the organized resistance groups against the abyss of Crime, relies greatly upon its amenability to the general populace. What this means is that the Cause must pertain to the axiomatic Hegelo-Kantian notion of the ‘common Good’ insofar as its public semblance must be sanctioned by a significant fraction of the general populace. In *Emancipation(s)* Ernesto Laclau observes that:

The starting point of contemporary social and political struggle is ... the strong assertion of their particularity, the conviction that none of them is capable, on its own, of bringing about the fullness of the community. But precisely because of that, ... this particularity cannot be constructed through a pure ‘politics of difference’ but has to appeal, as the very condition of its assertion, to universal principles. (51)

Therefore, although the particularism or ‘strategic essentialism’ of the revolutionary group achieves its differential identity against Crime and the ruling order, its very constitution relies upon a level of complicity with, and an avowal of, both of the latter. This is why one of the chief tactics deployed to undermine revolutionary groups consists in alienating the public Symbolic identity of the group in question (or its members) from any public identification or support. Returning to the example of the Black Panther Movement, this strategy is exemplified by the well-known efforts of the FBI’s

COINTELPRO to criminalize the Black Panthers in the public eye. Regarding the structural relation between organized resistance groups and the ruling order, the ethico-ideological agenda (in the form of the Cause) subscribed to by the former, at once posits an alternative socio-political universe, whilst it mirrors or substantiates certain aspects of the latter. So that the very assertion of differential identity, the very resistance against those sectors of the ruling order that marginalize or ‘oppress’ that resistance group, must be based upon a ground of principles that not only transcends the particularism of any group, but which constitutes the locus of intersection for all groups within that political milieu.

Concerning *any* political matrix, the Universal is, of course, an empty signifier. Each particular or material manifestation of ‘politics’ is nothing more than the bid to occupy the empty space of the Universal or Master (S_1) signifier. And this is specifically what Žižek means when he appropriates the logic informing Lacan’s infamous maxim ‘Woman doesn’t exist!’ and declares that ‘Society doesn’t exist!’:

the Universal emerges within the Particular when some particular content starts to function as the stand-in for the absent Universal – that is to say, the Universal is operative only through the split in the particular ... Owing to the contingent character of this link between the Universal and the particular content which functions as its stand-in (i.e. the fact that this link is the outcome of a *political* struggle for hegemony), the existence of the Universal always relies on an empty signifier... Since ‘society doesn’t exist’, its ultimate unity can be symbolized only in the guise of an empty signifier hegemonized by some particular content – the struggle for this content is the political struggle. (*Ticklish* 176, emphasis in original)

Since there is no ‘politics’ outside the order of the (necessarily empty Master) signifier, and since politics exists precisely because “Society doesn’t exist”, the project/Cause of social redress around which the collective identity of the revolutionary militia is structured, can be thus conceived as a properly ‘hegemonic struggle’. In other words, the status of the dominant or mainstream ideology as universalized Might/Right must be understood as one which is provisional: it can only ever be another ‘particularism’ which at that moment, within that milieu, is ascendant in the hegemonic struggle. Moreover, because this ascendancy is not temporally permanent nor structurally immutable, the

moral and social order adhered to by the public facet of the revolutionary group, is able to posit itself as an alternative to the extant moral and social order.

The Ethical Character of Contemporary Terror

Like criminal and revolutionary groups, modern terror organizations such as al-Qaida occur as a kind of excess. However, while crime is the excess that the Law tries to domesticate, and revolution is the excess of the hegemonic struggle, we would like to argue that the surfeit that contemporary terror represents can be more appropriately understood in terms of a context of global economic concerns. In the first place, it is important to draw a structural distinction between the different Islamic groups or nations propagandistically homogenized as ‘fundamentalist terrorists’ through the gaze of the Western media and various economic interest groups and governments: it is clear, for example, that in the case of the Chechen rebels and Palestinian groups such as Hamas and Fatah Al-Aksa, terrorist violence is mobilized as part of a hegemonic bid for self-determination. There is nothing unique or new about the ethical character or underlying rationale of these revolutionary groups since their struggle is structurally consubstantial with the struggles of similar groups through history and around the world – from the Native American retaliations against white settlers to the Irish Republican Army’s bid for the end of partition, these resistance groups are *sensu stricto* hegemonic since they are organized around an ethical-moral Cause that is based upon universal or universalizable principles such as freedom and self-determination.

In contrast, terrorist violence associated with emergent collectives such as al-Qaida is unique insofar as it issues not out of specific nation states nor crime organizations, but rather from what we have referred to earlier via Laclau as a pure ‘politics of difference.’ As is the case with the above-described ‘traditional’ organized resistance groups, contemporary or emergent terrorist networks are similarly organized around a Cause as sublime Thing. However, in contrast to the traditional revolutionary Cause, the Cause of modern terror groups emerges not to engage or renegotiate the hegemonic order but to obliterate it. Insofar as the political rhetoric of these groups involve the complete and unconditional rejection of the hegemonic conditions imposed by the forces that are

opposed, the underlying impetus of such terrorism must be read as one that serves to negate the universal signifier occupied by those prevailing forces. In elucidating the two key considerations for factions engaged in hegemonic resistance, Laclau explains that:

... the struggle of *any* group that attempts to assert its own identity against a hostile environment is always confronted by two opposite but symmetrical dangers for which there is no logical solution, no square circle – only precarious and contingent attempts at mediation. If a group tries to assert its identity *as it is at that moment*, as its location within the community at large is defined by the system of exclusions dictated by the dominant groups, it condemns itself to a perpetually marginalized and ghettoized existence ... If, on the other hand, it struggles to change its location within the community and to break with its situation of marginalization, it has to engage with a plurality of political initiatives which take it beyond the limits defining its present identity – for example, struggles within existing institutions. As these institutions are, however, ideologically and culturally moulded by the dominant groups, the danger is that the differential identity of the struggling group will be lost. (49, italics in original)

Here, it is evident how Laclau's schema might be viably applied to determine the ethical coordinates of actions and strategies mobilized by the traditional revolutionary group in achieving the fruition of its Cause. However, since an organization like al-Qaida seeks not to engage in any "attempts at mediation", it is neither affected by Laclau's "system of exclusions", nor does it risk ever losing its differential identity by becoming subsumed by what it opposes.

So how are we to articulate the ethical identity of such a modality of terror? Can we ascribe its radical otherness to the incommensurability between Islamic and Judeo-Christian frameworks of morality? Or can we say that the al-Qaida brand of terror is an evolutionary permutation of an ultimately bloodthirsty dimension of Islamic doctrine? In his examination of the WTC attacks, Žižek argues that regarding groups such as al-Qaida, we are not essentially dealing with a feature inscribed into Islam as such; indeed, in his formulation, the phenomenon of emergent terror groups does not have all that much to do with religion in itself. Rather, he proposes that the so-called Muslim fundamentalists of contemporary terror are not in fact 'true' fundamentalists – they are always already 'modernists' inasmuch as they are a product of modern global capitalism. He rhetorically asks:

are not ‘international terrorist organizations’ the obscene double of the big multinational corporations – the ultimate rhizomatic machine, omnipresent, albeit with no clear territorial base? Are they not the form in which nationalist and/or religious ‘fundamentalism’ accommodated itself to capitalism? Do they not embody the ultimate contradiction, with their particular/exclusive content and their global dynamic functioning? (*Welcome* 38)

Therefore, the problem of articulating the ethical character of contemporary terror is simultaneously the problem of articulating the ethical character of globalization.

Contemporary terrorism is not an excess that eludes the Law nor is it an excess which issues from the hegemonic struggle in the same way that organized resistance groups can be conventionally understood. Rather, the radical character of emergent terror organizations such as al-Qaida is directly the result of a trajectory of modern political and economic reform. Žižek explains that one of the ways in which this dialectic can be observed is via a consideration of the political and economic ties that inhere between the United States and repressive ‘anti-democratic’ governments in the Middle East:

The Muslim ‘fundamentalist’ target is not only global capitalism’s corrosive impact on social life, but also the corrupt ‘traditionalist’ regimes in Saudi Arabia, Kuwait, and so on. ... Beneath the opposition between ‘liberal’ and ‘fundamentalist’ societies, ‘McWorld versus Jihad’, there is the embarrassing third term: countries like Saudi Arabia and Kuwait, deeply conservative monarchies but American economic allies, fully integrated into Western capitalism. Here, the USA has a very precise and simple interest: in order that these countries can be counted on for their oil reserves, they have to remain undemocratic (the underlying notion, of course, is that any democratic awakening could give rise to anti-American attitudes). (*Welcome* 41-42)

If we agree with Žižek’s reading, what is troubling here is not simply that it is the system of exclusions and privilege engendered by global capitalism that has largely contributed to the production and development of contemporary terror organizations. Also disconcerting is that the *other* corollary of globalization is the rise of totalitarianism in the West. One of the key concerns of *Empire*, by Michael Hardt and Antonio Negri, is that two of the products of global capitalism are the formation of authoritarian Nation-States and the incidence of unlikely political alliances between a multitude of distinct ideological particularities that oppose globalization. Regarding the latter trend, we have already witnessed massive assemblies of anti-globalization proponents made up of a

diverse cross-section of hitherto discordant, marginalized, ideological factions and NGOs – from Anarchists and left-wing environmentalists to Right-wing groups such as the French ‘National Front’, and from human rights activists to conservative agricultural groups and unionists.⁵ Can we thus not also discern the emergence of ‘fundamentalist’ terrorist groups as part of this trend? And on the opposite end of this spectrum, can we not also apprehend in the ‘War on Terror’ the materialization of authoritarian structures and policies? Regarding the 2002 decision of the European Union to establish an all-European border police force to prevent the influx of immigrants, Žižek observes that:

This is the truth of globalization: the construction of new walls safeguarding [the] prosperous from the immigrant flood. One is tempted to resuscitate here the old Marxist ‘humanist’ opposition of ‘relations between things’ and ‘relations between persons’: in the much celebrated free circulation opened up by global capitalism, it is ‘things’ (commodities) which freely circulate, while the circulation of ‘persons’ is more and more controlled. (Welcome 149, emphases in original)

This totalitarian feature of globalization is incarnated not only by the American government’s policy of military unilateralism – for example, concerning the assault against Iraq – and the ‘War on terror’; which, along with its appending social, political, and economic trajectories, have produced a culture of paranoia and a society of reduced personal freedoms. It is also evident in the collective disavowal of the obvious evidence of our (viz. ‘we’ in the West) own investment in the system of exclusions and privilege that have in turn engendered this new modality of terrorism, and our continued investment in that system. This disavowal, that can be characterized in terms of a psychotic split between the (Real) Knowledge of our culpability and the (Symbolic) Belief in our innocence, is palpable in two material examples pertaining to current circumstances in the Middle East. Firstly, in the fabrication of Iraq as a threat to world peace, what is at work is the totalitarian mechanism by which a paranoid fear and distrust of the other is fostered in order to marshal support for, and identification with, the authoritarian Seat of Power. In other words, in the name of protecting against the threat of Iraq’s putative ‘Weapons of Mass Destruction’ a state of emergency can be maintained – the rest of the world, of course, is hystericized by the ‘forced choice’ of Bush’s injunction: ‘You’re either with us or against us’. In the second illustration, this psychotic

split can be discerned in what Žižek refers to as a ‘short-circuit’ between the formal Letter of the Law and the *jouissance* of its obscene Superegoic supplement of ‘unwritten’ codes.⁶ This is exemplified by the (split) position taken up by the American military in response to being exposed in the media for the systemic culture of torture, sexual abuse, and other mistreatments of Iraqi prisoners. On the one hand, the military is adamant that the documented instances of the torture and humiliation of Iraqi prisoners merely reflect isolated events, and cannot be indicial of the ‘true’ identity of the military;[♦] and on the other hand, is the position maintained by the military that the Geneva convention does not apply to these prisoners because they are ‘Enemy Combatants’ and not ‘Prisoners of War’ (implicit in this second standpoint, of course, is the justification to use ‘any means necessary’ – including torture – to extract information from such prisoners). Needless to say, this split between the contradictory positions of the disavowal of culpability, coupled with the self-righteous justification of brutality, is structurally equivalent to the earlier-described totalitarian disavowal of Guilt that achieves collective identification for criminal organizations. It is therefore clear that the most serious threat in the world today is not the possibility of being targeted by terrorists; rather it is the threat that we ourselves pose to the horizon of democratic possibility. Indeed, one sure index of a totalitarian society is the fetishistic elevation of the Self to the status of the subject with special access to the Thing. In the aftermath of the WTC attacks, it was widely proposed by the Bush administration and other conservative groups that the terrorists attacked America because ‘they’ were jealous that America was the only true paradigm of democracy and freedom; does not this heroization of the ‘special’ status of Americans recall Joseph Stalin’s infamous assertions regarding the “special stuff” that putatively constitutes communist identity?

Notes

* Excluded here of course are legislated forms of resistance such as union strikes or civilian product boycott.

♦ One military spokesman even questioned the authenticity of the evidence, recommending that the photographs and video footage was probably the work of terrorists seeking to damage the reputation of the American military.

¹ Needless to say, with the advent of ‘embedded reporting’ in the wars engendered by the Bush administration in Afghanistan and Iraq, this commercialization and melodramatization of war and terror is taken a step further: the horror of war and terrorism is transformed into prime time entertainment that resembles ‘reality TV’.

² The psychotic subject is not able to identify with the social ‘reality’ of the Symbolic order because the ‘Name-of-the-Father’ is foreclosed. In other words, for the psychotic subject, the Symbolic falls into the Real.

³ One of the reasons that this mechanism of collective identification functions so effectively is because of the criminal or corrupt dimension that inheres in the Law. The criminal subject’s disavowal of his culpability can be justified inasmuch as the execution of the Law is never able to fully fulfill its own moral mandate.

^the term 'subjectivate' designates the moment of becoming a subject of a Symbolic/signifying matrix via the process of interpellation. It is used by many contemporary theorists who draw from Lacan and/or Althusser (e.g. Judith Butler, Žižek, Badiou).

⁴ Although the Lacanian conception of *sinthome* is developed from the Freudian notion of the ‘symptom’ (the former term being the archaic spelling of the French symptôme), during the latter stages of Lacan’s development, the *sinthome* is increasingly established as being not identical to the symptom insofar as the latter is an index of some more fundamental process occurring at a different level to that which it is ancillary to, whilst the *sinthome* is that which sutures the Thing (the Freudian *das Ding*) itself.

⁵ This point is a development of a similar observation made by Žižek in *Welcome to the Desert of the Real*.

⁶ This notion of the “short-circuit” is prevalent throughout Žižek’s writing but its application to totalitarian authority can be found in *For They Know Not What They Do: Enjoyment As a Political Factor*.

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