

Amanda Beech

‘We Never Close’ –Techno-culture and the Force of Law

**published in Episode: *Pleasure and Persuasion in Lens-based Media*, Artwords
Press, 2008, eds. Joseph-Lester, Beech and Poole**

Now, more than ever, cultural studies and philosophy as well as artworks are designating a (re)turn to materialisms that propose new legitimacies of socio-political empowerment without predicating this power on a revolutionary politics. Here, the tendency is to identify art as participating within the formation of the political from within it; to resist identifications of normative power; to avoid theological paradigms, or absolutist grounds for concepts of political agency, and to turn to systems of relations between bodies and spaces instead.

This move has effectively ensured art its place as a form of the political. It is drawn into a culture of everyday praxis that destabilises the formal connections made between image and power and culture and politics that antimodern, as well as Marxian and Enlightenment inspired theories had paradoxically established and struggled to overcome. Theories that example this such as Debord's *Society of the Spectacle*, or Adorno and Horkheimer's *Dialectic of Enlightenment*, underscore the 'culture industry' as implicitly connected to the abstract power of capital. Here, power is understood as technological in as much as it is non-natural and constructed but it is also understood as an unlimited field of political dominance. For Adorno, the culture industry ensures that images are at the behest of capital. This dialectic between money and images ensures that images reproduce the conditions of capital and are constrained to support its ideologies through the industrialisation of images in populism, mass entertainment, kitsch and muzak. It is only by developing an ambiguous zone, an 'other' space to the 'real' tangible world of the political that culture can be instrumental to the political. Similar political questions are put forward by Debord such as how do we produce an organisational politics in the face of the

groundlessness and instability of images that hide and yet establish power? How do we discern our manufactured fictional lives from our real social lives? In response to these issues, both Adorno and Debord reason out new relations and divisions between culture and politics - to either separate out or to confuse the relation between image and meaning, to *undetermine* meaning in ambiguous stratas of praxis, where the form of anti-image can access a politics that is more 'real'.

This need to upset the condition of image-power presupposes a connection between the magical and omnipresent terrain of unknown and absolute power and the culture of the image. Power is powerful because it is ubiquitous, charismatic and ambiguous, Power is powerful because it is unstable. In these characterisations culture is linked to the dominance of Capital, the artificially constructed technological force that nevertheless has total ability in organising our lives. This is where a new culture must be borne out that can redeem the social-political sphere, where a culture that is sceptical about meaning is enough to disclose the truth that is hidden behind images. To rehearse this just a little then: on the one hand culture is capable of redeeming the political because it has the power to show us its own artificiality and therefore make us aware of the truth behind language; but on the other hand it is used by those in power to control others in its construction of assumed realities. Culture is given the status of both good and evil, it is the mark of our freedom and our unfreedom, it is an ethico-aesthetic transcendental figure distanced from the rudimentary and particularised world of the political.

Obviously, this way of thinking sets out a number of problems wherein an ontology of media is the refrain of those who have power and the those that seek to destroy it. This ontology is also a theology of the image that withdraws itself from politics within the political. Because images are linked to good and/or evil, they become a form of power that remains unthinkable within the political field. In other words, this is an idealisation of culture as capable of revolutionising the social, and as controlling it. It is this that maintains culture's distance from politics as a ubiquitous power that is as weak as it is special. This idealisation and rationalisation of language and power forms the polemic between culture as 'artificial' and politics as 'real'. It is another construction that witnesses how although the abundant illusions of socio-cultural freedom underscore our domination, a theory that tries to escape this problem nevertheless produces the most illusory field of all, the illusion of freedom from images themselves.¹

This question of how we understand this dual condition of *the abstract nature of language* and *the nature of abstract languages* is especially important when a drive to materialism risks the possibility of systematising these two categories together, firming up meaning in a new representationalisms; a process that designates what freedom is and means. We could call this the space of the totalitarian, a Foucauldian technocratic society, or, in Giorgio Agamben's terms, 'the state of exception'.

Forcing the abstract

We know from Nietzsche as well as Heidegger that the problem of how we live with this problem of abstraction is an old one. The trouble with representationalism is made even more stark when we consider Ernst Jünger's literature that sought to overcome this exact problem of the metaphysical qualities of this language/power dynamic. In his antimodern fantasies from the 1930's images of industrial technology take on the ubiquitous power of Capital. Jünger writes: 'In our technical era the individual appears to be evermore dependent, "unfree" and endangered but the nature of these bonds are less visible than those of the feudal era. Hence they are even more absolute than the absolute monarchies.'² For Jünger, the technology of Capital is absolute omnipotent power, which he literalises as techno-image in various images of banal industrial and yet apocalyptic violence. This techno-image is material power, a power that Junger conjures – where to see it is to be equivalent to it. In this, he creates a real-life literary fantasy, where power in the form of war ships, guns and metal acts as the primary site for empowered subjective encounters within the political. The ubiquitous threat of Capital is realised in a thinking of world as 'image-experience' where sovereign power is made concrete and visible. At the centre of all of this is the biological technological subject – *the figure of the aesthete*, a subject of *techné* who has to test his mettle by holding close and becoming one with force in a romantic drama of self-sacrifice, pondering horrific images with the austerity and cool delights of the dandy in an intermingling of activity and passivity, of distanced control and immersed attraction, where the romantic sceptic must 'unravel the logic of violence.'³ To do this, this figure must assimilate technological power *all the way down*. The violent yet sensitive eye of the aesthete is the locus of redemption, struggle and power.

Quite clearly, Jünger's theory sought to overcome the problems of a representationalist metaphysics as well as the problems of Marxian dialectics by refusing to revolt against Capital as a form of bad dominance by imagining *a living with* power as real fictions instead. However, in literalising power through industrial technology and the capabilities of a progressive media-culture, the exact identifications Jünger makes for his *heroic realism* serve to exemplify the problem at the heart of this theory. In this, it is clear that Jünger's identification with agency is an *over identification*, making power more monstrous and paranoiac than ever. Dominance as language is given an image of itself, its power is iconic and its image is technology. This pictures a totalitarian nightmare or sci-fi horror of an *absolute techno-culture*, where faceless mechanistic power controls right the way down from the alarm clock that wakes us to the camera lens whose documentary power brings violence ever closer.

Although its fairly easy to see how a Jüngerian world acts as the precursor to unrelenting contemporary fears of an immanent absolute power that lies at the core of civilisation - *the horror of the totalitarian* - the problem with Jünger's work is not so much that his fictions promise the realisation of a public technological violence, but rather that they are reclusive, drawing themselves away from the political where power becomes a site of self-reflexive sacrifice and antagonism within the private, peripheral and poetised moments of life experience.⁴ Jünger's work standardises itself as fictional not because it is too inventive a fantasy, but simply because it is based on

rationalising unworkable categories of experience. At the very point Jünger's work gets pressed into service it becomes an impossible fantasy.

These problematic conditions of knowledge and power are evident throughout Jünger's project as much as Adorno's. For Adorno it is figured as the culture industry that we must resist and in Jünger as a harsh scientific cosmological vision that we must sacrifice ourselves to in dark, cultic and private struggles. Both zero in on technology as connected to the dominance of Capital, both classify the operations of technology as simultaneously constructed and effective (real), and both identify this as a ubiquitous power in the everyday. Moreover, these identifications of power, problematically result in different dialectics where certain organisations and presuppositions that knowledge of contingency leads to or generates the conditions for its transcendence – a transcendence that is levelled at private and dislocated spheres of experience.

Jünger's theory of *agency with power* reminds us that a politics of identification is both rationalising and universalising but most significantly here we can see how these activates are connected up with establishing power as an essential truth, where we see again the truth of power as the abstracted culture of technology. Given this, the issue we are faced with now in a post-industrial world is how a politics of aesthetics can take into account how media culture is understood as an effect of social dominance. To what extent can the image and operations of techno-power be moved away from the ethical and understood as political, in that it can reform understanding and reconstitute belief? If identifications of power are mutually rationalising and

universalising then are these mechanism capable of operating without the same standards of truth that support and problematise these theories above?

An ontology of affect

The great hope of a non-representationalist theory of language is to do away with this set of referents altogether by understanding that there are no grounds for action, that at best language provides an unstable bedrock for action and that there is no primary or original identification for a politics of democracy. This is a belief a non-hierarchical and un-regimented view of what power is, looks like and could be, where we get over the either or distinctions we have just seen - between total public domination or private politics, and so it goes the idea that we can separate techno-culture out into categories of it being both constructed and real.⁵

Action – the use and affect of language - makes up this field and which realises those forms of being and representing together, elements that we might previously have separated. Through action, language is embodied experience, where knowing and doing are entangled in a new unity and theory and practice are united; the acts of demonstration and representation are now interconnected and the real and the representational are coterminous. Language and our practice of it are understood as a series of events, taking up and changing forms of exchange, agreement and disagreement. The thesis is that the political space is ever changing, where politics renews and invents itself over time. Here, we are to keep in mind the difficulty of

dealing with language since there is no logic to experience as such, that there is no absolute hierarchy to meaning, and meaning is developed through particular contexts and events.

However, what becomes interesting is how we are to think through this ‘open’ condition of action without idealising this exact condition as our primary identification of power, namely, without repeating the same problems of rationalising, idealising and representing power as I’ve just shown. This is when the declaration of ‘no grounds’ risks becomes ground itself – *the ground of groundlessness*; where our identification of world as language creates a new ontological security – a new totality from which to pin our hopes. This theory of contingency therefore relies upon a politics of non-identification that can be seen to be deeply problematised as soon as we begin to examine the practice of this ‘openness’ as a distinct aesthetic and political claim, for this openness has an aesthetics that is technological, dynamic, forceful and violent. It promises a larger truth – an undisclosed onto-theology of cosmological proportions.

Techno-force

The force of declaring ‘openness’ in this embodied technological dynamism is clearly the case in the massive Jerry Bruckheimer franchise *Crime Scene Investigation* or *CSI* New York, *CSI Vegas* and *CSI Miami*⁶ where representations of technology as the law are the defining characteristic. The basic premise of *CSI* is that good looking,

sharp talking criminalists solve crimes through an exact science. These people are not the police, in as much as they don't enforce law. Instead their science, with a rhetoric to match, does the work of justice. In these episodes, we are privileged to see the charismatic underworld of justice, where dark rooms, neon lights, phosphorescent gels and delicate spinning million dollar machines inhabit the work of justice, and Horatio Kane (David Caruso) from *CSI Miami* reminds us of the immortality of the law, this open field of techno-power, by saying, 'we never close'.

The solid declaration of this matter of fact statement is also a warning. This threat is matched by the aesthetic form *CSI* takes where form is speed that is the effect of truth, fact and justice. Here, dynamic camera sweeps that are as much subjective as mechanistic move us as viewers faster than high-speed car chases through the lab, through the body, tearing through bone, tissue, throwing us around blood vessels, shooting up arteries and then out the other side. These cameras do the work of law, and they are us. They are *truth in action*, ensuring that the guilty are sentenced, without the problems of moral debate. This is all delivered in a lexicon of edits, swipes and jolts transports us to the level of mobility as the force of law. This dynamism is our contingency with the law, where this kind of action is not found when we simply watch machines work, but rather when the camera itself takes the status of the machine as the central protagonist or justice seeker.⁷

This is not a camera that surveills us, there is no static point of power or panopticon to imagine, rather it is a camera/subject that simply is truth.⁸ Metaphors are now the mobile agents of politics and those metaphors continue to reflex upon an aesthetics of

violence that is dedicated to the work of technology in varying rhetorics of speed, mobility, and the flux of process. Here, technology is not above the law, it is immanent to it. It is the highest form of law – it is abstract transcendent matter that we live with, through and are as such one with. Therefore, most significant to *CSI* is that the work of both law and technology is effective; it is dynamic, operational and active. This open field of action as ideal material demonstrates the constant pressing of power - the relentlessly political – or the political totality. Abstract openness here is the domain of force; it is the declaration of the infinity of the law and the impossibility to exist outside its jurisdiction, even more so, the force of its reason is the place of law. The equivalence between openness and democracy is now characterised by and as force, it is the place of constraint where rational power figured in and through technology is radically subjectivised as non-negotiated power.

Stable mechanisms of power

It is here where we could say that the entangling of image and action rather than loosening or opening up the possibilities for what a political might be, instead risks figuring a mobile temporal technological force as *the identification* of power in contemporary culture – *an image of action in action as the ethical - aesthetic paradigm of a deeper rationalisation of techno-power*. Whereas in Jünger's theory, a picture of mechanisation is directly correlative to power, in this latter description, language is something that encompasses *all experience*, the *picture is the mechanisation itself*. Therefore, paradoxically this ultra-free space of relations,

meanings and events could be claimed as a re-standardisation of power as spectacular scientific reason, a realism written through an economy of experience, where technology (the process of knowledge) is figured as central to power and power is violent. This is in its most traditional form, the conservative logic of Capital, whose ubiquitous mechanism of mobility and whose principle of the infinitely processional is grounded as rationalised, real and absolute power in the socio-political. Simply put, language as effect embeds power and makes politics impossible.

The persistence of the technological image we see evidenced in *CSI* despite this turn to embodied (non-representational) power could tell us, as Jacques Rancière has already, that our principles are as intact in the postmodern condition as they were in the modern, and an ethics (aesthetics) of politics is still a concern for political freedoms that thought they had escaped such rule driven economies.⁹ Here, Rancière's identification of an 'aesthetic regime' points again to a problem of philosophy itself, namely, that a predilection to philosophise connects representationalism to rationalism where distinct Platonic categories are set up and worked upon between art and non-art, culture and politics and art and life. Here power is attributed again to the mechanism of reason – an operational force that is shared by those who have power and those that seek to destabilise it. These mechanisms reproduce sameness because the same rationalising mechanisms that stake out divisions between meaning and image, and culture and politics are in place throughout the arrangements, conflicts and configurations of politics and aesthetics.

For Rancière, the aesthetic regime is not ‘figured’ in his theory as a form of abstract power, it is instead understood as the repetition of the same set of techniques that rest on the same (and as Rancière recognises, incorrect) understanding of what agency is. In opposition to this, art in the ‘distribution of the sensible’, does not mask or stand in for power, nor is it given the task of materialising abstracts into the specific in a cause and effect relation; ‘[T]here is no formula for an appropriate correlation.’¹⁰ Instead, by refusing to connect art up with any specific agenda this politics of aesthetics produces the equalisation of culture to forms of life.

However, how Rancière identifies the ‘aesthetic regime’ and in particular how art per se is given the task of problematising the nomenclatures that make it up is problematic. This is because, for Rancière, art is mutually passive and active, newly configured as central to a ‘third way’ politics. In a form where the artist is to select ‘heterogeneous elements’ which are then ‘clashed together’ art provides a problem for interpretation. Art is the difficult object that produces a sense of the uncommon and a demand for discussion and new interpretations. Through this demand, art conditions commonality and it invigorates difference as the catalyst and centre to the political. It is a stage for argumentation, conflict and change - the primary grounds for interpretation.¹¹ However, in order for art to establish itself in this way, it must recognise heterogeneity, and knowing just what this is raises a question of identification that seem at odds with these processes. How art takes up the call to the heterogeneous and identifies what this is remains a question, when the politics of that identification risks a neo-Platonism. Ultimately, although Rancière poses the necessary question in critiquing how art is understood to be *doing politics*, and resists

literalising culture to politics in cause and effect relation, how we produce the kind of texts that we choose to take as our commonality, and in how we identify the context for our culture of equality remains in question. Therefore, how *this* hierarchy of *culture as the political* and a theory of an equality of inequalities in a *politics of the sensible* square with, conflict with and can even be thought through each other is still key.

Realism without truth

By examining the configuration of agency in *CSI* we can reformulate this problem. Can the configuration of space as contingent, dynamic and differentiated supplant the representationalism that we have seen in theories that invest, like it or not, in Platonic structures of culture and the real. Not only that, but can a politics of identification even contest these structures – can they unravel itself from the privation of agency as well as these Platonic rationalisations of cause and effect that seem to secure it?

In this latter question, what I have tried to point out is that although the identifications *CSI* makes are deeply conservative (where revenge is OK so long as its sanctioned through justice and the death penalty is relished), it would be incorrect to claim that this aesthetic of technological violence points to any larger truth, whether that is the logic of spectacular Capital, or that its predilection for an aesthetics of technology is indicative of its adopting the processes and therefore re-affirming an aesthetic regime. As I have shown, defining those norms as ‘truths’ serves little use for dealing with the

concerns of political freedom. Rather than produce identifications through formal criteria, that would include connecting up episodes like this with deeper realities in some correlation between the plural and the singular, or the abstract and the particular we can instead think through how these forms have object status in themselves. In simple terms, what is potentialised here is the possibility for identifications that do not produce the knowledge-power conditions between the private-public and the normative-singular that underlie the arrangements we have seen in Marxian/Platonic theories of organisation/identification.

In this way, the structure of action-image-knowledge proposed in *CSI Miami* allows us to rehearse three conclusions where *CSI* not only allows us to see the limits of theories of non-identification, but offers up new opportunities of thinking through the condition of image-force:

First, the operations of image-force in *CSI* allow us move past the continued false hopes that are often implied within phenomenological, relational, evental and temporal theories of language since any setting up a resistance to ‘image’ as equivalent to a resistance to ‘power’ by privileging experience, invites the paradox of declaring that there are no grounds for agency and then establishing those grounds anyway. This tells us that refusing identification does not overcome those problematic correspondences between the real and the representational, or between image and experience. Instead, the effect of non-identification embeds a correlationalism – a hard wired connection between power (such as Capital or Justice) and its effect (technology). This is the contradiction that in seeking to promote our *natural*

coincidence with the law in as much as we embody it, the law is shown as an agreed upon reality, and at will.

Second; we can easily take this point to a liberal-critical arts practice, in as much as Horatio Kane understands that universalising is a force of law and it doesn't. In other words, *CSI*, does not involve itself in a politics of experience to resist identification, rather *experience is identification*. This form of political power is what phenomenologically orientated and 'relational' arts practices work hard to deny, that is the immanence of identification to action. Instead, what is incorrectly proposed in a plethora of arts practices is a politics that recognises and is free from the force of law, and that the exertion of force over others is therefore an avoidable problem.¹²

And third; since the dynamic of image-force-experience-power privileged in *CSI* moves us to re-open issues around a politics of identification as a place of force, we must re-think socio-political space and the potential for new configurations of it without materialising meaning away from the abstract to the particular or attempting to escape it altogether.

This final point on our contingency to language returns to the question as to whether or not this condition of embodied experience as the law can produce non-Platonic conceptions of agency. By re-thinking this space of reason as a non-exclusive part of thinking-action the fear of a radical freedom of the law as an immanent total(itarian) violence is out of the picture, precisely because this antiformalism destabilises any ontological claims that would guarantee space outside the law that this power

requires. However, the identification of our contingency remains the ground from which we hinge our decision-making and, in opposition to a negative theology, where identification is rejected as necessarily bad, it is clear that society (as a form of political power) must, and still continues to identify itself, which means of course, how, and what forms of power are identified becomes paramount. What this points to is that any identification of power is always a question of inequality, and perhaps most importantly that this inequality is identified when the abstract languages that we use and rely upon prove themselves as unworkable for a politics we seek.

As I have shown, understanding universals as substantive claims does not undermine or weaken their power. This is just another form of ideal materialism that relies upon a politics of truth. Power is therefore not produced through the inequality of an image to a pre-given reality, to a breaking down of its representational claim, or in witnessing the limits of representation. It is experienced instead when two realities are set in conflict with each other through their operations.¹³ In this way we could say how these acknowledgements are made, and the identifications they produce remains central to any description of our future. Therefore rather than think through any opposition to Platonic categories of power that include within that opposition all the problems of tolerance and respect for it, we are offered a singular, non ontological and non-teleological space of action. The question here is not whether we know whether we are universalising or not, but is instead a question of how our universalising marks out the political. If we understand that any identification stakes out an organisation of value towards an agreement – a securing and founding of meaning through establishing contingencies - then what contingencies can we now take?

¹ For example, a range of theorists including Jürgen Habermas, Theodor Adorno, Axel Honneth and Russell Berman argue that capitalism in the form of the culture industry produce false biographies that organize our lives, wherein we must understand a deeper social reality underneath that transcends the problems of representation. Crucially their theories call upon reason to establish a reality unclouded by aesthetic forms that seeks to touch the real of the social.

² J. Herf, *Reactionary Modernism. Technology, Culture and Politics in Weimar and the Third Reich*, Cambridge University Press, 1996, p88, 'Fortschritt, Freiheit und Notwendigkeit,' *Arminius* 8 1926, pp. 8-10

³ M. P. Bullock, *The Violent Eye, Ernst Jünger's Visions and Revisions on the European Right*, Wayne State University Press, Detroit, 1992, p. 155. Jünger's desire to rationalise violence demands a self-cultivation and self-transformation that results in the positioning of himself outside of human communities. This is mentioned in Bullock's translation of Jünger's Paris Journals, III, p. 270.

⁴ Ernst Jünger conjures an experience of metaphysical violence in absolute finitude in the novel *The Lost Outpost*. This story tells of a soldier who guards an outpost, alone, without any knowledge of whether a war is still being waged, when in fact the war is over. The soldier maintains his task of guarding the outpost as if he believes the act of war to be a constant phenomenon - the war will never end. The soldier is ambivalent to the facts of everyday life, suspended and dislocated in a (horrific) fantasy where an ignorant vigilance is eclipsed with individuated freedom.

⁵ This is seen especially in current desires to think about art's politics as non-historical, groundless, deautomatised, and relation-based by 'socially engaged' practices. Here the primary aesthetic of freedom is the mechanisation of language itself - an aesthetics of 'language in process', debate, temporality and event re-characterises art with renewed political charge and art participates and contributes to the political apparently without any Platonic distinctions between the 'real' and the 'representational' or 'fact' and 'artifice'. The struggle to understand power as particular, and art as having real political consequence through moments of contingency, event and context is resonant especially for arts practice. (See N. Bourriaud, *Relational Aesthetics*, Les Presses du Réel, 2000.)

⁶ *CSI Franchise*. Produced by Jerry Bruckheimer, Channel Five, UK, 2007.

⁸ This type of 'cutting' is synonymous with the identification of critique, where it evidences the intervention of the agent, and the mark of humanism. Typically in modernity, this is the collage, where sets of metaphors are brought together that constitutes two opposing powers: the intervener and the given diagrammatical spaces - the space of the normative. Here collage destabilizes, reforms, reinvents and critiques the systematization of objects and images. However, the edit here in *CSI* is evidence of a purist constructivism; the edit doesn't cut into anything, it is a set of self-defining building blocks, a motivated force of self-definition that requires no ground for its figure.

⁹ J. Rancière, *The Politics and Aesthetics, The Distribution of the Sensible*, Continuum, 2004. In a historical description of art and politics Rancière replaces the discretionary terms 'modern' and 'postmodern' for the term 'the aesthetic regime'.

¹⁰ Rancière, *The Politics and Aesthetics, The Distribution of the Sensible*, p. 62

¹¹ J.Rancière, 'The Politics of Aesthetics', *Kein Theater*. Online. Available HTTP, <<http://theater.kein.org/node/99>> (accessed 10 October 2007).

¹² As a means to situate a critical practice artists have been producing work that avoids identification for generations. This principle of critical art practice – to question and assault the stability of form, is also evident in deautomatisation, dematerialization, the informe, immaterial performances around the 1960's etc. This is also connected to Bataille's work on anti-architecture, materialism and transgression that resonate in many contemporary practices.

¹³ In Stanley Fish's essay 'Boutique Multiculturalism', rather than materialise abstract languages in the political domain, Fish discusses how they are always already embodied, but are only connected up with action in certain paradoxical formations. He discusses how the taking seriously of liberal principles, that are here central to multiculturalism (such as inclusivity, tolerance, openness etc) shows us the paradoxical nature of acting upon them, or indeed the perversity of taking them literally because as soon as we do we are reminded that we simply cannot defend ways of life that stand in opposition to our own. 'Confronted with a demand that it surrender its viewpoint or enlarge it to include the practice of its natural enemies – other religions, other races, other genders, other classes, - a beleaguered culture will fight back with everything from discriminatory legislation to violence.' At this point of pressure from an enemy, our mono-culturalism or singularity becomes really stark. Our actions do not correlate literally to the abstract promise of openness, precisely through our defence of the principle itself. *The Trouble with Principle*, Harvard University Press, 1999, p. 61.