

Paul Chan
**A Lawless
Proposition**

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There is a Daoist saying that goes, “Whatever can be taught is not worth learning.” It is a sobering thought, perhaps even a little cruel, as any insight that rings true feels. I don’t take it to mean that one should stop listening to others. Philosophically, Daoists are realists: they want to see things as they are in the world. And the reality is that, just because you stop listening, doesn’t mean people will stop talking – to you, at you, about what to do, how to do it, when to do it, who to do it to, and so on.

If it is a given that people will always have something to say about your business, how does one turn the jabber into something worth learning from? For Daoists, experience is key. Knowledge is not knowledge unless it is embodied in the stream of lived experience. The daily practice of living is what crystallizes the learning into concepts and ideas that inform one’s external acts. The aim of knowledge is experience insofar as knowing some-*thing* substantiates a material reality for how a person comes to live as some-*one*. Experience, on the other hand, is the origin of knowledge to the extent that a person’s reality is the grounding where one discovers and learns what makes life matter – from the inside out.

This Daoist notion that emphatically binds knowledge to experience is not unlike what ties artists to their work – at least in the case of artists for whom art is a matter of making work that remakes them. Of course, not all artists work like this; there are as many ways of making art as there are artists. But true as this may be, the truth is that artists all tend to follow the same basic assumption: artists make art and not the other way around. Artists make art as a means to tell us something: about themselves for instance, or others, or things that are important and useful to know about, the history or scene they wish to belong to, and certainly what is worthy of being art. Work like this can be experienced in a flash, because the form is merely a mannequin for what that “something” is, which drapes over the form like a dress on sale, waiting to be noticed. What matters most is the moment when one “gets it,” as if the value of the work depends on the recognition of whatever benefits and gains there are from what the artist is getting at. It is the art of advertising.

What happens when it is the making that instructs the maker? What happens when the art makes the artist? When I make a work, there is sometimes a turning point; a moment when the conceptual and sensuous materials bind in such a way that the composition begins to resist my attempts to shape it according to my original intentions, and develops, against my will, its own sense of what must be done in order to be itself. It doesn’t happen all the time. But when it does, I

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feel relieved, because it means the minutes, days, or years of working up to this point were worth the effort. But there is also a degree of despair, because the initial conception of how the work ought to be no longer holds sway in how it will continue to evolve. I am no longer the prime mover of the work. My directions are no longer followed. Beyond this certain point there is no return. This point has to be reached.

It only sounds supernatural. Robert Bresson once said, "the supernatural is the natural precisely rendered." What is being rendered is not an image or an idea, but a process, which produces a feeling of autonomy in the work, as if the work has as much say as the maker on what to do and how to do it. By following the contours of this internal reasoning, a work takes on an uncanny quality that comes from it being an outgrowth of the experience of something becoming aware of becoming itself.

The essence of this concept of artistic development is informed by the nature of art as rooted in the historical idea of nature itself. In the West, the pre-Socratic philosopher, Empedocles, was the first to make an explicit connection between art and nature. He wrote about how human beings were created by mixing together the four elements, not unlike the way an

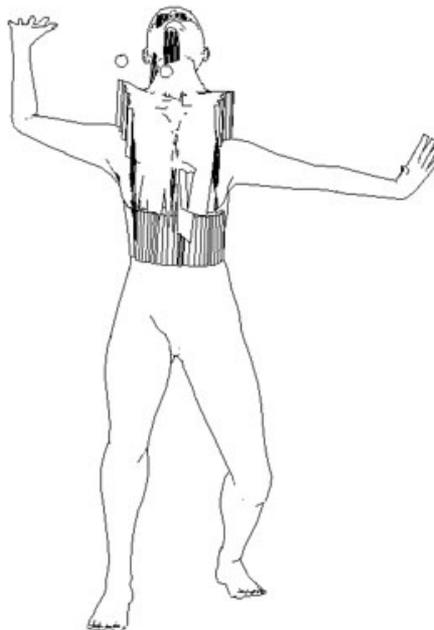
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artist mixes colors to make a painting. Art has hewn itself closely to nature ever since, not only to recreate it in images and objects, but also to mirror it as a force that animates inert matter into living forms. Art appropriates the power of nature to create works by mimicking the process that nature uses to engender life.

For Empedocles, life was divine because nature was ruled by gods. Art was used to enshrine the realities of life as an expression of the divine. Today, life is anything but, even though it is ruled by men who think they have inherited the power of gods. The law of nature evidently serves and protects only one percent of reality.

Against this, art becomes enlivened by internalizing the process that expresses the rest of what is real. By using the compositional struggle between what the artist wants and what the material is willing to be as the basis and principle for aesthetic development, art begins to follow another way. Over time, this internal tension transforms both the artist in mind and the matter at hand; it pushes and pulls the work toward becoming something neither fully intentional nor completely accidental. And yet by ending up being what it isn't supposed to be, a work becomes something more. It manifests a

Françoise Gamma,
03___METAPHYSICAL___variación
, 2011.



reality more real than any representation can ever hope to achieve, because it embodies the irreconcilable tension that animates contemporary life itself. This spirit of irreconcilability is the telos of artistic form.

By way of illustration: human beings carry a faint but discernable electrical charge simply by being alive. Plants, animals, and all living things produce bioelectricity in order to store metabolic energy. Human beings generate a relatively low amount of bioelectricity compared to, say, an electric eel. But this is not always the case. Several years ago, researchers found that some people produced more electricity than others, and some generated still more electricity in times of stress and other states of intense feeling. In both cases, there was a strong enough electromagnetic field around these people that they disrupted electronic devices nearby. Mobile phones dropped signal. Laptops wouldn't boot up. Calculators refused to subtract or divide. Nothing worked around these people. They were living forms of civil disobedience.

This is what art is like. Art appears when what is made feels as if there is a profound misunderstanding at the heart of what it is, as if it were made with the wrong use in mind, or the wrong idea about what it is capable of, or simply

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the wrong set of assumptions about what it means to fully function in the world. A work works by not working at all. By not obeying the law of any system or authority external to the process of its own making, a work emphatically expresses its own right to exist for itself and in itself, and questions – by merely existing – the rule of law that works to bind all to a semblance of the common good. Art is a lawless proposition.

But no artist creates lawlessly. The freedom the artist exercises in making work turns on the idea of law as an inner tendency rather than an external rule. Think the law of nature as opposed to the law against littering. Artists follow their own intuitions as the right of artistic freedom they grant themselves in obeying the law of one's inner essence. Cézanne may have had this in mind when he said that the ideal of earthly joy is "to have a beautiful formula."

The case can be made that the history of Western thought revolves around one question: which law to follow? Plato, for instance, believed in the power of human law to shape the course of social and political life. But he conceded that the law of nature was more binding, because this kind of law was divine in origin. Thomas Aquinas would absorb the metaphysical discourses pioneered by Plato – later expanded by Aristotle



Animated excerpt of Yvonne Rainer's 1968 *Trio A* choreography.

courtesy www.vdb.org

– and make them into the basis for his treatise on the essence and structure of law under Christ in the middle ages. Hegel renewed this tradition at the same time he upended it in the gothic cathedral-like system of his philosophy in the late 18th century, invoking reason as the universal spirit that ruled over men and nation states alike. Whatever the philosophy or theory, law – as what binds men to a greater order than themselves – is itself always bound to the grace and authority of a higher power. Carl Schmitt would come to define this entanglement in the twentieth century, arguing that despite modernity’s progress and the separation of church and state, all modern theories of law derive their power from secularized theological concepts.

If nature or God does not compel people to follow the law, violence is usually up to the task. Look at what has been happening for the last several months in New York, Los Angeles, Dallas, Portland, Chicago, Atlanta, Egypt, Syria, Yemen, and so on; on campuses, on streets, on bridges, in parks, and elsewhere. Police maintain order by inciting chaos. Inalienable rights of speech and assembly are revoked in the name of the state. The times resound with songs for change and the law responds by restoring the same.

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By being violent, the state remains hard on the heels of life. The point of political violence is the restoration of a past that no longer takes part in life as it is lived. This violence institutes new law to assert order against calls for change. But a paradox lurks: the new is essentially the old. In the coercive act, the law constantly becomes new law. To maintain power, the state must be both lawful and violent, a refuge of the old law and a source of the new. Caught in the dynamic to preserve and renew itself, the state reveals its own particular nature: a compulsion to repeat this traumatic cycle of law-giving and violence-making, to cling to a continuity with a past that alone legitimates its authority. Law represents the border that separates what the sovereign past justifies and what the frontiers of a more just future might hold. This is why political movements that embody new and substantive calls for more justice, liberty, and equality must act without fear of being unlawful. Otherwise they would not remain true to what first inspired them to act: the promise of a time to come, where law has no jurisdiction.

Crimes are committed every day, many by bankers during normal business hours. But even criminals follow the law as dictated by the nature of their own self-interest. Anyone who has ever



Paul Cézanne, *Mont Sainte-Victoire*, 1904-1906. Oil on canvas.

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Mathieu Malouf, *The paradox of absolute contingency*, 2011.



Chris Marker, *Untitled (pepper spray cop on the moon)*, 2011.

been arrested can attest that a crime may be unreasonable, but it is never without reason. What the legion of moralists, philosophers, and legislators since Aquinas fear most is that what steers man towards criminality is more binding than law that ties him to the state, the common good, or God. The fascination with crime comes in part from the idea that one can live rightly by following real needs and desires, against the rule of an external authority that declares what one ought to have and must remain. By following impulses where they want to go, and aiding and abetting them with knowledge and experience, one transforms those needs and desires into a law that rules from within. What is perhaps most satisfying about committing crime may be the feeling that one is following a superior law while doing so. In a sense, this is what autonomy is: self-rule. And this is why criminals are so captivating: they are ciphers of independence. On the other hand, the self that rules may not be a self at all, but the force of an inner nature that governs by compulsion. Who has not experienced the utter lack of freedom that comes from being ruled by various passions and urges? One feels no longer in control, with no will to determine the course of one's life, as if the self just split and left. And yet, isn't there always also a curious pleasure to unfreedom, as if what secretly pleases one most is being told what to do?

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the notion of law in general to sin and decay, and suggests that death lives *first* through law.

What then should we say? That the law is sin? By no means! Yet, if it had not been for the law, I would not have known sin. I would not have known what it is to covet if the law had not said, "You shall not covet." But sin, seizing the opportunity in the commandment, produced in me all kinds of covetousness. Apart from the law sin lies dead. I was once alive apart from the law, but when the commandment came, sin revived and I died.



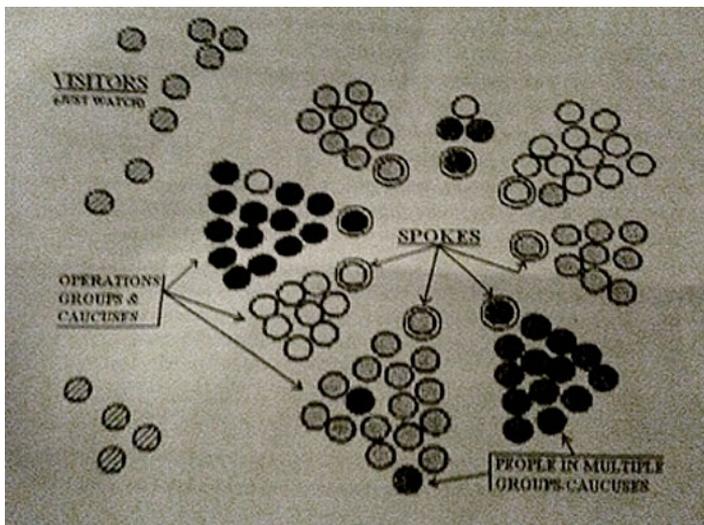
Martha Fleming-Ives, *Phillip Glass with Occupy Lincoln Center*, 2011.

Mathieu Malouf, *The paradox of absolute contingency*, 2011.

What Paul is describing is not a literal death. I think he is saying that the law not only regulates and commands, but also agitates and excites, and how this excitation produces a deadening. But it is not a deadening that renders one still and lifeless. Rather, the force of law burdens the one who follows it so much that anxiety seizes a person's waking life, and takes a hold of his experience in the world, and shakes him into a kind of petrified unrest. It might be more precise to say that what happens is an *undeading*; like being turned into a zombie, or other varieties of the living dead. Seen from this vantage point, death is life paralyzed by power, and sin becomes the inability for a life to take on more life by the only process that renders more life possible: change.

Law, for Paul, makes life unlivable by instilling a manic dimension that disrupts the potential for inner development, for that life has been too captured (or captivated) by its own repetition compulsion to follow and fulfill the law.

Paul is wrong, of course. Many people today live in petrified unrest and enjoy very full and productive lives. For example, scores of artists manically follow the law of their inner compulsion to make innumerable works and employ many more to do the same, all in the



Naeem Mohaiemen, *Day 42: new organizational spoke model which is being debated in GA*, 2011.

Life without law lives outside the grace of authority. But true lawlessness would amount to disregarding *both* the commandments of external law and the law legislated by one's inner nature. Perhaps the most paradoxical and compelling account of what it means to live against all law comes, ironically, from Christianity's first great institutional organizer, Saint Paul. In *Letters to the Romans*, Paul links

name of artistic freedom. It is their right, and even perhaps their nature. The works they produce are art insofar as they are made by artists. But little else emerges from their material presence beyond the feeling that what has settled into form before us was made “by the book” so to speak; forms of expression that embody – more than anything else – the manic energy generated by the anxiety and restlessness of being a law-abiding subject through and through.

I began to write this with what I thought was an image of lawlessness in my mind. It is not one of the countless images of protests and revolts that have appeared, although it could very well have been. It isn't Che, nor the Outlaw Josey Wales. It isn't late, late Matisse, or the films of Chris Marker, although either would have fit. I thought it was a moment that occurred recently, where three mountains were in view, with the sun shining dully behind the drama of slow-moving clouds, but thinking now, it wasn't that either. The image is gone, and with it, the contours of a reason that led me here. But here is not so different than back there, where I began, except for the appearance of these words, the time spent writing them, and what remains to be said and done, now that these words have come to an end.

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An earlier version of this speech was presented as part of a conversation with Kasper König in London in October 2011, on the occasion of the exhibition “Before the Law” at the Ludwig Museum in Cologne.

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