

6-2015

The Laws of the Sabbath (Poetry): Arendt, Heine, and the Politics of Debt

Bonnie Honig
Brown University

Follow this and additional works at: <https://scholarship.law.uci.edu/ucilr>



Part of the [Legal History Commons](#), and the [Religion Law Commons](#)

Recommended Citation

Bonnie Honig, *The Laws of the Sabbath (Poetry): Arendt, Heine, and the Politics of Debt*, 5 U.C. IRVINE L. REV. 463 (2015).
Available at: <https://scholarship.law.uci.edu/ucilr/vol5/iss2/11>

This Article is brought to you for free and open access by UCI Law Scholarly Commons. It has been accepted for inclusion in UC Irvine Law Review by an authorized editor of UCI Law Scholarly Commons.

The Laws of the Sabbath (Poetry): Arendt, Heine, and the Politics of Debt

Bonnie Honig*

I. Heine's Hidden Tradition	464
II. Greek, Jewish, and Arabian Tales: Taking Sabbath	466
III. Making Sabbath	470
IV. Sabbath-Power.....	473
V. The Day of (W)rest	477
VI. Fantasy and World-Making.....	480

*"You are not a loan."*¹

Glossolalia is a foreign, natural, or magical (non)language, a kind of linguistic state of exception in which the normal rules or experience of signification are suspended and something like the true nature of linguistic practice (or its complete upheaval) is made apparent.² In what follows, I use the figures glossolalia and the state of exception, to interrogate Hannah Arendt's assessment of Heinrich Heine and her reading of his Sabbath poetry in her famous essay *The Jew as Pariah: A Hidden Tradition*.³ For Arendt, Heine is caught up with the illusory promise of nature, which renders some of his work practically glossolalic and leaves him stuck in a pariah role that, while "conscious" and therefore preferable to the other pariah and parvenu alternatives, is still a thwarted role without much promise.⁴ His condition of being a pariah, a fragile condition of exposure in a kind of state of exception, is not his own fault; it is that of the society that excludes him and of the governments that exceptionalize him. Still, when Arendt in her essay examines four exemplary pariahs

* Affiliated Research Professor with the American Bar Foundation and Professor of Modern Culture and Media (MCM) and Political Science at Brown University. For comments on very early drafts, I am indebted to Miriam Leonard, John Wolfe Ackerman, Chris Tomlins, and participants in the "Law As . . ." III symposium, March 2014. Thanks as well to Jonathan Sozek for his help preparing the manuscript for publication.

1. STRIKE DEBT!, strikedebt.org (last visited Mar. 2, 2015).

2. 5 ENCYCLOPEDIA OF RELIGION 3504–07 (Lindsay Jones ed., 2nd ed. 2005).

3. HANNAH ARENDT, *The Jew As Pariah: A Hidden Tradition*, in *THE JEWISH WRITINGS* 275 (Jerome Kohn & Ron H. Feldman eds., 2007).

4. *Id.* On the notion of a "conscious pariah," see also HANNAH ARENDT, *We Refugees*, in *THE JEWISH WRITINGS*, *supra* note 3, at 264, 274.

and their tactics of resilience, she is not only canvassing the variety of ways in which individuals respond to such situations, she is also assessing them.

I. HEINE'S HIDDEN TRADITION

In "The Jew as Pariah," Arendt names Heine as one of four exemplary Jewish pariahs, each of whom contributes to a repertoire, or to what she calls a "hidden tradition," of action, by responding resiliently, albeit individually, to discrimination and oppression.⁵ The four are Heinrich Heine, Bernard Lazare (the Dreyfusard), Kafka's K. (the protagonist of *The Castle*), and Charlie Chaplin. Between the isolation of the pariah and the self-betraying inclusions of the parvenu, Arendt locates a third way, that of the "conscious pariah," who does not seek mere social inclusion, but does not merely accept his pariah status either.⁶ Instead, he stakes a claim to a place in the world whether by demanding inclusion, voicing righteous outrage, claiming his (sometimes nonexistent) rights, or mocking authorities.⁷ At least three of these four particular tactics of the conscious pariah are evident in Heine's Sabbath poetry, which Arendt singles out for attention, but the first is most prominent. Still, Arendt seems less enthralled by Heine than by her other three exemplary pariahs. That is partly because she is skeptical of Heine's naturalism, which is subject to the limitations of all Romantic introspection and fancy (and is more evident elsewhere in his oeuvre), and perhaps also because she finds his demand for inclusion inadequate, certainly not enough to compensate for his own tendency to self-exception and withdrawalism.

Heine writes poetry in the language of the nation that marginalizes him, Arendt points out in her antiglossolalic reading of him, as she admires the audacity with which, in his Sabbath poetry, he puts *cholent*, or (as Heine puts it, using the German) *schalet*, the lowly Sabbath bean stew, on the table alongside the nectar of the gods.⁸ But both gestures are limited and ultimately inefficacious in Arendt's view.⁹ Although Heine pictured himself, a poet, as always dwelling in a state of Sabbath glory,¹⁰ for most Jews, the Sabbath only punctuates the week and does not

5. ARENDT, *supra* note 3, at 276–77. On Arendt as a theorist of "hidden traditions," see also Ariella Azoulay, *Outside the Political Philosophy Tradition and Still Inside Tradition: Two Traditions of Political Philosophy*, 18 CONSTELLATIONS 91 (2011).

6. ARENDT, *supra* note 3, at 283–86.

7. Arendt takes Bernard Lazare's tactic to be exemplary: he is a conscious pariah, she says, who does not yield to prejudice or internalize it. ARENDT, *supra* note 3, at 283–86. Rather, he wears the badge of pariah with pride, rejects assimilation on anyone else's terms, and tries to force into existence a world differently constituted. *Id.* Arendt also admires K., the protagonist of Kafka's *The Castle*, who is turned aside, marginalized, and thwarted wherever he turns—she reads him as a Jew who, she says, again and again insists on his rights until his very last breath. *Id.* at 288–96. And she admires Charlie Chaplin, who animates the downtrodden and shows them getting away with things. *Id.* at 286–88. He plays the trickster to the always buffoonish policers of social norms and profiteers of the new modern economy. *Id.*

8. *Id.* at 281–82.

9. *Id.* at 276, 282.

10. *Id.* at 282.

permeate it (though we shall see, there are other readings to be offered here, both of Heine and of the Sabbath).

Later in “The Jew as Pariah,” Arendt approaches Kafka’s K. in *The Castle* in the same way, as indeed she does all four of her exemplars—admiringly, but with reservations.¹¹ K. is also a pariah figure and also conscious. He insistently claims membership in the community of universal human rights, but he is never granted access or equality.¹² Thwarted at every turn, he finally dies alone, exhausted. His actions, in Arendt’s estimation, are slightly more political than Heine’s, since K. seeks political equality, not the preciousness and isolation of genius that so often seduces the pariah, nor the social membership (which is never fully granted to Jews in Enlightened Europe) that attracts the parvenu.¹³ But in the end, K.’s aspirations, though more political, are no more effective than Heine’s efforts, perhaps because K. too acts alone. This is a limitation of the pariah situation as such, not of the pariah, who does what he can. Or, perhaps better, it is both.

But Heine does not only covertly sneak Jewish things and themes into the universal; this is one of his tactics in poetry, but there are others. Arendt regards European culture as the destination of Heine’s “homespun Judaism of everyday life,” and she admires the trajectory, while also communicating, however, some derision for the home as a site of falsely promised safety or security.¹⁴ The promise is false because retreat to the home is an abdication of one’s responsibility for the world (although again, the pariah’s situation is such that a full assumption of such responsibility is hardly to be expected). Arendt errs, however, in locating Heine so centrally in the domain of the homespun. That location obscures a rather important detail: the poem’s point of departure.

The poem begins with the *Arabian Tales*, in particular with their stories of transformation from human to animal or monster, in which a cursed prince or noble is condemned by magic to life as a beast with only occasional, temporary restoration to human form.¹⁵ Such tales are part of an age-old repertoire of resilience in which not even a transmogrifying curse can succeed in totally erasing the true self, which reemerges from time to time. The structure of these events is something like that of the state of exception—a new normal of exceptional beastliness is secured, then occasionally suspended as the human returns or appears, albeit only for a time before lapsing back into the cursed creaturely state. But how should we understand that reassertion or reemergence from creaturely life to human form? And how should we understand Heine’s turn to the *Arabian Tales* for such a resource when he, a self-professed Grecophile, had ready access to Ovid and his *Metamorphoses* with

11. See *id.* at 288–96.

12. See *id.* at 290–91.

13. See *id.* at 289.

14. *Id.* at 282.

15. Heinrich Heine, *Princess Sabbath*, in *THE STANDARD BOOK OF JEWISH VERSE* 253, 253–54 (George Alexander Kohut ed., 1917).

which to narrate what in the English translation of *Princess Sabbath* is referred to as “canine metamorphosis”?¹⁶

The periodic return to the human state may be merciful or it may be cruel. It is merciful in that it grants the victim some respite from his fate. It is cruel in that it makes the victim into the knowing bearer, week after week, of his awful fate. Perhaps the point is that one cannot have one without the other; mercy and cruelty become one in the accursed state. But there is also another more interesting point to note here. Heine’s poem seems to suggest that the release from animality is a result of the curse’s self-weakening or self-suspension, almost a kind of autoimmunity. The suggestion misleads though and obscures another suggestion in the poem: the possibility that release may also be *taken* and not just suffered or granted. It may be an effect of power or agency, and not just of exceptional self-suspension. That is, it may testify not to the weakness of the curse, or the mercy (or cruelty!) of the curser, but rather to the resilience, agency, and power of its sufferer.

II. GREEK, JEWISH, AND ARABIAN TALES: TAKING SABBATH

Heine, the first of Arendt’s four Jewish pariah figures, eventually converted to Christianity. This goes unmentioned by Arendt, who singles out his qualities as a poet-dreamer—he is the self-named “lord of dreams”—besotted by nature and attracted to it because of its indifference to prejudice.¹⁷ (The sun rises every day over all of us regardless of class or caste.¹⁸) While Arendt seems to label Heine a fool, albeit a clever one, she also clearly admires his way with the German language and goes on in her essay to particularly praise his Sabbath poetry:

In his poem “Princess Sabbath,” the first of his *Hebrew Melodies*, Heinrich Heine depicts for us the national background from which he sprang and which inspired his verses. He portrays his people as a fairy prince turned by witchcraft into a dog. A figure of ridicule throughout the week, every Friday night he suddenly regains his mortal shape, and freed from the preoccupations of his canine existence (*von buendischen Gedanken*), goes forth like a prince to welcome the sabbath bride and to greet her with the traditional hymeneal, “Lecha Dodi.”¹⁹

What Arendt particularly admires is the audacity with which Heine, in this poem, puts *schalet*, the lowly stew of beans and meat, onto the table of the gods:

“Schalet, ray of light immortal!
Schalet, daughter of Elysium!”
So had Schiller’s song resounded,

16. And how to account for the fact that Arendt missed this key theme in Heine given her interest in this same essay in Kafka, also author of a “metamorphosis” tale? See ARENDT, *supra* note 3, at 288–96.

17. *Id.* at 280 (“[T]he pariah is always remote and unreal; whether as schlemiel or as ‘lord of dreams’ he stands outside the real world and attacks it from without.”).

18. Though we may add that some live in its heat or glare, while others live lives insulated from such exposure. What it means to be under the sun varies and signals inequality.

19. *Id.* at 277.

Had he ever tasted schalet,
 For this schalet is the very
 Food of heaven, which, on Sinai,
 God Himself instructed Moses
 In the secret of preparing,

. . . .

Yes, this schalet's pure ambrosia
 Of the true and only God:
 Paradisal bread of rapture;
 And, with such a food compared,

The ambrosia of the pagan,
 False divinities of Greece,
 Who were devils 'neath disguises,
 Is the merest devils' offal.²⁰

But Arendt overlooks something crucially important. She limits the dynamic of the poem to its German and Jewish strands. Her reference to the mentions of Greek divinities—"Heine places the fare of Princess Sabbath on the table of the gods, beside nectar and ambrosia"—does not belie this, since German national identity was Grecophilic in Heine's lifetime, just as it was in hers over two centuries later.²¹ Alongside the Greek though, Heine places the Semitic, and when Arendt says that European culture is the destination of Heine's poem, she obscures this rather important detail.²²

The *Arabian Tales*, only recently in Heine's time translated into German, provide the poem with a template of transformation from human to animal or monster: "In Arabia's book of fable / We behold enchanted princes / Who at times their form recover, / Fair as first they were created."²³ In these tales, a cursed prince or noble is condemned by magic to life as a beast with only the occasional respite of temporary restoration to human form. These tales of metamorphosis are part of an age-old repertoire of resilience in which not even a transmogrifying curse can succeed in totally erasing the true self, which reasserts itself from time to time. They are the archive into which Heine impresses the Sabbath ritual, in which the lowest

20. Heine, *supra* note 15, at 256–57.

21. ARENDT, *supra* note 3, at 281–82.

22. Matthew Arnold obscured Heine's multiculturalism, *avant la lettre*, as well as casting Heine as the perfect blend of Jew and Greek, denationalizing his Germanness and obscuring his glossolalic sources:

He himself had in him both the spirit of Greece and the spirit of Judaea By his perfection of literary form, by his love of clearness, by his love of beauty, Heine is Greek; by his intensity, by his untamableness, by his 'longing which cannot be uttered,' he is Hebrew.

GERTRUDE HIMMELFARB, *THE JEWISH ODYSSEY OF GEORGE ELIOT* 60 (2009) (quoting MATTHEW ARNOLD, *ESSAYS LITERARY & CRITICAL* 121 (1907)). On Arnold, see also MIRIAM LEONARD, *SOCRATES AND THE JEWS: HELLENISM AND HEBRAISM FROM MOSES MENDELSSOHN TO SIGMUND FREUD* 120–26, 133 (2012).

23. Heine, *supra* note 15, at 253.

Jewish man becomes a king in his house once a week as he welcomes the Sabbath bride. “Of a prince by fate thus treated / Is my song. His name is Israel, / And a witch’s spell has changed him / To the likeness of a dog”;²⁴ a “dog, with dog’s ideas,” actually (“*von buendischn Gedanken*”).²⁵ This is how the Jew (but not the poet-dreamer) lives all week long, as “a dog, with dog’s ideas.” But the Sabbath suspends the ordinary relations of social hierarchy. On this one day each week, the Jew is dignified, a follower of God, a (dog)man out of time.²⁶

Arendt sees in Heine’s Sabbath poetry a particular pariah tactic—the effort to insinuate oneself or one’s culture into the universal. When Heine puts the Jewish Sabbath stew, *cholent*, on the table with the gods’ nectar and ambrosia, he seats the abject Jew of modern Europe at the table of universal myth. Later, Arendt reads K. in *The Castle* (by the author of a different metamorphosis story) in a similar way, as an insistent, if always thwarted, claimant of membership in the community of universal human rights.

But there is also something else in Heine’s Sabbath poem that Arendt overlooks. In an odd way, I think, Arendt misses the Sabbath in the Sabbath poetry, or (what I want to call) the “Sabbath-power.” This may be precisely because she reads past the poem’s Arabian point of departure and also misses the poem’s subtle suggestions of a possible departure from the *Arabian Tales*’ template, as Heine borrows it.

In the *Arabian Tales*, Heine says, the human is cursed into a creaturely existence out of which humanity reemerges from time to time. Similarly, in the Sabbath poetry, a witch’s curse makes us creaturely—but the condition is not uninterrupted: “[O]n every Friday evening, / On a sudden, in the twilight, / The enchantment weakens, ceases, / And the dog once more is human.”²⁷ How should we understand this interruption, this weakening, this cessation, this suspension? The time arrives, the spell is suspended, and the cursed dog is returned to human form. Heine’s wording suggests that the spell is self-suspending, “[o]n a sudden, in the twilight.” Just as in the *Arabian Tales*, as he reports them, the spell is weakened and a return to human form ensues. “And his father’s halls he enters / As a man, with man’s emotions, / Head and heart alike uplifted, / Clad in pure and festal raiment.”²⁸ (Note the brilliance of the contrast between “a dog, with dog’s ideas” and “a man, with man’s emotions.” The true human self is a self of human feelings.) The one cursed by the spell passively enjoys its suspension and endures its return—when he “[s]eems to feel the icy fingers / Of a witch upon his heart” he “[s]hudders, fearful of the canine / Metamorphosis that waits him.”²⁹

But what brackets this in the poem, a thick description of ritual welcome and

24. *Id.* at 254.

25. *Id.*; see also ARENDT, *supra* note 3, at 277.

26. See Heine, *supra* note 15, at 254.

27. *Id.* at 254.

28. *Id.*

29. *Id.* at 257.

goodbye to the Sabbath, suggests something a bit different: that the human returns not passively, not by dint of the exceptional curse's self-weakening and return, but rather by actions the cursed himself takes to welcome the Sabbath and later bid it goodbye. Might it be the practice of Sabbath welcome that reawakens the Sabbath in the one who is cursed? Might it be that Sabbath is not just given (via an autoimmune defect or mercy of the curse), but that it is rather taken, taken by the resilient agency that is never quite extinguished by the curse of everyday existence? (Or both?)³⁰ Evidence for this comes in the poem when Heine details the sensorial unfolding of the Sabbath welcome ritual: the lamps are lit ("Golden lights of consolation"³¹), the candles are aflame, the Torah shrine is visible, and the Torah itself is clothed in silk and precious stone; one hears first the trills and murmurs of preparation, and then, more audibly, the resounding notes of the Sabbath song.

Similarly, the Sabbath does not simply end at an appointed time. We return ourselves to the everyday, we transition to it, by way of transitional objects and ritual—the spice box, the multibraided candle, the cup of wine—and by way of the glossolalic sensorium to which they invite us: the peppery-sweet smell of spice, the brightness of the light of the multibraided candle in the darkness, and the acrid smell and sound of its flame crackling into the wine that quenches its light.

That is, there is here an intimation of something more than the perpetual rhythmic falling away and return of a curse conducted by an agency not our own. There are hints of a counterpower made up of people, roles, things, smells, and tastes; a dense cultural sensorial synagogue that acts to wrest humanity or sacredness from the creaturely world of the everyday and manage the return to the everyday or the secular. It is as if the Sabbath-power not only testifies to the overlife of the Arabian magic on which Heine models *shtetl* life, in which the Jew is cursed to be a dog forever. Perhaps it even *undoes* the *Arabian Tales*' magical curses. In the *Arabian Tales*' template, we await the moment of the curse's suspension; in some versions of the Sabbath, we do the same. But in the Sabbath practice of Sabbath-power, the cursed take their humanity back—for a moment. They do so as human-animals, however, for the Jew in the sensorial synagogue is not the cursed and abject dog of the everyday, and not a dog with dog's ideas. He is a man with man's emotions, but he is also a sensorial creature, a man who is moved (dog-like?) by his senses: sight, smell, and taste. Here we see how the above-mentioned brilliance of the contrast between "a dog, with dog's ideas" and "a man, with man's emotions" has the effect of both hinting at but also obscuring the sensorial and the glossolalic life of the dog/man, who even when he is returned to human form each week, remains marked by his canine existence.³²

30. I suppose this argument has certain continuities with the case I made in BONNIE HONIG, *EMERGENCY POLITICS: PARADOX, LAW, DEMOCRACY* 106–11 (2009), for the dependence of the sovereign state of exception on popular subscription.

31. Heine, *supra* note 15, at 254.

32. And vice versa, we may say. Think of Tiresias, the ancient Greek prophet who was, early in his life, briefly metamorphosed into a woman, then back to a man. As a man, he was not untouched by

Why did Arendt read past all this in Heine? Did she see the *Arabian Tales* as in some way like his naturalism and similarly glossolalic? But glossolalia is not just nonsensical (if it is that); it is also magical, and some magic is what we, with Heine, here seek. Besides, *all* of Arendt's exemplary pariahs in "The Jew as Pariah" have the power of metamorphosis. All metamorphose—or try to—with greater or lesser degrees of success (K. succeeds the least) and with greater or lesser dependence on outside agencies (Chaplin is spurned by his audience, she says, and Lazare never gains a following). Why not call especial attention to the metamorphoses in Heine too (that is, to those found in the *Arabian Tales*), rather than focus solely, as Arendt seems to do, on Heine's effort to secure entry into German culture by way of ancient Greece, as well as by way of a parodic mimicry of Schiller, whose *Hymn to Joy* is here in play?³³

Had she noted Heine's turn to the *Arabian Tales*, Arendt might have seen him as even more the conscious pariah than she thought. For his turn to the *Arabian Tales* occurred in the context of an Enlightenment German orientalism which split the Orient it exoticized into high and low, and sought to identify the Indo-European Oriental with Germany, while casting aside as low or vulgar the Semitic, which is to say the Arabian.³⁴ Traces of the latter ugliness are discernible in Heine's own poem (which refers to the dog as the "Butt of mocking city Arabs"³⁵), but still, when confronted with the resources of German orientalism, Heine chose to take his bearings from the more abject of the exoticized options—the Arabian, which is to say, the *other Semitic* figure. So even as he sought a way to win acceptance for Judaism, the way he chose to take was not just the one a parvenu might choose, that of using the dominant culture's most capitalized sources, he also chose to use the least.³⁶ This is a mark of the conscious pariah, as also is Heine's gentle faith in human agency and resilience, communicated through the poem's scenes of ritual, sensorial, transitional attachment.

III. MAKING SABBATH

That Heine invites us to see the agency in the creaturely approach to Sabbath and not just in the Sabbath magic as it is extended to creaturely life is an idea we may explore by attending further to the role he accords to the transitional objects that help to usher his protagonist in and out the animal and human worlds. Here D.W. Winnicott, the object relations theorist who coined the term "transitional

this experience and could report on and compare the two states when asked to do so by Zeus and Hera (at his peril).

33. See FRIEDRICH SCHILLER, *Hymn to Joy*, in THE POEMS OF SCHILLER 63 (BiblioBazaar 2009) (1785).

34. On this point, I am indebted to Miriam Leonard and her discussion of Heine and Matthew Arnold in LEONARD, *supra* note 22, at 120–26.

35. Heine, *supra* note 15, at 254.

36. Also in his reference to the Almemor, "Proudly flame the candles also / On the rails of the Almemor[.]" Heine stages the intimate connections between the two Semitic traditions: the *almemor*, indebted to the Arabic for "platform," is the (Hebrew) *bimah*, the synagogue's raised platform. See *id.*

objects,”³⁷ is a useful interlocutor. Winnicott’s “transitional objects” are things that not only provide transition but also inculcate in us a sense of worldly permanence. Thus, the candles, the Torah wrappings, and the spice box do transition us in and out of the sacred and the secular.³⁸ But they do still more.

Winnicott says it is in relation to objects, in particular through object use and play, that we come to apprehend worldly permanence and acquire some of it ourselves.³⁹ In his account of object relations, resilience is a key trait of both objects and the subjects who use them. Through play with transitional objects, initially by way of “first possession[s],” like a blanket or teddy bear, Winnicott says, the baby comes to know a reality beyond herself.⁴⁰ When the baby cathects onto that object, she acquires the emotional resources to withstand the disappointments of the mother figure or caregiver and comes to feel she may safely rage against them.⁴¹ When she exercises control over the blanket, hiding and finding it, for example, as in Freud’s fort-da game, Freud says she learns mastery or control.⁴² But Winnicott emphasizes a different, perhaps even the opposite, lesson: that of object-permanence.⁴³ The child’s blanket can survive the child’s rage and also her love, which can be powerful and destructive.⁴⁴

On Winnicott’s account of transitional objects, we destroy the objects we use, and they survive. We fantasize destroying them, and they survive. We love them for this, for their resilience. And in loving them, we acquire some of that resilience. It rubs off on us, as it were. As Winnicott says, when he argues for a shift in focus from object relations to object *use*:

This change (from relating to usage) means that the subject destroys the object. From here it could be argued by an armchair philosopher that there is therefore no such thing in practice as the use of an object; if the object

37. D.W. Winnicott, *The Use of an Object*, 50 INT’L J. PSYCHOANALYSIS 711, 711 (1969).

38. Tactile and sensory, they enfold us in their sensorium too. It may be important to distinguish the sensorial from the object-relations in some contexts. Here, I think it is just important to note the many registers on which these things work or fail to.

39. Winnicott, *supra* note 37, at 711–14.

40. See D.W. WINNICOTT, PLAYING AND REALITY 1–25 (1971), as well as D.W. WINNICOTT, THE CHILD, THE FAMILY, AND THE OUTSIDE WORLD 167–72 (1st prtg. 1992) [hereinafter WINNICOTT, THE CHILD]. This is an epistemological claim in Winnicott. I extend it, elsewhere, to the realm of ethics and politics. See Bonnie Honig, *Public Things* (April 2013) (unpublished manuscript) (on file with author).

41. See WINNICOTT, THE CHILD, *supra* note 40, at 62, for a discussion of infant rage: “[I]f a baby cries in a state of rage and feels as if he has destroyed everyone and everything, and yet the people round him remain calm and unhurt, this experience greatly strengthens his ability to see that what he feels to be true is not necessarily real, that fantasy and fact, both important, are nonetheless different from each other.”

42. See 18 SIGMUND FREUD, *Beyond the Pleasure Principle*, in THE STANDARD EDITION OF THE COMPLETE PSYCHOLOGICAL WORKS OF SIGMUND FREUD 7, 14–17 (James Strachey et al. eds. & trans., 1955).

43. Winnicott, *supra* note 37, at 713.

44. Survival is key for Winnicott. See *id.* at 713. Compare Arendt, who says that the “common world can survive the coming and going of the generations only to the extent that it appears in public.” HANNAH ARENDT, THE HUMAN CONDITION 55 (2nd ed. 1998).

be external, then the object is destroyed by the subject. Should the philosopher come out of his chair and sit on the floor with his patient, however, he will find that there is an intermediate position. In other words, he will find that after ‘subject relates to object’ comes ‘subject destroys object’ (as it becomes external); and then [i.e. after destruction!] may come ‘*object survives* destruction by the subject.’⁴⁵

“But,” he continues,

there may or may not be survival. A new feature thus arrives in the theory of object-relating. *The subject says to the object: ‘I destroyed you’, and the object is there to receive the communication.* From now on the subject says: ‘Hullo object!’ ‘I destroyed you.’ ‘I love you.’ ‘You have value for me because of your survival of my destruction of you.’ ‘While I am loving you I am all the time destroying you in (unconscious) *fantasy*.’ *Here fantasy begins for the individual. The subject can now use the object that has survived.* It is important to note that it is not only that the subject destroys the object because the object is placed outside the area of omnipotent control. *It is equally significant to state this the other way round and to say that it is the destruction of the object that places the object outside the area of the subject’s omnipotent control. In these ways the object develops its own autonomy and life, and (if it survives) contributes in to the subject, according to its own properties.*⁴⁶

Note how, for Winnicott, the capacity to survive destruction is both a trait we grant *to* the object (in fantasy) and a trait we acquire *from* objects, by way of a kind of (unnamed) transference. We destroy the objects and they survive. Thanks to them and to us—for it is our fantasy and not just their factual reality that makes this happen—so, *thanks to them and to us*, when we are destroyed, we survive. Resilience is what the autonomous object “*contributes in to the subject, according to its own properties.*” This happens when there is a good enough “holding environment”⁴⁷ that allows for these transactions or transferences to occur. One of the things that makes a holding environment good is that it offers up objects that are sturdy enough to underwrite the infant’s object relations by surviving the changing mood, play, and use of the infant.

In sum, on Winnicott’s account, object permanence (though this is not his term) makes fantasy possible, and fantasy makes permanence possible. The object “contributes in” to the subject its own resilience, which is testified to when the object survives the often-aggressive use to which it is put in play or anger or love. From this Winnicottian perspective then, let us consider again whether it is not simply the arrival of the Sabbath that interrupts the curse of the everyday, but rather our own welcome of the Sabbath in the company of seemingly inanimate things. These things have a charm, and using them is rather like rubbing Aladdin’s lamp:

45. Winnicott, *supra* note 37, at 713.

46. *Id.* (emphases added).

47. *Id.* at 711.

our action releases their magics.⁴⁸ Anticipation of their magics may also release our action. In the case of Winnicott's objects, the magic is the resilience that is then "contributed in" to the subject, who acquires thereby the fantasy that his existence is prior to those things and a guarantor of their existence, rather than a (by)product of their own prior and thingly agency. Thing and fantasy work together to produce the bundle of resilience and agency that I am here calling Sabbath-power.⁴⁹

IV. SABBATH-POWER

It is worth insisting on the idea of Sabbath-power as the agency of the Sabbatical suspension of temporality and inequality—social as well as economic—because these inequalities do not normally just yield or give way from time to time. They must be actively interrupted through assertions of counter-sovereignty or Sabbath-power. The sabbatical is the suspension of the secular, the opening to the sacred that occurs in the cessation or, better, if Franz Rosenzweig is correct, in the intensification of the everyday.⁵⁰ The dog with dog's ideas is reborn, weekly, as a man possessed of dignity, even a king; one possessed of the monarchical power to declare (via his own Sabbath hymn, sung with others) the very state of exception by way of which he has already emerged into view. This is a different state of exception from that imagined by Carl Schmitt.⁵¹ In the Sabbatical state of exception, all divisions are meant to disappear, rather than to be (re)inscribed. Friend/enemy, rich/poor, educated/illiterate, are all equal on Heine's Sabbath, just as the Sabbath food, *cholent*, the lowly stew of beans with meat, shares a table with the regal dishes of the gods (and tastes better than them, Heine says, so distinctions remain). On the Sabbath, the day of rest, the laws of social division are suspended and everyone is a king (but not a queen, so one law, that of patriarchy, which is every law, remains in force).

Sabbath-power is not just an arcane name for a dated idea. Current practices of debt forgiveness, like those of Strike Debt, claim the legacy of the Biblical Jubilee,

48. In response to this claim, Frances Lang reminds me of this passage from the *Midrash Rabbah*, cited in a Passover Haggadah:

As the rabbis have written in the *Midrash Rabbah*, commenting upon a verse of Exodus (XVI:22): "And the Children of Israel went into the midst of the sea upon the dry ground. How is this possible? If they went into the sea, then why does it say 'upon the dry ground?' And if they went 'upon the dry ground,' then why does it say 'into the midst of the sea?' This is to teach that the sea was divided only after Israel had stepped into it and the waters had reached their noses, only then did it become dry land." *Their* action was the miracle, *their* action created the miracle.

Arthur Waskow, *Their Action Created the Miracle*, in *IN EVERY GENERATION: A TREASURY OF INSPIRATION FOR PASSOVER AND THE SEDER* 85, 86 (Sidney Greenberg & Pamela Roth eds., 1998). The idea that miracles depend on human (and not just divine) action is fundamental to Rosenzweig, as I argue in HONIG, *supra* note 30, at 95–98.

49. Read in the context of Heine's tale of transformation from dog with dog's ideas to man with man's emotions, we can see the power of the analogy between Winnicott's transitional objects and those of the Sabbath ritual. The latter provide the adult with the magic of the baby's blanket; both underwrite the acquisition of the emotional resources needed to withstand the world's disappointments.

50. HONIG, *supra* note 30, at 96–97.

51. *Id.* at 96.

the Sabbath of Sabbaths on which, every forty-nine or fifty years, all debts are dismissed and the human race restarts.⁵² The Jubilee year is sacred—it is a time of freedom and of celebration when everyone will receive back their original property, and slaves will return home to their families.⁵³ Strike Debt, with its “Rolling Jubilee” project, takes its bearings from this Biblical practice.⁵⁴ However, in the Biblical text, slaves and debts are released at a certain time (as Heine’s poem at first seems to suggest, and as Arendt seems to read it).⁵⁵ Now, in our own time, the agency of Sabbath-power is required. The Rolling Jubilee project does not wait for the Jubilee year. Instead, it acts; it buys debt randomly and cheaply, not with the aim of collecting the debt but with the aim of abolishing it.⁵⁶ Other examples of Sabbath-power are the land reclamation efforts of new farm movements, latter day expressions of ancient land sabbatical requirements that relax land ownership rules every seven years and give the land—and accreted practices of ownership and inequality—a rest, so that new formations and new practices of ownership or cultivation may arise.⁵⁷ These examples show how Sabbath-power puts some “slack in the order,” and perhaps points beyond it, rather than working, like the more conventionally understood state of exception, to return the order to its tight Schmittian essence of division or partition, or (like the operation of destituent

52. As Dienst says, the Jubilee “has a long history.” RICHARD DIENST, *THE BONDS OF DEBT* 179 (2011) (citing *Leviticus* 25 and *Luke* 4:18). Drawing on PETER LINEBAUGH & MARCUS REDIKER, *THE MANY-HEADED HYDRA: SAILORS, SLAVES, COMMONERS, AND THE HIDDEN HISTORY OF THE REVOLUTIONARY ATLANTIC* 292 (2000), Dienst notes that the Jubilee keeps “returning to inspire revolutionary political movements,” as in the cases of

seventeenth-century English radicals and the eighteenth-century Atlantic working class. . . . As it was crystallized and circulated by the Jamaican Robert Wedderburn, son of an enslaved woman and a slave master, the notion of Jubilee led “in one direction to the general strike and Chartist land policy of the 1830’s and in another direction to the abolition of slavery in America.”

DIENST, *supra*, at 179–80 (citing LINEBAUGH & REDIKER, *supra*). Dienst concludes, though (in a way that parallels my own engagement with Agamben below), that Jubilee represents just one of two necessary attitudes to debt in the current capitalist formation, arguing that “we cannot choose between these two attitudes. If the Utopia of microcredit imagines how economics might be conceived as universal mutual obligation . . . the Utopia of Jubilee imagines how economics as we know it can be jettisoned by an act of collective will.” *Id.* at 185.

53. *Leviticus* 25:10 (New International Version).

54. *A Bailout of the People for the People*, ROLLING JUBILEE, <http://rollingjubilee.org> (last visited Aug. 23, 2014); see also DIENST, *supra* note 52, at 184–85.

55. *Leviticus*, *supra* note 53.

56. On randomness as a principle of justice, see Bonnie Honig, *By the Numbers*, in 3 *THE JEWISH POLITICAL TRADITION* (Michael Walzer et al. eds.) (forthcoming 2015). On the creditocracy that makes Sabbath-power especially necessary, see Andrew Ross, *Welcome to the Creditocracy, Where Your Debt Piles Up Forever*, *GUARDIAN* (Mar. 4, 2014, 7:15 AM), <http://www.theguardian.com/commentisfree/2014/mar/04/household-debt-relief-creditocracy>.

57. On land occupation in the global south and food sovereignty movements in the United States, see Rebecca Tarlau, *Gill Tract Occupation Follows International Strategy for Land Reclamation*, *DAILY CALIFORNIAN* (May 7, 2012), <http://www.dailycal.org/2012/05/07/gill-tract-occupation-follows-international-strategy-for-land-reclamation>.

power in Agamben) stepping outside of the order altogether to some aneconomic alternative (about which more below).⁵⁸

It is difficult to draw inspiration from these ancient Sabbath practices without reminding ourselves of their powerful modern critic, Hegel, who in his *Early Theological Writings* is quite critical of the Sabbatical practices of the Jews.⁵⁹ He contrasts Judaic and ancient Greek practices of land sabbatical or redistribution and finds the former wanting because they are not premised on land or community but on relation to divinity:

[T]he subordination of civil rights to the law of the land, an institution of the Mosaic state has a striking resemblance to the situation created in their republics by two famous legislators, though its source is very different. In order to avert from their states the danger threatening to freedom from the inequality of wealth, Solon and Lycurgus restricted property rights in numerous ways and set various barriers to the freedom of choice which might have led to unequal wealth.⁶⁰

The Greek practices have their source, Hegel says, in concerns about the consequence of “the inequality which would otherwise have arisen,” including the possibility of “political annihilation.”⁶¹ The Judaic practice, by contrast, was not, *per se*, political. It “was not a consequence of equality of rights in land, but of equality in having no rights in it at all.”⁶²

The problem for Hegel here is that the object in relation to which we acquire subjectivity is never possessed on the Biblical account, and so the thing, as it were, cannot do the work: it has no magic. The land is God’s, it is said in Leviticus,⁶³ and the people who dwell there are said by God (Hegel points out) to be “strangers and sojourners with me.”⁶⁴ In Winnicottian terms, Hegel is here saying that the object (the land) cannot transfer its permanence to its subjects because the object, which never really belongs to them, lacks precisely the properties needed to transfer the gift of permanence the subjects seek.⁶⁵ Thus, the Jewish Sabbatical can only function as a reminder of this unique situation of nonownership and dependence on the

58. On slack, see WILLIAM E. CONNOLLY, *POLITICS AND AMBIGUITY* 115 (1987). On debt forgiveness or release as part of the practice of interstate relations among sovereign states, see ODETTE LIENAU, *RETHINKING SOVEREIGN DEBT: POLITICS, REPUTATION, AND LEGITIMACY IN MODERN FINANCE* (2014). On destituent power, see Giorgio Agamben, *What Is a Destituent power?*, 32 *ENVY & PLAN. D: SOC’Y & SPACE* 65 (2014), which I discuss below.

59. G.W.F. HEGEL, *EARLY THEOLOGICAL WRITINGS 197–98* (T.M. Knox trans., Univ. of Pa. Press 1979) (1948).

60. *Id.* at 197.

61. *Id.*

62. *Id.* at 198. Miriam Leonard called my attention to the relevant passages in Hegel, for which I am grateful.

63. See *Leviticus*, *supra* note 53, at 25:23.

64. HEGEL, *supra* note 59, at 197 n.* (quoting *Leviticus* 25:23 (King James)).

65. This Hegelian assumption may inform Hannah Arendt’s decision to deny object-like status to cultivated land, which she puts in the domain of “Labor” rather than “Work” in her book. ARENDT, *supra* note 44, at 138. I discuss the matter in detail in Bonnie Honig, *What Kind of a Thing is Land? Hannah Arendt’s Object Relations*, *POL. THEORY* (forthcoming 2016).

sufferance or grace of divinity, and not (as in the case of the ancient Greek lawgivers, Solon and Lycurgus) as an expression of political commitment to the alleviation of inequality. Hegel concludes:

Since the relation of the Jews to one another as citizens was none other than the equal dependence of all on their invisible ruler and his visible servants and officials, since therefore there was strictly no citizen body at all, and since further that dependence eliminated the precondition of all political, i.e., free, laws, it follows that there could not be anything among the Jews resembling a constitutional law⁶⁶

We need not adjudicate the question of whether the early Israelite regime was a uniquely political-theological one (by contrast with the Greeks?), nor whether, if it were, that alone would have retarded its progress through world history. For us, surely, things look rather different in almost every way from Hegel's picture. The idea of the land not belonging to us, but rather being on loan to us for our responsible and even conditional use (in Jefferson's term, in "usufruct to the living"⁶⁷) is surely a useful supplement of virtue (in Aristotle's terms) to the thoroughgoing market relations of use, in which a certain fantasy of property is otherwise now embedded. And the idea of a people relating to itself through the mediation of an external agency, perhaps even an object that enables transitions, is actually a way of describing the Israelites' relation to God in the Book of Exodus.⁶⁸

This last point calls attention to the need to distinguish good from bad fantasies. Some enhance object permanence in ways that serve subjectivity, and some, making of the object a fetish or disallowing the kinds of relations that enchant subject and object both, stunt the subject in a kind of permanent suspended relation to it. Such a distinction might carry Hegelian traces insofar as we distinguish good from bad objects or fantasies on the basis of their capacity to supplement or underwrite subjectivity. But the argument can point in a different direction, perhaps even to suggest that understanding property relations in terms of loans and debts and collectivity might be preferable (both for the sake of subjectivity and for the environment) to the enlightenment model of ownership that generates one of the very problems—propertied individualism—that Hegel sought to resolve philosophically and politically. And, of course, we have already broached the idea that Hegel does not entertain: that the Sabbath is, in any case, not just given by God (or via an autoimmune defect or mercy of the curse), but that it is taken, by the resilient human agency that is never quite extinguished by the curse—but also the blessing—of everyday existence.

66. HEGEL, *supra* note 59, at 198.

67. Letter from Thomas Jefferson to James Madison (Sept. 6, 1789), in 6 THE WORKS OF THOMAS JEFFERSON 3, 3–4 (Paul Leicester Ford ed., 1904) (emphasis omitted).

68. The Hegelian reference to God as an illicit player in all this, a source of dependence where independence is wanted, tracks the later modern criticism of transitional objects as sources of dependence rather than the autonomy-enhancing artifacts that Winnicott believed them to be.

V. THE DAY OF (W)REST

There is something paradoxical about casting Sabbath-power, which involves turning to the Sabbath, which is after all a day of rest, to animate new sites of active agency.⁶⁹ But the Sabbath that we have recovered from Heine's Sabbath poetry is not a rupture of the everyday (like Carl Schmitt's view of the miracle, which grounded his view of the state of exception).⁷⁰ It is in some ways continuous with the everyday, its enchanted and enchanting partner (and so more grounded in something like Franz Rosenzweig's view of the miracle, which I argue elsewhere offers an important alternative to Schmitt's account of the state of exception).⁷¹ This view of the Sabbath as in some ways continuous with, in dialogue with, the secular week makes it less difficult to think of Sabbath as both power dependent and power generating; internal and not external. That is, this view does not fall into Hegel's trap of casting the Jew as necessarily subject to external powers. Instead, we see here a practice that has some family resemblance to the idea of the General Strike: a suspension of work that presupposes the productive power of workers, but also generates the generative powers that may open new and different orders of economic life.

Giorgio Agamben makes a similar-seeming move in a recent essay when he imagines an analogy between Sabbath and destituent power.⁷² But he seems to want the Sabbath without the power, the rest without the wrest.⁷³ In "What is a destituent power?" Agamben turns to the Sabbath as a way of establishing the possibility of a kind of "inoperativeness"⁷⁴ that is not the mere negation of action; a destituent

69. Though it is not simply paradoxical if we return to the analogy with the General Strike: there is the question of whether, as Matthew Sharpe puts it (in a way that tracks the argument I make here about Sabbath and metamorphosis), "a strike is an instance of passivity (it stops work) or activity, as when people talk of taking 'strike action': which involves picketing, rallying, advocacy, public speaking, and other political actions." Matthew Sharpe, *Only Agamben Can Save Us?: Against the Messianic Turn Recently Adopted in Critical Theory*, BIBLE & CRITICAL THEORY, 2009, at 40.1, 40.19 n.19, available at <http://novaojs.newcastle.edu.au/ojsbct/index.php/bct/article/viewFile/272/255>.

70. See GIORGIO AGAMBEN, STATE OF EXCEPTION 56 (Kevin Attell trans., 2005).

71. See HONIG, *supra* note 30, at 95–98.

72. See generally Agamben, *supra* note 58.

73. See Stefano Franchi on "the apparent paradox of passive politics" in Agamben, which Franchi deems problematic. Stefano Franchi, *Passive Politics*, CONTRETEMPS, Dec. 2004, at 30, 38. But there are ways out, says Franchi, *id.*, albeit not by way of Agamben. In workerism, "Politics becomes passive in the sense that the canonical form of Marxist political action, the workers' struggle against capital, is identified with a denial of any action at all, as Mario Tronti declared in 'The Strategy of the Refusal.'" *Id.* But that strategy is not a politics as such (and indeed, Franchi notes, "Later in the essay Tronti claims that mass passivity is the first, necessary step that must however become active in becoming organized, political and subjective."). *Id.* at 41 n.16. Thus, refusal "is only the necessary first step for a liberatory politics that must be followed by the creative invention of 'new forms of life and a new community.'" *Id.* at 38. In sum, destituent power and constituent power are not alternatives, but collaborators.

74. For an early discussion of inoperativeness in Agamben's work, see GIORGIO AGAMBEN, HOMO SACER: SOVEREIGN POWER AND BARE LIFE 61–62 (Daniel Heller-Roazen trans., 1998), where the notion is presented in relation to Bataille's notion of *desoeurement*: "The only coherent way to understand inoperativeness is to think of it as a generic mode of potentiality that is not exhausted (like individual action or collective action understood as the sum of individual actions) in a *transitus de potentia*

power that is not the mere negation of its constituent counterpart.⁷⁵ He claims to find resources in the Sabbath for a third option that escapes the charge of mere negation:

The modern epoch, starting from Christianity—whose creator God defined himself from the origin in opposition to the *deus otiosus* of the pagans—is constitutively unable to think inoperativity except in the negative form of the suspension of labor. Thus one of the ways in which inoperativity has been thought is the feast [*la festa*], which, on the model of the Hebrew Shabbat, has been conceived essentially as a temporary suspension of productive activity, of *melacha*.⁷⁶

But he goes on: this feast could be seen as mere suspension too. So, seeking to move beyond mere negation, Agamben says the feast can be “defined not only by what in it is not done, but primarily by the fact that what is done” is what we do every day (eat, drink, and so on), but done differently.⁷⁷ Doing everyday activities differently does not negate the everyday, he says. Rather the everyday “becomes undone, is rendered inoperative, liberated and suspended from its ‘economy’, from the reasons and purposes that define it during the weekdays.”⁷⁸ Thus Agamben concludes, “not doing, in this sense, is only an extreme case of this suspension,” and not negation after all.⁷⁹

Here, Agamben hopes, we see a kind of cessation that is an alteration rather than a negation:

If one eats [on the Sabbath], it is not done for the sake of being fed; if one gets dressed, it is not done for the sake of being covered up or taking shelter from the cold; if one wakes up, it is not done for the sake of working; if one walks, it is not done for the sake of going someplace; if one speaks, it is not done for the sake of communicating information; if one exchanges objects, it is not done for the sake of selling or buying.⁸⁰

And this generates a different, presumably non-negating kind of inoperativity, one that does not presuppose and require that which it seeks to overcome. (In this sense, it is singularly un-agonistic, it seems.)

ad actum.” See also GIORGIO AGAMBEN: SOVEREIGNTY AND LIFE (Matthew Calarco & Steven DeCaroli eds., Kevin Attell trans., 2007).

75. See generally Agamben, *supra* note 58.

76. GIORGIO AGAMBEN, ELEMENTS FOR A THEORY OF DESTITUTENT POWER (Stephanie Wakefield trans., 2013), available at <http://www.scribd.com/doc/236409599/AGAMBEN-Elements-for-a-Theory-of-Destituent-Power>.

77. Agamben, *supra* note 58, at 69.

78. See *id.*

79. This “not doing,” which is not negation, is identified by Agamben with Bartleby, the Melville character much beloved by many critical theorists from Deleuze to Agamben. *Id.* I examine the consequences of critical theory’s Bartleby-love, also in the context of Sabbath-power, in my essay, *Charged: Debt, Power, and the Politics of the Flesh in Shakespeare’s Merchant, Melville’s Moby-Dick, and Eric Santner’s The Weight of All Flesh*, my reply to Eric Santner’s Tanner Lectures, in *THE WEIGHT OF ALL FLESH: ON THE SUBJECT-MATTER OF POLITICAL THEOLOGY* (Kevis Goodman ed.) (forthcoming 2015).

80. Agamben, *supra* note 58, at 69.

It is difficult, however, to see how destituent power can escape, through a kind of stipulated purism, the charges of negativity and essentialism (as if, like Aristotle, we could claim some relations are all virtue and no use or pleasure).⁸¹ And although Agamben uses the term destituent power, his focus is not—as it is in Heine’s poem, possibly *malgré lui*—on the collective and sensorial powers we exercise to *make* Sabbath (or *take* it) and, later, unmake it or bid it goodbye. Still, we may borrow from Agamben the insight that resistance requires some unplugging, as it were, from our current investments in forms of agency and power that—whatever their merits—also re-embed us further in hierarchical institutions and arrangements. Sabbath, in the privative sense, is not enough, but it is necessary to its more generative aspect, the generation of Sabbath-power, and conversely—and this is key—Sabbath-power is itself necessary to the capacity to unplug, as it were.⁸²

Sabbath cannot deliver the equality it stands for, however, unless those who observe it are *active* participants in its egalitarian project, and this (contra Agamben) through *both* destituent and constituent forms of power. Analogously, we may say with Winnicott, having the blanket is not enough, nor is finding comfort in it. It must also be the child’s partner in play, if it is to “work.” As Richard Dienst puts it in *The Bonds of Debt*, the way forward—what he calls “a radical politics of indebtedness”—may require combining two utopian attitudes that “might at first appear opposed or contradictory.”⁸³ The first entails an acceptance of the fact that “human productivity itself requires indebtedness as a kind of irreducible technical

81. Agamben gets this far by tracking a traditional Judaic view of the Sabbath as nonpurposive, in contrast with the purposiveness of everyday life. But does this idea of a nonpurposiveness cleansed of purpose escape the charge of negation? It may be useful here to recall Jacques Derrida’s reading of Aristotle’s three kinds of friendship, in which friendship as virtue is treated as separate and distinct from the other two: friendship as pleasure and friendship as use. JACQUES DERRIDA, *THE POLITICS OF FRIENDSHIP* 203 (George Collins trans., Verso 2005) (1994). Derrida’s reading of Aristotle shows how, on his own account, friendship as virtue, pleasure, and use are decidedly co-implicated. In casting the Sabbath as the uniquely pure time and space of non-use, Agamben returns us to the purity and essentialism of Aristotle on virtue friendship. There may be a traditional Judaic view of Sabbath that is similarly essentialist and pure, but it is one view among others. Moreover, the idea of destituent power, in the name of which this nonpurposive Sabbath practice is recovered, is conceived by contrast with constituent power. Thus, the recalibration that Agamben seeks is marked by this negation, surely, as it is by his earlier critique of Negri and by Negri’s own response, in which Negri charges that Agamben does not provide politics with any principle of productivity or activity. (Thanks to Peg Birmingham on this point.)

82. Sometimes this unplugging may alter the operation of the system we seek to alter. In the case of Sabbath-power, it may also point to different systems—a precapitalist form of life that once supported and was supported by Jubilee, or a postcapitalist form that is not quite yet imaginable. I assume that Julia Reinhard Lupton is working in the vicinity of these ideas when she adds to the tisch of Arendt a “Sabbath symbolism [that] is no mere ornament,” as Sanford Budick put it in his review of JULIA REINHARD LUPTON, *THINKING WITH SHAKESPEARE: ESSAYS ON POLITICS AND LIFE* (2011). Sanford Budick, Book Review, 111 *MODERN PHILOLOGY* E323, E323–24 (2014). “For Lupton,” as Budick says, such imagery “betokens a supplementary dimension of the thinking of shared or interim space. She pursues varieties of this idea through the writings of Giorgio Agamben on a ‘Sabbath’ of ‘inoperative’ work (56–57, 237) and even finds it in Hamlet’s ‘Sabbatarian’ ‘let it be’ (241).” *Id.* at E324.

83. DIENST, *supra* note 52, at 183–84.

prosthesis,” and this is well pursued through practices like microcredit.⁸⁴ And the second, “associated with Jubilee,” “insists that people must always be able to refuse the obligations built into their circumstances, and insofar as these obligations can be ruptured by an act of will . . . cancelling debts or going bankrupt is always somehow liberating. Not just once, but over and over.”⁸⁵

VI. FANTASY AND WORLD-MAKING

Heine’s Sabbath poetry can be what Arendt says it is: a bid for inclusion. Or it can be the story of incandescent resilient souls who, week after week, wash off the dust of oppression and division to re-experience and claim equality, for a moment, so that this equality may, as Franz Rosenzweig hoped and thought it should, be seen to be always already operating in every week, available to be (re)activated. Thus understood, Sabbath is not merely an exceptional refuge that punctuates the weeks in their interminable secular, hierarchical sameness. Since Arendt seems to distance herself from Heine’s belief that he, as a singular poet, dwells in Sabbatical exceptionality all the time and is not himself subject to the cycle of metamorphosis, we may see in her some openness to the idea presented here, that Sabbath-power is best seen as an intensification of the everyday—not, like Heine’s self-exception from the dog life of the Jews, a distinct alternative to it, and certainly not something whose purity with respect to the profane should be assumed.

Heine sometimes thought that he, the poet and lord of dreams who lived in a permanent Sabbath state (he thought), could do something like the work of the Sabbath and ennoble a people made ignoble by circumstances. Arendt had little patience for such aspirations. Indeed, the entire “hidden tradition,” to which she gives shape in her essay by tracking the efforts of even admirable conscious pariahs, is one conjugated only by individuals and limited thereby. No action in concert occurs here and no alteration results in the conditions of worldliness. Arendt wants to credit the insight and courage of those who chose the path of the pariah rather than the parvenu. Their acts were not without consequence. But, she recognizes, they operated in limiting situations and their example can be no model for us now. They had no political significance.⁸⁶ They cared for the world but could not act effectively upon it.

Still, she may have been too quick in underestimating Heine’s Sabbath poetry. Wending its way in and out of German orientalism and philhellenism, through the *Arabian Tales*, the Greek pagan gods, Judaic monotheism, and the faith of every major religion in rebirth, restoration, and renewal, Heine’s practically Melvillean, even glossolalic, Sabbath poetry may be seen as constituting a world of hybridity before such a world is possible. Since fantasy underwrites facticity (in Winnicott and elsewhere too), and since such fantasizing is crucially important to the world-making

84. *Id.* at 184.

85. *Id.*

86. ARENDT, *supra* note 3, at 288–91.

on behalf of which Arendt herself wrote, such individual efforts may not be sufficient to effect world transformation. But they may be necessary. That Arendt at some level knew this is suggested by the fact that she thought this “hidden tradition” was worth recovering, reconstructing, exploring, and disseminating.

For us, now, Heine’s poem calls attention to the power of Sabbath. Sabbath-power (experienced not only in the weekly ritual but also in practices of land and debt sabbatical known as *sh’mita* and Jubilee) underwrites egalitarian practices that act legally to suspend (the force of) law in order to foment restoration and rebeginning.⁸⁷ Another example we could add to those already mentioned is that of the debtor sanctuaries at Whitefriars, the Mint, and elsewhere, into which no bailiffs were allowed and which protected the lives (and sometimes also the assets) of those imperiled by debt and otherwise fated to bare life in debtors’ prisons.⁸⁸

Returning to Arendt’s essay, these readings of Heine, Arendt, Hegel, Winnicott, and others invite us to see each of Arendt’s four pariahs not, as we may have done at the start, as more or less wanting in relation to a standard of action or pariah consciousness. Instead, we may ask what we stand to acquire from each, what are each of the pariah’s possible “contributions in” to the subject, according to that pariah’s own properties? All four of Arendt’s exemplary pariahs contribute to a repertoire of resilience that includes rebellion, visionary poetry, Sabbath-power, the sort of rights claiming that appeals to official powers, and a humanism expressed by way of mockery of those very same official powers. Even Heine’s mystical naturalism has a role to play here, surely, if we treat Arendt’s figures as conjugators of a shared tradition and not (as she herself sometimes seems to do) as offering a menu of distinct alternatives. As we know from the example of Strike Debt: rebellion, poetry, Sabbath-power, rights claiming, and mockery of the powers that be all presuppose and require each other when the political aim is to disenchant

87. “The land was ours before we were the land’s” is the first line of ROBERT FROST, *The Gift Outright*, in *THE POETRY OF ROBERT FROST* 348, 348 (Edward Connery Lathem ed., 1969), a poem caught in the colonial mentality of promise that hides dispossession but is available, I would argue, for redirection given its idea that land comes to possess those who seek to possess it, if they give themselves up to it. (Thanks to George Kateb for this reference.)

The land was ours before we were the land’s. / She was our land more than a hundred years / Before we were her people. She was ours / In Massachusetts, in Virginia, / But we were England’s, still colonials, / Possessing what we still were unpossessed by, / Possessed by what we now no more possessed. / Something we were withholding made us weak / Until we found out that it was ourselves / We were withholding from our land of living, / And forthwith found salvation in surrender.

Id. Does this idea of “salvation in surrender,” now Christian, not Jewish, pass Hegel’s various tests?

88. I thank Shaun McVeigh for calling my attention to Whitefriars. On debtor sanctuaries, see Nigel Stirk, *Fugitive Meanings: The Literary Construction of a London Debtors’ Sanctuary in the Eighteenth Century*, 24 *BRIT. J. FOR EIGHTEENTH-CENTURY STUD.* 175 (2001). Stirk’s focus is on the Mint, the last surviving debtors’ sanctuary . . . which stayed beyond the law until 1723. The Mint occupied both a physical space close to the centre of London, and a place in ongoing debates about the liberty of debtors who faced imprisonment for non-payment and the property rights of creditors. At a time when the force of English law was relied upon to defend liberty and property, the continued presence in London of an area the law could not reach was highly problematic.

Id. at 175 (footnote omitted).

existing institutions in the hope of enchanting new ones. None by themselves can succeed, but then most of those engaged in politics know that, in the words of Strike Debt, we “are not a loan.”⁸⁹

That said, we are always at risk of being nothing at all, as Heine showed he knew when he recorded in his memoir this anecdote about the glossolalic meanderings of his name:

Here in France my German name, “Heinrich,” was translated into “Henri” just after my arrival in Paris. I had to resign myself to it and finally name myself thus in this country, for the word “Heinrich” did not appeal to the French ear and the French make everything in the world nice and easy for themselves. They were also incapable of pronouncing the name “Henri Heine” correctly, and for most people my name is Mr. Enri Enn; many abbreviate this to “Enrienne,” and some called me Mr. Un Rien.⁹⁰

Which is to say, “a nothing.”⁹¹ *Un rien*, the pariah fate. Here Heine enlists the pariah resources of resilience evident in Arendt’s inadvertent list: humor, counterglossolalia, mockery, Sabbath-power, rights claiming, and more are the constituent and destituent forms of action available to those lacking, for the moment, access to constituent power. They may even serve as preliminaries to it, or necessary conditions of it. But they are not its substitutes.

89. STRIKE DEBT!, *supra* note 1, describes its mission as follows:

Rolling Jubilee is a Strike Debt project that buys debt for pennies on the dollar, but instead of collecting it, abolishes it. Together we can liberate debtors at random through a campaign of mutual support, good will, and collective refusal. Debt resistance is just the beginning. Join us as we imagine and create a new world based on the common good, not Wall Street profits.

A Bailout of the People for the People, *supra* note 54.

90. DANIEL HELLER-ROAZEN, ECHOLALIAS: ON THE FORGETTING OF LANGUAGE 35 (2005).

91. *Id.*