Why They Prefer Bartleby? Ethics of Theory in Political Critique

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Abstract Herman Melville's famous novella "Bartleby" has been circulated and consumed in the terrain of philosophical discourses aptly demonstrating the problematic status of a literary text within the realm of critical theory. Plenty of literary and critical theorists from Agamben to Deleuze like to take the figure of Bartleby as a political symbol supporting their arguments, but they often ignore the way he is represented as a part of a singular literary narrative. They tend to separate Bartleby from "Bartleby," capitalizing exclusively on his peculiar implication as a resistant political subjectivity which is supposed to signify something subversive in the systematic order of global capitalism. As a result, the figure of Bartleby, isolated from the literary context, has been easily reduced to a free signifier representing what the critical theorists desire to prove. But Bartleby in "Bartleby" is constitutively described by the unnamed lawyer to be a pathetic melancholic or a man of mental disorder whose inscrutable commanding presence with enigmatic formula, "I would prefer not to," is thought to configure a certain political potentiality. Reformulating the way Bartleby is co-opted and pathologized by the discourse of the lawyer, I would like to re-situate the figure of Bartleby within the contextual representation, taking the issue with theoretical and philosophical appropriation of a literary text. Taking example of recent critical analyses of Bartleby, I hope to demonstrate how theoretical analysis of a literary text often depends upon the cursory reading of the *syuzhet* of the text and how it drives the whole argument into its own ethical abyss.

Key words Bartleby; political subjectivity; "I would prefer not to"; potentiality

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Why Bartleby?

The failure of May '68 left practical as well as theoretical task to the critical thinking of the politics in general. One is the urgent need to analyze why Marxist political program in the barricade could not succeed what it was supposed to achieve in the real revolutionary situation. The other is the necessity to explain the role of critical theory in the revolutionary politics, especially it concept of resistant subjectivity against capitalist world system. The disappointment of May '68 as anti-system movement forces us to rethink the viability of political engagement aptly expressed in the Sartrean philosophy of subjectivity and its collective desire of a cultural revolution. The resilience of capitalist system itself and the micropolitical power structure despite drove anti-systematic movement to its debacle. Marxist or New Left model of collective subjectivity has to be reformulated. Foucault was the first to raise a challenging question to the politics of the left based on class antagonism, emphasizing the scientific understanding of power structure itself in terms of what he calls "discursive formation." He criticized the left political theory for its lack of attention to "the mechanics of power in themselves." He also hoped that "analyses of power would prove fruitful in accounting for all that had hitherto remained outside the field of political analysis" (Foucault [1984] 58). He insists that "one has to dispense with the constituent subject, to get rid of the subject itself, that is, to arrive at an analysis which can account for the constitution of the subject within a historical framework" (Foucault [1984] 59).

Like Louis Althusser's controversial notion of ideology as "interpellation," however, Foucault's concept of discursive power has largely been misunderstood by many Marxist thinkers to be a retreat into micropolitics that would eventually help to promote the smooth operation of actually existing system in the macropolitical struggles (Eagleton 36). No coincidence then that the lesson of May '68 could not be extended to the radical rethinking of the political itself, only to witness the subsequent collapse of socialist bloc and the triumph of capitalist neoliberalism afterwards. The task of the so-called "post-theories" was thus doubly charged; it has to procure practical agenda for the worldwide resistant political struggles and at the same time fight with the internal differences concerning the role of critical theory

for enhancing revolutionary politics. Was the problem really the lack of analysis about the system and its intricate structure of micropolitical power?

But one thing was broadly shared among critical theorists. Not the state but the culture has been the central territory where the power struggle has to be fought. The politics in the future must not be defined in terms of the radical change of state power; it tacitly involves with reformulating the complex web of manifestation of individual desire. How is it then possible to conceptualize the sudden upheaval and the fatal demise of revolutionary resistance in terms of political subjectivity? How to reconfigure the political transformation without supposing the highly conscious political subject such as proletariat or the worker? To put it otherwise, "why do men fight *for* their servitude and stubbornly as though it were their salvation?" (Deleuze and Guattari 29). For Deleuze and Guattari, the question of unconscious desire might be "the fundamental problem of political philosophy" after May '68. Concentrating as it does on why "it happens that one desires against one's own interest," he desperately wants to explain how "desire devotes itself to operations that are not failures of recognition, but rather perfectly reactionary unconscious investments?" (Deleuze and Guattari 257). Individual subjects, no longer a simple victim of structural and systematic oppression, a voluntary participant in their own submission and repression. In this sense, both Marxism and psychoanalysis fell far short to provide a viable political alternative.

Therefore, to continue to struggle against the system itself as a revolutionary subject or to stoically withdraw from the territorializing power of capitalism could not constitute a practical option. In order to cope with such an aporia of political subjectivity, critical theories attempted to reflect, or de-speculate, for that matter, on themselves. For Foucault, the task of critical theories after '68 would thus be to imagine what he called "Non-Fascist Life." Critical questions should be "less concerned with why this or that than how to proceed" and political theories must devote themselves to delving into the very mechanism in which "desire deploy[s] its forces within the political domain and grow more intense in the process of overturning the established order" (Foucault [1983] xii). This explains why Bartleby was chosen as a representative figure of radical resistant subjectivity within the system itself.[1] Bartleby defies any category of traditional subjectivity. He is neither a proletariat nor an alienated worker nor a radical intellectual. But he effectively performs a radical negation with his gesture of absolute non-action. In short,

1 Another favorite political figure would be Judith Butler's 'Antigone,' a gendered version of thisnew subjectivity of Bartleby, who performs political resistance with absolute negation to the established orders of patriarchy and power system. See Butler 23.

Bartleby has been thought to prefigure the coming of new political subjectivity. Everybody seems to summon his or her own Bartleby.

"Bartleby" as Biography

What was frequently missed the notice, however, in the critical appropriations of Herman Melville's well-known novella "Bartleby, the Scrivener" is the fact that the tale actually consists of three different narrative discourses.[1] The first part is the three paragraphs of self-introduction of the lawyer-narrator who describes himself as an elderly man having kept the policy of following his motto, "the easiest way of life is the best," and insinuates the motive for writing "the life of Bartleby, who was a scrivener, the strangest I ever saw, or heard of" (Melville 92). According to the storyline, the narrative time of the first part spans from 1848 after the death of John Jacob Astor to 1853 when the story first appeared in *Putnam's Magazine*. The main story of Bartleby as we know it constitutes the second part where the arrival of Bartleby and his brief sojourn at the lawyer's office are presented. What happened in the lawyer's biography of Bartleby during his stay of six months covers the period from the summer of 1843 to the early 1844. The last section of the story, clearly demarcated by the asterisk mark from the preceding one, tells the lawyer's speculations after Bartleby's death concerning the rumor of his past at the Dead Letter Office. The report was inserted to have presumably been found sometime after Bartleby's death in 1844 and before the launching of the first part of the story in 1853. This means that the lawyer was already fully aware of the rumor before the whole story begins to be deployed, but, strangely, the first part does not give us any hint of his pre-recognition.

Of the three, the lawyer's postscript has a quite problematic status in its relation with the other two because it, written as a sort of narrative epilogue signifying Bartleby's biography as a queer tragedy, attempts to convince the reader of the lawyer's innocence and responsibility towards Bartleby's death. Nonetheless, the reader can also easily discern here Melville's effort to put himself in ironical distance from his lawyer-narrator by demonstrating as it does an almost comic absurdity of his reasoning itself which sentimentally links the unfounded rumor of Dead Letter Office to Bartleby's morbidity: "Dead letters! does it not sound like dead men?" (Melville 131). Indeed, the whole afterthought of the lawyer-narrator sounds like an obituary in a newspaper in which the reference to the dead

1 The original title was simply "Bartleby" as Melville's letters to the publisher clearly indicated, but the rest of the title had been added when it finally appeared in *The Piazza Tales*. See Bergann 432-433 and McCall 132-133.

letters often invoked the reader's sentimental responses.[1] What Melville intended with the addition of report about dead letters as an appendix appears clear enough; he wants the readers to take critical distance from the lawyer's narrative strategy of excessive sentimetalization and concentrate on his blindness to the possible damage the sudden dismissal from the Office inflicted on Bartleby's morbidity.[2] By transforming Bartleby's biography into an irretrievable tragedy resulting from an incurable disorder of a mentally unstable and overtly pathetic individual and ascribing his morbid helplessness to a symptom already pre-given at Washington before his arrival at New York, lawyer *as narrator* tries to ethically exempt the lawyer *as employer* from the possible accusation of irresponsibility or guilt towards his employee's misery.

It is necessary, however, to avoid hastily misjudging the lawyer-narrator's fundamental goodness towards Bartleby. Though Bartleby's morbidity has something to do with what happened at the lawyer's office, the lawyer himself, throughout the story, has not been described to be the immoral man of the world, who cruelly exploited his employees ignorant of their well beings. On the contrary, what was conspicuous is the descriptions of lawyer's benevolent and sympathetic attitude towards his employees in his office. Especially, the lawyer seems to have shown, as far as he could, every efforts to support Bartleby until his death. If we take narrator's descriptions at face value, Bartleby's adamant refusal to cooperate does not come from any hostility against the lawyer's mistreatment or his immorality. What is at stake is, however, the reliability of the lawyer as a narrator or, to be more precise, the structural impossibility to objectively figure out whether the lawyer's narrative is really convincing enough to believe his representation of Bartleby and his own self-description. Indeed, there is a strong possibility that the lawyer-narrator unwittingly or unconsciously justifies the "prudence and method" in his dealing with Bartleby. The tripartite structure of narrative compels us to pay attention to the often neglected fact that Bartleby's biography is actually a part and parcel of

1 As to the sentimental tendency of newspaper descriptions on dead letters during the 1850s, see Parker 90-99, McCall 2-3, and Bergmann 432.

2 The lawyer's ignorance of the fatal consequence of Bartleby's sudden dismissal from the Office appears doubly ironical if we consider the fact that the lawyer himself also suffered the similar loss of job as a Master in Chancery Court by the simple change of law. This is the only occasion in the whole narrative where the lawyer confessed he was really pissed off despite his mild temper. "I seldom lose my temper; much more seldom indulge in dangerous indignation at wrongs and outrages; but, I must be permitted to be rash here, and declare, that I consider the sudden and violent abrogation of the office of Master in Chancery, by the new Constitution, as a—premature act" (Melville 93).

the lawyer-narrator's autobiography. The lawyer-narrator's whole description of Bartleby's tragedy in the middle section signifies more than what it aims to achieve: it actively participates in the lawyer's desire to present himself as a good-hearted, benevolent, friendly individual who has been steadily sympathetic with the fellow human being of excessive morbidity and "pallid hopelessness" (Melville 131). This means that a detailed analysis of the lawyer-narrator and his unconscious drive to narrative containment has to be preceded in order to answer to the question, "Who is Bartleby?"

"Bartleby" as Autobiography

Before Melville published "Bartleby" in *Putnam's Magazine*, James A. Maitland wrote *The Lawyer's Story* in *The Sunday Dispatch* from February to May, 1853, with which Melville was clearly acquainted (Bergmann 433). *The Lawyer's Story* was, like "Bartleby," a New York lawyer's first-person narrative on the fate of his unusual scrivener. Maitland's first sentence runs very much similar to the introductory description of Bartleby in the second part of Melville's story.

In the summer of 1843, having an extraordinary quantity of deeds to copy, I engaged, temporarily, an extra copying clerk, who interested me considerably, in consequence of his modest, quiet, gentlemanly demeanor, and his intense application to his duties. (qtd. Bergmann 433)

In answer to my advertisement, a motionless young man one morning stood upon my office threshold, the door being open, for it was summer. I can see that figure now—pallidly neat, pitiably respectable, incurably forlorn! It was Bartleby. (Melville 99)

If we compare the above two descriptions, Melville's is written with more emotionally charged words like "pallidly," "pitiably," and "incurably." What draws our attention is, however, not the difference in the narrator's responses but the one of narrative structure. *The Lawyer's Story* does not have any self-introductory remark about the lawyer-narrator, which indicates that it aims to simply record the biography of the scrivener. It seems that Melville, while transforming Maitland's story of scrivener, deliberately led the reader's attention not only to the pathetic characterization of Bartleby but also to the way the lawyer-narrator curbed Bartleby's biography within his own autobiographical impulse tacitly locating his autobiographical descriptions before Bartleby's appearance. Melville appears to be more concerned with putting an additional emphasis on the lawyer's self-justifying reaction than on the morbidity of the inscrutable scrivener himself.

Another critical difference of Melville's transformed narrative from *The*

Lawyer's Story is that while Bartleby's motive for successive refusal remains a pure conjecture Maitland's scrivener, Adolphus Fitzherbert, had a good reason for his habitual melancholy because of the disappearance of his beloved sister (Bergmann 434). Maitland's biography of Adolphus the orphan follows the standard of the popular novel of the period, making his paralysis a temporary one caused by the separation from the family and ultimately resolved at the end, with the intervention of the lawyer, by the reunification with the sister. Melville's Bartleby, however, does not enjoy such a typical narrative solution since the author intentionally leaves the scrivener's history in an obscure territory, only to insinuate the rumor concerning the dead letters at the postscript. As was discussed above, it is clear that Melville's lawyer-narrator knew the rumor in advance before he began to deploy the story, but he deliberately avoiding, for some reason, informing the existence of the report until the last moment. This deferral necessarily leads to the question as to why Melville did not let his lawyer-narrator follow the convention of biography making Bartleby a highly problematic figure throughout the story.

For Melville, "Bartleby" is not just an extraordinary biography of a tragic, forlorn individual whose melancholy of alienation has no individual cause; it is also an autobiography of an ordinary lawyer whose unusual reactions to his employee appears problematic. The lawyer keeps justifying his reluctant but sympathetic response to Bartleby by ascribing Bartleby's sheer negation to "passive resistance" coming from some unknown mental instability, but what we find most symptomatic throughout the story is rather the reader's overwhelming doubt as to why the lawyer resists so passively and defensively towards Bartleby's absurd insistence on preferring not to do anything. Indeed, what makes the narrative interesting and thrilling at the same time is the reader's growing curiosity over why and for what reason the lawyer finds himself so helpless and ineffective towards Bartleby rather than the true motive of Bartleby's inaction. Indeed, the lawyer keeps failing to identify the cause of Bartleby's refusal to examine, copy, and do nothing, often miscalculating it to come from a physical or mental disorder.

Why does the lawyer continue to fail to act according to the business assumption of the employer and postpone the decision to expel Bartleby from the office? As an employer, he has every right to fire him for the breach of contract. It seems that all the lawyer does in the story is to defer the act of dismissal and justify his own inaction and passive resistance towards Bartleby.

> Poor fellow! thought I, he means no mischief; it is plain he intends no insolence; his aspect sufficiently evinces that his eccentricities are involuntary.

> He is useful to me. I can get along with him. If I turn him away, the chances are he will fall in with some less-indulgent employer, and then he will be rudely treated, and perhaps driven forth miserably to starve. Yes. Here I can cheaply purchase a delicious self-approval. (Melville 105)

Here the lawyer once again persuades himself to acknowledge the reason why he still needs to keep Bartleby in his office *despite* his apparent lack of usefulness; he knows Bartley already denied any request from him and is not useful to him anymore. Is it really because the lawyer is preoccupied to display himself to be an exceptionally sympathetic and benevolent employer who has a good heart never to turn a poor fellow away from his care? As Bartleby's preference not to do anything gets more and more serious, the lawyer's legitimate assumption as an employer crumbles and it often drives him into occasional "evil impulse" to dismiss him once and for all. But strangely, he could not perform what he is expected to do. From this encounter on, the fact that "he was always there" (Melville 107), a token sign that Bartleby is still potentially useful to him, no longer gives the lawyer any consolation; "Just in proportion as the forlornness of Bartleby grew and grew to my indignation, did that same melancholy merge into fear, that pity into repulsion" (Melville 111).

Pathologizing Bartleby

Just as the lawyer's sympathy gradually turns into a feeling of repulsion and fear against Bartleby, so his narrative strategy of containing Bartleby's possible influence on him takes a pathologizing turn: the lawyer-narrator tries to ascribe Bartleby's resistance to the result of "innate and incurable disorder" (Melville 112). The lawyer even declares that "it was his soul that suffered, and his soul I could not reach" (Melville 112). The lawyer could not possibly fathom the reason why Bartleby acts like that, or more precisely, why he does not act what was assumed to be his share of the work, and it not only demonstrates Bartleby's dubious desire not to act but also highlights the lawyer's innate inability or blindness to the poverty and misery of the dispossessed. This is not because the lawyer is secretly an evil employer who attempts to hide his intention to exploit as much as possible by being only outwardly nice and friendly towards the employee but because he is a person who is inherently unable to imagine and understand what it means to be in poverty. What really matters for Melville is the lawyer's constitutive blindness.

As is clearly suggested in the lawyer's comic reaction to Bartleby's famous reply to the lawyer when he was asked of the reason of his inaction, "Do you not

see the reason for yourself?" (Melville 115), the lawyer, as a person who pursues the easiest way of life among the rich people, has no ability to feel for or with Bartleby and his poverty. Since he could not feel he is somehow responsible for Bartleby's current poverty and suffering, the lawyer easily resorts Bartleby's misery to the fact of his physical deformity: he simply added that "few weeks of his stay with me might have temporarily impaired his vision" (Melville 115). It was this disparity over what one is really responsible for concerning the other's suffering that makes the lawyer's gesture of hospitality doubly problematic. He is innately blind to the sufferings of the dispossessed precisely because he could only present himself a sympathetic and benevolent employer. This also explains why the lawyer so easily pathologizes Bartleby's resistance as a symptom of incurable disorder and minoritizes him into a victim of the sentimental tragedy.

This might be the paradox of class antagonism under the capitalist economic system itself. Is it possible to say that the lawyer and Bartleby constitutes a typically antagonistic relationship of class struggle like that of the capitalist and the worker? Not exactly. All the lawyer did do was to provide Bartleby with the money and shelter and even pay the emotional sympathy into the bargain. He did no harm to Bartleby. Still, he strangely feels guilty precisely of what he had not done to him. And Bartleby seems to blame the lawyer just for what he did as a sympathetic employer. How absurd is this situation for the lawyer! What then is at stake here? What was wrong with the lawyer? Though the lawyer offered to Bartleby more than what he possibly could do, materially and emotionally, as a benevolent employer, he failed to understand his employee, and it makes himself, not Bartleby, such a miserable fellow who is incapable of doing nothing but pathologizes his miserable scrivener. If the lawyer's guilty feeling is not without reason, it might be because he unconsciously feels that he unwittingly contributed to the continuation of the system of exploitation by his very willingness to give moral sympathy to Bartleby's exceptional misery. In this sense, Bartleby's absolute negation and unemotional animosity towards the lawyer and his role of lubricating the exploitive system coincides with the lawyer's lack of understanding of the working of the system itself and the pathologizing gesture towards his employee.

Though the lawyer does not represent the system itself and Bartleby is in no sense a typical alienated worker himself, there is certainly something akin to what we call a class antagonism between the two. Bartleby's struggle of inaction precisely targets this paradox of the lawyer's blind antagonism itself, neither the lawyer himself nor the system itself. What the lawyer does not see when he asked what went wrong with Bartleby is this paradox of invisible systematic antagonism

upon which he and Bartleby's individual relationship is based and which makes both of them blind to the very mechanism of the system itself. Thus the real tragedy of the story lies in the fact that once within the system both the employer and the employee, despite themselves, tend to misrecognize such an internalized system of exploitation and class antagonism to be those of purely individual, even ethical relationship.

No wonder then that the lawyer's gesture of pathologization and sentimentalization is a kind of defense mechanism against unconscious fear of disaster that Bartleby's constant presence and adamant refusal might bring to his "snug business" and "easiest way of life" (Melville 92-93). In this context, the lawyer's attitude intimately reminds us of Benjamin Franklin whose autobiography mostly consists of the descriptions concerning his success as a person, like the lawyer, of "prudence and method" (Melville 93) against his fellow human beings. Benjamin Franklin's motto for life comparable to the lawyer's prudence and method is "credit and character" for which he "took care not only to be in *Reality* Industrious and frugal, but to avoid all *Appearances* of the Contrary" (Franklin 54). Indeed, Franklin's self-presentation as a successful American business man is full of descriptions of his conscientious treatments, even when he acknowledges his errata, towards the others who failed to satisfy the social standard due to their innate individual malady. The lawyer appears to be the modern version of a Franklinian individual who could not understand the systematic antagonism inherent in the commercial economy, ultimately contributing to the continuance of the system itself. This connection explains also why Melville's novella must first be read as a lawyer's self-justificatory autobiography written blindfolded to this enigmatic antagonism before it could be recorded as a symbolic story of Bartleby's tragic resistance against the system itself.

Who is Bartleby?

It is not difficult then to figure out why Bartleby was so much preferred to other usual suspects in the current theoretical debates on the politics of resistant subjectivity against the capitalist system of exploitation. Bartleby has been easily identified with the political subjectivity whose downright gesture of rejection to work is valorized to be the heroic resistance against the system of capitalist economy. As an employee of the Wall Street and a scrivener of the lawyer's office, Bartleby was often upheld as a sort of tragic victim of systematic exploitation or as a subjugated individual representative of the exhaustion of labor under disciplinary system of society. For many, his famous formula, "I would prefer not to,"

symptomatically anticipates the arrival of modern alienated worker and its political resistance against the system. For Giorgio Agamben, Bartleby amounts to "the extreme figure of the Nothing from which all creation derives" and he "constitutes the most implacable vindication of this Nothing as pure, absolute potentiality" (Agamben 253-54). But Han Byung-Chul, opposing to Agamben's "onto-theological interpretation" of Bartleby as "the herald of a second Creation," flatly dismisses Bartleby's subjectivity and insists that "Bartleby's *Dasein* is a negative being-unto-death" (Han 28) and that "this 'Story of Wall-Street' is not a tale of de-creation, but rather a story of exhaustion" (Han 29).

Whether Bartleby's "I would prefer not to" represents absolute potentiality or the lack of desire or the symptom of exhaustion seems far from what the text itself illustrates through the structural insertion of the lawyer's discourses. In fact, Agamben's reading of human potentiality as im-potentiality in Bartleby is clearly based on the familiar epistemological framework of anti-representation. For Agamben, the ontological structure of modern subjectivity fundamentally concerns with the human faculty "to be one's own lack, to be in relation to one's own incapacity… to not being in actuality" (Agamben 182). Though a clean break with Aristotle's dialectics of *Aufhebung* which presupposes the elation of negative potentiality to the higher form of actuality, Agamben's negative conceptualization of Bartleby's impotentiality introduces a psychoanalytic notion of desire as lack through the back door because the ontological lack here has nothing to do with the fantasy or the desire to get at something positive. No coincidence that Agamben finds in Bartleby's gesture of non-action a perfect description of the human potentiality as im-potentiality.

Agamben also radicalizes Bartleby's preference to do nothing as a highly subversive insistence of sovereignty. By claiming his potentiality, or *impotentiality*, as his own act of non-action while capable of doing something, Agamben could valorize Bartleby's enunciation of impotentiality itself as the materialization of the politics of postmodern sovereign resistance; the system of capitalist exploitation with its super-structural law might be seriously interrupted and suspended by his absolute denial of work. Not surprisingly, most of the story of Bartleby predominantly describes the ethical bewilderment and psychical confusion of the anonymous lawyer-narrator in his confrontation with this inscrutable figure. "I felt strangely goaded on to encounter his new opposition—to elicit some angry spark from him answerable to my own" (Melville 72). According to Agamben, Bartleby's act of passive resistance is not passive at all, creating instead a sort of Messianic interruption or *caesura* at the core of the system of teleological drive in capitalism

and, consequently, witnessing the potentiality of de-creating the system itself. Confronted with this absolute negation of non-action, the lawyer's insistence on the will and necessary assumption, being debilitated, only lays bare the crack at the Symbolic suture through which the Real of uncanny Bartleby intrudes.

Agamben may be right to point out that with the intervention of the lawyer's pathologizing narrative "nothing is farther from him [Bartleby] than the heroic pathos of negation" (256). Simply put, Bartleby cannot be identified with a sort of postmodern revolutionary subject. But his refusal and negation is right there in the form of active but negative negation and it, as a negation, features a certain absoluteness. Indeed, Bartleby shows forth his own power of active negation towards the world that is dominated by what Han referred to as the ethics of positivity. He declined to do any productive work, any revolutionary resistance, and any nomadic escapism. His strong presence in this world of extreme positivity is uncanny in the sense that his inaction or act of subtraction demonstrates a certain unreality despite the lawyer's realistic description. Agamben's take of Bartleby as absolute potentiality, though powerful as it is, does not give proper due to the social implication of his active negation against the world of extreme positivity.[1]

On the other hand, Han's analysis of Bartleby as a symptom of utter exhaustion representative of the disciplinary society rather than as a melancholic subject of what he calls "achievement society" (Han 8) still leaves much to be desired. First of all, Bartleby cannot be straightforwardly identified with a subjugated subject even if he does not display the symptom of melancholy caused by the push of the excess of positivity. Indeed, Han's notion of melancholy is far from Freud's meta-psychological concept but much closer to the psychiatric or psycho-pathological concept of depression. Though similar in symptoms, Freudian melancholy has nothing to do with neurotic anxiety in depression; it is rather akin to a pervert drive to incorporate the lost object into one's own psychic system by replacing the impossible sexual relation with that of identification. Moreover, Bartleby's "lack of desire" does not explain the tremendous presence of his negativity upon the lawyer's immense anxiety and overwhelming awe towards his inactive scrivener. The lawyer as narrator incessantly attempts to represent Bartleby as a pathetic victim of incurable disorder in order to defense his own bewilderment but repeatedly fails to do so because Bartleby, an inhabitant of otherworld, moves and withdraws from the

1 Jessica White, pointing out why Bartleby, "who neither preserves the law nor founds a new one," is so attractive to Agamben, criticizes Agamben's symbolization of 'new Messiah' from Bartleby. She thinks Agamben wants to "think this indistinction of potentiality and actuality outside of the paradigm of sovereignty," which is really problematic (White 317-318).

lawyer's world in his own way.

Is Bartleby a Revolutionary?

Bartleby's withdrawal from the world of excessive positivity and the achievement society is as radical as it can be. He has neither the intention of acting Nothing nor any interest in the other's life. There remains nothing in him, nothing new whatsoever. So fundamental is his withdrawal from this world that some theorists try to find in Bartleby's negative negation the possibility to secure an allegorical signifier of a revolutionary subjectivity. Michael Hardt and Antonio Negri are the ones who attempt to theorize Bartleby's radical resistance as the birth of an anti-systematic subject whose rejection of voluntary subjugation might illustrate the symbolic beginning of "a liberatory politics" (Hardt and Negri 204) and the absolute denial of the global system of capitalist exploitation. For them, Bartleby illustrates the way the individual politics of liberation might possibly take in the era of neoliberalism but at the same time fails to create an alternative subjectivity due to the lack of envisioning solidarity with the multitude. Radical but solitary. According to Hardt and Negri, Bartleby symbolizes an exceptional upsurge of individual resistance with negative refusal ultimately conducive to the systemic proliferation for the lack of any collective horizon of political solidarity (Hardt and Negri 203). Their prescriptive insistence on the necessity of resistant individual to progress from solitary negation to positive construction in the collective horizon, from individual to community, seems rather to reveal their own theoretical debacle: a chronic symptom of pathological optimism and excessive positivity inherent in the post-Marxist revolutionary politics which assumes as if there is a preordained path of subverting the system of achievement society.

Meanwhile, Slavoj Žižek criticizes such a transcendental politics of multitude in Hardt and Negri's theory of capitalist empire, reformulating the significance of Bartleby in terms of "post-systematic" subjectivity whose absolute withdrawal from work aptly expressed in his formula, "I am not particular" (Melville 126), not only envisages the possibility of securing an anti-systematic political resistance but also implicates the further possibility of downright refusal to paradoxically lubricate the systemic itself by facilitating the system's movement of self-adjustment (Žižek 381). For Žižek, Bartleby's negation denotes not only the resistance against the system of antagonism itself but also the denial to help the system work by overemphasizing the excessive positivity within alternative movements, thus preventing them from becoming a precautionary alarm to the existing power structure.

> "I would prefer not to" is to be taken literally: it says "I would prefer not to," not "I don't prefer (or care) to"—so we are back at Kant's distinction between negative and in finite judgment. In his refusal of the Master's order, Bartleby does not negate the predicate; rather, he affirms a non-predicate: he does not say that he doesn't want to do it; he says that he prefers (wants) not to do it. This is how we pass from the politics of "resistance" or "protestation," which para-sitizes upon what it negates, to a politics which opens up a new space outside the hegemonic position and its negation. We can imagine the varieties of such a gesture in today's public space: not only the obvious "There are great chances of a new career here! Join us!"—"I would prefer not to"; but also "Discover the depths of your true self, find inner peace!"—"I would prefer not to"; or "Are you aware how our environment is endangered? Do something for ecology!"—"I would prefer not to"; or "What about all the racial and sexual injustices that we witness all around us? Isn't it time to do more?"—"I would prefer not to." This is the gesture of **subtraction** at its purest, the reduction of all qualitative differences to a purely formal minimal difference. (Žižek 382)

Žižek is certainly right to suggest the possibility that radical theorization of Bartleby's resistance might bring back the very excessive positivity he has been trying to dismiss. He is keenly aware of the danger of revolutionary politics which ignores, all too often, the possibility of the gap between public law and its scandalous supplement even in the revolutionary situation.[1] This explains why Žižek is so critical of the scandalous supplement of the so-called "identity politics" and multi-culturalism and their pseudo-revolutionary gestures in the post-theories. But in the context of "Bartleby" and the presence of the lawyer, Žižek's valorization of Bartleby's negation as "subtraction" seems more suggestive when it applies to the lawyer. Indeed, the lawyer does not represent the system itself and Bartleby's power of negation neither directly aims at overthrowing the capitalist empire itself nor targets the lawyer himself. Bartleby does not wage war with the system itself or with its representative: his gesture of negation towards the lawyer does not take the form of class antagonism but of a desperate call for love and friendship towards the lawyer and his blind persistence.

Despite differences in political implication of Bartleby's negation and inaction, theoretical interpretations have so far something symptomatic in common. Preoccupied with forging an alternative possibilities of political subjectivity from

1 Deleuze and Agamben also pointed out the declarative significance of Bartleby's formula, "I would prefer not to," in terms of the law and the lawyer's supplementary agency. See Cooke 86.

the figure of Bartleby, they unconsciously identify the lawyer as the representative agent of capitalism and its logic of oppressive regulation. Though it is true that the lawyer's description of "passive resistance" could aptly be applied to Bartleby's overall attitude of non-active refusal to do anything, what the story tells in its plot is completely different. Not in the level of *fabula* but in its *syuzhet*, "Bartleby, the Scrivener" is not just an "impossible biography" of Bartleby but also the rhetorical autobiography of the lawyer. Indeed, it is not Bartleby but the lawyer himself who mostly suffers from his own incapacity to brace any direct confrontation with Bartleby. The lawyer even feels he becomes "somehow unmanned" (Melville 109) in Bartleby's presence and is clearly aware that his reasonable "assumptions" have no power over Bartleby's illogic of subjective "preferences." He deplores that "my procedure seemed as sagacious as ever—but only in theory" (Melville 117).

> It was truly a beautiful thought to have assumed Bartleby's departure; but, after all, that assumption was simply my own, and none of Bartleby's. The great point was, not whether I had assumed that he would quit me, but whether he would prefer so to do. He was more a man of preferences than assumptions. (Melville 117)

While Agamben and others intimately presupposed that Bartleby's preferred non-action be only active towards the lawyer as an upholder of capitalist legal system and the logic of reasonable assumption, Bartleby does not demonstrate any sign of direct antagonism against the lawyer. If there is a real target of Bartleby's inhuman antagonism, it would be the fantasy of class antagonism inherent in capitalist territorialization itself in which the poor and the dispossessed have nothing else to do but passively deny being subservient to the systemic operation and sending a call for friendship to the middle class people like the lawyer (Reed 257). Ironically, Bartleby is not a man of preferences who whimsically chooses not to do some particular actions useful to the system but a figure of absolute negation who declines the choice itself constantly imposed upon him by the assumptive power of systematic preferences. As it was repeatedly insisted upon by the lawyer—"Either you must do something, or something must be done to you" (Melville 125-126)—it was not Bartleby but the lawyer who sticks to the logic of preferences: Bartleby's preference not to do is neither the outcome of his will of negation nor the pure manifestation of im-potentiality. Bartleby cannot help but to simply take flight from all this importunate impositions of choice and preference unable to actively get out of the systemic assumptions. In a sense, his im-potentiality is the aftereffect of his

negative desire to subtract himself from all positivity.

What Is Left?

In this respect, Gilles Deleuze's interpretation of Bartleby as a symbolic figure of minority and pure foreigner makes much more sense in the theoretical terrains of post-'68 attempt to figure out a radical political subjectivity. For Deleuze, Bartleby's gesture of non-preference ("I would prefer not to") and non-referentiality ("I am not particular") at once denotes the discursive deterritorialization of the legal dispositive of economic assumption and the original reterritorialization of anti-Oedipal brotherhood of bachelors (Deleuze 73). According to Deleuze, the failure of Bartleby's "line of flight" and his death neither come from any innate psychic disorder nor from his inability to make any significant solidarity with the multitude in the street (Rancière 147). It derives from the lawyer's blindness to and deferral of Bartleby's offer of brotherhood.

The lawyer could not understand that Bartleby indeed offered his hand for the brotherly cooperation in the line of flight from the systematic stratification of capitalism. According to Deleuze, Melville's novella not only provides the way Bartleby's absolute negation was always already co-opted by the fantasy of class antagonism but also illustrates how the lawyer, as a liberalist middle class gentleman, is simultaneously alienated from and blind towards such a systematic exclusion. Both Bartleby and the lawyer are victims of such a territorializing power of the system and its biopolitics (Deleuze 74). Thus, Deleuze flatly dismisses and criticizes any attempt to pathologize Bartleby by the lawyer, relocating his political power of denial in the more radical plane of *not choosing to do*, rather than choosing not to do. Bartleby is not a man of negative preference or impotential potentiality but of nomadic flight onto the uncharted path of becoming politically immanent.[1]

Despite various attempts to theorize Bartleby as a symbolic political figure of post-'68 era, Bartleby is more symptomatic about the theory itself than representative of what theory desires to appropriate. Symptomatic both in the sense that he singularly anticipates the spectral return of the dispossessed in the neoliberalist capitalism and that he problematizes the poverty of political imagination in the liberalist drive epitomized in the figure of the lawyer. Bartleby's "pallid helplessness" does not allegorize the depressed individual in the post-industrial society, who suffers what Han called a melancholic hyperactivity

1 Though he is keen to thematize the power of Bartleby's formula which breaks out of the lawyer's discursive containment, Deleuze also puts too much emphasis on the figure of Bartleby. Rancière also criticizes Deleuze's tendency to "always come to center on the 'hero' of a story" (154).

disorder and a burnout syndrome ruthlessly driven by the neoliberalist ideology of endless competition and excessive positivity. Bartleby's symptomaticity does not derive from any particular pathological symptom or a stoic impotentiality of not working: he is neither a psychotic victim of the burnout society nor a depressed worker who could do nothing but to sabotage the labor or perform a hunger strike against the system itself. Rather, the death of Bartleby and the failure of his inaction symptomize the incapacity, *not* impossibility, of critical theories to imagine a new political subjectivity in no other terms than the very notion of political representation.[1]

With respect to Bartleby, critical theories have so far been strangely naïve and insensitive about the way a literary text resists the philosophical and political appropriation of its fictionality. Above all, critical theories' strategy of politicizing Bartleby all failed to discern Melville's fictional device of distancing the lawyer-narrator's autobiographical impulse from his self-justificatory pathologization of Bartleby. Especially, they could not take into account the peculiar status of Melville's insertion of heterogeneous report about the dead letters at the end of the text. The appended postscript about the rumor does not remind us of the paradox that "the man of the law furnishes the reader with correct information" but he "entirely fails to question the particular link between dead letters and Bartleby's formula" (Agamben 169). The rumor has nothing to do with Bartleby's past morbidity; it links Bartleby's fate to the lawyer's complacent self-satisfaction and "a delicious self-approval" (Melville 105). Unable to delve into the ethical implication of the lawyer's problematic narrative pathologization, critical theories end up exposing their own ethical dilemma. Ironically, the long trajectory of political speculations on Bartleby led us not to the revolutionary implication of Bartleby as a symbol of resistant subject but to the ethics of critical theories towards literary texts and the literary in general. Like the lawyer, critical theories have been much too preoccupied to utilize and appropriate literary figure of Bartleby for their own speculative justification, having been blindfolded to the self-deconstructive politicality of the literary text itself.[2] As Rodolphe Gasché insisted, a critique in a

1 Jacques Derrida succinctly deconstructs the practical equivocality of political representation in "Declaration of Independence" of British Colonies in 1776 and the politics of representation in general. See Derrida 7-15.

2 According to De Boever, the political significance of the figure of Bartleby in current political terrain could be connected to "a radical crisis to three debates in critical theory: on representative democracy, human rights, and sovereign power." But his idea is heavily indebted to Agamben's theory of potentiality (143).

genuine sense might come only when it can "raise what is separated into its proper rank precisely by contrasting it to what it is separated from" (Gasché 109); only when the theory can take the literary text as its absolute Other.

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