OCKHAM, SINGULARITY AND MULTICULTURALISM

An Ockhamist analysis of singularity and its politico-legal
implications

by

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When we examine the difficulties inherent in the attempt to
conceptualize "singularity", the main difficulty appears to consists in a
negative definition of singularity: it does not mean particularity. In his
book on singularity, Pierre Alféri writes that "the singular must be
thought beyond, but mostly in place of all particularity."[1]   He
acknowledges the traditional account of singularity in terms of
particularity, that is, in terms expressing an opposition to universality,
and he claims that it is possible to develop the notion of singularity in a
way not confined to the dichotomy. The assessment of singularity in
terms other than "particularity" should not depend on universality to be
meaningful. According to Alféri, we should be able to speak concretely
of singularity without recourse to universality. To be precise, Alféri
extends the description of his subject, the singular in the philosophical
works of William of Ockham (ca. 1285-1347), with the claim that
singularity is *not* ineffable.[2] Following Alféri's claim, yet not confining it
to the work of Ockham, this paper sets out to inquire what "singularity"
means, if it is indeed not taken as particularity. Central to this paper,
then, is the question: if singularity does not mean particularity, if it
cannot be represented in terms of particularity, what else does singularity
signify? What is it exactly that remains unaccounted for if we do not
respect singularity such as it is?

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[1]   P. Alféri, *Guillaume d'Ockham. Le Singulier* (Paris: Minuit, 1989), 17 (my
translation).

[2]   *Supra* n.1, at 25.

I will argue that certain assessments of singularity, which are still significant in the politico-legal realm, can be traced back, as Alféri suggests, to a philosophical debate evoked by William of Ockham's nominalism in the 14th century. These contemporary criticisms of the representation of singularity appear to repeat some of the anti-representationalism concerning singularity which Ockham developed. In fact, this paper attempts to outline the other-than-particular significance of singularity as an inquiry into the personal involvement of Ockham in the political and legal debates of his time. This leads to a semiotic understanding of the relation between Ockham's political and philosophical works. More specifically, it leads to a semiotics of singularity which accounts for the difficulties inherent in conceptualization as such. In such a semiotics, singularity "means" abandoning the question what a concept is, in favour of the question what the concept signifies. Considering, finally, the contemporarily felt exigency to respect singularity in the political and legal sphere, the paper concludes that such exigency is indeed the consequence of Ockham's conceptual nominalism. But before I come to that conclusion, I shall present my argument in three sections.

First, The conceptualization of singularity will be contextualized. The context is the twentieth century version of multicultural societies. Here, the pertinence of a non-ineffable singularity in multicultural societies will be examined against the backdrop of two possible problems of conceptualization:the viability problem of a counter strategy to traditional representations of singularity and the epistemological problem of acknowledging the instrumentality of our own acts of the intellect. I will illustrate the pertinence of singularity in twentieth century discussions through such diverse notions as multiculturalism, as developed by Joseph Raz, and the threshold experience of singularity, developed by Giorgio Agamben.

Next, I will trace the pertinence of singularity to its nominalist origins: the work of William of Ockham. In the political upheaval of the fourteenth century, as I hope to show, the problems Ockham encountered with the traditions of a politically all-powerful church on the one hand, and with the scholastic positions on the possible knowledge of universals on the other, can be read retrospectively as a prefiguration of the problems of contemporary multiculturalism. To be sure, I will explore the difficulties of conceptualizing singularity because of the currently felt exigency to respectfully attribute a politico-legal

significance precisely to the singularity of other people. Yet, I will leave the context of contemporary multiculturalism and return to the Ockham-research to which Alféri's book belongs, in order to begin my assessment of the politico-legal significance of singularity.

This brings us, third, to the observation that Ockham himself hardly ever wrote about singularity as a notion with a politico-legal significance. He did not attempt to explicitly relate his academic writings to his involvement, from 1324 onwards, in the political disputes between papists and secularists. Philosophically tracing singularity back to Ockham, therefore, unavoidably leads to an historiographical problem. This problem is invoked by what we might call "pan-Ockhamism", i.e. the problem of having insufficient grounds for an overarching Ockhamist theory that would incorporate all the genres which have become the specialized fields of logic, epistemology, theology, politics etc. Here I hope to show that if there is consistency in Ockham's work, it cannot be presented as an overarching synthesis of diverging reflections; rather, Ockham's work is a consistently critical response to a re-appearing representational presupposition — in politics, epistemology and ontology as well. In this representational presupposition, singularity would be representable as the particular case of a universal rule. Ockham, on the contrary, is consistently anti-representationalist.

In conclusion, the absence on Ockham's part of a theoretical account describing the link between epistemology and politics will be claimed *not* to preclude the politico-legal significance of Ockham's notion of singularity in a twentieth century context. In the final pages of this paper, therefore, a sketch will be given of a few questions which are of a more systematic nature. They are the result of taking Ockham as a source of inspiration for the pertinence of singularity. They are intended for those inquirers open to the suggestion that Ockham's work *on* singularity is a work *of* singular importance for twentieth century philosophical reflections on politics and law.

1.   *The Pertinence of Singularity*

To begin, if we want to understand what the problem of mistaking the singular for the particular might mean, perhaps it is good to already refer to Ockham himself. From the Aristotelian square of oppositions we know the distinction between universal and particular propositions. Ockham, in the *Summa Logicae*, expands this division:

> A particular proposition is one whose subject is a common term
> determined by a particular sign, e.g. "Some man is running", "A certain
> man is running", and so on. [...] A singular proposition is one whose
> subject is the proper name of something, or a demonstrative pronoun, or a
> demonstrative pronoun with a common term. An example of the first is
> "Socrates is running"; an example of the second is "He is running",
> pointing to someone; an example of the third is "This man is an animal".[3]

Mistaking the singular for the particular, then, can be understood as
(mis)taking "Socrates is running" for "Some man is running". Such a
mistake could be felt as a token of disrespect regarding someone's
individuality, violating the thought that we should make a difference
between "this-person-standing-here-in-front-of-me" and, perhaps, "the-
anonymous-person-who-has-already-passed-me-by". Clearly, Ockham's
logical distinctions were not intended to pay tribute to the politico-legal
significance of these differences, yet they seem to satisfy a certain need.
This need, this felt exigency to respect the pertinence of singularity in
our reflections on what singularity might mean, will be crucial to the
assessment of singularity.

In our contemporary multicultural societies, the problem of
conceptualizing the singular without recourse to the opposition between
the particularity of a certain case and the universality of a general law has
a practical pertinence. Specifically, the problem of a conceptualized
singularity is of interest to proponents of multiculturalism.
Multiculturalism can be understood in a double sense at least: not only
as a description of societies which have gathered different communities
in the same geographical space, but also as a policy seeking to endorse
the variety of cultural groups in these societies.

The double sense of multiculturalism is described more elaborately

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3   William of Ockham, *Ockham's Theory of Propositions. Part II of the Summa
Logicae*, translated by A.J. Freddoso and H. Schuurman (Notre Dame:
University of Notre Dame Press, 1980), ch.1, p.81. To give a complete
impression of Ockham's definition, we should quote him in full: "Some
propositions are universal, some particular, some indefinite, and some singular.
A universal proposition is one whose subject is a common term determined by a
universal sign — whether the proposition is affirmative or negative — as in
'Every man is running', 'No man is running', 'Both of them are running', and
so on." Ockham, of course, also defines the indefinite proposition: "an
indefinite proposition is one whose subject is a common term without either a
universal or a particular sign, e.g. 'A man is an animal', 'An animal is running'
and so on" (*loc. cit.*).

by Joseph Raz, who would not object to being called a liberal multiculturalist, i.e. a defender of the priority for politics of individual well-being under the condition of recognizing "the importance of unimpeded membership in a respected and flourishing cultural group for individual well-being".[4] When his general position is formulated in this way, the multiculturalist doesn't seem prone to strong opposition, except perhaps from staunch nationalists. But the consequences of multiculturalism may be quite far-reaching, especially when it appears critical of some of our most respected democratic principles. As Raz points out, multiculturalism implies that we "reconceive society", that we, ideally, "should think of our societies as consisting not of a majority and minorities, but of a plurality of cultural groups".[5] This means that multiculturalism is critical even of the Anti-Discrimination Acts intended to protect minorities. It does not so much want to do away with the protection by law of cultural minorities; rather, it seeks to safeguard the equality of cultural groups without recourse to a representation of these groups in terms of minority as opposed to and threatened by the majority. Crucial for liberal multiculturalists is the question whether their alternatives for non-discrimination policies can effectively endorse the singularity of cultural groups in a society that should still be called *one* multicultural society. Concerning the problems surrounding the conceptualization of singularity, the case in point is that liberal multiculturalism breaches a tradition which has learned from a history of discrimination that minorities need protection against the majority. In this tradition, Anti-Discrimination Acts have always been quite popular. Raz's evaluation of these Acts makes clear, however, that they might themselves actually be instrumental in the majoritarian, reductive appropriation of, most notably, non-liberal groups. But even multiculturalism might come into conflict with non-liberal groups. Raz acknowledges that "multiculturalism urges respect for cultures which are not themselves liberal cultures — very few are",[6] and he is aware of the conflict "endemic" in his liberal version of multiculturalism;[7] in fact, Raz does not shy away from "imposing liberal protection of individual

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[4]   J. Raz, *Ethics in the Public Domain. Essays in the Morality of Law and Politics* (Oxford: Clarendon Press, 1994), 174.

[5]   *Supra* n.4, at 174.

[6]   *Supra* n.4, at 167-168.

[7]   *Supra* n.4, at 165.

freedom on those cultures" which themselves are opposed to liberalism.[8]
We could be tempted to say, therefore, that Raz *knows* in what sense
liberal multiculturalism will reductively appropriate non-liberal cultures:
it does so by imposition. Raz would not want to deny the
appropriation, he wants to acknowledge it. Such acknowledgement is
necessary, he believes, because otherwise moral relativism would be
unavoidable.

Raz will not accept the moral relativism that could result from a
certain interpretation of the epistemological difficulties concerning
singularity. The relativism to which Raz appears to object is featured in
the conclusion of the following argument: if the equality, yet
incompatibility of diverse groups implies that it is impossible to know
whether the values of one of these groups can be the just ground on
which to build a system of rules and regulations intended to settle
conflicts between several of these groups, then we should abstain from
any further attempts to ground justice in group values. Raz, in all
likelihood, is not willing to accept the premises of this argument, and
he certainly doesn't accept the paralyzing effect of such argumentation
on the practical need to cope with group conflicts. Yet, doesn't Raz's
imposition of one culture's habits and values on another cultural group
(re-)invoke the way in which democratically elected, liberal majorities
have set the limits on their acceptance of minorities in their society?
Recall that in his earlier characterization of multiculturalism Raz has
declared that in it "there is no room for talk of a minority problem or of
a majority tolerating the minorities".[9] Instead, a multicultural society,
Raz has argued, "consists of diverse communities and belongs to none of
them".[10] That is why Raz, in an essay on individual freedom of
expression, does not endorse the suggestion of a liberal meta-position
that could reconcile conflicting views. Nevertheless, an imposition of
certain liberal values on non-liberal groups can be legitimate, according
to Raz. How, then, does Raz believe that he can avoid a meta-position
and still have the authority to impose his liberal multiculturalism on
non-liberal groups? Raz's answer is an appeal to a positivist conception
of law that is instrumental for multiculturalism in the following sense: it
should allow the conflict between diverse, singular groups to come to the

[8]   *Supra* n.4, at 168.

[9]   *Supra* n.4, at 159

[10] *Supra* n.4, at 159.

fore; it should not master the conflict and reduce it to the terms of political compromise, the terms of reconciliation. The separation between the realm of politics and the realm of law, and the entrenchment of certain liberal principles in law, therefore, is a precondition of the multiculturalism Raz favours.[11]

Practical as Raz's answer may seem, it is not clear how his confidence in the legal system can be interpreted as a response to the problems pertaining to the conceptualization of singularity. These problems, I would claim, underlie the question whether the multiculturalist can avoid the universality of a meta-position while still claiming the existence of one singular position strong enough to have a respectful yet impositional attitude towards other singular positions. Let us, therefore, return to the epistemological problem pertaining to singularity, the problem namely that we seem unable to know whether and how we can address the singularity of a group or an individual without violating the singularity of that group or individual in the very course of our address. In order to elaborate on the pertinence of singularity and to outline more sharply what is at stake in the conceptualization of singularity, I suggest we examine the work of a contemporary philosopher, Giorgio Agamben, who has more explicitly thematized the singular in an essay on what it means to be a law-abiding citizen amidst the violence of our contemporary society.

Although more often than not the individual is still thought in antinomy to the universal, twentieth century representations of

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[11] Raz writes: "Pluralist toleration is real enough, but it is no recipe for the avoidance of social conflict. Conflict is avoided not by pluralist toleration but by the repressive perfectionist uniformity [of a government representing the common good, WS]. There is, of course, the question of how conflict should be conducted. Should the supporters of rival views be allowed to use the law to promote their views? [...] The attempt by some thinkers to find an extra or meta-position from which to reconcile the conflicting views does not seem to hold much promise" (*supra* n.4, at 152). What Raz does find promising is not so much the perfectionist representation of a meta-position by the government, but rather the entrenchment of the freedom of expression in the Bill of Rights. "The significance of such entrenchment," Raz claims, "is that it removes the matter from the short-term pressures of ordinary political decision making" (*supra* n.4, at 154). Indeed such an entrenchment of, in this case, free expression, according to Raz, "enables people whose freedom to express themselves is restricted to invoke the law, rather than relying exclusively on governmental institutions whose motivation to protect freedom of expression is often suspect" (*supra* n.4, at 153).

individuality seem to be respectful accounts of the fragility of individuality. Respect for individuality is apparent, for example, when individual human beings are said to "stand out" from, rather than be determined by, such universalisms as human destiny or human vocation. Yet, the consequences of a radical standing in opposition to universalism(s) are far from clear if such a "standing out" would entail abandoning the notion of universality altogether. In *The Coming Community*, Giorgio Agamben describes standing-out from universalisms, *ek-stasis*, as the point of departure for practical philosophy:

> The fact that must constitute the point of departure for any discourse on ethics is that there is no essence, no historical or spiritual vocation, no biological destiny that humans must enact or realize. This is the only reason why something like an ethics can exist, because it is clear that if humans were or had to be this or that substance, this or that destiny, no ethical experience would be possible — there would be only tasks to be done. [12]

The precondition for any ethics, according to Agamben, is the absence rather than the presence of a universal destiny or vocation for human kind. Agamben's claim is a problem, of course, for those who let themselves be led by the transcendental guidance of a universal vocation for man. Remarkably, though, the problem is no less significant for those who are convinced that responsibility in decision making processes can only be achieved in opposition to the transcendentalism implied by some good beyond being. For whence does the ethical significance come if not from the particularity of our standing in opposition to the universal? Those of us who are raised in the liberal conviction that we can be responsible individuals only in antinomy to the universal are no less affected by the absence of universals than the transcendentalists, because we both will henceforth have to resist the idea that we "are simply consigned to nothingness and therefore can freely decide whether to be or not to be, to adopt or not to adopt this or that destiny". [13] To be sure, Agamben makes clear that in our present day we should not let ourselves be tempted by the ethnocentrism or even racism implied in historical vocations and biological destinies. But if we let ourselves be

[12] G. Agamben, *The Coming Community*, trans. M. Hardt (Minneapolis: University of Minnesota Press, 1993), 43. This work largely is a political *Auseinandersetzung* with Heidegger, which explains the Heideggerian theme of *ek-stasis*.

[13] *Supra* n.12, at 43.

led by the need to circumvent universalisms, Agamben points out, then we should note that, even though this need will "proximally and for the most part" [14] be experienced in a negative relation to a universalistic *arche*, it nevertheless can be experienced as a non-negative, non-anarchic event. There is a positive experience on which we can base what a human being is and should be; or, as Agamben writes, "there is in effect something that humans are and have to be," even though "this something is not an essence nor properly a thing." [15]

Agamben has mapped certain traditional ways of addressing the singular — here, Agamben is close to Heidegger. Like Heidegger, he is critical of the tradition that attributes particularity to the singular, and he is willing to follow the Heideggerian path towards an alternative for the material presence that is so easily presupposed when allowing the definition of a singular human being in terms of particularity. In the search for an alternative, Agamben suggests an Italian expression that best catches the purport of singularity. The expression is *qualunque* (French: *quelconque*) and it has no equivalent in English; hesitantly, Agamben's translator has chosen *whatever*. Via the elusiveness of "whatever" Agamben introduces us to the topic of singularity and reminds us again of the epistemological problem concerning singularity, the notion so hard to address without immediately appropriating it, without immediately understanding it as the particular, i.e. in opposition to the universal:

> The whatever in question here relates to singularity not in its indifference with respect to common property (to a concept, for example: being red, being French, being Muslim), but only in its being *such as it is*. Singularity is thus freed from the false dilemma that obliges knowledge to choose between the ineffability of the individual and the intelligibility of the universal. [16]

Agamben points out that the either/or decision with which we seem to be confronted when addressing singularity should be recognized as a

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[14] Agamben's invocation of Heideggerian *ek-stasis*, as in: "this *ek-stasis* is the gift that singularity gathers from the empty hands of humanity" (*supra* n.12, at 68), seems to imply the acceptance on Agamben's part of Heidegger's sketch of a singular *Dasein* "proximally and for the most part" immersed in the habitual way of being that "the they", *das Man*, displays.

[15] *Supra* n.12, at 43.

[16] *Supra* n.12, at 1.

false dilemma. Agamben criticizes the dichotomic representation of singularity *either* as particularly significant in the conceptual form of an ineffable individuality *or* as "all-encompassingly" significant in the conceptual form of an intelligible universality. Following Agamben we might say that the singular is neither individual, i.e. particular, nor universal. Nevertheless, we should observe that we are tempted to express the singular as the particular after all; indeed, we should note that we are about to transform the singular into the particular, whenever we claim that the singular is intelligible only if it is "conceptualizable" as the privative mode of the universal. Hence, the problem of mistaking the singular for the particular comes about especially when we want to preserve a specific intelligibility for the "whatever" of pure singularity. Apparently, it is appropriate to describe this, our own problem of signifying the signification of singularity, as an *aporia*: the singular is ineffable. Yet, what can the intelligibility of singularity be if the individual, the singular, is ineffable? Precisely here, the denial of this ineffability is performed by the very work with which Agamben is presenting us. The work touches upon the possibility of a singularity which can be *said*, so that Agamben can finally assert: "Whatever is the figure of pure singularity. Whatever singularity has no identity, it is not determinate with respect to a concept, but neither is it simply indeterminate." [17] As we have seen earlier, the experience of singularity is positive in a way that lets it be neither a thing nor an essence. The negative definition effectively undermines all particularity. To be precise, the "neither-nor" determination proves how unsatisfactory the mistaken identity of the singular as particular actually is: if the singular is mistaken for the particular, which is almost always already the case, then not being a thing nor an essence empties out the *simple* fact from every-thing, reducing it to nothing at all. But the singular, on the contrary, is not nothing at all, it is not indeterminate. It can be positively experienced; indeed, although it cannot be conceived of in categorical terms, it can be, let's say, sketched or narrated.

But how would we experience singularity otherwise than categorically in terms of potential being? Agamben has what he calls a Kantian suggestion: "singularity borders all possibility and thus receives its *omnimoda determinatio* [...] *only by means of this bordering.*"[18] The

17 *Supra* n.12, at 67.

18 *Supra* n.12, at 67.

experience, then, is one of bordering possibility, and it should not, therefore, be given the categorical status of possibility itself. Agamben speaks of the Kantian threshold (*Grenze*), which means, according to Agamben, that singularity-bordering-possibility "is determined through its relation to an *idea*", and here the regulative idea in question is "the totality of [singularity's] possibilities".[19] Invoking the metaphorical language of bordering, we might perhaps say that the singular touches upon the threshold of what can be said. Experiencing singularity, then, is a *Grenzerfahrung*: "The threshold is not [...] another thing with respect to the limit; it is so to speak, the experience of the limit itself."[20] Concretely, then, the experience is indeed not negative, which means that our attempt to grasp the signification of singularity will not necessarily be defeated by a mutually exclusive, dilemmatic opposition between individuality and universality.

Our optimism, however, perhaps makes us over-indulgent. For with the universalisms of the twentieth century radically circumvented by the threshold-experience, the consequences of this practically experienced singularity may already have taken the shape of a violent struggle. Thinking through the potential threat to the State of the concrete, practical experience of singularity, Agamben foresees the violent reaction of the State wherever it will be confronted with its "principal enemy", with something that has no identity, with something that is not even properly a thing, with singularity.[21] The "whatever singularities" will not and "cannot form a *societas* because they do not possess any identity to vindicate nor any bond of belonging for which they seek recognition."[22] To wit, had the singular experience been representable in identity, then the State, which has identity as a representable constitutive for itself, would have been on common ground with whatever attempted to circumvent it. The State, then, would have immediately appropriated-by-recognition the claim for identity of the whatever singularity. Agamben diagnoses:

> What the state cannot tolerate in any way [...] is that the singularities form a community without affirming an identity, that humans co-belong without any representable condition of belonging. [...] Wherever these

[19] *Supra* n.12, at 67.

[20] *Supra* n.12, at 68.

[21] *Supra* n.12, at 87.

[22] *Supra* n.12, at 86.

singularities peacefully demonstrate their being in common there will be a
Tiananmen, and sooner or later, the tanks will appear.[23]

Of course, we do recall what has become the symbol of individual
resistance against totalitarian violence. We do recognize the image of the
person opposing the tank on Tiananmen square, an image which
inspiringly has come to stand for the resistance against totalitarianism.
Yet, it is *not* this particular sign quality, i.e. the symbol, that should have
our semiotic interest. For the symbol is the semiotic mark of the
relation between a particular phenomenon, confined at first to the here-
and-now of its circumstances, and the universal scope of a referent
transcending the here-and-now of the circumstances in which the
particular phenomenon has come to pass. Surely, I do not want to deny
the politico-legal significance the television-news stills of Tiananmen
square have disseminated over the world, but before "symbolization"
took effect the disproportional violence had already taken place; before
the symbol signified, the singular was already signifying "an
insurmountable disjunction between whatever singularity and the State
organization".[24]

Here, Agamben touches upon an aspect of singularity that Raz
might find interesting with respect to his defence of multiculturalism.
Recall that Raz wants to avoid the hierarchy implied in the formulation
of group rights as "minority rights". The unavoidably encompassing
dichotomy invoked by the notion of a minority deserving protection by
law from a potentially threatening majority, should rather be replaced by
a discourse that would take the singularity of cultural groups as its point
of departure. Again, Raz doesn't use the term singularity, but I believe
that Raz's objection to Anti-Discrimination Acts based on minority
rights may be succinctly rendered as a defence of the singularity of
groups in a multicultural society. What Agamben makes clear in his
example, however, is how difficult it is *not* to appropriate conceptually
the singular, since it marks precisely the threshold of the State. Even
before the symbol of anti-totalitarianism takes effect, that is, even before
we have conveniently distinguished totalitarian from non-totalitarian,
multiculturally organized States, the threshold of the State is already
marked by singularity. To be sure, with his invocation of a singular
individual resisting the violent appropriation of his singular individuality

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[23] *Supra* n.12, at 86-87.

[24] *Supra* n.12, at 85.

by the tanks of the state, Agamben has depicted the violence of the
totalitarian State; significantly, though, even in the apparently more
respected, non-totalitarian, more culturally diverse societies that have
come to be known as western liberal democracies, the violent
appropriation of singularity is implied by a certain conceptual
totalitarianism inherent in any State. For I believe that the condition of
multiculturalism is also affected by Agamben's example. Multicultur-
alism's precondition, i.e. the liberal respect of cultural groups which,
according to Raz, may be imposed on non-liberal groups, should, of
course, be tested for the potential violence against non-liberal groups. In
a more theoretical vein, however, multiculturalism should also be tested
more specifically for the conceptual violence against the very notion of
respect for the singularity of other groups.

Important in Agamben's example is the sign quality that belongs to
the singular — although "belonging" strictly speaking is not a right
expression. Let's take a closer look at the signification of the singular
sign which can have, Agamben says, insurmountable consequences for a
conceptually constituted notion like the State. These consequences are
called insurmountable, apparently because the state can only react to
singularity with violent appropriation. Note that in the structure of his
argument Agamben needs an example to let the singular be significant,
and yet the significance of his example almost immediately seems to
overflow the concreteness of the situation in which the person resisted
the tank, in which the singular individual resisted the state. The
statement that Agamben seeks to sustain with this example, however, is
not that TV images inevitably will lead a life of symbolic signification of
their own, almost in spite of themselves, but rather that the singular
already has a politico-legal, positive significance even before
symbolization could take effect. Even though the resistance of a person
against a tank comes to stand for other resistances, we nevertheless
understand, as Agamben has pointed out earlier in his text, that this
example cannot be treated as standing in general for similar acts of
singular resistance without already transforming it into the particular
case in which resistance in general finds its manifestation. The singular
would have been treated, then, as a particular representation of a
universal. It cannot be denied that the example serves a symbolic
purpose; however, more importantly for Agamben, the example also
serves to show that it has a real significance independent of the symbolic
relation of a particular case standing for a universal concept. "Neither

particular nor universal," Agamben writes, "the example is a singular object that presents itself as such, that *shows* its singularity." [25] Or, in terms of the "as such"-significance of singularity that Agamben has used earlier, the significance of the example we are looking for is "exemplarity *qualunque*". To repeat, this significance "before" symbolization is difficult to grasp, if only because our very act of conceptually grasping this "before" can follow only after the example in its exemplarity has taken effect. The point that Agamben appears to make is that the symbolic significance of the particular-universal relation is not the prime politico-legal significance he recognizes in the singular significance of the given example. What we see here, on Agamben's part, is at least a hesitation to attribute significance to the universal, as represented by the particular. It is a hesitation we have encountered before in Raz's critique of the traces of an implied totality in the Anti-Discrimination Acts based on minority rights. It is a hesitation that stems from a suspicion of the validity of universals for practical purposes.

In a strict sense, this hesitation could be taken to mean that universals have no real significance at all — and this position we recognize as strict nominalism. However, if strict nominalism is identified as the position claiming that concepts, like "multiculturalism" or "resistance", do not refer to anything real in the world but are mere words, names, governed by the rules of language only, then neither Raz nor Agamben can be called strict nominalists. No, without giving up their fundamental doubts about the reality of universals, Agamben and Raz will claim that "resistance" and "multiculturalism" are real in so far as they are really significant in the world. Agamben actually invokes the discourse of nominalism, albeit not a strict nominalism, when he describes the sign quality of the singular exemplar. If the singular example is taken as "standing-for" a series of singularities without already symbolizing it, then, "the exemplary is [...] not defined by any property except by being-called." [26] For a better understanding of the nominalism brought about by the adherence to a special, politico-legal significance of singularity, we should go back to William of Ockham. For it is Ockham who was not the first but definitely the most significant defender of nominalism — a nominalism, notably, that has come to be called conceptualism not least because of Ockham's interest in the real

25 *Supra* n.12, at 10.

26 *Supra* n.12, at 10.

significance of singularity.   But before we begin a reflection on
Ockham's nominalism motivated by the need to assess the significance
for ethics and politics of singularity, we should already observe that the
interpretation of Ockham's interest in singularity has been confined
mostly to his ontological and epistemological inquiries; indeed, there
appears to be no explicit claim for the politico-legal relevance of
singularity in Ockham's work.

2.   Ockham's Singular Engagement

Pierre Alféri evaluated William of Ockham's work as an example of
concretely being underway on the path of singularity.   Let us take a
closer look at the *qualunque*-exemplarity of the multitude of appearances
that Ockham's work has taken.   It is Ockham's singular practice that has
stupefied those who have wanted him to have constructed a systematic
philosophy with the architecture of a cathedral[27] but found him
confined to the practice of different discursive genres, practicing in the
relative isolation of the rules of separate genres: "*dans la singularité d'un
parcours*".[28]   Alféri would therefore agree with Stephen McGrade, a
specialist in Ockham's political works, who has expressed a general
hesitation among Ockham experts concerning any "straightforwardly
deductive connection" between Ockham's political and philosophical
writings.[29]   And yet, those fragmentary writings, which do not let
themselves be gathered into one architecture, are not completely
disconnected either.   The connection is not the conceptualization of
parts into a whole, but rather the singular act of serializing singular
experiences — Alféri calls it "*mise en série*."[30]   Ockham's singular path
traverses a multiplicity of singular, discursive genres, and in traversing
[*en traversant*] Ockham-the-exemplary-philosopher "evaluates not
according to an over-arching universal insight [*un savoir universel en
surplomb*], but on the very plane of insight [he] traverses, on equal

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[27] Cf. Alféri, *supra* n.1, at 473.

[28] *Supra* n.1, at 473.

[29] A.S. McGrade, *The Political Thought of William of Ockham. Personal and
Institutional Principles* (Cambridge: Cambridge University Press, 1974), 28.

[30] Alféri, *supra* n.1, at 60.

footing [*en plain-pied*] with it."[31] Alféri's metaphors are appropriate for
Ockham, not least because Ockham's itinerary can be read as a reference
guide for his work. Considering that the historico-geographic context in
which Ockham's work took shape has made *the* difference in his
writings, we can interpret his journey to Avignon, where he had to
defend himself in the papal court against accusations of heresy, as the
breach in his work. Before he travelled to Avignon, his work in London
was that of a secluded academic; after Avignon, at the court of Ludwig I
of Bavaria in Munich, his work was politically engaged. But the
metaphor of being underway in different discursive domains is not
merely intended to describe the correlation of Ockham's work and his
biography. The metaphor links the political to the logical, and the
connection is not exclusively "imaginary". Specifically, the metaphor
signifies a *real* connection besides the purely biographical: the not
straightforwardly deductive connection between the logical and the
political. Indeed, we are not far from conjecturing that what is at stake
is a significance irreducible to the relationship between the universal and
the particular, a significance that we have come to recognize as the
pertinence of singularity.

Alféri explains that for Ockham, philosophy, fragmentary as it may
be, is first and foremost a practice which does not and should not
dominate other discursive genres. Hence, Ockham-the-philosopher will
not traverse different discursive domains by referring to transcendental
insights; instead, the philosopher will explore and traverse the limitations
of genres precisely according to the very rules of practice that define
these genres in the first place. A philosophical question concerning the
connection between logic and politics can be answered, therefore, only
in a concrete practice, for example the practice in which the (semio)logic
of singularity might be significant for the understanding of, for example,
the political works of William of Ockham. Singularity would then have
a real, exemplary significance for the understanding of an exemplary
politics.   Let us explore, then, however cursorily, the political
circumstances determining Ockham's involvement in a discussion in
which, in all likelihood, he didn't even want to be involved.

The political context of the 1330s is one of conflict between
secularists and papists. Ockham got involved not because he had
prepared a theoretical treatise on the power relationship between pope

[31] *Supra* n.1, at 472 (my translation).

and emperor, but more pragmatically because, as a Franciscan monk, he found his religious order disputed by Pope John XXII. The dispute was about the use of property — the Franciscan vow of poverty implied the declination of property. Apart from the dispute proper, what became at least as important for Ockham as the Franciscan vow itself was the effect the dispute had on his career. Ockham found himself confronted with a dilemma: the Pope cannot be mistaken, or else the Franciscans have no right to call themselves an Order. To declare the Pope mistaken in this case, which is what Ockham did, while still claiming the right of existence for the Franciscan order, which is what he did also, appeared to be a non-possibility. The problem, of course, was the Pope's succession of Saint Peter as the replacement of Christ embodying God's will on earth. In a strictly hierarchical, representational sense, claiming that the Pope was mistaken could not mean anything less than that God had erred. Since Ockham was religious enough to uphold the axiom that God cannot err, his predicament was to find another, still devout way of interpreting the institutional representation of God by the Pope. Moreover, for Ockham the problem was complicated by the fact that in his time he was not alone in criticizing the papist *plenitudo potestatis* — he found himself in the unwanted company of secularists. The complex political problem for Ockham was to criticize the Pope while opposing the obviously understandable inference, based on this criticism, making Ockham a secularist. Ockham definitely did not consider himself a papist, but he did not consider himself a secularist either; yet, he couldn't help being already involved in their polemic. In the face of this predicament, Ockham did find a non-secularist and non-papist point of departure, for he disagreed with both secularists and papists on precisely that which they had in common: "an insistence on ultimate governmental unity".[32] Against this political monism, McGrade points out, Ockham opted for a dualism.

However, and McGrade is careful not to attribute too much revolutionary spirit to Ockham's politically confined position, the struggle with the monism of secularism and the monism of papism was not exclusively Ockham's. Indeed, the dualism that Ockham sought as a way out of the either/or of an erring Pope and a factual cessation of the Franciscan community as a religious order was not the first attempt to come to terms with what seemed so mutually exclusive: the hierarchical

[32] McGrade, *supra* n.29, at 83.

"'descending' view of law and government" on the one hand and the "'ascending' secular viewpoint" on the other.[33] Still, Ockham's dualism differed from the dualistic institutional syntheses that had come from "Christian Aristotelians like St Thomas, John of Paris, and Dante":

> Instead of constructing a subtle theory by which the two powers could be accommodated to one another when their concerns overlapped, Ockham sought to arrange matters so that such overlapping would seldom occur. This involved, on one hand, a thorough 'desacralization' of secular power and, on the other hand, a reduced emphasis on the juridical aspects of ecclesiastical power.[34]

Ockham's dualism did not imply the synthesis but rather the separation of secular and ecclesiastical power. And it is probably because of this separatism that McGrade suggested that Ockham's political work cannot be called a theory in the strict sense.[35] If Ockham's work can be seen as an effective contribution to the debate between papists and secularists at all, then his separatism hardly contributed to the architecture of a unified system. Speculatively, in this political separatism we may perhaps recognize Ockham's pre-Avignon emphasis on singularity, for it is likely that the conceptuality of the synthesis of the secular and the ecclesiastical would have been criticized from the perspective of the "staunch nominalist" that Ockham is sometimes said to have been. Yet, we should recall, as McGrade points out elsewhere, "that it was John XXII, not Ockham, who insisted that only individual Franciscans were true persons and that the Franciscan Order was only a *persona repraesenta* or *imaginaria*".[36] Again, McGrade cautions against the eagerness quickly to "apply" Ockham's nominalism to politics. But we can see better now that the reason for this caution is not just the biographical fact that after 1330 Ockham did not explicitly refer to his logical writings. Against applying Ockham's nominalism to his politics rather speaks the consideration not to make the political practice of which Ockham's political writings were a part the particular representational

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33 *Supra* n.29, at 82-83.

34 *Supra* n.29, at 84.

35 McGrade, *supra* n.29, at 76.

36 A.S. McGrade, "Ockham and the Birth of Individual Rights", in B. Tierney and P. Linehan, eds., *Authority and Power. Studies on Medieval Law and Government. Presented to Walter Ullmann on his Seventieth Birthday* (Cambridge: Cambridge University Press, 1980), 149-165, at 152.

plane for his nominalism. We should consider that making one practice the representational field of another, would be the unwarranted presupposition of applied nominalism.[37]

Different from the applied nominalism just mentioned, however, is another practice that sets the stage for a relationship between logic and politics. It is the practice of understanding Ockham's separatism as a solution for, or perhaps better put, as a way of dealing with the dilemma Ockham concretely experienced. Although he claimed that a Pope could err and, more specifically, that John XXII was a heretic, Ockham did not want to be a secularist. Yet when Ockham found that he could not avoid taking a political stance in the political unrest of the fourteenth century, he borrowed certain secularist ideas on the relationship between society and government. Ockham's non-dialectical dualism could effectively reduce the juridical power of the church only by "redefining", as McGrade calls it, the relation between society and government. Within the framework of such a redefined relation, then, the case of an erring Pope could actually become a case to begin with: the heresy of John XXII was conceivable because Ockham held that the papacy could no longer be the source of all value and order in society.[38] The hierarchical, descending view of the papists was effectively opposed by Ockham's instrumentalism regarding law and government. The law would not prescribe the order of society, it would only be used, i.e. instrumentally applied, in cases where the more or less self-regulatory secular and curial orders could not prevent conflicts with each other. In other words, the law should not be the overarching, universal medium which would govern all possible conflicts by prescribing conflict away from the political arena. For Ockham the law does not set up a realm of compromise in which conflicts will be dissolved, it rather lets the conflict between singular groups come to the fore. Ockham prefigures a positivist conception of the law in which, as we have seen with Raz, no

[37] Notably, such a consideration is itself a philosophical consideration, for it is based on the insight that the relationship between the semiotics of singularity and the concreteness of a discursive practice is not one of particular subsumption under what would be a semiotic rule. But since such a philosophical consideration is the kind of argumentation that stems from Ockham's philosophical writings, the very caution that can be philosophically argued for establishes a link between the logical and the political work after all, an exemplary link, a singular link.

[38] McGrade, *supra* n.29, at 85.

group should obtain a meta-position, because it would then find itself being the conductor of the conflict while being a party in the conflict at the same time. McGrade explains that with Ockham "the political element in human affairs [became] a means to the social existence of free men, but not the basis of the community or its end." [39]

But if the papacy cannot be the source for communal values, on what else should a society be based? Does the instrumental understanding of politics necessarily imply the "ascending" view on power of the secularist? This, for Ockham, was a pertinent question because it indirectly addressed the viability of his position: was it possible for Ockham to uphold his separatistic dualism by adhering to instrumentalism without making "popular sovereignty" — key for the secularists — his first concern? In other words, does Ockham's instrumentalism imply the "ascension" of power based on the original consent of a people, or should we grant him a position critical of papist, hierarchical foundationalism yet non-foundationalist in the secularist sense? McGrade reminds us that the historical context of the political dispute did not leave Ockham much room on either end of the political spectrum. His work took shape "as an emphatic negation of the descending thesis of law and government" but as a Franciscan he could not take a wholly secularist, ascending stance either. [40] By already being engaged in the dispute as a critic of papism, Ockham also already found himself in the position of an advocate of at least some form of secular government. Apparently, even though Ockham wanted to resist the dilemma, he was too hard pressed to take a stance in the political unrest of the fourteenth century.

Remarkably, the unavoidability of the dilemma has affected not only Ockham and his contemporaries but even Ockham's interpreters of the twentieth century. McGrade, for example, makes clear that although, in the practice of interpreting Ockham's political writings, he has come to understand Ockham's need to circumvent the polarized political dispute, he has not been able to assess whether Ockham succeeded in his attempted circumvention. Concretely, McGrade couldn't help but re-experience Ockham's dilemma and even repeat what appears to be the impasse Ockham had reached:

In view of Ockham's sensitivity to the misuse of power, his failure to

39   *Supra* n.29, at 85.
40   *Supra* n.29, at 103-104.

embrace a consistent ascending theory after rejecting the theocratic descending theme constitutes a major problem in the interpretation of his thought. [...] In trying to state Ockham's view of the basis for legitimate secular power, we have reached an impasse. [41]

Both McGrade and Alféri have intimated that the expectation to find in Ockham's writings a unified theory, which would no doubt be called "Ockhamism", is an anachronistic expectation. Hence, if not-finding a theory in Ockham entails a "failure" at all, the failure is that of his modern and contemporary readers and not Ockham's. Yet, McGrade's statement that it was Ockham himself who failed "to embrace a consistent ascending theory" is not intentionally anachronistic. McGrade, I believe, wanted to express how Ockham concretely experienced his involvement in the political unrest of his own time. The strong term "failure", then, refers to the fourteenth century expectations of both the spiritual and secular camps: Ockham couldn't help but fail their expectations. That Ockham had to fail the test of papists is clear enough from his personal polemic with John XXII, but that he failed to comply with secularist aspirations, and that is what McGrade explicitly refers to here, is related to the consistency for secularists of his opinions as a theory. Indeed, Ockham's position is not a consistent ascending theory, it does not ground power in popular consent. I want to leave Ockham's problems with the governmental representation of popular consent aside for the moment — I will return to them later. First, I want to pause at what is more interesting from the perspective of a reader who is led by the exemplarity of Ockham's discourse, namely that

[41] *Supra* n.29, at 109. McGrade's description of the impasse is as follows: "On the one hand, he rejected the traditional idea that all political legitimacy depends on participation in divine justice mediated by the holder of the divinely created papal office. He stressed instead the strictly human origin of current distributions of property and jurisdiction. On the other hand, he was so far from espousing a theory of government based on the continuing consent of the governed that he cannot be described as an unqualified supporter of ascending ideas of law and government" (*supra* n.29, at 109). We should note that a description of an impasse begs for a way out. Not surprisingly, that is precisely what McGrade suggests when he subsequently focuses his attention on the question "what, for Ockham, are the functions of secular political power?" (*supra* n.29, at 109). Although I do agree with McGrade that Ockham's sometimes minimalist conceptions of the functions of secular power can be seen as the starting point for a singular, non-papist, non-secularist stance on law and government, I want to elaborate first on Ockham's "failure" to embrace a theory.

the lack of consistency in Ockham's expositions may only be a lack in the theoretical sense of not providing an over-arching, universal concept. Ockham's failure to embrace consistency may then be a theoretical failure indeed, and, moreover, a necessary failure in that sense. Not opposing, but rather qualifying McGrade's claim of an apparent inconsistency in Ockham's work, we could say that Ockham's non-theoretical position might actually be quite consistent in its own terms.

3. *A Consistent Ockhamism*

Two remarks are in place here. First, Ockham's lack of theoretical consistency as a political thinker strengthens the reservations on the part of contemporary Ockham interpreters: there is no straightforward deduction towards an encompassing political theory in Ockham. Yet, the lack of theoretical consistency on the level of political theory does not preclude an inquiry into the possible alternatives for consistency in another, non-encompassing, but perhaps still theoretical sense. Perhaps consistently, Ockham was already en route to a critique of certain form of theorization. And if this were the case, Ockham's lack of theoretical consistency on the level of politics would actually combine quite well with the lack of theoretical consistency, the lack of a cathedral architecture for a systematic speculative philosophy and logic that Alféri brought to our attention. Hence, reservations on another level of thinking, namely against the attempt to relate Ockham's politics to his logic, are curiously rebutted. Surely, on the one hand, the construction of a "pan-Ockhamism" which would incorporate Ockham's logic and politics is contradicted by the lack of theoretical consistency on different levels of discourse. Yet, on the other hand, the analogy of a lack of theoretical consistency on different levels supports the idea that if there is consistency in Ockham's political work but also in his politics and logic taken together, then we ought to describe it in non-encompassing terms. [42]

[42] H.A. Krop, in his article on "The difference between theoretical and practical knowledge with special reference to the nature of theological knowledge according to Ockham" ("Het verschil tussen theoretische en praktische kennis. De aard van theologische waarheden volgens Ockham"), *Wijsgerig Perspectief* 25-5 (1984/5), 151-157, pointed out that Ockham criticized both Henry of Ghent because the latter claimed that theology was theoretical, and Duns Scotus for his claim that theology was practical in nature. Krop does not make clear, however, whether Ockham merely is paradoxically

My second remark is also supportive of the search for a non-encompassing consistency.   McGrade's work points towards an Ockhamist account of government critical of the kind of "monist embodiment" that both secularist and ecclesiastical notions of government appear to present. Ockham's critique pertains both to the ascending representation of popular consent in what would be called a secular government and also to the descending representation of divinity in what would be called a spiritual government. Perhaps, Ockham was consistently en route towards a critique of representation. And if this would be the case, the lack of theoretical consistency on different levels of discourse, in all likelihood experienced by Ockham's readers as a lack of representational concepts, would also combine quite well with the non-representational semiotics of singularity.   Let me elaborate somewhat on this last remark.

Earlier, we briefly touched on Ockham's nominalism. According to Ockham, "no universal is a substance existing outside of the mind,"[43] which means that no general concept has a real existence; "*il n'y a que du singulier*", there are only singularities, as Alféri puts it concisely.[44] Hence, "the theory of really existing universals is the grand opponent [*le grand ennemi*] of the thought that tries to think singularity as such" [*en tant que telle*; cf. "*qualunque/quelconque*" in Agamben]. Now, in strict analogy, Alféri continues, "the theory of representation is the grand opponent of the thought that tries to think the concept as the sign of a series."[45] The analogy Alféri sketches here is the following: the theory of really existing universals, i.e. realism, relates to thinking singularity as such, just like the theory of representation relates to thinking the concept as sign of a series. From the perspective of the difficulties we have encountered before in Agamben's and Raz's attempts to find an alternative to the temptation of thinking singularity in terms of particularity vs. universality, it is more interesting to explore the suggestions made by the analogy. Indeed, the analogy suggests an

inconclusive about theology or perhaps generally cautious about the Aristotelian distinction between practical and theoretical knowledge.

[43] William of Ockham, *Ockham's Theory of Terms. Part I of the Summa Logicae*, trld. M.J. Loux (Notre Dame: University of Notre Dame Press, 1974), ch.15.

[44] *Supra* n.1, at 257.

[45] *Supra* n.1, at 215 (my translation).

alternative for thinking the singular as particular: the possibility of conceptualizing the singular as the sign of a series. Specifically, the analogy suggests that thinking singularity as such corresponds to thinking the concept as the sign of a series, and that thinking singularity as such opposes the theory of representation just as much as thinking the concept as the sign of a series opposes realism. Alféri appears interested in these cross-references as well, for he infers that in our understanding of Ockham, "we should refute the theory of representation in so far as it has a totalizing ambition and in so far as it pretends to explain the apprehension of the singular itself." Moreover, he continues, "we should criticize more precisely its claim (*prétention*) to explain the concept." [46] But should we accept Alféri's cross-referential inferences in the analogy? What exactly is Alféri's argument for his interpretation of Ockham's singularity in terms of a concept as a sign of a series and for his putting singularity to work, so to speak, in opposition to the theory of representation?

First, let's not be mistaken: the concept as such is a sign and should not be mistaken for a representation — "*le concept est un signe, non une répresentation.*" [47] Alféri explains what exactly this theory of representation is that makes it the grand opponent of the concept-as-sign:

> A theory of representation [...] thinks the relation to an object [*une théorie de la répresentation [est] une théorie qui pense le rapport à une chose*] or a series of exterior objects from the perspective of mental contents [*à partir de contenus mentaux*], as internal copies or "images of the mind" [*peintures dans l'esprit*], or it attributes [...] an "objective" reality to mental acts [then] considered as "ideas". [48]

Most objectionable is what this theory of representation does to the sign quality of the concept: it renders it present in a material, thing-like sense. To be sure, a sign is "real", according to Ockham, but it is real only inasmuch as it *refers* to something singular, or perhaps to a series of singularities, as in the case of a concept, not as a singularity itself. Of course, the sign can again be taken in its singular sense, but then, immediately, we would no longer be looking at a sign properly, we would be "taking" the sign of a sign — which is what Ockham calls "a

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46 *Supra* n.1, at 216 (my translation).

47 *Supra* n.1, at 215.

48 *Supra* n.1, at 215 (my translation).

term of the second intention".[49] At that very moment, our mental act of taking a concept in its singular sign quality has become the sign-proper. A sign, then, is not a thing but rather a relation. And since a concept is a sign, a concept is real only in so far as it is a relation. Strictly speaking, though, we should call the relation of signification itself, according to which the concept can be effectual as referring to a series of singularities, a non-real or irreal relation.

To elaborate, recall that in Ockham's ontology[50] the singular is the only being that is and can be a being. A concept, which is a sign, is not a being: it doesn't exist as such. Yet, even if it does not have, strictly speaking, singular being, the concept does really signify. Signification, "twice removed", so to speak, from singular being, is therefore predicated as "irreal".[51] Alféri makes clear that, according to Ockham, what is unacceptable in the theory of representation is that it renders present the relative autonomy of certain mental constructs as the basis for the reference to singularities exterior to the mind. Alternatively, the notion of representation — which Ockham does not discard — should be understood as made possible by referentiality. Hence, when Alféri writes that "[the theory of] representation pretends to give an account of referentiality, but, in truth, supposes it without allowing it to be questioned",[52] he does so, following Ockham, because as soon as the theory of representation postulates a representational constituent as standing for a singularity, then the theory of representation can no longer account for the referentiality that made the representation possible in the first place. The conceptual reference to singularities should, therefore, be thought without recourse to a theory of representation unable to question the very signification that makes representations possible.

[49] *Supra* n.43, at chs.11-12. Cf. Alféri, *supra* n.1, at 314-324.

[50] Cf. Alféri, *supra* n.1, at 134-146.

[51] Alféri describes the relation of signification as "an 'irreal' relation between a real act and real object which are not modified by it in any way" [*une relation irréele entre un acte réel et des objets réel qu'il ne modifie en rien*] (*supra* n.1, at 254, my translation). Nevertheless, "it is admitted by Ockham that concepts are real modifications of the mind [...] hence it is admitted that concepts, thoughts 'are'" [*il est admis par Ockham que les concepts sont de modification réelles de l'esprit [...] Il est donc admis que les concept, les pensées 'sont'*"] (*supra* n.1, at 351, my translation, and cf. 239-54).

[52] *Supra* n.1, at 216 (my translation).

In sum, for Ockham the problem with a theory of representation accounting for concepts is what we might call "the representationalism" it entails. Representationalism would be the theory that presupposes the real existence of representations.   But how do we avoid representationalism? When does the presupposition take effect? Could it be the wrong question to ask what a concept *is*? Ockham has actually answered the last question: the concept *is* a sign. This answer sets up a semiotic theory in which, obviously, the concept is said to be a sign. Hence, there seems no problem in saying that the concept *is* a sign. There seems no problem in saying that Ockham's answer sets up a semiotic theory in which the ways are described in which the concept can represent whatever it stands for, its referent, perhaps even in the complete absence of the referent. However, if we take another look at the purport of Ockham's nominalism in this case, claiming that "the concept is a sign" might easily be mistaken. The mistake would lead to representationalism, i.e. the presupposition that the representation really exists in the same sense that the-whatever-the-representation-stands-for really exists. Recall that Ockham's nominalism was effective against the kind of realism which supposes that the only way a universal can be meaningful is when it is taken to be a real existence outside the intellect. In this case of an exclusive sense of meaningfulness entirely conditional upon the acceptance of the real existence of the universal, then, to repudiate the real existence of the universal, as Ockham did, has implied that the universal could no longer be meaningful at all. Yet, for Ockham the notion of a universal is not meaningless. This is specifically clear from the concise formulation Marilyn McCord Adams, in her *William Ockham*, gives of Ockham's nominalist thesis: "only names or concepts are universal, while every mind-independent thing is particular".[53] I should remark here that Alféri would have avoided the term "particular"; instead, he would have used "singular" because of his earlier reservations against the all too exclusive definition of the particular as the concrete manifestation of the universal. Adams does not feel the burden of such an ethics of terminology, but she would definitely object also to an understanding of particularity as concrete universality.[54] In spite of the

[53]   M. McCord Adams, *William Ockham* (Notre Dame: University of Notre Dame Press, 1987), 109.

[54]   Let us elaborate somewhat on the problem that Alféri would have with Adams' use of the term particular. Alféri, of course, would acknowledge the passage in the *Summa Logicae* I: "It should be noted that among logicians the

terminological confusion, though, I hope it is clear that Adams' epistemologically charged variation of the nominalist thesis helps to understand that for Ockham the universal is meaningful precisely because we have used it intellectually as a concept. Remarkably, this does not make the universal really existent in the way mind-independent singularities are, but it does not empty out the universal either; on the contrary, taking the universal in its sign quality as a concept sets up a semiotic inquiry that does not describe "what [concepts] *are*, but what and how they *signify*".[55]   Alféri even remarked that "Ockham's nominalism is nothing other than the large expropriation of ontology by a theory of signs".[56]   Observe how important semiotics is for Alféri. Adams, most likely, would concur, for she writes: "This shift of attention from what universals are to what and how they signify, is of crucial importance in Ockham's attempts to show that all that really exists are particular substances and particular qualities."[57]

If we now return to the representation by the Pope of God's will on earth and to the representation by the emperor of the people's will, we can begin to see why Ockham objects to both the descending view of spiritual government and the ascending view of secular government. First, we should be critical of the presuppositions inherent in theoretical discourse.   Ockham cannot but fail to comply with theoretical constraints requiring him to engage in a discussion about what, for example, his own Franciscan Order *is*. McGrade, therefore, was right to point out that we should not *apply* Ockham's nominalist epistemology to the politics in which Ockham was involved. Remarkably, quite in concurrence with the demands of an applied nominalism, it was John

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following names are convertible: 'particular', 'individual', 'suppositum' [...] we shall use the expressions in the way that logicians do" (*supra* n.43, at chs.19, 90). Neither Alféri nor Adams would have any problems with such a logical substitution of terms: "singular" for "individual". Recall, however, that when Alféri claimed that the singular should be thought beyond and instead of the particular, our reference was the *Summa Logicae* II, *Ockham's Theory of Propositions*, in which, in a theory of propositions, the irreducible distinction is made between a singular proposition like "Socrates is black" and a particular proposition like "Some man is black".

55   *Supra* n.53, at 106.

56   *Supra* n.1, at 33 (my translation).

57   *Supra* n.53, at 107.

XXII who denied the existence of the Franciscan Order as an order.[58] In such an all too quick application, therefore, John XXII would be the nominalist against whom Ockham would have had to defend the Franciscan Order. But without disputing McGrade's caution against applying Ockham's nominalism in the field of politics, if only in acknowledgement of the danger of advocating precisely the wrong, i.e. the Pope's, position, we may stipulate that the very idea of application presupposes precisely that which Ockham cannot supply: the presupposed real existence of concepts like the Franciscan Order. Again, Ockham does not deny that concepts are really meaningful, what he denies is that we can find a conclusive answer to the question what the concept is. In the search for an alternative to theories of representation, an alternative required because these theories cannot avoid being representationalist, Ockham has pointed us in the direction of the "what and how" a concept *signifies* — whence the suggestion that we should rather look into the ways in which the Franciscan Order signifies each and every individual Franciscan monk. More poignant, though, are the consequences of Ockham's semiotics for papist *and* secularist theories of representation. We have already seen how Ockham opted for a way out of the dilemmatic relation between secularism and papism. Ockham's dualism was intended to be an alternative for the "either-ascending-or-descending" stance on government. From the perspective of the papists, Ockham's position may have been quite disturbing precisely because it could not be easily identified and subsequently dismissed as secularist. Unlike the secularists, Ockham did not deny the authority of the papal office. But in the sense that claiming the Pope to be a heretic was potentially even more damaging for the Roman Church than claiming that the Pope was a tyrant, Ockham's position proved a formidable threat. Let us elaborate somewhat on this threat to the authority of the Roman Church — disparagingly called the Church of Avignon by Ockham — in order to bring out more clearly the representationalism Ockham was opposing.

Gordon Leff, in his presentation of Ockham's work as *The Metamorphosis of Scholastic Discourse*, pointed out most succinctly that the damage to the Pope's authority consisted in Ockham's attack on what we have come to call the representationalism inherent in, here, the

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[58] *Supra* n.36, at 152.

descending view of spiritual government.[59]   When Ockham accepted that Christ gave the key of the heavens to one of his apostles, Peter, who became the first bishop of Rome, Ockham did *not*, thereby, also hold that the infallibility of Christ was transferred to Peter as well.[60]   In other words, Christ's commission to Peter does not, in itself, warrant an evident competence for the bishop of Rome and his successors.   For Ockham, then, the concept of a founded Church is real; however, quite in accordance with his semiotic nominalism, for Ockham this can only mean that the Church is really significant.[61]   Leff would probably agree if we describe Ockham's position as holding that no-body and no-thing is equal to the Church, for Leff writes:

> in relation to the government of the church, nothing less than the universal church — whether a Pope, an independent church such as that of Rome or Paris, a college such as that of the cardinals, or indeed all the faithful — has the attributes of inerrability and indefectability which belong to the universal church alone [...].   Nothing is therefore its equal or can perfectly represent it.[62]

Leff did not use the term "representationalism" to describe the presupposition of a really existing "universal church", but such a presupposition is at stake here.   To be sure, the universal church really refers to all the faithful and also, therefore, to the Pope.   Yet, taking Peter, or his successor the Pope, "to be" the inerrable and indefectable universal church by representing it, presupposes the same ontological level for both the concept "universal church" and the singularly existing mortal sinner apostle Peter, or John XXII for that matter.   It becomes clear now that although Ockham did have a personal conflict with John XXII, the arguments against the infallibility of the Pope can be thought beyond the limits of a personal dispute.   In fact, we have rehearsed what McGrade called Ockham's failure to supply a theory of ascending government as an alternative for his criticisms of the descending powers of the Pope.   The impasse Ockham reached when faced with the

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[59] G. Leff, *William of Ockham. The Metamorphosis of Scholastic Discourse* (Manchester: Manchester University Press, 1975).

[60] W. von Ockham, *Dialogus. Auszüge zur politischen Theorie*, ed. and trans. by J. Miethke (Darmstadt: Wissenschaftliche Buchgesellschaft, 1994) at III, I, ch.1.

[61] Cf. Leff, *supra* n.59, at 633ff.

[62] *Supra* n.59, at 639.

either/or of descension and ascension comes to the fore more clearly now
that we can see that Ockham's argument against descending powers is
equally pertinent against ascending powers. It is an argument against the
representationalism inherent in both views: there's no one ontological
plane, neither for the equal footing of the universal church and whoever
is commissioned by Christ to hold its key, nor for the equal footing of
the king or the emperor and the secular, universal law.

4. *Conclusion*

Even though we have begun to describe Ockham's position as
consistent in its own semiotic rather than theoretical terms, we should
note that we might yet want to point out where exactly Ockham's
relativism, as opposed to the representationalism he encountered in the
political debate, has begun to acquire a consistency of its own. We are
tempted perhaps to fill in the void left behind after the rejection of a
presupposed, original, unquestionable representation. We have
remarked that Ockham consistently opposes representationalism. We
have been consistent ourselves in identifying the grand opponent of
Ockham's semiotics of singularity. We have been able to abandon the
inquiry into what a concept is. But where then, we might ask, did we
begin the analysis of what and how concepts signify? The first answer is
that, considering the meaningfulness attributed earlier to the exemplar
performativity of Ockham's critique, the semiotics have always already
begun. For the semiotics of singularity is *not* consistent because there
would be an original point of departure for it, so that we would be able
to reduce all phenomena of signification to this one origin. Irrevocably,
we are already underway in our conceptualization of the meaning of
concepts like "universal church" or "universal law" or even "semiotics of
singularity". But inasmuch as we are already "doing" semiotics, we
cannot say that this is all we are doing, nor that this is all that we *should*
be doing. In our objection to representationalism we will have been
semioticians. Additionally, however, like Raz and Agamben, we might
also want to respect the singularity that resists conceptualization. We
might even want to express what and how we signify in response to the
exigency of respecting singularity. And at that very moment, we are no
longer performing only semiotically, we are performing more or less
"responsibly" as well. As a rule, we will have conceptualized
semiotically. But sometimes, in cases that do not oppose this rule, yet

are exceptional, we will have conceptualized responsibly as well. Returning to Ockham, then, we have to ask whether Ockham knew of such cases. McGrade, among others, believes he did. [63] My concluding remarks will be about Ockham's singular way of expressing the need to make room for the significance of such cases. In these remarks I will repeat my argument that we should opt for an Ockhamist position beyond the mere consistency of an oppositional discourse. Echoing Agamben, only in a semiotics that does allow exceptional cases to come to the fore, we can also hope to make a beginning with a responsible way of "saying" singularity.

In short, Ockham's way of addressing the concept has implied abandoning the question of what a concept is in favour of the question what the concept signifies. We have met a nominalism that did not prove rigidly sceptical but made room for the real significance of concepts. Conversely, though, we have been less successful in saying what singularity means, not least because we have had to face the appropriative conceptualization inherent in our own activity. But that doesn't mean that the singular has not meant anything at all. On the contrary, as Agamben made clear, the threshold experience that marks the limitations of our own activity can be the very locus of a singular event — we experience the performativity of reflection, the exemplarity of conceptualization. Agamben emphasized the ethical importance of this threshold experience. In our discussion of Ockham's politics, however, we have not seen Ockham attribute a similar ethical purport to

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[63] McGrade, for example, writes that Ockham "advocated a 'regular' dualism of secular and spiritual government, supplemented by a doctrine of 'casual' power in which lay and ecclesiastical authorities could in exceptional cases act outside their ordinary jurisdictions" (*supra* n.29, at 78). However, McGrade also remarks that Ockham's use of *casualiter* was not entirely new. It actually had a curialist history "for it had been progressively exploited by popes since Innocent III to justify intervention in cases for which no ordinary precedent could be alleged" (*supra* n.29, at 80). Nevertheless, Jürgen Miethke, "Wilhelm von Ockham und die Institution des späten Mittelalters", in E.P. Bos and H.A. Krop, eds., *Ockham and Ockhamists* (Nijmegen: Ingenium, 1987), 127-144, at 144, attributed precisely to Ockham's use of *casualiter* the relevance contemporary and future readers of Ockham may expect: "Ockham [hat] die politische Aktion von traditionalen Bindungen weitgehend befreit, im Not- und Ausnahmefall zwar nur, aber dort radikal. Diese Bestimmung des Verhältnisses von Regelfall und Ausnahme, von rechtlich gestecktem Handlungsrahmen und ethisch fundierten Handeln sollte auch künftig seine Attraktion behalten."

singularity. Obviously, such an attribution would be anachronistic. Yet, even though we have met the circumstantial anti-representationalism that Ockham embraced when faced with the dilemmas of his time, Ockham's entire work shows a systematically repeated adherence to the pertinence of singularity that makes Ockham's circumstantialism less *ad hoc* and more consistent. McGrade's reference point for this more enduring and systematic consistency is Ockham's academic ethics. Concretely, McGrade suggests that Ockham's "right reason" (*recta ratio*), which is intimately related to Aristotle's *phronesis*, might provide the "philosophical basis for that concern with contingent circumstances which we have already noted as a distinguishing trait of his political thought".[64] I have presented McGrade's suggestion here because it implies, as McGrade recognized and Agamben and Raz would have welcomed, a discussion of "judgment". For it is "right reason" that will supply the philosophical, albeit circumstantial, groundwork for political judgment. McGrade hints at such a foundation in his conclusion:

> Finally, Ockham's doctrine of casual power, under which subjects might in some cases act against their rulers, or secular and religious authorities intervene in one another's affairs, depended upon the possibility of judging correctly when such exceptional cases were at hand.[65]

We should observe that "the possibility of judging correctly" is a real possibility inasmuch as it is grounded in "right reason". I will have to postpone a thorough discussion of "right reason", but we can begin to see how Ockham's politics can be related to his ethics, as McGrade suggests, and from there on to his epistemology as well. Indeed, before we would dismiss this appeal to "right reason" as the re-appearance of representationalism, we should observe that the correctness, the reasonability of our judgment does not depend on a universal law beyond the circumstances that have urged our judgment. Note that in introductions to Ockham for a contemporary audience, we are reminded of his transformation of the central question of philosophy: "for him the central question was no longer to explain the individual [the singular, WS] by reference to the universal but rather to account for universals in a world of individuals."[66] Judgment in Ockham is not "determinant", if

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64 *Supra* n.29, at 195.

65 *Supra* n.29, at 226.

66 *Supra* n.59, at xxi. Ph. Boehner in his "Introduction", in Ph. Boehner, ed. and trans., *William of Ockham. Philosophical Writings. A Selection* (Indianapolis:

you would concede another anachronism, but rather "reflective". Epistemologically, we have to take our point of departure in the concreteness of the singular and, to use Alféri's phrase, "serialize" [*mise en série*] in our experience our intuitions of singularity towards acts of the intellect that will be of the nature of concepts. More specifically, we *know* because we have accustomed ourselves to the gathering of singularities in a series of intuitions. The repetition of our serializing gesture will have become habitual but always grounded in the concreteness of the empirical; Ockham calls such an empirical foundation of the habitual a *natural* process of signification. In a way that clearly brings out the semiotic nature of Ockham's epistemology, Alféri summarizes the process as follows:

> The concept, sign of the mind, is a real act of spirit [*acte réel dans l'esprit*] [...], that refers [*renvoie*] directly, without intermediate mental object, to singulars as elements in an external series; it is produced naturally by a habit [*habitus*], in the repetition of certain acts of apprehension and their internal serialization [*leur mise en série interne*].[67]

Notably, Ockham's nominalism puts us on a track towards knowledge; it is not a mere relativism, it claims the possibility of knowledge. To be sure, concepts should be relativized for what they are supposed to be, but remarkably this relativization is brought about by the semiotic alternative with which Ockham counters the representationalism inherent in ontological presuppositions.

I have tried to argue that Ockham's semiotic nominalism is a consistent, non-relativistic, anti-representationalist position in the context of a fourteenth century polarized debate on the *plenitudo*

Bobbs-Merrill, 1964), ix-li, at xxvii, characterizes Ockham as follows: "Almost all his predecessors had maintained that natures or essences considered in themselves had some kind of generality or commonness; in order to become numerical units or individuals [singulars, WS] natures had to be individualised by a principle of individuation. Ockham's predecessors had thus approached this problem from the side of the universal; Ockham attacked it from the side of the individual; a change of outlook almost as epoch-making as the Copernican revolution in astronomy." L.M. de Rijk, "Ockham's views on the individual", ("Ockhams opvattingen over het individu"), *Wijsgerig Perspectief* 25-5 (1984/5), 141-146, at 144, agrees that this is the key reformulation of the central philosophical question made influential by Ockham, yet he attributes the "revolution" to Roger Bacon (ca. 1214 -1292).

67 *Supra* n.1, at 250 (my translation).

potestatis of curial and secular government. Apparently, and in spite of the caution against generalizations, several commentators also accept Ockham's semiotic nominalism, his conceptualism, as a relative constant throughout his work. Now, the contemporaneous, renewed attention for nominalism, illustrated by philosophers as diverse as Joseph Raz and Giorgio Agamben, can also be qualified as non-relativistic, and remarkably the suggestions for an alternative to relativism seem to point toward some form of semiotic nominalism as well. Observing, then, that Agamben's nominalism was incurred by the ethical need to "say" the singular, observing that Raz's nominalism was motivated by a politically charged notion of multiculturalism, and observing also that Ockham's semiotic nominalism might open up a discussion on judgment embedded in *habitus*, we may want to endorse the anachronistic reading strategy that would set up an inquiry into the politico-legal significance of Ockham's semiotic nominalism. In such an inquiry, we could address questions like: does our habitual, repetitious dealing with singular cases preclude or rather warrant the "responsibility" of our sayings?; does the exceptional case stand-out entirely or perhap "proximally and for the most part" from our customized ordering of society? Yet, important as these questions are, we should not avoid others like: can or should a State represent the singular individuals that constitute it?, while never forgetting the question: can or should we represent singularity at all? [68]