

POETIC JUSTICE: VIKTOR SHKLOVSKY AND CARL SCHMITT*

Peter Steiner

Abstract: The paper explores a shared epistemological bias of Shklovsky's poetics and Schmitt's legal Dezisionismus: their privileging the singular over the ordinary. "The exception is more interesting than the rule," Schmitt stated about the law in 1922. For, every legal judgment, he insisted, involves the indispensable moment of contingency insofar as it extends the same statute to different and irreducibly unique situations. Shklovsky, quite similarly, endowed art with the capacity to defamiliarize our perception of reality made torpid by repetition: turning the usual into the unexpected.

Both theoreticians rebelled against the Positivist tradition in their respective fields. Schmitt against Kelsen's "pure theory of law"—an autonomous science of deductively arranged norms, each deriving its validity from appropriate higher norms, down to the ultimate Grundgesetz underlying and sustaining them. "The basic law," argued Schmitt pace Kelsen, is always already something supra-legal that becomes incorporated into jurisprudence only retroactively. For initially it is but the expression of an unpredictable will of a particular "sovereign" who decides to suspend an existing legal system and establishes a different one. Such a coup d'état is not an act of legal nihilism but, on the contrary, a self-protecting measure intended to save the state from liquidation by its enemies.

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Shklovsky critiqued the validity of Spencer's postulate, popularized in Russia by Veselovskii, that art strives to economize our mental energy. Defamiliarization, he insisted, is wasteful, but for a vital reason: to resuscitate our relationship with the surrounding world that, without this intervention, would succumb to a deadening entropy. "Only the creation of new artistic forms," wrote Shklovsky in "The Resurrection of the Word," "can return to humankind the experience of the world, resurrect things, and kill pessimism." Like the Schmittian sovereign, then, poets destroy literature in order to preserve it. They arbitrarily suspend worn-out artistic norms to inaugurate new ones capable of defamiliarizing reality afresh.

Keywords: Vitkor Shklovsky, Carl Schmitt, György Lukács

*Resemblances are the shadows of differences.
Different people see different similarities and
similar differences.*

Vladimir Nabokov, *Pale Fire*.

Shklovsky and Schmitt... ???, my former colleagues usually intone incredulously with a glint of glee in their eyes when discretely prying whether – even after “perishing” no longer rhymes for me with “publishing” – I still continue playing academic games. The source of their perplexity is hidden in plain view. What could a scandal-mongering Futurist, my young interlocutors imply, a sworn proponent of the *l'art pour l'artism*, as the deeply ingrained lore has it, share with a conservative Catholic appreciating literature only as political allegory? I could offer a possible disquisition about Shklovsky, an anti-Bolshevik conspirator and a political émigré as well as a theoretician crediting art with a significant social role, or about the curiously modernist spin of Schmittian conservatism and his closeness to the writers with impeccable avant-garde credentials, like a Dadaist, Hugo Baal,¹ and an Expressionist, Theodor Däubler,² but this would be, most likely, excruciatingly long-winded for the busy people hurrying from their classroom to the next faculty meeting (or *vice versa*). Moreover, the elective affinities of Shklovsky and Schmitt, the way I see it, is neither the function of piecemeal biographical details nor of their idiosyncratic artistic sensibilities but of something more essential. In what will follow, I intend to demonstrate that in carving up the subject-matter of their respective inquires, the aesthetician and the jurist, despite all the ideological and/or cultural disparity, reacted to the spirit of their times which both of them regarded, for strikingly similar reasons, as intolerable, and that the heuristic stratagems they advanced in their own disciplines to remedy this perceived calamity seem in many respects equally analogous.

¹ Trevor Stark, “*Complexio Oppositorum*: Hugo Ball and Carl Schmitt,” *October* 146 (2013), pp. 31–64.

² John P. McCormick, *Carl Schmitt's Critique of Liberalism: Against Politics as Technology* (Cambridge: Cambridge University Press, 1997), pp. 45–47.

But how useful for such a comparison, an inquisitive reader might ask, can be a category as nebulous and vapid as “the spirit of the times?” To deflect this vexing question let me involve in my exposition, however sketchily, yet a third famous thinker, Georg Lukács. I have in mind, in particular, his sweeping critique of an inauthentic state of consciousness deforming in a specific way all human endeavors, which he observed in the early 1920s.³ For it is this peculiar mental set, the Marxist philosopher opined, that constitutes the most salient feature of the modern historical epoch. Against this intellectual backdrop, the correspondences between Shklovsky’s and Schmitt’s theorizing will, I believe, loom quite prominently.⁴

The root of all misery that modern humankind faces, Lukács insisted, rests with one word: “reification” (*Verdinglichung*). If you find this lexical item somewhat opaque, welcome to the club. Even that German philosopher whose utter disregard for the common reader was second to none felt compelled to ask: “*Allein was bedeutet Verdinglichung?*”⁵ Alas, chasing after this elusive meaning, I learned fast, is a tall order. Lukács’s influential category, first of all, did not come out of nowhere. As a synthetic substitution for three kindred notions employed by earlier social critics, it oozes with connotations. By “reification” the Hungarian philosopher “generalized Marx’s concept of commodity fetishism, and fused it with Max Weber’s concept of formal rationalization and Simmel’s concept of the tragedy of culture.”⁶ And even if we bracket off this historical ballast, taking “reification” as a simple rhetorical trope (the opposite of, say, personification) through which phenomena that, by their very nature, are not objects, become mentally transformed into them, we would still be at a loss as to what constitutes the middle ground linking the tenor of this figure with its vehicle. For, as Hanna Pitkin’s in-depth analyses convincingly

³ Georg Lukács, “Reification and the Consciousness of the Proletariat,” in Georg Lukács, *History and Class Consciousness: Studies in Marxist Dialectics*, trans. Rodney Livingstone (Cambridge, MA: The MIT Press, 1971).

⁴ Let me point out that the relationship of the two thinkers with Lukács was rather asymmetrical. Shklovsky apparently encountered the Hungarian Marxist only in the 1930s, during Lukács’s prolonged exile in the USSR, and their interaction was quite minimal (Galina Tihanov, “Viktor Shklovskii and Georg Lukács in the 1930s,” *The Slavonic and East European Review* 78 [2000], no. 1, pp. 44–65). Schmitt, on the other hand, like Lukács, not only studied with Max Weber, whose influence on both can hardly be overstated, but the two also engaged intellectually. “Schmitt was an admirer of Lukács’ essay, ‘Legality and Illegality,’ [...] and Lukács eventually wrote a serious review of Schmitt’s *Political Romanticism*. Moreover, in the first edition of *The Concept of Political*, Schmitt devoted “the longest and most substantive footnote [...] to Hegel and to Lukács as the one who has kept the ‘actuality’ of Hegel ‘most vitally alive’” (which he promptly removed from the subsequent editions after the Nazi takeover rendered the Hungarian philosopher’s race a political liability) (McCormick, *Carl Schmitt’s Critique*, pp. 36–37). Thus, it is not surprising that some of Schmitt’s opinions about jurisprudence coincide, to a significant degree, with Lukács’ views on the subject.

⁵ Martin Heidegger, *Sein und Zeit* (Tübingen: Max Niemeyer, 1953), p. 437.

⁶ Frédéric Vandenberghe, “Reification: History of the Concept,” *Logos: A Journal of Modern Society & Culture* 12 (2013), no. 3, pp. 427–436, here 427.

illustrates, “there are [...] at least five aspects of Lukács’s concept of reification” and it “seems to mean something different in each of” them.⁷ For these and a welter of other reasons, “reification” has gradually lost most of its venerable luster and was relegated by analytically astute researchers who deemed it as “a pseudo-scientific abstraction” into the proverbial dustbin of history.⁸

All the criticism notwithstanding, I still find Lukács’s jaundiced report about the sore state of the modern world eminently useful, at least for the purpose of my essay. “Reification” might well be a tool too blunt to dissect with any precision intricate social structures. Yet, in its descriptive capacity it captured remarkably well the main symptoms of the existential angst common to many of his cohorts – Shklovsky and Schmitt among them – and of the radical remedies proposed to overcome it. For them, the 19th century’s the most cherished values and ideals – whether the power of reason, the benefit of science or the continuity of progress – were but the dead hand of the past that, to recycle Marx’s famous image, weighed like a nightmare on their brains, forcing them to interact with the surrounding world through grossly simplified stereotypes, in an alienating and profoundly inadequate manner. This confining mental predisposition and its causes, they felt strongly, cannot be let go or negotiated away but must be shattered through decisive, climactic, violent action legitimized by faith. But now, back to the hero of this overture.

Since there are many exhaustive analyses of Lukács’s “Reification and the Consciousness of the Proletariat,” I can afford to be both concise and selective. “*Verdinglichung*,” in Lukácsian understanding, is ineluctably but not exclusively linked to the capitalist mode of production, especially to its most advanced phase, where the division and the mechanization of labor fragments the organic bond between workers and their output. But the ultimate impetus for the reification of consciousness comes from the market, which transforms the unique and multifaceted products of human labor, capable of satisfying a variety of personal needs, into abstract commodities appreciated solely on the basis of their price. In this way, the subjects embroiled in mercantile exchange irretrievably lose the natural attitude toward the world around them because they cannot but begin: “(a) to perceive given objects solely as ‘things’ that one can make potentially a profit on, (b) regard each other solely as ‘objects’ of profitable transactions, and finally (c) to regard their own abilities as nothing but supplemental ‘resources’ in the calculation of profit opportunities.”⁹

Such a dehumanized and dehumanizing view of reality, Lukács stresses, is not just a passing mental aberration but an entrenched set of assumptions that its involuntary captives spontaneously regard as natural. “The reified world appears henceforth quite

⁷ Hanna Fenichel Pitkin, “Rethinking Reification,” *Theory and Society* 16 (1987), no. 2, pp. 263–293, here 267.

⁸ Timothy Bewes, *Reification or the Anxiety of Late Capitalism* (London: Verso, 2002), p. 4.

⁹ Axel Honneth, *Reification: A New Look at an Old Idea* (Oxford: Oxford University Press, 2008), p. 22.

definitively [...] as the only possible world, the only conceptually accessible, comprehensible world vouchsafed to us humans. Whether this gives rise to ecstasy, resignation or despair, whether we search for a path to 'life' via irrational mystical experience, this will do absolutely nothing to modify the situation as it is in fact."¹⁰

It is not just the self-perpetuating immutability of reified consciousness that bothers the Marxist social critic. Equally pernicious is its spillover effect, the power to impose the arid logic of calculative rationalism across the entire spectrum of cultural praxis. He finds particularly abhorrent, in this respect, the extreme formalization of modern jurisprudence. To make legal adjudication predictable and computable to the utmost, the system deliberately insulates the law from all disruptive contingencies with which the chaotic social reality challenges it, subordinating the law's living spirit to the dead letter. Reiterating Max Weber's mechanical metaphor, Lukács humorously equates a contemporary judge with "an automatic statute-dispensing machine in which you insert the files together with the necessary costs and dues at the top, whereupon he will eject the judgment together with the more or less cogent reasons for it at the bottom."¹¹ Like the law, philosophy and, together with it, all manifestations of the modern intellect – Lukács deals his highest card – spring from the reified structure of consciousness. For, "the salient characteristic of the whole epoch is the equation [...] of formal, mathematical, rational knowledge both with knowledge in general and also with 'our' knowledge."¹²

Important for my argument, though, is not just what Lukács says but also how he says it. The discursive mode of "Reification and the Consciousness of the Proletariat" is not dianoetic but deontic. This is not just a detached critique of an injurious mental set but, above all, an authoritative call for a total cognitive switch, a voluntaristic leap into a higher form of consciousness commensurate with human dignity: "the true beginning of *human* history."¹³ And, unsurprisingly, given Lukács's Marxist *Weltanschauung*, such a change can be triggered only by a violent proletarian revolution that will abolish the private ownership of productive assets – the poisonous root of all reification. Yet, the working class – "the barbarians [...] with callous hands" – seemed woefully unaware of its historical *devoir*. It lacked, Lukács lamented, at least in 1910 (when he did not yet consider himself a Marxist), one quality, *sine qua non* of any signal social change: "the soul-expanding religious strength of early primitive Christianity [...] the absolute mastery of man's soul [...] the power to reign supreme."¹⁴

¹⁰ Lukács, "Reification and the Consciousness," p. 110.

¹¹ *Ibid.*, p. 96; Max Weber, *Grundriss der Sozialökonomik, III Abteilung: Wirtschaft und Gesellschaft* (Tübingen: J. C. B. Mohr, 1947), p. 507.

¹² Lukács, "Reification and the Consciousness," p. 112.

¹³ Georg Lukács, "Tactics and Ethics," in Georg Lukács, *Political Writings: 1919–1929*, ed. Rodney Livingston, trans. Michael McColgan (London: NLB, 1972), pp. 3–11, here 6.

¹⁴ Georg Lukács, "Aesthetic Culture," in Arpad Kadarkay (ed.), *The Lukács Reader* (Oxford: Blackwell, 1995), pp. 146–159, here 151.

This early essay of his furnishes the clue as to the projected purpose of Lukács's "Reification" study. It is a recipe for inculcating the "callous-handed barbarians" with Christian-like "soul-expanding strength" and "the power to reign supreme" so they could enact Marx's chiliastic *kerygma* of the proletarian revolution, delivering humankind back to the prelapsarian idyll: the universe of freedom without necessity. True, the capitalist class is doomed, Lukács argues, pace the reformist Social Democrats, because the economic system sustaining it is riddled with irreconcilable antinomies. But it will vanish only insofar as a new class is ready to deal it the decisive *coup de grâce* and take the world's affairs into its hands. To make the workers ready for such a game-changing mission, and this is the gist of Lukács's essay, they must acquire the proper class-consciousness, the awareness of their sacrosanct social role not as history's passive objects but as its active makers. It is this "will to new order," Lukács declares authoritatively, that "designates the proletariat as the socialist redeemers of humanity, the messianic class of world history."¹⁵

The quasi-religious terminology in which Lukács casts his desire for a better new world is not, I believe, just a matter of rhetorical embellishment. It betrays, I would argue, a fideistic spin on Lukács's version of historical materialism, the fact that his plan for transcending reified consciousness is, when push comes to shove, a leap of faith. This probably should not come as a total surprise, given his intellectual trajectory. Did not he, after all, as Lukács's biographer tells us, "come to Marx over the charred ruins of his youth's single-minded pursuit of salvation?"¹⁶ But given the breath of the topic, I will limit my discussion to just one concept, that of "imputed class consciousness" (*zugerechnetes Klassenbewusstsein*), "a term," according to Michael Löwy,¹⁷ "Lukács developed from Marx's famous passage in *The Holy Family*, where Marx discusses the historical destiny of the proletariat."¹⁸ For despite the variety of contradictory interpretations it elicited,¹⁹ its centrality for Lukács' philosophy of history is undeniable.

To simplify the matter slightly, it might be said that Lukács differentiates between two types of class consciousness: the actual and the potential. The proletarians, the

¹⁵ Georg Lukács, "Bolshevism as an Ethical Problem," in Kadarkay (ed.), *The Lukács Reader*, pp. 216–221, here 217–218.

¹⁶ Arpad Kadarkay, *Georg Lukács: Life, Thought, and Politics* (Oxford: Blackwell, 1991), p. 193.

¹⁷ Michael Löwy, "Interview with Michael Löwy: 20 May 1991, Paris," in Eva L. Corredor, *Lukács after Communism: Interviews with Contemporary Intellectuals* (Durham, NC: Duke University Press, 1997), pp. 17–28, here 27.

¹⁸ Other scholars traced its origin to Max Weber's methodology (see, for example, David Frisby, *The Alienated Mind: The Sociology of Knowledge in Germany 1918–33* [London: Heineman Educational Books, 1983], pp. 91–93). In this context let me note that while in Marxist discourse "imputation" refers to the destiny of a class, in Lutheran theology "*imputatio*" concerns the predestination of an individual: God's imputation of Christ's righteousness to the chosen ones, and their adoption of this righteousness as their own (*Zurechnung der Gerechtigkeit*).

¹⁹ See Michael Löwy, *Georg Lukács: From Romanticism to Bolshevism*, trans. Patrick Camiller (London: NLB, 1979), pp. 175–182.

Marxist thinker argued, are sentient of their disadvantageous social situation and often challenge it. Yet in doing so they remain the captives of a reified consciousness. They are class-conscious merely at the level of their direct existence remaining oblivious to the totality of historical process beyond the empirical *hic et nunc*. Yes, through the spontaneous class struggle they are able to extract some quantifiable benefits from the exploiters (higher salary, shorter work hours) but not to strike at the ultimate cause of their misery, the capitalist mode of production. For this reason, Lukács postulates another type of class consciousness – the potential one – that would go beyond the ephemeral now and project the perceived economic injustices against the background of the whole society in its developmental dynamics. Lukács imputes such a transcendent consciousness to the proletariat on the basis of “the thoughts and feelings which men would have in a particular situation if they were *able* to assess both it and the interests arising from it in their impact on immediate action and on the whole structure of society.” At the moment, though, such a totalizing vantage point exists merely as an objective possibility, concedes Lukács,²⁰ “and yet the historically significant actions of the class as a whole are determined in the last resort by this consciousness.”

For the Hungarian philosopher, it is easy to see, the true proletarian revolution can take place only if the imputed class consciousness becomes actualized: with the workers foregoing the incremental doles and enacting instead Marx’s grand historical narrative. How this broadening of the mental horizons might actually take place is not, however, altogether clear. Will the avant-garde Communist party induce the workers to follow its lead, will the intensified class struggle become the catalyst that revolutionizes their minds, or will their ideological maturation pave the way to such a conversion? These are just the most popular scenarios. But even a more apropos question! Must this conversion happen at all? Let me flesh out two situations, mentioned by Lukács himself, where his project of informing a revolutionary subject might flounder. This, I believe, should help us to assess to what extent the consciousness Lukács imputed to the proletariat might be a real force for fashioning futurity and to what extent it is just an article of faith.

The proletariat’s consciousness could, first of all, fail “to be awakened to a consciousness of the [historical] process,” thus ruling out the possibility of the proletariat becoming “the identical subject-object of history whose praxis will change reality.”²¹ But even if this doesn’t come to pass, Lukács assures us, history will eventually save the day. The can of unsettled social contradictions would simply be kicked down the alley, their resolution deferred but not cancelled. Should we take this guarantee *prima facie*? Yes, maybe, perhaps. It is the second glitch Lukács envisions that seems even stickier. What if “a class thinks the thoughts imputable to it and which bear upon its interests right to their logical conclusions and yet fails to strike at the heart of totality?” This is a serious

²⁰ Lukács, “Reification and the Consciousness,” p. 51.

²¹ *Ibid.*, p. 197.

problem, indeed, for “such a class [...] can never influence the course of history.”²² Were such an infelicity to afflict the proletariat, permit me to ask, would not its historical mission be but wishful thinking?

Before addressing this issue let me recall that the ultimate objective of Lukács’s quest was not the revolution *an sich* but revolution as an instrument for restoring an authentic, unreified consciousness. And the proletariat, because of its unique capacity for synchronizing its direct economic interests with the general drift of human history, was in his opinion the only conceivable agent of this cataclysmic change. But can we rule out the dreaded eventuality mentioned above of the workers failing to attain the level of consciousness imputed to them, that is, the alacrity to view the radical social transformation from the perspective of the entire historical process rather than of a shortsighted power grab. For if the latter happened, the revolution, as opposed to leading to universal freedom, would backslide to a self-perpetuating dictatorship of the proletariat – a mere mirror image of the previous oppressive sociopolitical formations – only now with the oppressed in charge and Marxism just another mind-bending ideology. Such an upshot, needless to say, would fail “to strike at the heart of totality,” thus not influencing “the course of history.” To fulfill their “historical destiny,” the workers must take an altogether more reflective path, Lukács insists. “In order for society to *become truly self-conscious*,” he italicizes his thought, “*the class-consciousness of the proletariat must itself become conscious*. This means understanding above and beyond direct class-consciousness, above and beyond the immediate conflict of class interests – that world-historical process which leads through the class interests and class struggles to the final goal: *the classless society and the liberation from every form of economic dependence*.”²³

Lukácsian historical sublation, let me note in passing, has a distinct ironic twist to it. Like the trope of irony that vanishes when understood, the conquering proletariat, relishing, at the pinnacle of its triumph, the very moment of glory, is supposed to sacrifice itself on the altar of humanity and, together with the vanquished bourgeoisie, exit, as a class, from the world stage. But is it reasonable to expect the victorious workers to carry out the historical role imputed to them, trading, so to speak, their just-acquired economic and political power for a possible world cleansed of all reification. Hardly so, and Lukács is not unaware of this.²⁴ His optimism, though, that enlightened self-sacrifice will prevail over self-serving reason comes from Jerusalem, not Athens. Alluding, as in the 1910 essay, “to the soul-expanding religious strength of early Christianity,” he

²² Georg Lukács, “Class Consciousness,” in Kadarkay (ed.), *The Lukács Reader*, pp. 222–245, here 228.

²³ Georg Lukács, “‘Intellectual Workers’ and the Problem of Intellectual Leadership,” in Lukács, *Political Writings*, pp. 12–18, here 17.

²⁴ According to Kadarkay, *Georg Lukács*, p. 203, in 1918, Lukács rationalized his joining the Communist Party, “by quoting Kierkegaard’s saying that sacrificing one’s life for a cause is always an irrational act. ‘To believe,’ said Lukács, ‘means that man consciously assumes an irrational attitude toward his own self.’”

exhorts his comrades: “And we must possess faith – the true *credo quia absurdum est* – that oppression will not precipitate as always the oppressed’s struggle for power (an opportunity for new tyranny) – and so on, in an endless, senseless chain of struggle – but rather lead to the self-negation of oppression.”²⁵ O Lord hear the sound of his call!

But enough of this warm-up act! Let me finally get to the two featured stars of my show! In Shklovsky’s terminology the concept “*ostranenie*” – known in English either in its nominal form of “defamiliarization” or as a verbal construction “to make strange” – plays just as an indispensable role as “reification” in Lukács’s. And semantically it is definitely no less fuzzy. The author himself likens his neologism, because of its defective morphology (a correct spelling would be “*ostrannenie*”), to “a dog with a cut-off ear.”²⁶ As for defamiliarization’s intellectual affinities, it has been compared to Socratic irony,²⁷ the Stoicism of Marcus Aurelius,²⁸ Nietzschean “critical history,”²⁹ and Derridian *différance*.³⁰ Its genealogy has been traced back to Hegel,³¹ Henri Bergson,³² and William James,³³ to mention just the most obvious inspirational sources. Meanwhile, it penetrated into the discourse of many disciplines,³⁴ some of which at the time of its coinage did not exist, such as cinematology,³⁵ translation theory,³⁶ and gender studies.³⁷ And this it did

²⁵ Lukács, “Bolshevism as an Ethical Problem,” p. 220.

²⁶ Viktor Shklovsky, *O teorii prozy* (Moscow: Krug, 1983), p. 73.

²⁷ Aage A. Hansen-Löve, *Der russischer Formalismus: Methodologische Rekonstruktion seiner Entwicklung aus dem Prinzip der Verfremdung* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1978), p. 22.

²⁸ Carlo Ginsburg, “Making Things Strange: The Prehistory of a Literary Device,” *Representations* 56, 1996, pp. 8–28.

²⁹ Dragan Kujundžić, *The Returns of History: Russian Nietzscheans After Modernity* (Albany: State University of New York Press, 1997), pp. 18–19.

³⁰ Lawrence Crawford, “Viktor Shklovskij: Différance in Defamiliarization,” *Comparative Literature* 36 (1984), no. 3, pp. 209–219.

³¹ Boris Paramonov, “Formalizm: Metod ili mirovozzrenie?,” *Novoe literaturnoe obozrenie* 14 (1996), pp. 35–52.

³² James M. Curtis, “Bergson and Russian Formalism,” *Comparative Literature* 28 (1976), no. 2, pp. 109–121.

³³ Victor Erlich, *Russian Formalism: History – Doctrine* (The Hague: Mouton & Co., 1955), p. 155.

³⁴ Grigorii Tulchinskii, “K uporiadocheniu mezhdistsiplinarnoi terminologii,” in Boris Meilakh, et al. (eds.), *Psikhologiya processov khudozhestvennogo tvorchestva* (Leningrad: Nauka 1980), pp. 241–245.

³⁵ Annie van den Oever (ed.), *Ostrannenie: On “Strangeness” and the Moving Image. The History, Reception, and Relevance of a Concept* (Amsterdam: Amsterdam University Press, 2010).

³⁶ Dimitrii Mikhailovich Buzadzi, “*Ostranenie*” v aspekte sopostavitel’noi stilistiki i ego peredacha v perevode (na materiale angliiskogo i russkogo iazykov): Dissertatsia na soiskanie uchennoi stepeni kandidata filologicheskikh nauk (Moscow: MGLU, 2007) (online at: <http://www.thinkaloud.ru/science/buz-disser.pdf> [accessed May 18, 2017]).

³⁷ Veronica Hollinger, “(Re)reading Queerly: Science Fiction, Feminism, and the Defamiliarization of Gender,” *Science Fiction Studies* 26 (1999), no. 1, pp. 23–40.

despite (or, perhaps, just because of) its pronounced conceptual vagueness, also well illustrated.³⁸

Like Lukács, Shklovsky sharply distanced himself from the practices prevailing in his own discipline of literary studies, which he considered superannuated, out of touch with reality. His earliest publications (with which I will be primarily concerned) railed against the contemporary definitions of art fashioned, in the spirit of positivism, after mathematics or physics. Like Potebnia's famous "general formula of poetry (or art): 'A (image) < X (meaning),' " according to which the aesthetic effect comes from an uneven ratio of images to meanings (the former must always be smaller than the latter).³⁹ Or Veselovskii's differentiation of poetic and prosaic style in terms of their respective mental energy efficiency.⁴⁰ Art, he argued vis-à-vis Potebnia, is not always "thinking in images,"⁴¹ and poetic style is not a device for saving mental energy, as Veselovskii would have it.⁴² With equal vigor, he decried the *laissez faire* liberalism of the Symbolists' taste, which was oblivious to the fact that "the arts of different epochs contradict and negate each other [...] The rapprochement and the simultaneous coexistence of all artistic epochs in the passéist's soul," intoned the young Futurist, "fully resembles a cemetery where the dead no longer feud."⁴³

To set things right, Shklovsky resorted to disjunctive logic. Art was strictly separated from non-art – *tertium non datur*. But the young Formalist never clearly disconnected artistic theory from practice, and so strict systemization was never his forte. Even a cursory look at his pre-Revolution writings reveals a number of binary oppositions he advanced, each grasping this antinomy from a different perspective: "poetry vs. prose,"⁴⁴ "seeing vs. recognizing,"⁴⁵ "trans-rational vs. common languages,"⁴⁶ "metaphor vs. metonymy,"⁴⁷ "perception vs. automatization"⁴⁸ – the list could go on. What unites all the latter mem-

³⁸ Meir Sternberg, "Telling in Time (III): Chronology, Estrangement and Stories of Literary History," *Poetics Today* 27 (2006), no. 1, pp. 125–235.

³⁹ Aleksandr Potebnia, *Iz zapisok po teorii slovesnosti* (Kharkiv: M. Zi'berberg, 1905), p. 100.

⁴⁰ Aleksandr Veselovskii, "Tri glavy iz istoricheskoi poëtiki," in Viktor M. Zhirmunskii (ed.) *Istoricheskaiia poëtika* (Leningrad: Khudozhestvennaia literatura, 1940), p. 356.

⁴¹ Viktor Shklovsky, "Iskusstvo ak priëm," in Viktor Shklovsky, *Gamburgskii schët: Stat'i – vospomnaniia – esse (1914–1933)* (Moscow: Sovetskii pisatel', 1990), pp. 58–77, here 60.

⁴² *Ibid.*, p. 62.

⁴³ Viktor Shklovsky, "Vyshla kniga Maiakovskogo *Oblachko v shtanakh*," in Shklovsky, *Gamburgskii schët*, pp. 42–45, here 42.

⁴⁴ Viktor Shklovsky, "Voskreshenie slova," in Shklovsky, *Gamburgskii schët*, pp. 36–42, here 37.

⁴⁵ *Ibid.*, p. 40.

⁴⁶ Viktor Shklovsky, "O poëzii i zaumnom iazyke," in Shklovsky, *Gamburgskii schët*, pp. 45–58, here 45.

⁴⁷ Shklovsky, "Iskusstvo kak priëm," p. 61.

⁴⁸ *Ibid.*, p. 63.

bers of these pairs is the specific mode in which we perceive phenomena around us. And on this point he sounds very much like Lukács on reification. Numbed by mechanical repetition, we attend to them habitually in a superficial manner as abstract algebraic figures, doomed forever to remain self-same. But instead of the proletarian revolution, it is artistic defamiliarization, common to the first members of the above antinomies, that radically changes our awareness of reality: the expected turns exceptional. Suddenly we see objects as if for the first time – severed from the usual associations – the same as different. And to be truly effective, as Shklovsky demonstrates through the example of poetic rhythm, the defamiliarization must be surprising, “unpredictable” and as such it cannot be “systematized.”⁴⁹ But what fuels the drive for this peculiar perceptual switch? Before answering this question let me turn to the second protagonist of my story.

To summarize succinctly Carl Schmitt’s legal theories is a daunting task, not least due to the style of his prose. As one commentator has characterized it, Schmitt’s prose “is an unremitting oscillation between the cold and feverish, the academic and the prophetic, the analytical and the mythical.”⁵⁰ Schmitt’s keen interest in the political dimension of law, most observers agree, was stimulated by Weberian sociology,⁵¹ and the chief object of his critique (shared, by the way, with Lukács⁵²) was the liberal positivism espoused by an Austrian jurist, Hans Kelsen, the most famous proponent of the non-political and scientific approach to legal analyses.⁵³ Risking oversimplification, it might be said that Kelsen’s *Pure Theory of Law* (the title of his *magnum opus*) is a science of deductively arranged norms. Legal order is a hierarchy of systematically organized “ought” statements, each deriving its validity from more fundamental norms, down to the ultimate *Grundnorm* that underlies and sustains it. In this way jurisprudence is purged of all exogenous considerations – be it ethics, ideology, or economy – and is made into a logical, self-regulating system.

Schmitt objected to Kelsen for a number of reasons, and my short account can hardly provide a full rendition of his critique.⁵⁴ Let me focus on just one point that is important for my argument. The foible of Kelsen’s argument, Schmitt noticed shrewdly, is the *Grundnorm*, the legislative underpinning of the entire body of laws which Kelsen presupposed, but which, for the sake of his theory’s scientific purity, he left un-

⁴⁹ *Ibid.*, p. 72.

⁵⁰ Stephen Holmes, *The Anatomy of Antiliberalism* (Cambridge, MA: Harvard University Press, 1993), p. 39.

⁵¹ See, for example, McCormick, *Carl Schmitt’s Critique*, pp. 31–82.

⁵² Lukács, “Reification and the Consciousness,” pp. 108–109.

⁵³ See, for example, Michael G. Salter, *Carl Schmitt: Law as Politics, Ideology and Strategic Myth* (Abingdon: Routledge, 2012), pp. 98–118.

⁵⁴ See, for example, Peter C. Caldwell, *Popular Sovereignty and the Crisis of German Constitutional Law: The Theory and Practice of Weimar Constitutionalism* (Durham, NC: Duke University Press, 1997), pp. 85–119.

examined.⁵⁵ The concept of “basic norm” contains in itself an obvious paradox. As the legal system’s foundation, it is an intrinsic part of it. Yet, it acquires this status only retroactively, after the system is recognized as legitimate. Like “the signature,” to recycle Derrida’s dictum, “invent[ing] the signer.”⁵⁶ For initially it is something supra-legal: the expression of an arbitrary will of a particular subject/group (“sovereign” in Schmitt’s parlance) who at a certain moment decided to suspend an existing order and establish a new one. This is, in Schmitt’s eyes, the law’s decisive moment, the moment of exception brought about by an emergency – foreign or domestic – that successfully tests the limits of normalcy. In an uncanny parallel with Shklovskian aesthetics, he wrote about the law: “The exception is more interesting than the rule. The rule proves nothing; the exception proves everything: It confirms not only the rule but also its existence, which derives only from the exception. In the exception the power of real life breaks through the crust of mechanism that has become torpid by repetition.”⁵⁷

Where does the decision to replace one legal system by another come from? To a large degree, it is a function of concrete historical contingency; and, as such, it is completely fortuitous, uncodifiable by law. Yet there is a categorial unity to all these heteronymous supra-legal acts generating each and every legislative project, Schmitt believed, because they are in their very nature political. For my discussion, it is important to notice that in defining this concept Schmitt employed binary logic. “Let us assume,” he wrote in 1927, “that in the realm of morality the final distinctions are between good and evil, in aesthetics beautiful and ugly, in economics profitable and unprofitable. The question is,” he continued, “whether there is also a special distinction which can serve as a simple criterion of the political and of what it consists.”⁵⁸ And, as expected, Schmitt had an answer up his sleeve: “The specific political distinction to which political actions and motives can be reduced is that between friend and enemy.”⁵⁹

Though formally analogous in its antinomic structure to other domains of life, the political pair “friend and enemy” differs from all similar polar oppositions in one important respect: in the intensity of the relationship between the two terms – its existential purport. “For to the enemy concept,” Schmitt asserted, “belongs the ever present possibility of combat.”⁶⁰ Or, put more pregnantly, “the friend, enemy, and combat concepts

⁵⁵ See, for example, Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Chicago: University of Chicago Press, 2005), p. 20; Hans Kelsen, *Hauptprobleme der Staatsrechtslehre entwickelt aus der Lehre vom Rechtssatz* (Tübingen: J. C. B. Mohr, 1911), p. 411.

⁵⁶ Jacques Derrida, “Declarations of Independence,” trans. Thomas A. Pepper and Tom Keenan, *New Political Science* 15 (1986), pp. 7–15, here 10.

⁵⁷ Schmitt, *Political Theology*, p. 15.

⁵⁸ Carl Schmitt, *The Concept of Political*, trans. George Schwab (Chicago: University of Chicago Press, 1996), p. 26.

⁵⁹ *Ibid.*

⁶⁰ Schmitt, *The Concept of Political*, p. 32.

receive their real meaning precisely because they refer to the real possibility of physical killing. War follows from enmity. War is the existential negation of the enemy.”⁶¹ True, and Schmitt concedes as much, the boundary between politics and, say, ethics or economics is not absolute. All human values can become the *causa belli* of a lethal struggle, of which a seemingly innocuous sociological notion of class, as Lukács illustrated quite convincingly, is a telling example. But only if they are politicized, if they “transcend the value spheres from which they emerge and now concern, in Schmitt’s view, the eminently political question of ‘existence.’”⁶²

By now, the purpose of suspending the existing legal system is clear. It is not an invitation to anarchy but a self-preservation measure aimed to tackle the perceived threat posed by an internal or external enemy. This act serves either to maintain the *status quo*, when a dictatorship is declared as a stopgap measure to deal with a specific calamity after which the original order is to be restored (what Schmitt terms the “commissarial dictatorship”); or, to replace the *status quo* with another regime, when the “sovereign dictatorship” is the prelude to a new legislative project.⁶³ The declaration of a state of emergency (*Ausnahmezustand*) is the most palpable example of how the law is used to legitimize a desired political outcome. But this bias, according to Schmitt, is true of the entire judicial praxis. “All law,” Schmitt declared, “is ‘situational law;’”⁶⁴ that is, an *ad hoc* appropriation of the general rule. This is so because matching an abstract norm with a particular situation is not a mechanical process with a logically predetermined outcome but always an interpretative decision, a choice among the myriad of possibilities determined by a specific social context. “The judge,” according to one of Schmitt’s commentators, “by acting the way a judge should act, does not apply law according to norms, but rather produces the norm in the very act of applying the law. The law, like the work of art, reveals the rules that guide its application only after it has been laid down.”⁶⁵ From this vantage point, then, every legal judgment involves the moment of exceptionality insofar as it extends the same statute to different and irreducibly unique situations. But it is precisely this flexibility that endows the law with its vitality, the applicability to infinitely changeable human affairs. For it is only “in the exception,” to reiterate Schmitt’s words, that “the power of real life breaks through the crust of mechanism that has become torpid by repetition.”

⁶¹ *Ibid.*, p. 33.

⁶² William E. Scheurman, *Between the Norm and the Exception: The Frankfurt School and the Rule of Law* (Cambridge, MA: The MIT Press, 1994), p. 18.

⁶³ Carl Schmitt, *Die Diktatur: von den Anfängen des modernen Souveränitätsgedankens bis zum proletarischen Klassenkampf* (München: Duncker & Humboldt 1921).

⁶⁴ Schmitt, *Political Theology*, p. 13.

⁶⁵ William Rasch, “The Judgment: The Emergence of Legal Norms,” *Cultural Critique* 57 (2004), pp. 93–103, here 102.

Which brings me back to the question I raised above concerning the utility of the particular perceptual switch that Shklovsky eventually termed “defamiliarization.” Let me stress that for the young Formalist, contrary to the prevailing *doxa* about him, art was much more than the mere free play of the imagination, a source of aesthetic hedonism. If Schmitt conceived of law as a political weapon in the struggle for self-preservation, for Shklovsky the life-saving mission of art was primarily cognitive. Its creative potential served to revitalize our relationship with the surrounding world that – without this intervention – would succumb to deadening entropy. “Now the old art has already died,” he mourned the current situation in 1913, “and the new one has not yet been born: and things have died – we have lost awareness of the world [...] we have ceased to be artists in quotidian life, we do not like our houses and clothing and easily part with life that we do not feel.” But this moribund paralysis can be remedied, Shklovsky proclaimed. “Only the creation of new artistic forms can return to humankind the experience of the world, resurrect things, and kill pessimism.”⁶⁶

The parallel between Schmitt’s and Shklovsky’s thought can be extended even further. Though the fields of their respective endeavors were quite different, they managed, curiously enough, to cross-pollinate them, to aestheticize the political and to politicize the aesthetic. Let me explain. The implicit target of the German jurist’s decisionism, as Richard Wolin has argued persuasively, was the “bureaucratic class,” whose “mode of functioning [...] is based on rules and procedures that are fixed, preestablished, and calculable [...] the very embodiment of *bourgeois normalcy*.”⁶⁷ Yet in order to subvert the rational predictability underpinning the bureaucratic *modus operandi*, some commentators concur, Schmitt cast the decision-making process in artistic terms. According to Peter Bürger’s assessment, which Wolin invokes, Schmitt rooted politics in aesthetics. “The aesthetic desire for the exception going beyond the orderly categories of understanding, serves as the ground for the theory whose aim is to impact reality. In light of this transference it only follows that Schmitt can identify the aesthetic categories of the ‘new and strange’ with the decision that he conceived, following the model of the artistic genius’ deed, as an absolute act.”⁶⁸

For Shklovsky, “the embodiment of bourgeois normalcy” was “*byt*.” This locution has two intriguing features. Not only does it defy any direct translation (it is usually

⁶⁶ Shklovsky, “Voskreshenie slova,” p. 40.

⁶⁷ Richard Wolin, “Carl Schmitt: The Conservative Revolutionary Habitus and the Aesthetics of Horror,” *Political Theory* 20 (1992), no. 3, pp. 424–447, here 425.

⁶⁸ Peter Bürger, “Carl Schmitt oder die Fundierung der Politik auf Ästhetik,” in Christa Bürger (ed.), *Zerstörung, Rettung des Mythos durch Licht* (Frankfurt am Main: Suhrkamp, 1986), pp. 170–175, here 174. In this context I should probably mention that one of Schmitt’s earliest publications was a lengthy analysis of Däubler’s Expressionist poem “Nordlicht” (Carl Schmitt, *Theodor Däublers “Nordlicht”: Drei Studien über die Elemente, den Geist und die Aktualität des Werkes* [München: Georg Müller, 1916]).

lame paraphrased as “the quotidian,” or “everyday life”) but, furthermore, it lacks any precise definition, and the Formalists themselves diverged on its use.⁶⁹ For my purpose, its metaphorical circumscription suggested by Roman Jakobson in his 1931 eulogy to Mayakovsky should suffice. According to Jakobson, *byt* “is the tendency, contrary to the creative impulse toward the transformed future, to stabilize an immutable present, covering it over by a stagnating slime, which stifles life in its dense, hardened mold.”⁷⁰ It is precisely through artistic “defamiliarization” that “the power of real life,” to recycle for the last time Schmitt’s catchy locution, “breaks through the crust of mechanism that has become torpid by repetition.”

But how did Shklovsky politicize aesthetics, as I claimed above? Where did he draw the line between friends and enemies, the *sine qua non* of the political according to Schmitt? *Byt*, for Shklovsky, it is necessary to point out, did not include just physical reality which we take for granted and no longer pay any attention to, but also older artistic forms automatized due to their overuse and audiences’ overexposure to them. This is true, in particular, of the classics “covered by the glassy armor of familiarity” which “we remember [...] only too well [...] and no longer perceive.”⁷¹ Yet, if the artistic output of the grandfathers made the grandchildren yawn, the works of their fathers drove them to rebellion. Russian letters can be revived, Shklovsky and his cohorts declared, if and only if Futurist poetics replaces the obsolete Symbolist canon. A review of Mayakovsky’s 1915 book *A Cloud in Trousers* provided Shklovsky with a convenient platform for settling the score. “The previous Russian literature” – he did not mince his words – was “the literature of impotent people” who “did not reject anything, did not dare to destroy anything because they did not realize that the arts of different epochs contradict and negate each other.” The advent of Futurism, he asserted, has brought an end to the aesthetic liberalism of the Symbolist generation: “A great era, it seems, is arriving. A new beauty is being born [...] We are standing at your gate,” he avowed, poking his fingers into the elders’ eyes, “and yell, ‘we’ll destroy, we’ll destroy.’”⁷²

The Futurist poet is similar to the Schmittian sovereign, to push my analogy yet a notch up, insofar as it “is he who decides on the exception.”⁷³ Concerned about his nation’s cognitive competency,⁷⁴ which he considers acutely impaired by the mechanical rep-

⁶⁹ See, for example, Sergei Zenkin, “Otkrytie ‘byta’ russkimi formalistami,” in Liubov N. Kiseleva, et al. (eds.), *Lotmanovskii sbornik*, vol. 3 (Moscow: OGI, 2004), pp. 806–821.

⁷⁰ Roman Jakobson, “O pokolenii rastrativshem svoikh poètov,” in Roman Jakobson and D. S. Mirsky (eds.), *Smert’ Vladimira Maiakovskogo* (Berlin: Petropolis, 1931), pp. 7–45, here 13.

⁷¹ Shklovsky, “Voskreshenie slova,” p. 38.

⁷² Shklovsky, “Vyshla kniga Maiakovskogo,” pp. 41–42, 45.

⁷³ Schmitt, *Political Theology*, p. 5.

⁷⁴ In his Mayakovsky review, Shklovsky suggests that the difference between the countries engaged in World War I is the function of their respective poetic sensibilities: “The War in our time of dead art bypasses consciousness, which explains its cruelty, greater than the cruelty of the religious

etition of artistic forms, he arbitrarily suspends the rules of the game and establishes a new set of poetic norms capable of defamiliarizing *byt* again. And these are affirmed, at least by Shklovsky, as more legitimate than the Symbolist rules because their authority is supposedly supra-aesthetic: it lies in universal linguistic and psychological laws.⁷⁵ All considered, the Futurist revolution is not unlike the political *coup d'état*. It destroys art in order to save it.

But it is not just the transition from Symbolism to Futurism that can be characterized this way. According to Shklovsky, all of literary history is a series of *coups d'état*. As he succinctly put it in his oft-quoted definition of artistic genealogy: "According to the law that was first established, as far as I know, by me, legacy is transmitted in the history of art not from father to son but from uncle to nephew."⁷⁶ Though his statement does not mention the political coup, it hints at it via the subtext which cannot be easily overlooked. Let me attend this point in some detail.

Shklovsky might be correct in staking out his nomothetic primacy insofar as the history of art is concerned. But he, and if not him some of his readers for sure, must have recognized that the same "law" was already advanced for general history by Karl Marx in the well-known first paragraph of *The Eighteenth Brumaire*. History repeats itself, he reiterated with Hegel, but in a strange, roundabout manner, substituting a historical figure with its parody, or, more apropos, "the Nephew for the Uncle."⁷⁷ The said uncle was no one less than Napoléon Bonaparte, and the nephew, Louis-Napoléon, who on December 10, 1848 was elected President of France by popular vote in a landslide victory. The effect of this event, however, as Karl Marx predicted in *The Class Struggles in France, 1848-1850*, flouted what it initially promised. Instead of the rise of republicanism, it marked the beginning of the restoration of the monarchy. "The first day of the realization of the constitution was the last day of the rule of the Constituent Assembly.

wars. Germany did not have Futurism, but Russia, Italy, France, and England did." (Shklovsky, "Vyshla kniga Maiakovskogo," p. 43.)

⁷⁵ Commenting on the trans-rational language of the Russian Futurists (*zaum'*), Shklovsky asks a leading question: "Is this method of expressing one's emotions particular only to this bunch of people, or is this a general linguistic phenomenon that has not yet been recognized." (Shklovsky, "O poèzii," p. 46.) And in his polemic with Spencer, he writes: "The law of economizing the creative forces belongs to the group of laws accepted by all." This idea, Shklovsky continues, "might be correct if applied to a particular case of language [...] practical language." But it would be wrong to extend it to poetic language as well. In this functional dialect, "we should speak about the laws of expenditure and economy not on the basis of analogy with the prosaic [language] but on the basis of its own laws." (Shklovsky, "Iskusstvo kak priëm," p. 61-62.)

⁷⁶ Viktor Shklovsky, *Literatura i kinematograf* (Berlin: Russkoe univervalnoe izdatelstvo, 1923), p. 27.

⁷⁷ Karl Marx, *The Eighteenth Brumaire of Louis Bonaparte* (New York: International Publishers, 1963), p. 15.

In the abyss of the ballot box lay its sentence of death. It sought the ‘son of his mother’ and found the ‘nephew of his uncle.’”⁷⁸

But why does Marx, somewhat incongruently, speak of Louis-Napoléon’s mother rather than of his male progenitor? His cryptic remark, as sly references to someone’s mother often are, is a double entendre whose indelicate meaning is quite patent. It harkens back to a popular innuendo of the time insinuating that “Napoléon le Petit” (Victor Hugo’s moniker for Louis) was not sired by his eponymous father – brother of Napoleon I – but by a Dutch admiral VerHuell and, therefore, not kin to the House of Bonaparte at all. Marx makes this clear toward the end of *The Eighteenth Brumaire* when he jokes that “a man named Napoléon [...] bears the name of Napoleon [only] in consequence of the *Code Napoléon* which lays down that *la recherché de la paternité est interdite*.”⁷⁹ Whether true or not, the imperial mantle of his putative uncle proved more attractive than the “matrilineal” presidency.⁸⁰ On the 47th anniversary of Napoleon I’s coronation – December 2, 1851 – Louis-Napoléon staged a coup to eventually become Napoléon III.

Let me now return in passing to the teaser of my paper, George Lukács. I invested some energy into illustrating that his revolutionary project of a radical reconstruction of human consciousness fully depended on a Tertullian-like faith that the proletariat, after eliminating the bourgeoisie, would willingly cancel itself out of existence to make possible a society without rulers and ruled. Lukács himself calls this a “utopian postulate of the Marxist philosophy of history: the ethical prescription for the coming world order.”⁸¹ He avoids calling such a transformative self-sacrifice a miracle. But this concept is a key term in the vocabulary of Schmitt. Schmitt’s actual religious denomination seems a matter of dispute.⁸² Regardless, the metaphysical underpinnings of his theorizing are hard to

⁷⁸ Karl Marx, *The Class Struggles in France, 1848 to 1850* (New York: International Publishers, 1964), pp. 70–71.

⁷⁹ Marx, *The Eighteenth Brumaire*, p. 124.

⁸⁰ Marx, it should be observed, employed the maternal lineage only metaphorically in the sense that “the Constitutive Assembly was the mother of the constitution and the constitution was the mother of the President.” This was the link tying Louis-Napoléon to “his republican legal title” (Marx, *The Class Struggles*, p. 81).

⁸¹ Lukács, “Bolshevism as an Ethical Problem,” p. 217.

⁸² See, for example, Robert Howse, “From Legitimacy to Dictatorship – and Back Again: Leo Strauss’s Critique of the Anti-Liberalism of Carl Schmitt,” in David Dyzenhaus (ed.), *Law as Politics: Carl Schmitt’s Critique of Liberalism* (Durham, NC: Duke University Press, 1998), pp. 56–91, here 63–65. Though usually considered a Catholic, in making his personal choices, Heinrich Meier informs us, such as his faithful decision “to serve the ‘total Führer-State’ [...] in the spring of 1933,” Schmitt “behaved more ‘like a Protestant’ [...] referring solely to his own faith or the sovereign authority” rather “than satisfying the traditional rules of the Institution of Rome with which he identified himself.” (Heinrich Meier, *The Lessons of Carl Schmitt: Four Chapters on the Distinction between Political Theology and Political Philosophy*, trans. Marcus Brainard [Chicago: The University of Chicago Press, 2011], p. 146.)

overlook.⁸³ The opening of the 3rd chapter of his *Political Theology* makes this obvious: “All significant concepts of the modern theory of the state are secularized theological concepts not only because of their historical development [...] but also because of their systematic structure.” And, explaining the book’s title, he continues: “The exception in jurisprudence is analogous to the miracle in theology.”⁸⁴ For precisely like God through the miracle – as something totally defying our worldly expectations – reveals to us his/her being, an “omnipotent lawgiver” deciding on the exception confirms the existence of the rule.

But how does Shklovsky, an author who in his writings evinces virtually no interest in matters of faith, fit in the picture? Without subscribing to the view that his “conception of literature [...] borders on the mystical,”⁸⁵ one can clearly see that as a theoretician and as a writer he was “very fond of religious allusions”⁸⁶ in general and of Biblical miracles in particular.⁸⁷ Let me illustrate Shklovsky’s creative appropriation of the latter topos in his early writings. The Mayakovsky review contains an altogether inconspicuous reference to the “Siloam pool” – the place where Jesus restored sight to a blind man: “Go, wash in the pool of Siloam,” Christ bade the invalid. “He went his way therefore, and washed, and came seeing.”⁸⁸ At first glance one might be inclined to read this allusion in terms of the polar opposition between “recognizing” and “seeing” mentioned above, in which Shklovsky couched the difference between non-art and art.

The wrong pool and the wrong miracle – as is revealed by a closer look at the actual wording and at the context in which the Biblical allusion is employed. In fact, Shklovsky was referring to Christ’s curing of a lame man at the pool of Bethesda. Deriding the warmed-over flavor of Symbolist poetic imagery, Shklovsky quotes the New Testament to drive the point home. “The images were reestablished for the hundredth, the thousandth time, but only the first one entering the troubled water of Siloam [sic!] pool was healed.”⁸⁹

⁸³ This, it must be emphasized, Schmitt considered a common denominator of all human endeavors. “The thought and feeling of every person always retain a certain metaphysical character,” he argued. “Metaphysics is something that is unavoidable [...] we cannot escape it by relinquishing our awareness of it.” (Carl Schmitt, *Political Romanticism*, trans. Guy Oakes [Cambridge, MA: The MIT Press, 1986], p. 17.)

⁸⁴ Schmitt, *Political Theology*, p. 36.

⁸⁵ Douglas Robinson, *Estrangement and Somatics in Literature: Tolstoy, Shklovsky, Brecht* (Baltimore: Johns Hopkins Press, 2008), p. 112.

⁸⁶ Alexei Bogdanov, “Ostranenie, Kenosis, and Dialogue: The Metaphysics of Formalism according to Shklovsky,” *The Slavic and East European Journal* 49 (2005), no. 1, pp. 48–62, here 50.

⁸⁷ If we take seriously Shklovsky’s reference to the Bible as that “fat book that my father read from right to left, my mother from left to right, and I don’t read whatsoever” (Viktor Shklovsky, “Pis’mo k Romanu Iakobsonu,” *Veshch’: Mezhdunarodnoe obozrenie sovremennogo iskusstva* 1-2 (1922), p. 5.

⁸⁸ John 9:2–7.

⁸⁹ Shklovsky, “Vyshla kniga Maiakovskogo,” p. 42.

The described event concerns a cripple who wished to exploit the salubrious power of the Bethesda pool after an angel “troubled [its] water” for “whosoever then first after the troubling of the water stepped in was made whole of whatsoever disease he had.” Alas, due to his handicap he was always too slow and others beat him to it. But “Jesus saith unto him, Rise, take up thy bed, and walk,”⁹⁰ which, needless to say, fixed the disability. One could speculate whether Shklovsky’s Biblical misprision was intended to defamiliarize the venerable text or whether it was simply a lapse in memory. In any case, it illustrates how well he was acquainted with Christ’s glorious deeds regardless of the haphazard way he might have acquired this knowledge.

This brings me to the foremost Biblical miracle to which alludes the very heading of Shklovsky’s programmatic presentation – *The Resurrection of the Word*.⁹¹ “The analogy with the resurrection of Christ,” it has already been noted, “(the Word that became flesh and died) is quite clear.”⁹² But this is not the only possible scriptural reading of a highly evocative manifesto. Jesus’s command to the lame man at the Bethesda pool, mentioned above, brings to mind another of the imperatives with a similarly supernatural perlocutionary effect, “Maid, arise,”⁹³ addressed to a deceased daughter of Rabbi Jairus. In other words, Jesus was not the only one resuscitated in the Holy Writ. There are a few others whom he himself brought back to life. From this angle, Shklovsky’s passionate account of the dead and resurrected word adapts the story about Lazarus of Bethany featuring the Futurist poet *in figura Christi* with the violation of customary linguistic norms as the source of his “divine” power.⁹⁴ “I do not believe in miracles,” demurred Shklovsky

⁹⁰ John 5: 4–8.

⁹¹ This was originally a speech, “The Place of Futurism in the History of Language,” that Shklovsky delivered in 1913 at the bohemian cabaret “Stray Dog.” When subsequently published as a small booklet under the said title, he recollected some fifteen years later, the journal notices were posted in the section on religion. With a nod and a wink, he attributed this confusion to the fact “that the printer set the title in a antiquated font” (Viktor Shklovsky, *Gamburgskii schët* [Leningrad: Izdatel'stvo pisatelei, 1928], p. 107).

⁹² Bogdanov, “Ostranenie, Kenosis, and Dialogue,” p. 50.

⁹³ Luke 8:54.

⁹⁴ It might be added that, for the young Shklovsky, the affinity between literature and religion had also its linguistic aspect. “The ‘capricious’ and ‘derivative’ words of the Futurists,” he explained in his 1913 speech, are not unlike “the religious poetry of almost all ages written in such a semi-comprehensive language. The Church Slavonic, Latin, Sumerian.” (Shklovsky, “Voskreshenie slova,” pp. 40–41.) Something similar can also be noted about the Futurist trans-rational language [*zaum'*] “that only rarely manifests itself in its pure form. But there are some exceptions” Shklovsky hastened to add. One of them “is the trans-rational language of mystical sectarians. What facilitated this was the fact that the sectarians identified [it] with glossolalia – the gift to speak in tongues – that they received, according to the *Acts of Apostles*, on the Pentecost. Thanks to this they were not ashamed of the trans-rational language but took a pride in it and even recorded its samples.” (Shklovsky, “O poèzii,” pp. 54–55.)

(donning for the occasion the hat of a critic) with regard to Tatlin's counter-reliefs, which were supposed to create a new palpable world, "that is why I am not an artist."⁹⁵ But if he were, and Shklovsky's belletristic output might suggest as much, would he have a choice?

Why, then, was Shklovsky's attitude toward miracles so ambiguous? For which reason did he, on the one hand, seem ready to invoke them when convenient while, on the other hand, he refused to believe in them? A closer look at this category is a must. So, what is a miracle? For the sake of efficacy, I will defer to David Hume's well-known definition from his diatribe refuting the very possibility of miracles.⁹⁶ "A miracle," the Scottish skeptic railed against this idea, "is a violation of the laws of nature; and as a firm and unalterable experience has established these laws, the proof against a miracle, from the very nature of the fact, is as entire as any argument from experience can possibly be imagined."⁹⁷

Whence, the first caveat: both Shklovsky's Futurist poet forging *zaum'* and, by extension, Schmitt's sovereign declaring a state of emergency, violate not natural laws but only much softer social norms – artistic or legal – and, therefore, they do not perform miracles in the Humean sense of this word. Secondly, to cast "defamiliarization" in terms of a miraculous resurrection seems on Shklovsky's part more a figure of speech than a factual statement. And even the religiously minded Schmitt calls the exception in jurisprudence not a theological miracle *per se* but only its analogy. Finally, as a speech genre, *The Resurrection of the Word* hardly qualifies as an empirical hypothesis about the nature of art. Unabashedly, it is a partisan statement, an eristic manifesto of a new poetics striving to sway the audience to radically shift its aesthetic preferences. Likewise, Schmitt's style, as already noted, is "an unremitting oscillation between [...] the academic and the prophetic, the analytical and the mythical."⁹⁸ In heated polemics with the positivistic-inclined adversaries, the otherworldly connotations of the word miracle, one should recognize, serve to add insult to injury.

Still, despite all of this, the significance of miracle for Shklovsky's and Schmitt's theorizing can be dismissed all too easily. For the target of their passionate assault was precisely what, for Hume, disproved the existence of miracles – "a firm and unalterable experience."⁹⁹ It was not the entrenched feeling of self-perpetuating regularity that, in their respective opinions, made art artistic, and law legal, but its exact opposite: not the substantiation of the expected but the subversion of all usual expectations. So, even if one agrees with Hume that in a world governed by the laws of nature miracles cannot occur, this need not be necessarily true in the domains predicated on the unpredicta-

⁹⁵ Viktor Shklovsky, *Khod konia: Sbornik statei* (Moscow: Gelikon, 1923), p. 107.

⁹⁶ For a thoroughgoing critique of Hume's argument against miracles, see, for example, John Earman, *Hume's Abject Failure: The Argument against Miracles* (Oxford: Oxford University Press, 2000).

⁹⁷ David Hume, *An Enquiry Concerning Human Understanding* (Chicago: The Open Court Publishing, 1900), p. 120.

⁹⁸ Holmes, *The Anatomy*, p. 39.

⁹⁹ Hume, *An Enquiry*, p. 120.

ble. But are natural laws, permit me to ask, as incompatible with the miracle as Hume would like us to believe? To unpack this question, let me add the fourth ingredient to my comparative enchilada – an Austrian philosopher of science, Karl Popper.

At first glance, I must admit, my involving Popper in an essay dealing with Shklovsky and Schmitt does look rather offbeat. Was not the Viennese critical rationalist, in contrast to the firebrands like the aforesaid duo, a vociferous proponent of liberalism? And did he not believe in the incremental growth of human knowledge, eschewing the catastrophic vision of history (embraced by Shklovsky and Schmitt) that conceived of change in terms of rupture and of diachrony as discontinuity? Last but not least, was Popper not concerned primarily with the empirical sciences whose results are subjected to rigorous testing? Yet all these disparities notwithstanding, Popper's thought did converge with Shklovsky's and Schmitt's on one important point. Similar to them, the Austrian philosopher was a contrarian in his own discipline who, against the headwind of positivism, considered the repetition of experience not the engine of but a hindrance to knowledge gathering. And even though his explanation of how scientific discovery comes about does not directly involve the notion of miracle, by appointing exception as the defining moment in this process he willy-nilly acceded to the miracle as the *sine qua non* of science. Let me elaborate.

The epistemologist Popper, in Shklovsky- and Schmitt-like fashion, was preoccupied with clearly delimiting his field of inquiry. He saw this task in the early thirties as follows: "The theory of knowledge must establish a strict and universally applicable criterion that allows us to distinguish between the statements of the empirical sciences and metaphysical assertions ('criterion of demarcation')." And, he continued, "the *problem of demarcation* [...] can rightly be called [one] of *the two fundamental problems of the theory of knowledge*."¹⁰⁰ I'll return to the other fundamental problem soon; but, before that, let me point out first that Popper's logic is disjunctive. A statement cannot be a bit scientific, like a woman cannot be a bit pregnant. What is the strict and absolute criterion that separates pseudo-science from genuine science? To explain it, I must say a few words about the intellectual context that served as the backdrop for the development of Popper's ideas.

In his autobiographical recollection, Popper characterized his early philosophical quest as a critical discussion with "the Machian positivists and the Wittgensteiniens of the Vienna Circle."¹⁰¹ He applauded their radical empiricism but considered the epistemological perspective of positivism in general to be distorted by a specific bias. This bias constituted the second fundamental problem of the theory of knowledge mentioned above: that of induction. In my cameo presentation, I cannot do full justice to Popper's multifaceted critique of this method that proceeds from the particular to the universal.

¹⁰⁰ Karl Popper, *The Two Fundamental Problems of the Theory of Knowledge*, trans. Andreas Pickel (London: Routledge, 2009), p. 4.

¹⁰¹ Karl Popper, *Unended Quest: An Intellectual Biography* (London: Routledge, 1992), p. 80.

For my comparison, it is important to point out that Popper saw “all theories of induction” based on one peculiar doctrine which he calls, “*the doctrine of the primacy of repetitions*.”¹⁰² Unlike Shklovsky or Schmitt, Popper differentiated between the “logical” and “psychological” variants of this doctrine: the first furnishing “a kind of *justification* for the acceptance of a universal law” and the second “inducing and arousing [...] expectations and beliefs in us.”¹⁰³ But like them, he regarded repetition as unproductive and impoverishing. It cannot, Popper stipulated in the late 1920s, “produce something new; on the contrary, repetition can only make something *disappear* (speeding up the process); habit and practice only *eliminate* the detours of the reaction process by streamlining it. Thus, nothing comes into being through repetition. The increasing rapidity of a reaction should not be mistaken for its gradual re-creation (*natura facit saltus*).”¹⁰⁴

Some of Popper’s objections to repetition-based induction might sound familiar. His observation that scientists are not just passive recorders of some pre-existent recurrences unfolding in front of them but active participants imposing – from a singular point of view – patterns upon the heterogeneous phenomena under investigation¹⁰⁵ brings to mind the Weberian critique of Kelsen’s “pure theory of law” that equates the judge to “an automatic statute-dispensing machine.”¹⁰⁶ Others continue venerable philosophical arguments, like Hume’s logical analyses of induction which demonstrates that inductive proof is either no proof at all or that it leads to infinite regress.¹⁰⁷

Popper’s objective, though, is not merely to discredit the view, dating back to Bacon and Newton, that induction is the only logic proper to scientific discovery. He strives to provide an alternative theory of knowledge that would avoid the pitfalls of bottom-up generalization by proceeding from strictly deductivist premises. Viewed this way, scientific praxis is a top-down process that does not begin with factual observations but with advancing more or less conjectural hypotheses. How can general statements about reality, an inductivist might wonder, generated in such a contingent manner, ever be veridical? And herein lies the crux of Popper’s argument. It cannot; and, moreover, this does not matter much. What separates science from metaphysics, he opines, is not that the former, in contrast to the latter, establishes eternal certitudes but that, instead, aware of its own fallibility, science capitalizes on mistakes which it ineluctably makes. The contribution of the trial-and-error method to the growth of our knowledge cannot, in Popper’s view, be overstated. For if no repetition of an experiment – its frequency notwithstanding – can verify the universal law, because there is no logical necessity that the next time

¹⁰² Karl Popper, *The Logic of Scientific Discovery* (London: Taylor and Francis e-Library, 2005), p. 440.

¹⁰³ *Ibid.*

¹⁰⁴ Popper, *The Two Fundamental Problems*, p. 30.

¹⁰⁵ Popper, *The Logic*, pp. 440–442.

¹⁰⁶ Weber, *Grundriss der Sozialökonomik*, p. 507.

¹⁰⁷ Popper, *The Two Fundamental Problems*, p. 35–44.

the results will be the same, a single negative upshot, the actual counter-instance, will invalidate it for good. Thus, the distinctive feature of “empirical scientific statements or systems of statements” according to Popper, is the “principle of falsifiability,”¹⁰⁸ the fact that such hypotheses can be empirically refuted.

My shorthand rendition of Popper’s philosophy of science distilled from his earliest writings dating back to the 1920s and 30s, however, was not intended just to demonstrate the curious similarity between his way of thinking and those of Shklovsky and Schmitt. I initiated it to illustrate that the notion of miracle they both employed need not to be deemed as metaphysical as it might have initially seemed. For once “a firm and unalterable experience” is rendered incapable of establishing the laws of nature, the miracle gets involved, if only implicitly, to make such laws possible. To wit: from the beginning of his career Popper steadfastly maintained the difference between “singular empirical statements,” on the one hand, and “natural laws, theories and universal empirical statements,” on the other hand. The latter “constitute the basis of deduction of predictions, that is, for deduction of singular empirical statements, the truth or falsity of which can be decided by experience.”¹⁰⁹

Let me exemplify: there is a law of gravity formulated theoretically by Newton on the basis of which I can advance a singular empirical statement foretelling that if I let go of the glasses I hold in front of me, they will fall. And I can easily verify this mundane hypothesis. In contrast to this, natural laws and theories “possess those logical properties [...] that ‘deductive bases’ must have if they cannot be tested directly, but only indirectly through their consequences. They are empirically falsifiable, but not verifiable. While they cannot be justified [...] they can always [...] be conclusively refuted by experience.”¹¹⁰ Thus, given the “principle of falsifiability” as the criterion of all empirical scientific statements, for Newton’s theory to attain this status there must be a chance, if ever so slight, that when I open my hand the glasses might hover in front of me or even fly upward. But if I ever encounter such a counterfactual event, my surprise would be unbearable because, hallelujah, I would be witnessing a wonder. Does this not imply, allow me to conclude with a query, that science’s zetetic quest for knowledge, according to Popper, is founded on the possibility of miracles?

¹⁰⁸ *Ibid.*, p. 417.

¹⁰⁹ *Ibid.*, p. 9.

¹¹⁰ *Ibid.*