Pardon-Perjury: Death Penalty 1

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Autobiography as Grace Note in the Death Penalty Seminar, 1999-2000

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In the first of the two years of the Death Penalty Seminar, literary texts serve Derrida as a necessary supplement for the philosophical texts, as a way to launch the debate between the abolitionist and what he hesitantly baptizes the "mortalist" position. Derrida notes at one point the dearth of any philosophical abolitionist discourse: "no philosophy against the death penalty," (*DP* 1, 1, 24). Modern literature supplies the lack. As a distinctly modern institution, he says, literature is "contemporary with and indissociable from a contestation of the death penalty, an abolitionist struggle." Last year, Michael Naas showed that, notwithstanding the deep implication of the belles-lettres in the theologico-political tradition of sovereignty supporting the death penalty, modern literature's discourse against the death penalty displaces the debate by substituting a desacralized and interiorized sovereignty related to the individual's right to say anything for the centrality of the external authority of the state, invested in the sovereignty of the king and the idea of divine punishment. For Naas, "Modern literature would thus be related to an *interiorizing* movement of sovereignty from the divine realm to the human one" (Naas, "Remarks on Session 4," http://derridaseminars.org/workshops.html), 17).

The deconstruction of political sovereignty may only partially explain the pull of another genre treated repeatedly in the seminar, attraction so great as to be termed

irresistible by Derrida at one point, namely, the genre or problematic of the autobiographical (*DP* I, 2, 118). What is the source of this pull? Derrida makes it clear that he and his listeners, while condemned to dying, are unlikely ever to find themselves condemned to death. With no common experience of the death penalty to be appealed to, the audience seems cut off from sympathetic comprehension and an autobiographical account would seem an indecent invitation to crowd into the death chamber to watch a soul in torment. That's always supposing an autobiography of the condemned one could be available. Common sense tells us that with death, the discourse of the self goes missing; with the death penalty and the legal machinery of death tending to isolate the condemned one, the criminal's freedom to write or publish an autobiography while awaiting death would be seriously hampered by the state. Camus's first-person narrator Meursault who faces the guillotine is a fictional creation, as is the hero of Hugo's *Dernier jour d'un condamné*. Wilde's "Ballad of Reading Gaol" settles in on the effect of an execution on other prisoners. At the same time, on the question of survival, cruelty, or the individual facing the exceptional death of execution, to judge from the frequency of Derrida's recourse to it in the first year of the Death Penalty seminar, finding autobiographical testimony to consult appears necessary. Consider just the point of cruelty. At one moment in the seminar Derrida discusses autopsies undertaken to determine whether the condemned have suffered, in a signal effort to make the body speak of its past pain (DP I, 2, 124). The autopsied body rendering up signs of past feeling—that's a case of reading the body as an autobiographical text.[1]

[1] See a recent article in the *NY Times* "Video of a Lethal Injection Reopens Questions on the Privacy of Executions," (Erica Goode, July 23, 2011, *NY Times*) for a discussion of video documentation of executions in witness to the suffering of the executed.

We can formulate a few hypotheses as to Derrida's attraction to the genre in the context of the Death Penalty Seminars. Autobiography might be a mediator of sorts. In the eleven sessions of the 1999-2000 Death Penalty Seminar, Derrida shuttles dizzyingly back and forth between philosophical and literary texts, between Plato and Hugo, Kant and Camus, or between two Camus, the Camus of "the novelistic fiction," *The Stranger* (*DP* I, 2, 122) and the Camus of the "non-fictional philosophical essay," *Reflections on the Guillotine*. Where the philosophical discourses tug in one direction, the modern literary discourses pull in another, and the head spinning from the vertigo caused by this back and forth might find in a genre that harbors hybrid texts like Camus's autobiographical novel, *The First Man*, a text "whose status is somewhere between" novel and philosophical essay, a point of calm equipoise where mortalist and abolitionist tendencies come together and can be formalized (*DP* I, 2, 122). Another hypothesis: like fiction, autobiography brings into play the psychical dimension of the death penalty, which gets great play in the last few sessions, where Derrida thinks through the implications of the death drive as it pertains to the death penalty. Unlike fiction, however, through its testimonial side, autobiography brings us right up against the phantasmatic scene of infinite survival in which Derrida says we all participate. Neither of these two hypotheses quite fit in a Derridean context.

A third hypothesis is more appropriate: the autobiographical might be the place of relay where the deconstruction of sovereignty touches upon the over-riding question of the seminar, one in the cycle of seminars entitled Pardon-Perjury. In the last sentences of the seminar, Derrida says that the double survival of the death penalty and the abolitionist protest requires surveillance, but also a "chance of grace," (*DP* I, 2, 183)

elsewhere a name for pardon. That thematic of chance and grace puts us in the neighborhood of the autobiographical with its confessional mode, its anxieties about truth-telling and pleas for forgiveness. It's the third hypothesis that will retain us, first in conjunction with the first session of the eleven, where autobiography intervenes at the place of a failure of philosophical discourse, and then in the 9th session, where it intervenes to double fiction.

A Grace Note in the Mortalist Argument of *The Social Contract*

The hypothesis finds some ground in the investigation of the first moment in the seminar where Derrida responds to what Hawthorne called the autobiographical impulse, or more correctly, where he is attracted to someone else's having responded to it. The autobiographer in question was Rousseau, writing in *The Social Contract* about the death penalty as a sort of clause in a life insurance contract taken out with the state. Just to recall the moment from the first session to you. Rousseau, who has been writing a pro-death penalty philosophical text, suddenly takes it back, in a gesture described by Derrida in terms of "guilt, confession, auto-biographical signature, not politico-juridical meta-theory." (*DP* I, 1, 23-24) Rousseau says, "But I feel my heart stirring [that is, against my objection to the state's right of pardon] and restraining my pen: let us leave the discussion of these questions to the just man who has never erred and who has himself never had need of a pardon." (*DP* I, 1, 24) The reasons of the heart stand in the way of Rousseau's following out the implications of his own argument to call for a strictly-adhered to death penalty. Recalling the moment is not enough. To understand the role

the autobiographical register has to play for Derrida, we need to see where it fits into the context of the larger discussion of Rousseau.

In his consideration of the death penalty debate in *The Social Contract*, Derrida calls attention to a double logic. On the one side, there is Rousseau the political philosopher, explaining the contract as a sort of covenant in which the contracting parties have had their lives saved and as it were bestowed upon them by the state, in return for which they have agreed that the state may require them to risk their lives to protect it, or to forfeit them in the event that they break the state's laws. Rousseau is legitimizing both conscription into the army, for which his model is the citizen militia of Geneva, and the death penalty. On the other side, says Derrida, Rousseau seems nervous and troubled by his pro-death penalty stance, his anxiety betrayed by a strategy of "reservations, folds and regrets in this chapter that I hold to be one of the most tormented and most interesting in *The Social Contract*" (*DP* I, 1, 22). Yet despite the reservations, as the chapter enters its last stage, in the argument on the sovereign's right to condemn citizens to death, Rousseau still "upholds the principle of the death penalty in cases where a danger is in principle irreducible" (*DP* I, 1, 23).

As he goes on to formulate the pros and cons of the pardon, Rousseau leans toward taking a fairly tough stance against the pardon in the name of the good of the state. As the expression of the general will, the sovereign is "above the judge and the law" (au-dessus du juge et de la loi [*OC* III, 377), and therefore has the right to give death and also life through the pardon. Yet, according to Rousseau, the sovereign ought to use the right rarely. To begin with, in a well-governed state, criminals and punishments will be few so there will be small need for pardons. And should the state be so badly

governed as to occasion many punishments and appeals for pardon, granting them often would further deteriorate the state with respect to its fundamental laws. That is because pardoning effectively signals to citizens that a law will not be enforced: "frequent pardons announce that soon crimes will no longer be in need of them, and every one sees where that leads" (les fréquentes graces annoncent que bientôt les forfeits n'en auront plus besoin, et chacun voit où cela mene). (*OC* III, 377) From the perspective of the state and adherence to the original life insurance policy it provides its citizens, to pardon is a mistake. Rousseau is poised to do all but forbid it.

Notice that the term Rousseau uses to describe the action of frequent pardons on citizens is *annoncer*, to announce. The sovereign's acts of pardoning announce a new state of the law. They have the curious effect as performatives of covenanting or promising. The point is buttressed by the phrasing of "chacun voit où cela mene," with its teleological implications and which moreover includes the term *chacun* that, for Rousseau, is the word allowing individuals to appropriate the general will to their own interests (*OC* III, 373). Pardons exceed the task of sparing an individual life to work as a promise by the sovereign as representative of the general will. Clearly, there is a problem with the uptake of the pardon in the theologico-political space, which denatures the gesture and makes of it something other than it is, something more like a promise of general amnesty.[2] The sovereign's right to give life to the condemned man through the pardon is harmed by the automatically promissive character of his discursive acts. It is as if the state's pardon of the individual, where given, went undelivered.

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[2] It's also true that punishment too routinely delivered authorizes further criminality in Rousseau. See Book I of the *Confessions*. "To beat me as a criminal was to authorize me to be one" (Me battre comme fripon c'etait m'autoriser a l'etre. [*OC* I,])

A second point follows: there is a curious vacancy of power in Rousseau's sovereign where it is a matter of the rights of the sovereign over the lives and deaths of individuals, suggesting that Rousseau is perhaps engaged in the undoing of the theologico-political tradition of sovereignty organized by the promise.[3] That might explain Derrida's cautious formulation, which wonders whether Rousseau is in fact tending toward a mortalist conclusion: "Rousseau does not *seem* very favorable (to the pardon)"(my emphasis). This is a good place to mention that Rousseau has also severely limited the sovereign's right to condemn, in a discussion that Derrida places under the heading of "reservations" in the mortalist argument. Rousseau says the right to condemn belongs to the sovereign, but he must not exercise it, since to condemn is a particular act; the sovereign—whose acts must be general—has to confer the condemning of the criminal to death on a representative, a judge. As we have seen, it is for the same reason—the generality of his acts—that the sovereign must rarely if ever pardon.

In the context of Derrida's argument about Rousseau, a political argument espousing the death penalty and recommending against the pardon in the name of preserving the state in its original constitution, turns out to harbor an argument deconstructive of sovereignty. It is that double argument that stops short of delivering a verdict for or against pardons, as Rousseau steps forth to confess himself a criminal, one who has himself need of pardon and so is unqualified to render a verdict on its use. The grace note of autobiography appears as an unnecessary flourish, extraneous to the

[3] This chapter in *The Social Contract* on "On the Right of Life and Death" comes fast on the heels of one entitled "On the Limits of Sovereign Power." For a discussion of Rousseau's critique of the promise in the *Social Contract*, see Paul De Man's "Promises (*Social Contract*)" in *Allegories of Reading* (New Haven: Yale UP, 1982), pp. 246-77.

political argument, but it exposes the individual in need of grace or pardon as a substitute for the missing sovereign. Derrida comments:

> After he had said a moment earlier, 'All my ideas hold together, but I cannot set them out all at once,' he explains, 'I have erred like everyone, only he who has not erred has the right to speak.' In other words, there is no metalanguage, no political, politico-juridical theory. Only someone who is above all suspicion has the right to speak and no one is above all suspicion. He thus mixes the confessional signature with this discourse on the death penalty." (*DP* I, 1, 24)

Both of the sentences from *The Social Contract* paraphrased by Derrida are autobiographical. They move Rousseau away from the discussion of the general will and the sovereign's rights to consider the author of the treatise, be it in his struggles with a recalcitrant language or his passionate relation to the subject matter. Rousseau switches register where the limits on the sovereign are being described, in the first case in the matter of the delegation of the sovereign's right to condemn, and in the second in the matter of the sovereign's impotence to determine the uptake of the act of pardon. Derrida's comment makes the two autobiographical phrases synonymous: they mean that there is no metalanguage, no political, politico-juridical theory. Looked at in terms of the problem of political sovereignty, Derrida is underscoring that for Rousseau sovereignty, which is fundamental to the life insurance policy that is the social contract, founders on the debate over the death penalty, as the sovereign's right to give death and life is shown to be empty.

One role of autobiographical testimony in the Death Penalty seminar is to mark the final point of the deconstruction of the politico-theological discourse of sovereignty, then. But it also steps in at the point where the social contract—after all, a contract for life as well as death—risks collapse, to provide a future for the debate on the death penalty. The first role is evident: because there are no speakers who have not erred and thereby stand above the judge and the law, because there can be no verdict, no purely evaluative language, we are left with the testimony of particular individuals, their confessions of error, their self-justification and guilt, their appeals for pardon. Autobiographical discourse arises as a cry of revolt against, and a plea for reprieve from, the formal logic driving relentlessly toward the mortalist verdict. It insists on the failure of the political promise, proposing in the place individual discursive acts (confession, excuse, pardon, repentance) that are not promissive but put on, as it were, a second act, a chance to turn back onto the error in an attempt to rectify it.

The second, less apparent role, which Derrida will explore at greater length in sessions 9 and 10, also starts to emerge. Autobiographical testimony extends and internalizes the logic of sovereignty by lodging it in the self, translating the death penalty debate within in the mixture Derrida notes Rousseau makes between the language of passion and the heart on the one side and of justice, truth and the death penalty on the other. When Rousseau starts confessing, it is to introduce certain doubts and reservations about the lack of a metalanguage that both question and relaunch the scene of judgment that has demanded a verdict in the first place. The repetition is evident in Rousseau's substitution of himself for the condemned man. Author of a political theory legitimating the death penalty and recommending against pardons, despite and reservations, Rousseau

presents himself as a man in need of pardon—at least, for his theorizing. Autobiography does not only provide the particular language of pardon that goes lacking, but also revives the scene of judgment, "guaranteeing forever, alas, a double survival, both the survival of the death penalty and the survival of the abolitionist protest." (*DP* I, 2, 152)

The autobiographical text is thus concerned not simply with the failure of philosophy to provide an abolitionist theory, but beyond that, with the survival of the death penalty debate. In the plea it offers for the pardon, the autobiographical intervention at once provides a strong testimony against the death penalty and, through its guilty participatory prolongation of the scene of trial, for a secret interest in (restaging) the pro death penalty argument. In either case, the autobiographical grace note proves anything but a mere accessory.

Autobiography Redoubles Fiction: Perjury and Testimony

In its interiorization of sovereignty, autobiography trespasses on the role that Naas has shown Derrida according fiction, doubling in a referential register fiction's heterogeneous abolitionist discourse. Why does Derrida need this dubious double of fiction to help with its abolitionist argument? I'd like to investigate briefly a particularly intricate passage on Camus in which Derrida is making use of autobiographical detail in a section of the 9th session concerning the problem of genealogy and filiation to show that the same structure of the extraneous yet necessary grace note governs Derrida's use of autobiography in his discussion of fiction and the death penalty. In all three abolitionist

texts of Camus that Derrida cites —*The Stranger*, *Reflections on the Guillotine*, and *The First Man*—there is a search for a father by the son.

Derrida's reason for shuttling back and forth between Camus's fictional and philosophical texts is baldly stated: they are "profoundly connected through a link that I don't know if Camus criticism has ever noticed, still less analyzed)" (*DP* I, 2, 115). However, the link is not fully forged until some pages further on, where Derrida states that a passage from the fictional *Stranger* and an autobiographical passage from *Reflections* represent the same family.

> And here you will see, in the same testimony, the knotting of the threads of fiction and real autobiography, between Meursault and Camus. The son of the fiction and the son of the testimony are the same and say the same thing. They have the same father, whom they never knew and who had the same experience of a capital execution." (*DP* I, 2, 122-123)

In the case of the fathers, the common experience is of revulsion: both fathers, who have been unthinkingly pro-capital punishment, have vomited after witnessing a decapitation. So far as the relation of fiction (*The Stranger*) to real autobiography (the passage from *Reflections*) is concerned, it is a matter not of likeness but of identity. Since likeness is a question of fiction and identity of autobiography, Derrida is stating that the relation of fiction to autobiography, in Camus's case, is to be understood in autobiographical terms.

Why Derrida accords this importance to autobiography is not immediately clear. We might perhaps best get at it by examining what he seems not to have meant, namely, that autobiography serves to authenticate fiction by providing evidence of a real-life experience of disgust at the death penalty. Having interrupted a long citation from *The Stranger* just before he reaches the fictional account of the episode, Derrida cites the autobiographical passage first. His strategy might erroneously be construed to set up a genetic narrative, aiming to anchor the fiction in the experience recounted in the autobiography. In such a narrative, the fiction of the father who steps outside the usual patriarchal line of justification of the death penalty would find its real-life basis in Camus's own experience. The authenticating gesture would then provide the abolitionist argument of literature with a basis. Literature has the right to say anything, but in this case, the case of the pro-death penalty father's revulsion at the execution, it would have chosen to say in a disguised mode what is strictly true. Now Derrida has already shown that *The Stranger* argues against the death penalty: abolitionism explains everything, from plot and setting down to the text's absurdism, which is crystallized in the inability of the main character to explain the murder and thus to enter as anything but a surprised spectator in the scene of the courtroom where verdicts are rendered. (*DP* I, 2, 117) It would not be surprising if Derrida, following Camus, had sought to ground the pure absurdist fantasy in a true-to-life experience.

But Derrida does not write a genetic narrative tending to show that the autobiographical experience authenticates Camus's fiction. Both stories feature the same father, son, and experience, but what makes them identical is the relation to testimony:

> Here you will see, *in the same testimony*, the knotting of the threads of fiction and real autobiography, between Meursault and Camus. The son of the fiction and the son *of the testimony* are the same and say the same thing. They have the same father, *whom they never knew* and who had the same experience of a capital execution." (*DP* I, 2, 122-23)

In the case of the sons, the common experience is of not knowing the father and having no access to what was seen and one so that the genetic account must fail. Neither son sees the father vomit; neither hears from the father of his experience or has any experience of the father on which to call. That experience is given in the absence of the father, through the words of the mother recounting the story to make the father known to a son. The autobiographical account relies on the mother's testifying and the son's receiving and transmitting the testimony, and in this sense is no more and no less true than the fictional account. Testimony presents itself as the ground of both fiction and autobiography. So far as the testimony about the father's reaction to the witnessed execution is concerned, there can only be verbal accounts to rely on and autobiography is called to underscore the fact. Autobiography does not tell the experience that lies behind the fiction, but tells rather the only thing that fiction cannot say on its own (since the imaginary world inevitably appears to take its material from experience), ie., that there is and can be nothing beyond testimony where it is a matter of knowing the father.[4]

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[4] In his seminar called *Questions de responsabilité: le témoignage*, delivered at UC Irvine in the spring of 1996, Derrida distinguished between two distinct logics to witnessing: to witness is to see, be present at, or know first-hand; it is also to testify, attest or otherwise bear witness. In the Camus story, the witness who saw the execution has gone missing; there are acts of witnessing only to make him known.

The little allegory is not just about Camus's missing father, but about the failure of knowledge and the language of truth on which the genetic narrative of fiction as dependent on experience relies. Autobiography is more honest than fiction on the matter of the uncertain basis of experience, the need to rely on discourse. Whereas fiction's testimony is identical to that of autobiography, ie., a testimony that stands in where no other kind of knowledge available, it lets it be understood that it recounts an imaginary situation and leaves the reality of experience intact. It perjures itself on the fundamental question of whether a non-verbal verification is possible for the father's abolitionism. Hence a value placed on autobiography for its honesty.

That is only the half of the picture of the relation of autobiography to literature, however. Before citing the testimony about the father in *The Stranger* and *Reflections*, Derrida goes off on something of a tangent, inserting an apparently unrelated passage from the fictionalized autobiography, *The First Man*, and redoubling Camus's long story by autobiographical reflections on his own: "I cannot resist the desire urging me to point out to you and to read a page that both reminds me of names from my childhood and concerns some 'bourreaux'" (*DP* I, 2, 118-119). The page is about the dogcatcher Galoufa and the children who try to save the dogs from him. The long citation involves an enigmatic digression that Derrida partly justifies as presenting the theoretical interest of extending the death penalty question from man to animals, a question that interested Derrida quite a lot. But the emphasis is on the scene's reverberation in his memory and the extent to which what Camus says is confirmed by it. This is autobiography as a place where we see (male) citizens in childhood, fearful of yet actively flouting the power of the *bourreau*. This is above all a story of sons and their positions on the death penalty.

At first it looks as though the explanation for the digressive strategy might lie in the reverse of the genetic narrative. The First Man appears as a teleological, future-oriented fiction to which Derrida adds his own attestation, as if to remove any lingering doubts that Camus's fiction could be true. Says Derrida, "Camus's description is soberly and impeccably exact." (*DP* I, 2, 119). The attestation raises its own questions, however. What impels Derrida to testify that someone else's story is the literal truth, to swear as it were, yes, I believe it, it happened just like that? What is so unbelievable about the description that it should elicit Derrida's belated attestation as to its exactitude? And what is the effect of the attestation?

It is worth noting that the experience recounted is not a singular but rather a collective experience, the experience of a group of would-be citizens in revolt against the dogcatcher, disseminating the dogs to make the huntsman's task more difficult, and then fleeing themselves before his fury. The page on Galoufa appears as modeling the experience of generations of young boys of Algiers. So we might think that Derrida takes the sideturn into his own memory and a page a little outside his main topic in order to swell the chorus of protests against the executioner and lend credence to Camus's notion that an engrained abolitionist bent can be found in Algeria's sons, who are taking the law into their own hands to bring about that utopian vision of freedom for all from the dogcatcher. There is a collective, all but unspoken, agreement by the boys that they will cheat the executioner of his prey, and what Derrida seems to be doing is speaking that agreement. In short, Derrida has only to countersign the prophetic page of Camus, adding a yes to his description of Galoufa and to the boys' movements against the *bourreau*, as an enthusiastic assent that is to help bring about the end of the death penalty prophesied.

The interest of the story lies partly in the way it gathers voices attesting to the kernel experience of concerted revolt.[5]

According to this set up, Derrida's autobiographical gesture is a sort of confession of faith. He is signing on to a belief in Camus's prophetic vision of the sons of Algeria battling for the end of the death penalty, in a narrative that makes fiction the innocent invention of a world, with autobiography in the secondary role of an act of engagement in the realization of that vision. But that teleological narrative does not fully account for the details of Camus's story or the mixed tonality of Derrida's attestation.

Let's look at the story first where Galoufa figures the possibility of fiction to disrupt the natural world it evokes. That is evident in a complicating factor in Camus's story, namely that the event so soberly described is the event of the realization of a myth. Here is Derrida on Galoufa:

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[5] Derrida is only one of many to attest to the importance of the Galoufa figure. If you look Galoufa up on the web, in one of those hunting expeditions that Google Books makes possible, you discover that he's a character in the novel of Albert Bensoussan called *Le Félipou*, a "loup-garou" whose "métier etait de saisir les chiens au filet"; he's a character in the novel of Nourredine Saadi called *La Maison de lumière*, a character in Mario Ferrisi's recent *Les Achélèmes de Maison-Carrée*; a picturesque character for Lucienne Martini's critical work *Racines de papier: essai sur l'expression littéraire de l'identité*; a character in song cited in Marc Donato's *Elisa, la Maltaise: histoire des Maltais en Algérie, 1830-1962*; Jules Roy in *Les Chevaux du soleil* and in *Mémoires barbares* remembers Galoufa; in *Revue d'histoire de la 2ième Guerre mondiale*, Henri Michel makes Galoufa a synonym for Hitler by way of a Polish term, *hycel*, for dogcatcher ("car tout repose sur les jeux de mots intraduisibles, mais il faut connaître cette tête de Hitler appelé Hycler [de hycel, équarrisseur, nous dirions à Alger : *galoufa*], formée d'un rond, du sigle des SS à la place des yeux,"); Paul Achard, in his *Salaouetches: Evocation pittoresque de la vie algérienne en 1900*, associates Galoufa with automaticity and says that he is destined to be replaced by " un fonctionnaire syndiqué. Peut-être par un ramasseur de chiens automatisé, qui opérera à la façon d'un aspirateur"; etc., etc. So Derrida is right to say that he's a mythic character, having made his way into the collective discourse as a man become one with an institution.

> (this was) a mythical character, the name of a character that I myself knew in my Algerian childhood; he was nicknamed with the mythical name Galoufa (no doubt because the first person who fulfilled this function was so named). And this Galoufa was a municipal employee whose job it was to capture stray dogs and take them away. Camus describes very well, with faultless detail, all the operations of the said Galoufa, which I witnessed more than once in my childhood. (What's more, when one wanted to frighten disobedient children, one threatened to call Galoufa.) (*DP* I, 2, 119)

Galoufa is not the proper name of an historical person, a common acquaintance of both Jacques Derrida and Albert Camus. It's a mythical name, the name of a character, known to be mythical because it's the name given every lieu-tenant, every municipal employee who holds the post. It's a proper name become common noun, Narcissus become a narcissus. So what the Galoufa page is about is about the other side of the innocent utopian fiction, about murderous fiction as it erupts into and runs amok in real life: the current holder of a name without a referent runs about hunting dogs or boys to attach, imprison and execute as if to reenact some prior traumatic scene of loss of reference. The unbelievable thing, the thing requiring witnessing, is that literature realizes itself in its murderous aspect in the scene. Derrida acts as that witness, his attention having been gripped by the "operations of the said Galoufa" rather than by those of the boys.

The scene shows that the prototypical experience recounted in autobiography is of the radical estrangement of the name from its referent, as the one that makes fiction possible. It makes autobiography the genre that treats the entrance of fiction and its

techniques and structures into everyday life. Autobiography provides reiterated testimonies that literature does not stand apart but enters into the everyday. It does so in the utopian vision of the end of capital punishment, but also in the nightmare emergence of Galoufa, as the fictional or symbolic function taking over for the referential function, and enabling more than one return of the *bourreau*, now turning from dogs to hunt boys.

Derrida has described Camus's book as an unfinished, posthumous fiction. That description suggests a disruptive story rather than a continuous one, and Derrida's claim that he has witnessed "the operations of the said Galoufa" "more than once" would certainly tend to indicate that so far as he is concerned, the disquieting figure symbolic of the mortalist argument haunts the streets of Algiers and re-emerges repetitively to disrupt the dream of abolitionist union promised. His attestation, yes, I believe it, it was just like that, which we first read as an enthusiastic act of vouching for the utopian dream, takes on another, grimmer tonality. Derrida's autobiographical assent is given to a story that fiction cannot finish telling, the story of fiction interrupted over and over to tell of its own role in the production of the events recounted. His attestation hesitates between an enthusiastic, whole-hearted engagement in the abolitionist action of the boys, and skeptical doubt that Galoufa might be another face of the utopian dream of abolitionism. In its self-division, his attestation swears and doubts the honesty of its swearing.

A brief conclusion. Autobiography provides the note of grace or pardon in the political text as a transition from philosophical notions of sovereignty with their theological basis, to the desacralized notion of sovereignty reliant on literature. It presents a similar structure but to different effect in the death penalty debate according to literature. On the one hand, autobiography tells the truth to fiction's lie by anchoring

fiction and autobiography in testimony. On the other hand, its acts of attestation are always self-divided and self-doubting, finding in the possibility of the suspected perjury in the very act of professing belief, the chance to relaunch the scene of judgment. It is in an autobiographical flourish that Derrida says yes to abolitionism but also yes to doubt.