Dr. Mark Jackson is currently Associate Professor of Design in the School of Art and Design and Associate Dean (Research & Postgraduate) for the Faculty of Design and Creative Technologies at AUT University. Prior to this he has held lecturing positions at the Faculty of Architecture, University of Adelaide and at the Sydney College of the Arts, the University of Sydney. He gained his PhD in Architecture at the University of Sydney in 1994 and was a Visiting Scholar in the Faculty of Architecture at MIT in Boston in 1996, and a Visiting Professor in the Faculty of Architecture, University of Karlsruhe, Germany in 2003-04. He has published in the fields of design history and theory, the visual arts, film and media as well as architecture and landscape architecture. He has had a number of film and video works exhibited internationally. His current research focus is on ethics and design culture.

Ethics of Design

Introduction: Potentiality and Actuality

The Italian philosopher Giorgio Agamben wrote some years ago a collection of short texts under the title The Coming Community. The collection presents some difficult thinking on the possibility or potentiality for an understanding of community that does not return the
communitarian to the indifference of the self-same, but rather maintains that potentiality as open. One of the short texts is titled “Ethics” and I want to cite its concluding sentences in order to advance a question of ethics that I want to address with respect to design:

... the only ethical experience (which, as such, cannot be a task or a subjective decision) is the experience of being (one’s own) potentiality, of being (one’s own) possibility—exposing, that is, in every form one’s own amorphousness and in every act one’s own inactuality. The only evil consists instead in the decision to remain in a deficit of existence, to appropriate the power to not-be as a substance and a foundation beyond existence; or rather (and this is the destiny of morality), to regard potentiality itself, which is the most proper mode of human existence, as a fault that must always be repressed.²

The significance of Agamben is that he poses a diagram and diagnosis of our everyday practices of habitation that radically questions the classifications by which we understand our present. In doing so he dislocates us from our ethos and at the same time offers no concept by which we may renew our ethics. Indeed, his work incites us, perhaps as a first task, to radically invent a new notion of ethics in relation to habitation, an ethics that does not commence with the question of rights, or social contacts, or the very possibility of saying ‘our.’² In a subsequent publication, Potentialities, yet another collection of short essays, Agamben expounds more fully on what he understands to be that experience of one’s own potentiality. He does so through a close reading of Aristotle’s distinction between dynamis and energia, potentiality and actuality.⁴ We may already recognise in this distinction made by Aristotle, and the western tradition’s orthodox interpretation of it, the very seeds for thinking the essential to design, as design is precisely thought in terms of a movement from dynamis to energia, from potentiality to actuality. What is significant for Agamben, as I want to initially explore, is the radicality of an ethics that can be understood through this Aristotelian division, a radical ethics that can, potentially, be essentially a design ethics or ethics as design.

The text I am referring to, within Potentialities, is itself titled “On Potentiality.” Aristotle distinguishes between two kinds of potentiality: a generic potentiality, for example the potentiality for the child to grow, for the child to learn what is yet to be known, for what the child might become. Aristotle is not interested in this. Rather he is interested in the potentiality of the one who knows, as with the architect who has the potential to build or the poet who has the potential to write. Agamben suggests: “Thus the architect is potential insofar as he has the potential to not-build, the poet the potential to not-write poems.”⁵ What, then, is potentiality? Agamben approaches this through a problem posed by Aristotle in De Anima concerning why it is that there is no sensation of the senses themselves: “why is it that, in the absence of external objects, the senses do not give any sensation ...? This happens because sensibility is not actual but only potential.”⁶ In this sense, what we call a human faculty, as with the faculty of speech or faculty of vision, is a power to or potentiality for. Thus Agamben suggests: “What is essential is that potentiality is not simply non-Being, simple privation, but rather the existence of non-Being, the presence of an absence; this is what we call “faculty” or “power.” “To have a faculty” means to have a privation. And potentiality is not a logical hypothesis but the mode of existence of this privation.”⁷ Thus potentiality is
not that which construes a movement to actuality, and is to be found achieved in what is actual. Rather potentiality is essentially, or existentiality, the potential to not-do, potential to not pass into what is actual.

We now come to what was most complex in Aristotle’s thinking of *dynamis*, what Agamben recognises as the passage to a radical ethics. With respect to this privation that essentially constitutes potentiality, Aristotle suggests: “Impotentiality [adynamia] is a privation contrary to potentiality. Thus all potentiality is impotentiality of the same and with respect to the same.” Potentiality, the existence of non-Being, maintains a relation with its own privation, its own non-Being. Thus to have a faculty or power, to be capable of actualising, to recognise that one can, means essentially a relation to one’s own incapacity: “Beings that exist in the mode of potentiality are capable of their own impotentiality; and only in this way do they become potential. They can be because they are in a relation to their own non-Being.” Aristotle thus suggests that the greatness of human being is fundamentally different to that of other beings in that all other beings are capable only of their specific potentialities. Human beings are capable of their own impotentiality and herein lies the essence of human freedom: not the freedom to do, not the simple power to actualise specific potentialities, but the power to refuse to be this or that or to do this or that. Agamben notes: “To be free is, in the sense we have seen, to be capable of one’s own impotentiality, to be in relation to one’s own privation. This is why freedom is freedom for both good and evil.”

But is this radical passivity of a power to refuse simply an avoidance or annulling of actuality? In all that has been said, is *dynamis* and *energia* still thought as opposition? In actualising, is potentiality itself annulled? Agamben suggests that here we see the “genius” of Aristotle, in a passage that has been overly simplifies and hence missed: “A thing is said to be potential if, when the act of which it is said to be potential is realised, there will be nothing impotential.” This has generally been interpreted in terms of actuality exhausting potentiality, in the latter’s disappearance. Agamben thinks through this more carefully: What Aristotle then says is: “if a potentiality to not-be originally belongs to all potentiality, then there is truly potentiality only where the potentiality to not-be does not lag behind actuality but passes into it as such.”

This impotentiality preserves itself in what becomes actual, a potentiality that survives actualisation as a gift of itself to itself. This gift is what Agamben refers to as ethics in the sense we saw in that earlier citation concerning ethics as an experience of being one’s own potentiality. In what follows in this paper I want to explore further an understanding of what remains within the act, within actuality, of a radical passivity, or that which is essential to potentiality. Again, I want to emphasise how we can orientate this questioning to the fields of design and in particular design ethics. To examine the question of remains or remnants of an impotentiality in what is actualised, I want to introduce an understanding of actuality from the point of view of the trauma of the real. In doing so, I want to emphasise that what Agamben engages with as a potentiality to not-be that passes fully into actualisation is essentially the uncanny of identity lodged in human production. Again, this is something essential to an understanding of design and design ethics that is most generally elided in the orthodox understanding of the opposition of *dynamis* and *energia*. 
In the midst of being

I want to introduce an understanding of the trauma of the real via a small book by the American cultural theorist, Eric Santner, titled *On the Psychotheology of Everyday Life*, clearly a purposeful slippage of Freud’s *Psychopathology of Everyday Life*. It is a highly thoughtful reading of two Jewish thinkers of the early twentieth century, Franz Rosenzweig and Sigmund Freud, via some of the work in particular of Agamben and Emmanuel Levinas. It is profoundly a book on ethics. Let me get the key notion from Santner out into the open from the beginning. Santner sets out with a crucial distinction between the ‘global’ and the ‘universal.’ Global consciousness, at whatever scale, is constituted on the externality of differences, hence on a secured understanding of identity while ‘universality-in-becoming’ is construed on an “agitation and turbulence immanent to any construction of identity,” an uncanniness or not-at-homeness lodged within any sense of identity that calls up and traumatises that identity as an excess that cannot be assimilated. The import of this distinction is in the resolutions of difference. Hence for global consciousness, every difference can ultimately be returned to the same in the recognition of the predicates that constitute such difference: language, geography, culture and so on. Differences are assimilable to the same. For what Santner calls universality-in-becoming, or life-in-the-midst-of-being, my strangeness, even to myself, is never reducible to the generality of a being-in-common, but rather remains an ethics of singularity:

For global consciousness, conflicts are generated through external differences between cultures and societies whereas universality, as I am using the term here, signifies the possibility of a shared opening to the agitation and turbulence immanent to any construction of identity, the *Unheimlichkeit* or uncanniness internal to any and every space we call home. In this view, redemption (or, to use the more Freudian term: the cure) signifies not some final overcoming or full integration of this agitation but rather the work of traversing our fantasmic organisations of it, breaking down our defences against it. To put it another way, for global consciousness, every stranger is ultimately just like me, ultimately familiar; his or her strangeness is a function of a different vocabulary, a different set of names that can always be translated. For the psychoanalytic conception of universality I will be proposing here, it is just the reverse: the possibility of a “We,” of communality, is granted on the basis of the fact that every familiar is ultimately strange and that, indeed, I am even in a crucial sense a stranger to myself.

The pivotal question circulated precisely on what remains as the unassimilable and uncanny thing that is one’s neighbour, even the neighbour that is also oneself. And how do we understand design as a regard for this impossible possibility of being-in-common or how design is the comportment of an ethics of singular being? We recognise in this question of an ethics of singular being an engagement with something essential to Agamben’s concern with an ethics as one’s own potentiality to be, and a question of what remains unassimilable to actuality that has everything to do with what is essential to one’s being. If Agamben emphasises that a radical ethics opens with the passing of a potentiality to not-be into what is actualised, how do we understand the relation of this impotentiality to itself? Agamben poses
it in these terms: “Contrary to the traditional idea of potentiality that is annulled in actuality, here we are confronted with a potentiality that conserves itself and saves itself in actuality. Here potentiality, so to speak, survives actuality and, in this way, gives itself to itself.”\textsuperscript{16} How can we come to understand this surviving of the remnant, this saving of what remains of potentiality in actuality? And how do we understand this as essential to design? I want to approach this relation of a self-to-itself as potentiality of be from some of the work of Michel Foucault on an aesthetics of existence, before returning to Santner’s understanding of the remnant as trauma.

\textit{Care of the Self}

Michel Foucault developed his work on the care of the self, or aesthetics of existence, particularly in the response he made to Kant’s “What is Enlightenment,” in his own text by that same title.\textsuperscript{17} There is something Foucault emphasises with the Kantian text, its threshold moment in the discourse of philosophy in as much as Kant directly poses the question: what is our present? What is it to think today? Moreover, he poses this question, not as a philosophical tract or publication, but in a German newspaper, in the public space of debate. Crucially, his concern is with what is the public duty of one’s singularity as a thinker. The motto that opens his text reads: \textit{Sapere aude}, dare to know … have the courage to use your own reason, in thinking for yourself orientate your own directions. This is to be done not in the private use of one’s reason but rather in the freedom to make public use of reason. Hence, Kant distinguishes between civic duty, wherein one passively conducts or obeys for the whole community, and scholarly freedom wherein one may challenge the very justice of the duties prescribed in civil office or religious obligation. To think here, for Kant, is not a private or personal encounter of self with the self, but an encounter of self to the self in relation to its acting in the world, and the possibility of thinking this self-in-the-world otherwise.

Foucault takes Kant’s injunction of enlightenment seriously though suggests that perhaps the task today is not to discover what we are but to refuse what we are. While committed to Kant’s pragmatic anthropology and critique, Foucault transforms them in two directions, firstly, from anthropology to ontology, hence a question of existence, not from the viewpoint of universal reason, but from the permanent contingency of reasons; and secondly, from the viewpoint of critique as an analysing and reflecting on limits, to a practical critique in the form of transgressions: “Criticism is no longer going to be practiced in the pursuit of formal structures with universal values, but rather as historical investigations into the events that have led us to constitute ourselves and recognise ourselves as subjects of what we do, think, say.”\textsuperscript{18} Hence, Foucault reads the ethical imperative in Kant’s “dare to think” in terms of a separating out of one’s civic responsibility as obedience to a normative rule and one’s public responsibility as a freedom in contesting that rule as an art of existence. With respect to such an art of existence, or techniques of the self, we recognise Foucault’s transformation of Kantian anthropology to ontology in the introduction to his \textit{The Uses of Pleasure}, constituting as well the introduction to \textit{The Care of the Self}, written at the same time:

\begin{quote}
It was a matter of analysing, not behaviours or ideas, nor societies and their "ideologies," but the problematizations through which being offers itself to be, necessarily, thought—and the practices on the basis of which these problematizations are formed. The archaeological dimension of the analysis
\end{quote}
made it possible to examine the forms themselves; its genealogical dimension enabled me to analyse their formation out of the practices and the modifications undergone by the latter.19

**Governmentality of design**

Within this context Foucault engaged his analyses with which we are by now familiar: those of disciplinary mechanisms associated with the asylum, the hospital and the prison.20 However, it would be a significant misreading of Foucault if we were to specifically focus on these institutions, their formal arrangements, codified practices and defined functions, as well as the specific objects of their practices. Rather, Foucault’s concern is precisely with the externalities to these institutional sites, with what he terms the specific generalities and their conducts and counter-conducts which constitute the milieu in which institutions and the practices internal to them are defined and codified. Hence, Foucault was not so much concerned with the asylum as a place of confinement, but rather with a general and diffuse psychiatric order, not the prison as space of punishment, but disciplinary regimes that gave the modern prison its specific logic and place within a more diffuse regime of disciplinary procedures. In his work on governmentality, it was not the state as institutional site uniting territory and population in an ideal order, but rather apparatuses of security in the conducts and counter-conducts or resistances to governmentality of the state.

Hence, with respect to the discourses and practices of design, rather than begin with the institutional and professional sites of design and ask by what means do these cohere their principles and rationalities, circulate their modes of production, specific discourses and technologies of power, and constitute the responsibility for practices and production of our lived world, we start with the specific generalities of conducts and the governmentality or conduct of these conducts with respect to the spacings and orderings of habitability. Here one may parallel Foucault’s comment on ‘the political.’

The analysis of governmentality as singular generality implies that “everything is political.” This expression is traditionally given two meanings: —Politics is defined by the whole sphere of state interventions … the state is everywhere. —Politics is defined by the omnipresence of a struggle between two adversaries … The theory of the comrade. In short, two formulations: everything is political by the nature of things; everything is political by the existence of adversaries. It is a question of saying rather: nothing is political, everything can be politicized, everything may become political. Politics is no more nor less than that which is born with resistance to governmentality, the first uprising, the first confrontation.21

We would emphasise a parallel with design. Or rather, not a parallel but the possibility of engaging with design as essentially political in as much as it engages with what Foucault identifies as the crisis of governmentality. Hence, in one sense, there is no outside to design; everything is design precisely in the two possibilities offered for the omnipresence of the political. Design is constitutive of and fundamentally constituted by the egoist interests of liberalism which continually assail and are assailed by interventions of the state, liberalism defined in the freedom of a self’s relation to a self, but equally in the self-interest this implies.
Design is equally omnipresent precisely in the socius of a being-in-common and the constitution of community in the sovereignty of subjects of right that require the interest of a disinterest, the recognition of a giving up of self-interest for the sake of a being-in-common. However, we would suggest that nothing is designed, that everything may become designed, where we emphasise design from the viewpoint of counter-practices, counter-conducts, from resistances rather than from the universal rationality of an anthropology or humanism of design, and in this recognise the fundamental move from anthropology to ontology and from critique to transgression. And here we recognise a relation between the potential and the actual that complicates the exhaustion of potential in actuality, in the becoming-designed of things.

In this sense, we understand design as a micro-physics and micro-politics of existence in its transformations, circulations and becomings before it is an institutional site of codified practices or a ‘discipline.’ In so understanding the micro-powers of a governmentality of design we come to recognise how certain discursive orders, particular technologies of power and a defined range of practices coalesce to become inscribed within the institutional borders of design disciplines. In this we take particular note not so much of the secured fixity of definitions, principles or exemplary practices that safely define the discipline or are safely housed within its borders, but rather those thresholds of transformation where the designed invents itself or reverts to its other, those margins of counter-conducts, refusals of design that inhabit and secrete design’s own becomings.

An ethics of singularity
I want to return to Eric Santner’s On the Psychotheology of Everyday Life to further explore how we would think an ethics of design in such a context of thinking design from the specific generality of everyday life. What would an ethics of design be for the posing of design as the construal of life-in-the-midst-of being? Our most common, everyday and perennial question is the question of quiddity, the question what is? As in what is X? What is this, or that? Our everyday response is to pose the being of X as a predicative being, open to an infinite series of predicative determinations. The idea of a thing is this infinite series that, as Santner suggests, is without limit: “an infinitely expanding field of metonymic displacements.”

This thing, in its singularity of infinite predicates, may be another person. Or, rather, in aligning with Freud, Santner inverts this reading. In the ethical relation, relation to another person, the elaboration of predicative-being functions according to the pleasure principle, with each metonymic displacement, each addition to the series, discharging some of the tension sustaining the effort to know this Other. That is to say, we know what this thing or person is by the categories or modalities by which we describe or define, by the series of predicates that give definition. Santner then goes on to complicate things. Beyond this sustenance of “whatever-being” there is the “sheer tautological” presence—his or her “ipseity”—beyond predicative being, beyond the “whatness” of essences, something other than whatness—that something is in as much as its “thatness” opens the very possibility of the question of its being. That something is, in its disclosure, is an excess, a surplus of being concerning which we do not know what to do. It is trauma. Freud’s term for this “tautological otherness” is Thing (Ding): “And so the complex of the neighbour divides into two constituent parts the first of which impresses through the constancy of its composition, its persistence as a Thing, while the other is understood by means of memory-work ....”
We recognise how Agamben approaches this same concern with quiddity from another vantage point. Thus he suggests: "It is often said that philosophers are concerned with essence, that, confronted with a thing, they ask ‘What is it?’ But this is not exact. Philosophers are above all concerned with existence, with the mode [or rather, the modes] of existence. If they consider essence, it is to exhaust it in existence, to make it exist." Hence Agamben’s emphasis on reading the question of being not from the point of view of hypostatic categories as modes of being (predicates) but from the point of view of dynamis and energia. What Santner locates as the sheer tautological ipseity of a ‘thatness’ is the surviving gift of ipseity in what is actualised, the for-itself relation of an essential impotentiality that passes fully into what actualises. This trauma of a real opens an ethics of human making. For Santner, in his reading of Rosenzweig, it is the tautological and excessive impressing of insistence over existence; the surplus of being that cannot be assimilated to a series of predicates that constituted an opening to an ethics of the Other. Santner references Slavoj Zizek at this point:

When do I effectively encounter the Other “beyond the wall of language,” in the real of his or her being? Not when I am able to describe her, not even when I learn her values, dreams, and so on, but only when I encounter the Other in her moment of jouissance: when I discern in her a tiny detail—a compulsive gesture, an excessive facial expression, a tic—that signals the intensity of the real of jouissance. This encounter of the real is always traumatic, there is something at least minimally obscene about it, I cannot simply integrate it into my universe, there is always a gap separating me from it.

Trauma is understood here as an excess or surplus of being that essentially opens a self to its world. It is not to be thought of as a deficit in being, as a lack or something to be worked on and compensated-for. Again we recognise how Agamben has defined morality precisely as a comportment to being that makes the potentiality for one’s inactuality a fault that must be repressed. It seems to me that design in modernity has been primarily thought of as that which compensates for a deficit, for a lack in being, and that design constitutes in its essential thinking being as predicative, as a series of predicates that expresses the world of meaning. Design is essentially understood in terms of the exhausting or annulling, fulfilling or achieving of potentiality as actuality. Instrumentally and rationally, as calculable ends-means causality, design is thought as the specific possibility of what can be thought essentially as task. With “task” we give ourselves over to being as willing, and our essential faculty or power no longer thought as potential for non-Being, but rather thought as will-to-will: a willing that obstinately wills actualisation as the overcoming of impotentiality.

If ethics happens in the essential relation of self to Other as the excess of being that cannot be enumerated by predicative descriptions or definitions of a world, in what Santner calls “the midst of being,” does this suggest such an understanding of ethics marks the limits to design, that design ethics at best would be constituted essentially normatively? Or rather, in returning to Foucault, and the necessity to move from anthropology to ontology, from universal reason to the contingency of reasons, design’s horizon of emergence is essentially in counter-conducts, threshold moments, trauma, in an excess of being, in the sheer thatness
of existence outside of, or prior to the predicative logic of categorical being, in the “first
uprising, first confrontation” that makes the ethical and the political together in design
practices concerned not so much with knowing who we are but with refusing who we are.
Tony Fry has approached such a notion of design via what he understands as a “politics of
things”: “Indeed and collectively the intent of these things would be “things against things
... design redirec­tively made otherwise offers a process.” It would be only such practices
that open a self to its existence with others that could conceivable be given the name design.
All else constitutes more-or-less the production of repetitions of the same.

Endnotes

   of Minnesota Press, 1993). Agamben’s book appeared at about the same time as two other
   profound texts on community that should be read in conjunction. These are: Jean Luc
   Nancy, The Inoperative Community, trans. Peter Connor, Lisa Garbus, Michael Holland &
   Simona Sawhney (Minneapolis: University of Minnesota Press, 1991); Maurice Blanchot,
   also for an excellent discussion of Agamben and Blanchot in relation to Levinas: Thomas
2. Ibid., 44.
3. In this regard see especially Agamben’s Homo Sacer: Sovereign Power and Bare Life, trans.
develops the work initially undertaken by Michel Foucault on the biopolitical
frameworks of modernity, introducing the notion of “bare life” as our contemporary and
essential political substance. Hence Agamben suggests in his concluding remarks:
“Today it is not the city but rather the camp that is the fundamental biopolitical
paradigm of the West. ... [This] throws a sinister light on the models by which social
sciences, sociology, urban studies, and architecture today are trying to conceive and
organise public space of the world’s cities without any clear awareness that at their very
centre lie the same bare life (even if it has been transformed and rendered apparently
more human) that defined the biopolitics of the great totalitarian states of the twentieth
century.” 134-135.
5. Ibid., 179.
6. Ibid., 178.
7. Ibid., 179.
8. Ibid., 182.
9. Ibid.
10. Ibid., 183
11. Ibid.
12. Ibid.
15. Ibid., 5-6.
17. Michel Foucault, “What is Enlightenment?” trans. Catherine Porter in The Foucault Reader,
ed. Paul Rabinow (New York: Pantheon Books, 1984) 32-50. See also Foucault’s The
History of Sexuality, Volume III: The Care of the Self, trans. Robert Hurley (New York:
Vintage, 1986) and also Foucault, The Hermeneutics of the Subject: Lectures at the Collège de
series was devoted to an extended understanding of the Greco-Roman practices of
epimeletia heautou (care of the self) as opposed to the supposed Delphic origins of
philosophy, gnothi seauton (know yourself).
18. Ibid., 45-46.
20. See especially Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977-1978*, trans. Graham Burchell (New York: Palgrave Macmillan, 2007). It was during this lecture series that Foucault introduced the notion of “governmentality” as a new horizon of concern at the end of the eighteenth century with the emergence of population and economics as that which governs a rationality of the state. From this time the state becomes neither the guarantor of sovereign power, nor the binding through its territory of a commonwealth, but rather one of the elements in a more diffuse governmentality concerned with five principle arenas. Foucault suggests in *Security, Territory, Population* “Society, economy, population, security and freedom are the elements of the new governmentality whose forms we can still recognise in its contemporary modifications.” 354. Each of these elements emerges during the eighteenth century and together they constitute, at the level of the understanding of the state, something fundamentally irreconcilable. This “something irreconcilable” becomes the precise understanding of what is to be governed. It opens the space for the biopolitical, for what Agamben has analysed as bare life.

21. Ibid., 390.


23. Ibid., 80.

