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Reflecting About Occupations

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After Occupying, the Looting: Reflecting About
“How Not to Occupy Bartleby”, by Patricia
Sequeira Brás
(Issue 6.1, *Occupations*, 2015)

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Reading my own article published 5 years ago was an intimidating practice because I felt that I have bettered my argumentative and writing skills as well as partly progressed onto different topics. Despite my initial trepidation, I am grateful for having the opportunity to revisit some of the considerations made vis-à-vis the political meaning of Bartleby’s gesture. In the article, I discuss the re-appropriation of Bartleby by the Occupy Wall Street Movement in 2011. Then, I argued that unlike the occupation of Zucotti Park, Bartleby’s refusal to perform his office duties and leave the premises of the lawyer’s office are not symbolic gestures; as such, Melville’s story was wrongly appropriated by the OWS. I have also argued that Bartleby’s ‘I would prefer not to’ should be viewed as “the initial gesture towards political emancipation” (Sequeira Brás, 2015, p. 1). I have however reconsidered this position now. Bartleby’s gesture pre-empts a social contract when refusing to perform the role that was allocated to him. This is the reason why his gesture is inherently political.

In Melville’s story, Bartleby is an office clerk who gradually refuses to proofread, and then copy legal documents always replying – ‘I would prefer not to’. His response is frequently understood as a passive refusal

because Bartleby never vehemently rejects his office tasks, nor he leaves the premises of the lawyer's office, nor discloses what he prefers to do. His gesture might correspond to a passive refusal but only in content because in form it negates a social contract.

For the purpose of this text, I would like then to reconsider the political meaning of Bartleby's gesture vis-à-vis the recent protests following the killing of George Floyd in the US. I will address, in particular, the political meaning of looting in these circumstances. That is because the riots and looting are often described as "opportunistic" actions performed by "politically illiterate thugs". These accusations came about in relation to the recent protests, but also in response to the riots in Ferguson in Missouri and other states in the US, after the shooting of Michael Brown, and the subsequent discharge of police officer Darren Wilson for Brown's death in 2014. The London riots in 2011 in response to the killing of Mark Duggan by the police were also met with the same criticism. Like Bartleby's "passive refusal", rioting and looting are understood as "nihilistic" because they are deprived of any positive content. Still, by following some of the arguments against such accusations, I will argue that rioting and looting are the ultimate negation of a social order that is not unlike Bartleby's gesture.

The idea of revisiting my discussion on Bartleby in relation to the recent protests came after watching the viral video *How can we win* at the time of the protests in Atlanta, in June 2020. In the video, Kimberley Jones (2020) responds to the critics that accuse the rioters and looters of burning their own community: black people were brought to the US for economic reasons; rather than asking what people are doing, we should ask instead why the protesters are burning police and retailers' properties and looting. As she states in the video, African-American communities have been subjected to poverty and police violence so they can no longer conform to the rules of social order because "the social contract is broken".

The riots were not only a direct response to the killing of George Floyd by police officer Derek Chauvin on 25 May 2020 and the slow-moving indictment of the four police officers involved in the killing but also to the continuing killing of African-Americans at the hands of the police¹. In addition, this event unfurled at the same time of the Covid-19 pandemic, which resulted in mass unemployment and housing evictions (in the US and the rest of the world), foreshadowing a future recession and a social and economic crisis. The pandemic has also exposed systemic racism since African-American and Latino communities are unequally more affected by Covid-19. This is however not exceptional to the US since in Britain, for example, Black and Brown communities are also disproportionately more infected, and more likely to die of the disease (Younge, 2020a).

During this time, many of us were under lockdown as a result of the pandemic; as such, the emergence of these riots was attentively observed through news reports and social media globally, triggering a series of proxy demonstrations. Racial violence and the misuse of police law enforcement are not exclusive of the US, yet part of this worldwide response was due to the country's cultural hegemony (Younge, 2020b). Additionally, as Younge explains, the European moral superiority as the result of its "inferiority complex" vis-à-vis US's economic and military power that often "ignores both its colonial past and its own racist present" contributed to a massive adherence to these proxy demonstrations. This highlights the hypocrisy of the European morality rather than undervalue the massive anti-racists demonstrations that swept Europe, some of them of historical proportions.

¹ See Chughtai, A. (2020) 'Know their names: Black people killed by the police in the US', *Aljazeera*. Available at: <https://interactive.aljazeera.com/aje/2020/know-their-names/index.html> (Accessed: 22 October 2020).

These recent events – the riots and the incapacity of Western nations to act in response to the pandemic – are intimately related with a series of events that occurred in the last decade, including the financial crisis in the late 2000s and early 2010s. The subprime mortgage crisis and the foreclosures of low-income housing in 2006 in the US rapidly contaminated the European financial market, exposing the infeasibility of the financial system as a whole. In response to this, austerity measures were imposed globally, eliciting a series of protests, including the Occupy Wall Street Movement in 2011. Austerity measures resulted in the massive underfunding of the welfare state thus contributing to our current health crisis.

The political purpose of the Occupy Movement failed in retrospective but perhaps was always destined to fail. For some, the inability to make a single demand turned the movement politically inconsequential. Levi Bryant (2011) argued, however, that the inefficacy of OWS had more to do with its exclusively “cultural and ideological critique of Capitalism” since it ignored “the material infrastructure upon which” capitalism “relies to perpetuate, continue, and sustain itself”. Bryant claims that the occupations were happening everywhere except in “the places where they would have a chance to make a real difference”. According to this author, if capitalist social systems are perceived as an organic body, then these social systems are comprised of both nervous and circulatory systems. The nervous system consists of “the various mediums through which information is transmitted” whereas the circulatory system corresponds to “the various paths of distribution and production” that the capitalist system requires to sustain itself. So “highways, trains, airports, portions of the internet used for monetary exchange, farms, shipping lanes” are the material infrastructures that compose the circulatory system of. For this reason, Bryant mentions that Occupy Oakland consisted of a series of demonstrations and the occupation of a plaza but also, and more importantly, the organization of a

general strike that closed down the Port of Oakland, the fifth busiest container port in the US. The strike action was capable of interrupting the circulation of goods, and as such, for a brief moment, it disrupted what Bryant calls the circulatory system of capital. Contrary to this, the OWS was mostly engaged in disrupting the nervous system thus generating “a form of political engagement that is merely one more form of information production leaving the basic structure of the system intact”.

In the early 2010s, we witnessed the emergence of similar protests worldwide, for example, under the initiative of the Umbrella Revolution and organized by the then Occupy Central with Love and Peace in Hong Kong. These protests have changed in form and content over time but are still continuing today. We have also seen attempts to overthrow dictatorial regimes in the Arab World; and in Spain, we witnessed the formation of one of the biggest political parties, *Podemos*, as the outcome of the *indignados* movement against the imposition of austerity measures in the country. More recently, we witnessed the rise of demonstrations in France, such as *Nuit debout* against labour reforms in 2016, and the *Gilets Jaunes* movement as a response to the increase of the price of fuel in 2018. In Chile, on the other hand, a series of violent protests emerged in 2019 against the rise of the metro’s fare in the capital that quickly spread to other cities and towns against the increase of living costs, the privatisation of public goods such as water, and social inequality. These protests are still continuing, and many of the events mentioned above were not exactly inconsequential but we are not in a position to completely appraise its outcomes yet. The occupy movement did succeed however in contaminating our political imaginary since occupying a public space – namely, a square, became then a “systemic form of protest” (Sequeira Brás, 2015, p. 2). Following Bryant (2011), we could

conclude that the success of the occupy movement rests on its capacity to infect the nervous system of capitalism, leaving however the structure of the system unscathed.

In the UK, in the early 2010s, we saw the emergence of the Occupy London at the square near St Paul's cathedral as well as student demonstrations, sit-ins and occupations in many university campuses against higher education tuition fees to which the police reacted with a series of violent actions against students. Despite the commitment of many of us, David Cameron's Conservative Party and Nick Clegg's Liberal Democratic Party coalition government inflicted the rise of tuition fees, accomplishing the last milestone to turn British universities into fully neo-liberal corporate-like institutions. In 2011 though, there were a series of riots in London in response to the killing of Mark Duggan by the police. Then, many speculated upon the political purpose of the riots and of looting, not unlike the criticism made against the protests that in the last months swept the US.

At that time, in *Shoplifters of the World Unite*, Slavoj Žižek (2011) argued that contrary to the students demonstrations, the London "rioters had no message to deliver". As such, he argued that "it is difficult to conceive" them "in Marxist terms, as an instance of the emergence of the revolutionary subject"; instead "they fit much better the Hegelian notion of the 'rabble', those outside organized social space, who can express their discontent only through 'irrational' outbursts of destructive violence". In London, the rioters were from an impoverished social background and disfranchised communities; they did not have a political agenda, and most participants were not even of a voting age. Contrary to the comments then made by politicians of the whole spectrum and the British media, the riots had nevertheless a political meaning. For Žižek, this is because the riots exposed "the kind of society we inhabit, a society which celebrates choice but in which the only available alternative to enforced democratic consensus is a blind

acting out”. The point also to be made here is that the same argument is found in his discussion about the political significance of Bartleby’s gesture.

In *The Parallax View*, Žižek (2006) argues that there are two types of violence: one that makes “sure that nothing actually changes” as in the case of fascism or the use of brutal violence by the police; and the other, that consists of an act that actually changes “the basic coordinates of a constellation” (p. 381)². For the latter type of violence “to take place, this very place should be open up through a gesture which is thoroughly violent in its impassive refusal, through a gesture of pure withdrawal”. This is in line with Bartleby’s gesture – ‘I would prefer not to’, as I will explain.

In Melville’s story, the narrator (lawyer) tells us that Bartleby has no life outside work. Rather than having no social life, what this means instead is that his social role is inherent to his job position therefore I have argued that “by refusing to perform what is expected from him, Bartleby withdraws from his social position” (Sequeira Brás, 2015, p. 8). Bartleby’s ‘I would prefer not to’ moves us away from what Žižek (2016) calls “the politics of ‘resistance’ or ‘protestation’, which parasitizes upon what it negates” (p. 381). This is the difference between Bartleby’s gesture and the occupy movement since the latter seems to belong to the realm of “the politics of ‘resistance’ or ‘protestation’”, just as much as the current Extinction Rebellion. On the contrary, Bartleby’s gesture “opens up a new space outside the hegemonic position and its negation” (p. 382) since by rejecting to perform his labour without leaving the lawyer’s office, Bartleby withdraws from a social contract. This means that our opposition to the system needs

² This is in turn Hannah Arendt’s understanding of political action as the capacity of a word and deed to “change every constellation” (1998, p. 190).

to be articulated by refusing to “play by the rules” (Žižek, 2011). This is the most violent refusal because it rejects operating within the system; and as such, it appears as a “meaningless outburst” without a political demand, which is seemingly an instance of self-destruction (Žižek, 2011). This impotent acting out of a self-destructive nature is substantiated by Bartleby’s refusal to eat, dying in prison at the end of the story.

In *Deleuze, Bartleby and the Literary Formula* (2004) Jacques Rancière questions the formula’s capacity for political agency since Bartleby seems to be indifferent to what he negates as he never mentions what he prefers instead to do. Similarly, in *Empire* (2004), Michael Hardt and Antonio Negri argue that although Bartleby’s gesture is a form of negation to the existing social order, this is only the beginning of any political emancipation as far as it requires a “positive content [...] in order to become political effective” (Sequeira Brás, 2015, p. 6). Accordingly, by proposing a Hegelian interpretation of Melville’s story, Žižek (2006) argues instead that Bartleby’s gesture is “*not* the starting point of ‘abstract negation’ which should then be overcome in the patient positive work of the ‘determinate negation’ of the existing social universe, but a kind of *arche*, the underlying principle that sustains the entire movement” (p. 382). Bartleby’s gesture is “the permanent foundation” of a “new order” that is “sustained by an underlying ‘I would prefer not to’ which forever reverberates in it”, giving “body to this negativity”.

In the introduction to *In Defense of Looting: A Riotous History of Uncivil Action*, Vicky Osterweil (2020) argues that looting is “a movement’s most radical tactic” since it challenges “some of the core beliefs and structures of cisheteropatriarchal racist capitalist society” (p. 3). Looting “rejects the legitimacy of ownership rights and property, the moral injunction to work for living, and the ‘justice’ of law and order”. According to this author, the word *loot* originates from the Hindu *lút*, meaning

“plunder” or “booty”, and it is found for the first time in an Anglophone context in a “handbook on ‘Indian Vocabulary’ for English colonial officers” in. In this way, the etymology of the word unveils how its meaning rests on “the white supremacist juncture of property and race”; as such, it becomes clear why today in a deceitful manner looting is perceived as “apolitical”, and carried out only by so-called politically illiterate thugs. The colonial legacy of the word *looting* is the blind spot of the disapproving narrative that is aggravated by the fact that many of the participants in recent protests, as in Ferguson and in London, are racialised.

In the aftermath of Hurricane Katrina, for example, a picture was published with the caption “A young man walks through chest deep flood water after looting a grocery store”. A similar picture received, on the other hand, the following caption “Two residents wade through chest-deep water after finding bread and soda from a local grocery store”. The difference between these pictures was that in the first a black man was depicted whereas the second picture depicted white people³. This is why many involved in recent protests have often condemned looting or argued instead that it is not expressive of the otherwise peaceful and law-abiding demonstrations in order not to feed into existing racist prejudices against African-American youngsters. Despite well intended, this is the wrong strategy because according to Osterweil “it is precisely the fact that looting exists at the nexus of race and class that gives its tactical power” (2020, p. 4).

The recent protests in the US are the outcome of a growing discontent with police violence perpetrated particularly against African-

³ See Kambhampaty, A. P. (2020) ‘How American power dynamics have shaped perceptions of looting, from the Boston Tea Party to today’, *Time*, 11 June. Available at: <https://time.com/5851111/protests-looting/> (Accessed: 15 October 2020).

American communities. Contrary perhaps to the London riots in 2011, the discontentment has experienced a rapid politicisation in a short period of time since the first wave of the Black Lives Matter movement that emerged after the killing of Trayvon Martin, a 17 years old student shot by a gated community vigilante in 2012. In recent protests, we find a political discourse that was not observed in the London riots, as the latter was more spontaneous and seemingly less politically organised. Still, some activists in the US have identified two branches within the recent protests that have gradually become more intertwined. On the one hand, the “*social movement*”, in other words, “the spontaneous tendency to translate antagonism or social conflict into demands, dialogue, peaceful disobedience, [and] consciousness raising”; and, on the other hand, what they call the “*real movement*” that is substantiated in actions that “bypass representation, discourse, and dialogue, and instead pursue the antagonism with the state and capital directly, even *physically*” (Shanahan and Kurti, 2020). This part of the movement consists of “a non-hegemonic form of antagonism” disinvested from “an appeal to civil society” (ibid). Accordingly, there has been a growing permeability between the more “respectful” part of the movement – the “social movement” – and the protesters who have been practicing direct actions against private property, state and police. This is evidenced, for example, in the collecting of funds and the organization of legal support to those who have been arrested in consequence of looting. This blurs in turn the distinction between the “good protesters” – the ones that engage in dialogue and have political demands; and the “bad protesters” – “the looters, the arsonists, [and] the revolutionaries” (ibid).

The rise of unemployment and evictions in the context of the current pandemic may perhaps shift public opinion in regard to looting since the latter can be seen as an opportunity to “solve some of the immediate problems of poverty” in a community (Osterweil, 2020, p. 4). However, most

importantly, looting consists of a collective and organised action that subtracts a commodity from “the cycle of exchange and profit” (ibid). This is why looting is simultaneously the most loathed and the most effective of political strategies. What appears to be a “meaningless outburst” deprived of a single political demand is instead the “underlying principle” of a negation. As Evan Callier Williams (2011). writes in relation to the London riots, this negation “is the removal of the relation that sustain a given order as it stands. Relation like property, law, and value. It is not obliteration, not a razing to the ground, but the placing of all under doubt and critique, often of a very material order”. Looting puts into question the core beliefs of capitalism; it simultaneously interrupts the cycle of transforming money into commodity and vice-versa, and delegitimizes private property and the need to work to pay for goods. In this way, and returning to Bryant’s argument, we could say that looting disrupts both the circulatory and the nervous systems of capitalism.

The black square became viral on social media platforms as a demonstration of solidarity with the protests in June. This gesture was however making protesters vulnerable because it was flooding social media thus preventing the circulation of information among those who were on the ground. We need to be careful about what type of discourses and symbolic gestures we want to produce in support of our political actions; and recognise that symbolic gestures can be co-opted as well as have a parasitical nature when producing only “cultural value” for our own “social” gain, among our virtual peers. In Melville’s story, Bartleby gesture is neither symbolic nor parasitical. His words are not co-opted but contaminate instead the lawyer and the office clerks’ discourse (Sequeira Brás, 2015, p. 5). This is why Gilles Deleuze (1998) argues that we should take his formula literally, that is the

form of his gesture literally. Bartleby's gesture is the withdrawal from a social relation and a refusal to play into the rules of the game.

Jones (2020) uses Monopoly as an analogy, maintaining that African-Americans have been playing this game but “constantly losing for 450 years”. The most “self-destructive violence” is then neither looting nor burning down police and retailers' properties but instead repeatedly playing a game that serves only a few, consigning the majority to death or a life of poverty, precariousness and insecurity. As the etymology of the word *looting* underlines, the participants in the recent protests are the immediate descendants of those subjected to colonialism and whose bodies were once enslaved, forcefully commodified, even *looted*. Enslavement and colonialism were the earlier conditions for the development of the capitalist system and consequently, the configuration of the social contract that Bartleby appears to corrupt. This is why I conclude that what is often understood as indifference in Bartleby's ‘I would prefer not to’ is in the circumstances of protests the equivalent to say “Why the fuck do I give a shit? As far as I'm concerned you can burn this bitch to the ground” (ibid).

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How Not to Occupy Bartleby

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This article discusses how Bartleby, Herman Melville's literary character from the homonymous story, *Bartleby, The Scrivener*, re-emerged in the Occupy Movement in Wall Street. It intends to argue that Melville's story has been wrongly appropriated, because Bartleby's occupation of the physical space of the lawyer's Wall Street office is not a symbolic act. Instead, Bartleby's formula should be recognised as the initial gesture towards emancipation. This is so because Bartleby's formula offers a space for social contingency as it suggests the withdrawal from social order. Rather than attempting to find some political agency in Melville's figure, this article aims to recognise the capacity of Bartleby's formula for political insurgency. In this way, it seeks to revise Occupy Wall Street's (OWS's) appropriation of, and relation to, Melville's short story, as well as suggesting that Bartleby's formula offers an embodiment of political contingency rather than the means to a political outcome.

This response attempts to reassess the numerous articles relating the Occupy Movement to Melville's Bartleby during the protests of 2011 and 2012 (Asher, 2013; Greenberg, 2012; Klein, 2011; Martyris, 2011; Yin, 2011). Within the context of ongoing protests and acts of occupation that continue across the globe, Bartleby's significance needs to be re-articulated and re-examined, beyond his employ as an ally and precursor to OWS's actions in New York City. In 2014, we saw sit-ins and the student occupation of many

university campuses in the UK, following the violent actions of the police force in response to the demonstration at Warwick University; Hong Kong protests, known as the Umbrella Revolution, organized by Occupy Central with Love and Peace; Occupy Democracy in London; but also, the protests in Brazil during the football World Cup and Ferguson protests in Missouri and other states in the USA, following the shooting of Michael Brown, and the consequent discharge of police officer Darren Wilson for Brown's death, which I choose to mention, despite this not being directly related to the Occupy movement. In 2015, we have already witnessed the protests of Occupy Democracy in Parliament Square in London and the occupation of a Golf course in the "up market" neighbourhood of Barra da Tijuca, Brazil, built on an environmentally protected area to serve the 2016 Olympic games in Rio de Janeiro (Douglas, 2015). All these protests prove that the original occupy movement did not run out of steam but instead has become a systemic form of protest. In light of this, there is renewed importance in a reevaluation of Bartleby's formula within the context of what some have called the "Age of Occupy" (Asher, 2013).

In Melville's story, Bartleby is a clerk who passively refuses to proofread, and then to copy legal documents by insistently replying: 'I would prefer not to'. Bartleby is expected to copy documents and attend to diverse office chores but his gesture of passive refusal suspends the social and economic function ascribed to him. Instead of vehemently rejecting the tasks or denying his role, Bartleby *prefers not to* copy. But what he prefers to do remains undisclosed. His "formula", as described by Gilles Deleuze, consists neither of an affirmation nor a negation. Bartleby does not leave the premises of the lawyer's office but without maintaining his professional utility, his passivity is an affront to what is expected of him. For that reason,

I argue that his formula exposes the mechanics of social (re)-production. This, in turn, is understood as political.

The OWS movement revitalised Melville's literary character in a strongly literal fashion. OWS both physically paralleled Bartleby's occupation of the lawyer's Wall Street office through its symbolic occupation of Zuccotti Park, as well as corresponding Bartleby's 'non-preference' with the movement's refusal to formulate a single defined demand. According to Russ Castronovo, OWS's appropriation of Bartleby is based on a formal analogy (2014, p.253). This is so because "the activists at Occupy Wall Street who became readers of Melville invoked literature for its demonstrative power as an analogy, not for its enigmatic qualities that solicit interpretation" (Castronovo, 2014, p. 259). This analogy, as Castronovo argues, follows a "logic of resemblance [that] uncovers deep and perhaps unexpected affinities among those who dare to prefer something other than the standard remedies proposed at a time of crisis" (2014, p. 267). In this way, analogy functions to build a relationship between different terms and/or different people, in search for a commonality. In relation to the movement's lack of demands, Castronovo insists that this was so because OWS "preferred not to participate in the normative political processes in which reforms are granted only insofar as they keep the status quo intact" (2014, p. 263). Like Bartleby's formula, the demands of the Occupy movement disregard any "positive content" (Castronovo, 2014, p. 265). This is the reason why the movement can be considered to be inefficient: it refuses to make one single demand.

In November 2011, it was reported that a group from the Occupy Wall Street movement staged a reading of Melville's *Bartleby, the Scrivener* at Zuccotti Park (Yin, 2011). This act, as already mentioned, provoked many to establish a direct relation between Melville's literary character and OWS. For those, Bartleby is to be regarded as "slacktivist"; an example of "capitalism's

most loathed object” that, by excluding “himself out of the system, [...] pre-empt his own irrelevance” (Martyris, 2011). Others argue that the “greatest power” of OWS was not to propose a single demand just as Bartleby does not disclose what he prefers to do (Greenberg, 2012); or that Bartleby’s ‘I would prefer not to’ obliges us to rethink possibilities of resistance (Klein, 2011).

The Occupy Movement has then offered an alternative political discourse without proposing a single demand. It had a great impact on and in society, providing a discourse that attempted to “represent” the 99% of the world’s population against the 1% that owns the world’s wealth, and also introducing the word “occupy” to our daily lives. This can be understood as a change in what Rancière calls the “sensible wealth” as the result of a disruption between sense and senses, and senses and thought to generate new possibilities for political activism (2004b; 2008; 2010). The organization of bodies, things, senses and thoughts corresponds to the “distribution of the sensible”, or to what Rancière identifies as the *police* rather than *politics*. Politics, on the other hand, happens when this distribution is disrupted, resulting in the redistribution of the sensible wealth, when bodies and things, senses and thoughts no longer correspond to their previous understanding. My argument is that OWS contributed to this disruption, and as such, can be accountable as political and not entirely inconsequential. In this way, it is also possible to parallel Bartleby’s formula and OWS’s alternative political discourse. As mentioned before, Bartleby’s formula neither affirms nor negates, it leaves what it rejects undetermined; in the same fashion, OWS refuses to partake in “normative political processes” by not proposing a single demand. Both positions are political but deprived of a defined political outcome.

Levi Bryant's critique of OWS concerns itself not so much with the movement's inability to propose a demand, but finds fault rather in its seemingly exclusive foundation upon a "cultural and ideological critique of Capitalism" (2011). For him, the movement did not seem to offer "political efficacy" because "they simply tarry at the level of signs and discourses, ignoring the material infrastructure upon which this form of production relies to perpetuate, continue, and sustain itself" (2011). These occupations seemed to occur everywhere, apart from "the places where they would have a chance to make a real difference and produce real results" (2011). In this respect, Bryant explains that, "if we think of capitalist social systems as being akin to an organic body, then these social systems will have a circulatory system and a nervous system" (2011). On the one hand, the nervous system consists of "the various mediums through which information is transmitted"; whilst the circulatory system corresponds to "the various paths of distribution and production the system requires to produce this sort of social structure such as highways, trains, airports, portions of the internet used for monetary exchange, farms, shipping lanes, etc" (2011). According to Bryant, the movement could have become politically effective against capitalism if it had provoked a "stroke or a heart attack" within the capitalist system (2011). Rather than the symbolic occupation of a park, Bryant insists that OWS should have occupied the highways, ports (as in the case of Oakland) and internet: spaces in which monetary transactions are made. For him, the attention on "the nervous system" rather seems to generate "a form of political engagement that is merely one more form of information production leaving the basic structure of the system intact" (2011).

The protests seen in shopping centres during Black Friday in St. Louis, Missouri in 2014 can be understood as attempting to hit the circulatory system rather than the nervous system of capitalism, and as partial fulfilments of Bryant's desire to see the occupation of transactional

space. These demonstrations, in response to the aforementioned killing of Michael Brown and the subsequent discharge of the police officer that killed him, resulted in the shutting down of shopping centres and people being prevented from shopping (Gambino, 2014). Despite only being temporary, these protests managed to bring local consumerism to a standstill.

I agree with Bryant in the sense that if one's aim is political efficacy, then one should occupy not so much a symbolic space but instead the spaces that permit the distribution that is required for the reproduction of the system. That is to say, one should not occupy what Bryant identifies as the nervous system of capitalism so much as what he defines as its circulatory system. However, the reproduction of the capitalist system is also possible through symbolic means. For this reason, it is important to re-interpret Bartleby's formula because Melville's character does not merely occupy the physical space of the lawyer's office (as the OWS movement seemed to have understood). The lawyer's office is a place of labour and for that reason, understood as a site of 'circulation' of capital and social production. On the contrary, OWS occupied, symbolically, a park. Here, I argue, rests the kernel of Bartleby's misappropriation by the Occupy movement, and the source of Bartleby's actual significance to ongoing political struggle.

Instead of a symbolic occupation, Bartleby passively refuses to perform his tasks, always replying 'I would prefer not to', without leaving the lawyer's office. Rather than merely occupying an office in Wall Street, Bartleby withdraws from his social position, exposing the contingent place in which politics seems to occur. This in turn can be understood as the opening for political subjectivity. But we must then introduce Bartleby to argue that despite never claiming political emancipation, Bartleby's formula itself embodies the political.

At first, Bartleby refuses to examine the copies after the lawyer's request, and subsequently stops copying and performing all office tasks, while also refusing to leave the office premises. For that reason, it is frequently argued that Bartleby neither denies nor affirms, but that his words leave the consequences of his refusal to perform his job in suspension. The story is narrated by the lawyer who describes Bartleby as a "quiet man", pale and "pitiably respectable" (Melville, 1990, p. 9). The lawyer ignores Bartleby's initial response because he expresses it without a "wrinkle of agitation" (Melville, 1990, p. 10). As the lawyer says, "had there been the least uneasiness, anger, impatience or impertinence in his manner; in other words, had there been anything ordinarily human about him, doubtless I should have violently dismissed him from the premises" (Melville, 1990, p. 10). Bartleby's unwillingness to perform the task for which he is hired is expressed without any resentment or anger but rather in a passive manner. In so doing, he withdraws not only from his socio-economic position by ceasing to perform his tasks but also from his human qualities through the lack of any emotional expression defining or articulating his course of action. In this sense, it should be noted that despite not defining a single demand towards a political course of action, OWS's attempt to "represent" the 99% of the world's population differs from Bartleby's gesture to withdraw from social order.

While trying to make sense of Bartleby's continuous reluctance to examine the copies of the documents, the lawyer keeps asking why he does not perform his task, always receiving 'I would prefer not to' as an answer (Melville, 1990, p. 11). Despite his unsuccessful attempts to reason with Bartleby, throughout the story the lawyer gradually grows nervous. Bartleby not only suspends his office tasks but also frustrates the lawyer's desire to get rid of him. When, one Sunday morning, the lawyer visits the office he discovers that Bartleby might have been sleeping and living in the office. He

then decides to confront him but Bartleby refuses to engage in conversation, insisting ‘I would prefer not to’, or changing his formula only slightly to ‘at present I prefer to give no answer’ or “at present I would prefer not to be a little reasonable” (Melville, 1990, p. 19) when confronted with further questioning. The word ‘prefer’ ends up contaminating the discourse of the lawyer and his other employees, manifesting itself in their conversations, until Bartleby refuses to copy the documents entirely. Despite the contagious power of “preference”, as it reappears in the discourse of the other characters, Deleuze contends that the reason why the formula is important is because it affects Bartleby’s performance: the more he says ‘I would prefer not to’, the more he is incapable of carrying out his task. As a result, the formula renders his function “impossible”; the source of his refusal, however, remains undetermined (Deleuze, 1998, p. 70). A contingency is then created, as Bartleby remains on standby, having suspended his actions but failed to provide alternatives he would “prefer” to do. He becomes a site of latent possibility; a productive individual removed from the realm of production, and in this sense, from the realm of social order.

When the lawyer visits Bartleby and offers to help him gain a job elsewhere, to facilitate him leaving his office, Bartleby prefers not to change anything. His claims to be “not particular” frustrate the lawyer’s attempts to extract enthusiasm from Bartleby towards alternative means of employment (Melville, 1990, p. 30). Bartleby has no preference for doing, only a preference for not doing. When confronted with the possibility of taking a new position which would allow him to travel, Bartleby replies that he likes to be “stationary”, preferring “not to make any change at all” (Melville, 1990, p. 30). Such a position exposes the difficulties of seeking a political agency in Bartleby’s formula: how is Bartleby’s formula political if he appears

indifferent to what he prefers? And what might we learn about OWS's own efficacy from this discussion?

Bartleby has been designated as an example of political subjectivity in critical theory (Agamben, 1999a; Deleuze, 1998a; Derrida, 1995; Hardt & Negri, 2000; Rancière, 2004a; and Žižek, 2006). Each author offers a distinct analysis of Bartleby but they all suggest that his gesture has some capacity for resistance. In “Bartleby; or the Formula”, Deleuze argues that ‘I would prefer not to’ leaves “what it rejects undetermined” (1998a, p. 68). Whereas, Giorgio Agamben argues that the formula of Melville’s character should be understood as a “pure potentiality” (1999a, p. 254) since it suspends a choice between doing something and not doing something. Rancière’s “Deleuze, Bartleby and the Literary Formula” (2004) dialogues directly with Deleuze, while also questioning the formula’s capacity for political agency. By recognizing that the formula belongs to the realm of anti-representation, Rancière contends that it seems to guide us only to a contradiction, and as such, it is politically ineffective. This argument is concurrent to Michael Hardt and Antonio Negri’s position in *Empire* (2000), according to which, Bartleby’s formula is identified as the beginning of any political emancipation – as a form of negation – but understood to require a positive content presented *a posteriori* in order to become politically effective. On the contrary, in *Parallax View*, Žižek argues that Bartleby’s formula is the “underlying principle” (2006, p. 382) for all political emancipations, which means that ‘I would prefer not to’ is inherent to any political struggle rather than merely its starting point. Žižek’s disagreement with *Empire*’s authors seems to rely on a formal distinction since for him, politics proper is less the “administration of social matters” than the action of changing “the framework” in which things are supposed to work (2000, p.199). Finally, Jacques Derrida (1995) argues that Bartleby seems to enact the ultimate ethical gesture by means of suspending a decision.

Because Bartleby is indifferent to what he prefers, his formula can be interpreted as a nihilist move without any consequences in the social and political sphere. However, in order to rescue the formula from absolute nihilism, Deleuze argues that whilst Bartleby prefers “nothing rather than something”, instead of “a will to nothingness” Bartleby’s formula refers to “the growth of a nothingness of the will” (1998a, p. 71). This, in turn, expresses a will without an outcome, or a “whirling in a suspense” that “carves out a kind of foreign language within language” (1998a, p. 72). In a similar argument⁴, Agamben contends that Bartleby’s formula “severs language from all reference”, opening a ‘zone of indistinction’ (1999a, p. 255). As such, the formula seems to expose the space of encounter between ‘the potential to be (or do) and the potential not to be (or do)’ (Agamben, 1999a, p. 255). In this way, Bartleby’s ‘I would prefer not to’ expresses a non-preference between two terms, since he seems to dwell “in the abyss of

⁴ In conversation with Cesare Casarino, Negri disputes Giorgio Agamben’s reading of Bartleby, by also troubling the correspondence between Deleuze and Agamben’s theoretical positions. Despite agreeing that potentiality should not be enslaved to actuality, Negri deems actualization indispensable (2008, p. 158). Contrary to Agamben, Negri argues that Deleuze “does not dispense with the ‘actual’” but instead “the virtual and the actual form an immanent circuit”, while “the actual always has virtual facets” (2008, p. 159). “The virtual and the actual, thus, are two different ways of apprehending the very same thing”. The actualization of the virtual also “produces [...] other virtual realities” (2008, p. 159). However, in Agamben, “potentiality always pulls back at the last moment from realizing itself in the act” (2008, p. 159). Which means that actualization exhausts potentiality. Here resides, according to Negri, the distinction between Deleuze and Agamben. However, since I draw a parallel between their theoretical arguments, I would like to suggest that Agamben’s rescue of potentiality from actuality is concurrent to Deleuze’s rescue of the virtual from the actual. This is so, because for Agamben, Bartleby’s formula “has to do exclusively with the occurrence of a potentiality as such, that is, something that can both be and not be”, something which is enabled “by calling into question the principle of the irrevocability of the past, or rather, by contesting the retroactive unrealizability of potentiality” (1999a, p. 266). From this perspective, Bartleby’s formula seems to question the past, even “recalling it”, not by redeeming “what was, to make it exist again but, more precisely, to consign it once again to potentiality” (Agamben, 1999a, p. 267). In this way, potentiality acquires the function of the virtual, understood here as the surplus of the actual that is capable of redeeming not “what happened [or] what did not happen but, rather, their potentialization, their becoming possible once again” (Agamben, 1999a, p. 267).

potentiality” without having “the slightest intention of leaving it” (Agamben, 1999a, p. 254). Rather than “occupying” the site of the possible, Bartleby leaves this very site open, since he remains in the lawyer’s office without performing the actions requested from him.

On the other hand, Rancière argues that Bartleby’s formula is a performance without a hidden message that breaks with the system of representation. Without any will, Bartleby annihilates “filial obedience” with a “radical non-preference” (2004a, p. 159) that offers “the open road of comrades”, leading only to a “contradiction” (2004a, p. 164). In this way, Bartleby’s formula brings us closer to a suspension rather than sketching an alternative situation and/or a solution. However, the idea of non-affiliation, or of a society without fathers can be understood as a form of rejecting authority and/or a political system that is either framed through totalitarianism, dictatorship, and/or capitalism, here seen as a modern system of power. At the very end of Melville’s story, the lawyer interjects “Ah, Bartleby! Ah, Humanity!” (Melville, 1990, p. 34), which again according to Deleuze, suggests the possibility of an alternative order, by exposing the gap between Bartleby and the “all-too-human law” (1998, p. 81). This so-called “human law” can be interpreted as a certain state of affairs within capitalism, social representation or even within the symbolic order, depending on one’s theoretical position. This also means that suspension, according to Rancière’s critique, can be understood as a rejection of a system of power, and in that case, concurrent with Deleuze’s argument, Bartleby’s formula offers an alternative to the “all-too-human law” (1998, p. 81).

At the end of the story, the reader is informed that Bartleby used to work at the Dead Letter Office. The Dead Letter Office is the place where the letters that cannot reach their addressee nor be returned to their sender are kept and later destroyed. However, the phrase “dead letter” also refers to a law or an agreement that is no longer effective. In these terms, in Melville’s

story, the Dead Letter Office may offer reference to Bartleby's passive acts of refusal; both representing the very procedure posited by Bartleby's formula – the structural inhibition of an outcome or action – and questioning the validity of the “all-too-human law”.

Rather than recognising the incapacity of Bartleby's formula to provide us with a political outcome, we can recognise that Bartleby's formula seems to cancel the “device” that enables social order altogether. This, in turn, has a political dimension because politics occurs at the point in which the subject no longer conforms to the social designation that is assigned to him/her. It takes place in the contingent space in which those without a voice claim a place to speak. This is why I argue that Bartleby's formula exposes a space for political contingency.

As argued by Deleuze, Bartleby is “a pure outsider [...] to whom no social position can be attributed” (1998, p. 73). For him, “Bartleby is the man without references, without possessions, without properties, without qualities, without particularities [...] without past or future, he is instantaneous” (1998, p. 74). Bartleby's formula exposes the social interaction between the lawyer and himself and between the lawyer and his clerks, but Bartleby himself cannot fulfil any social position.

Bartleby stops proofreading and copying altogether, claiming that he is “not particular”, which means that he has no preference towards whatever it is that he seems to passively refuse. The narrator tells us that Bartleby has no life outside of work. As such, he is already introduced as an asocial figure but his social role is inherent to his job position. In this manner, by refusing to perform what is expected from him, Bartleby withdraws from his social position. This can be understood as the initial gesture towards emancipation. Bartleby's formula does not put forward a will to political emancipation.

Instead it exposes the space through which political emancipation comes into being by pre-empting his place within the social order. Bartleby has no political demands, and instead dies in prison by refusing to eat, as if stripping himself from all forms of subjectivity.

Rather than seeking symbolic interpretation, Deleuze advises the reader of Melville's story to regard Bartleby's formula as "literal" (1998, p. 68). In light of this, we can recognise OWS's appropriation of Bartleby's actions as literal. But to translate his actions as a literal, political move against capitalism is inconsequent because, on the one hand, Bartleby is not occupying symbolically a lawyer's office in Wall Street; and on the other hand, Bartleby's formula itself does not offer a political outcome. Instead, it opens a space of contingency that is inherent to any political struggle. If the formula seems to suggest the pre-empting of a social position, then we are indeed, in Bryant's terms, within the realm of a "cultural and ideological critique of Capitalism" (2011). Rather than political efficacy, Bartleby's formula can only embody the space of a political contingency at the level of signs and discourses. It follows that Bartleby is unwilling to occupy symbolically either a particularity or a universal by preferring "nothing at all". Bartleby is neither affirming nor refusing a preference, but instead removing himself from social order. Nevertheless, the formula exposes a contingency that is political since politics occurs at the point in which things and people, senses and thought no longer correspond to their previous allocation and/or understanding, as mentioned before.

Yet another critical reading of Melville's *Bartleby* may explain the above argument. In *The Gift of Death* (1995), Jacques Derrida compares Bartleby with the biblical figure of Abraham. This is so because Abraham transgresses the ethical order⁵ since, in the words of Kierkegaard, "the

⁵ The ethical order can also be understood as the "all-too-human law" mentioned above.

highest expression of the ethical is in terms of what bind us to our own and to our fellows [...] the actual community” (1995, p. 59). When giving an “account” of one’s actions, we “share” our responsibility. This means that only in silence have we exclusive responsibility for our actions. In this manner, Derrida proposes that responsibility should “always be expressed in a language foreign to what the community can already hear or understand” (1995, p. 74). Derrida’s point is concomitant to Deleuze’s critique, according to which Bartleby’s formula introduces a “foreign language in language” (1998a, p. 72). In a similar argument, Agamben contends that Bartleby’s formula “severs language from all reference” (1999a, p. 255). And in the words of Derrida, Abraham “responds without responding, speaks without saying anything either true or false” (1995, p. 74) – just as Bartleby when saying ‘I would prefer not to’ utters “nothing fixed, determinable, positive or negative”, but something which is left incomplete (Derrida, 1995, p. 75). In this way, the formula “creates a tension: it opens onto a sort of reserve of incompleteness; it announces a temporal or provisional reserve” haunted by the “silhouette of a content” (Derrida, 1995, p. 75).

The connection between Abraham and Bartleby appears in their refusal to comply with the “law of men” by withdrawing from the community. In both cases, they seem to detach themselves from the community by refusing to give an account for their actions. This is why Derrida’s argument can be useful in understanding how Bartleby withdraws simultaneously from the realm of ethics, and from social order. This is also a key point in my argument concerning Bartleby’s misappropriation by the occupy movement.

Despite not articulating any form of political emancipation, Bartleby rejects being bound to a community, and it is in this sense that his gesture is political. According to Castronovo, OWS’s interpretation of Melville’s

character has the structure of an analogy. Analogies, as argued, serve to create a common ground between different people, as the means to forge a community. In this way, we can argue that OWS formed an “alternative community” bound by ethical issues. Yet, following Derrida and Deleuze, Bartleby has no social bounds⁶. Instead, his formula suggests the withdrawal from social order. As such, in terms of the appropriation of Bartleby by OWS, analogy should be rejected because Bartleby’s formula offers a space for social contingency through the act of withdrawal, rather than the forging of a social bond. This, in turn, can also be understood in Bryant’s terms as a disruption of the nervous system of capitalism, at the level of signs and discourses. But as argued, this disruption is not entirely inconsequent because the reproduction of the capitalist system is also perpetuated through symbolic means. When Bartleby suspends his actions without leaving the lawyer’s office he presents himself as an individual removed from the realm of production. However, this gesture is not a symbolic act because the lawyer’s office is a site of “circulation” of capital and social production. In this way, Bartleby’s formula not only offers a space for social contingency but also occupies the material infrastructure that sustains the circulatory system of capitalism, which again according to Bryant’s argument is the key to the success of the occupy movement. In conclusion, Bartleby’s formula has the capacity for political insurgency but it is deprived of a political outcome. This is so because Bartleby has no preference as to what he does prefer to do. Instead, Bartleby suspends his actions and withdraws from social order, resulting in the standstill of social production itself. This, in turn, offers a

⁶ Following Derrida’s argument, Branka Arsić also argues that, “Bartleby is the name for a being that is not being-with, but being without (with), outside of ‘social bounds’” (2003, p. 156). It is through the figure of Bartleby that Arsić finds an “affinity”, between Deleuze and Derrida’s theoretical positions despite their fundamental distinctions. As she puts it, they share an “affinity [that] precisely because it is affinity, affirms differences” (2003, p. 149). The point of convergence between the two philosophers is found in how they both understand Bartleby to be excluded from any social bounds.

space for new political subjectivities to emerge in a gesture towards a new community to come.

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