

# TEN WAYS OF ‘THINKING WITH’ DESMOND MANDERSON

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## **ABSTRACT**

This paper is an attempt to ‘think with’ Desmond Manderson’s *Danse Macabre*. To celebrate the creative energies that *Danse Macabre* liberates, we need to work with the grain of the text; with its images and metaphors, and to follow the circle that it traces from its own beginning to its end; which is not really an end at all, but the evocation of the possibility of “rebirth”, a rhythm, that is in turn linked to the capacity of art to “surprise”- to break the bad repetition of law. Celebrating *Danse Macabre* is ‘thinking with’ the text—an idea that will be connected to the weak force of ethics—an animus of Manderson’s thought. The ‘with’ takes us to Denise Levertov’s poem *A Solitude*—a performance of a mode of poetic thinking that emanates from Manderson’s intellectual sensorium.

## **KEYWORDS**

Being with; thinking with; ethics; weak force; rebirth; rhythm.

## **I**

Manderson, as a reader of Lawrence, would know that it is always better to trust the tale, rather than the teller of the tale:

Lawrence did not think of a story as the handing over of some truth or other from writer to reader, but rather as a process by which the writer learns something through writing just as the reader learns through reading (Manderson, 1997, p. 56)

This notion of an interpretative principle- or “process”- might help us to read, or, rather, to think with, or move with *Danse Macabre*. It might suggest that, in order to celebrate the creative energies that the book liberates, we need to work with the grain of the text; with its images and metaphors, and to follow the circle that it traces from its own beginning to its end, which is not really an end at all, but the evocation of the possibility of “rebirth” or a rhythm that is in turn linked with the capacity of art to “surprise”- to break the bad repetition of law.

*Danse Macabre*, then, a circle or a vortex; a process and a circle dance—Robert Duncan’s ‘ring a round of roses told’ (Duncan, 2014, p. 3); a metaphor that would also link Manderson’s thinking to an idea of open field composition, Denise Levertov’s organic poetry and Lawrence’s materialist mysticism. *Danse Macabre* creates a field, of which law is part. The book, and Manderson’s work as a whole, can be seen as an ongoing re-working of jurisprudence precisely in this sense: law is no longer to be thought of as a closed system to be unlocked by jurisprudence. It is to be understood by defining and re-defining the fields in, with and through which one thinks and imagines law and its possibilities. Aesthetic jurisprudence – of which *Danse Macabre* is an exemplification- creates its field through the sensorium of the senses. *Danse Macabre* might privilege the visual, but the visual exists within the field traced by Manderson over many texts. To engage with Manderson, then, is to think in terms of what is seen, heard, felt; but it is also a rhythm or movement of thought. Unlike Critical Legal Studies, this is not trashing: it is a way of giving legal thinking “a new honesty, a new dignity and a new legitimacy’ (Manderson, 2019, p.7). What new ways can we feel, think, see and sense the law?

The thesis of this essay is that there is a theme that runs through Manderson’s work and which animates the forces at play in his work on the visual. Aesthetic jurisprudence offers the possibility of “new life”- another Lawrentian theme: “Look, we have come through.” The Lawrentian process and provocation - new life- is a peculiar rebirth. It takes us back to ourselves, to the world in which we always are: the sensorium of ourselves. *Danse Macabre* is predicated on this immersion. Being “before” is the situation of the viewer of the image, but it is also the situation of being “before” the world. It is a complex figure. One would imagine, first of all, that the world is always before us: we fall into a pre-existing world. However, we are also before the world in that the world is given to our interpretation. Interpretation, for Manderson, is sensuous. He is not the kind of thinker to evoke grand claims about the nature of reason- reason is something we are, something we do. Thinking and acting in a world which hums, buzzes, dances around us. A kind of hermeneutic circle; a circle dance. The ‘before the image’ is the condition of the interpreter ‘before the world.’

The sensorium is not simply a celebration of sense. There is the perennial risk of bad repetition. Manderson captures this in the image of the “bardo”- “a liminal place before death and afterlife.” The bardo, in this text, will be translated into the sense in which there is a perennial risk of being stuck with things (and oneself) as one is. A non-life defined by the repetition of meanings that do not change. Worlds incapable of transformation. Trapped in a bardo, a sleepwalker; as if Dante’s hell included a circle for those who never committed to anything; those whose fate is to drift and to repeat. To be “genuinely committed to ....constant renewal’ Manderson (Manderson 1997, p 6) involves work on what resists: the forms of the old that press their power against transformation.

Lawrence, again:

Are you willing to be sponged out, erased, cancelled  
made nothing?  
Are you willing be made nothing?  
dipped into oblivion (Lawrence, 1980, p.728).

What a peculiar and insistent question. Nevertheless, it is a question posed by Manderson's book. Lawrence, like Manderson, is invoking the common fate of death. For both writers, death is a fact and a metaphor. One has to die to oneself to be made new; to be transformed. Life and death. *Phoenix* is the poem of this difficulty – a text that must be read with *Danse Macabre*.

## II

Look up Des Manderson on line. His web site has a portrait rather than a photograph. Although, there are of course photographs of Professor Manderson, Des is neither the photograph nor the portrait- he is the very plurality of himself- but given the choice of self-representation, he appears as a painted image. This is entirely in keeping with the self-presentation of a thinker of aesthetics. We will take it as a clue as how to 'think with'. Thinking with Manderson opens up a process of fraction and refraction, the play of light upon surfaces, things hidden, revealed; glimpsed out of the corner of one's eye like the ghosts that manifest themselves towards the end of *Danse Macabre*.

## III

To carry forward some of these terms. Manderson is a thinker of the 'with'. If we are always before the world in the sense outlined above, then we are always thinking with the world. *Danse Macabre* is 'about' thinking 'with' images. The witness of 'with' needs to be uncovered. 'With' can be traced back to the old English *wiþ*- which carries the signification of "against." The sense of 'against' can be taken back to the Proto-Germanic *\*wiþra*, and to the Proto-Indo-European (PIE) root *\*wi*. The reconstructed meaning of this root word is "separation" - the opposite of the contemporary meaning of the word. The shift in signification can be traced to Middle English usage when the word changed its meaning entirely, and became linked with the significations of a word which is present in contemporary German *mit* ("with"). As in Heidegger's *mitdasein*. The PIE radical is *\*me* ("with") which arguably carries the same meaning as the ancient Greek word for "among, between [or] with" and can also be traced into the Sanskrit word for "together [or] at the same time" (Indo-European Language Revival Association, 2007, 2607).

This brief reconstruction of the word involves us in another circle dance. ‘With’ begins by signifying separation, and is transformed into a swarm of significations that bring together senses of connection and congruity- in both a physical and a temporal sense. We can hazard a poetic reconstruction of the sensorium of ‘with’: we are separated from the world in our condition of being with it - and we are with and amongst each other as interpreters of what we are before. To push this a little further. Arguably one can find in the spacing of with/not with - a rhythm, a beat: a sequence where units of time or stress are both ‘with’ and ‘separate’ from each other. To see Manderson as a thinker of the ‘with’- is- then to find in his arguments about the dance and being before the world a poetics of sensual being in the world.

#### IV

*Danse Macabre* is a book about images, but it is also a book about time (the dance as measure, as a design in time). Our point for the moment is to use Manderson’s notion redemptive time to work with ‘with’- to uncover levels of linguistic time that can help us to understand a form of thinking: every connection is bound up with a disconnection. Thinking the ‘with’ is thus about working with this gap, with a kind of primordial separation that allows things to be both apart and together. If thought is thought of the ‘with’- it is about something that works itself out being “between” or “among”; it is to be found in joining and separating; coupling and decoupling, association and dis-association.

#### V

Push together two magnets. Try it. What is it that you are experiencing? This is of course a physical force- a natural phenomenon. At best it’s a metaphor for what we are thinking about. But metaphors also have force for those that are given to use them.

#### VI

‘With’ separates and joins; joins and separates. Thinking ‘with’ is perhaps the ‘nature’ of thought- and it would take us to the following problematic: if every ‘with’ is a ‘not with’ then to think with (or even about) Des Manderson is to think about an almost infinite set of things joined to but separate from Des Manderson. To make this manageable, there must be a sifting or a winnowing. As the book tells us, we are always ‘before’ [‘we’ the thinking thing always with thought to the point of death; after which we can only be thought about]. The sifting must have its own appropriate way of determining the withs that are relevant to the saying of

something. To return to thesis I (above). The best way of grasping this sifting is in the image of an open field. This may strike you as a mixed metaphor. But, we need to conceive the field not as a space in land- but as a space defined by an arrangements of appropriate 'withs'. Appropriateness defined as a field will always be different- as the field itself is plastic and constantly redefined. If this stage in the argument is acceptable, then we can also elaborate a second point from thesis I. The field, the space of sifting, is a poetics. To think with 'with' is poesis. Though is a poetics: a stitching of surfaces. A stitch itself is always a peculiar punctuation of space- holes that serve to link. To stress. Poetic thinking not art as a representation of a prior 'real'- but- the creation of a real- a poem, a fiction, a picture: with which one thinks.

## VII

Thinking with Des Manderson will define an open field around a number of withs appropriate to an engagement with his thinking. It may also be the case that in so doing we come across another entirely appropriate theme for thinking with Des Manderson: thought is bound up with ethics. How? The answer will be that thought is ethical when it is a passage through- when the thinker is thinking through in an authentic way. To 'have come through' is ethical work. It suggests an ordeal or something learnt from difficulty. But it is always open to the 'with'. This is why Eliot writes scathingly about the wisdom of old men: the pattern constantly changes. To be working through is to know that what one has gained is entirely provisional. There is always the possibility of a 'with' that has not been seen or experienced; an elsewhere, someone else. Ethics, in *Danse Macabre* and in Manderson's work as a whole- is this experience of vortex or dizziness—the radically openness of ethics.

## VIII

The separation between simply being before, and taking on a responsibility for the being before that one thinks separates limbo from commitment. It is also the narrow line that separates the dead form of repetition from creative energy.

There must, then, be some force that compels an ethical responsibility. This problematic is, of course, that of Derrida's reading of Levinas. Levinas has been central to Manderson's thinking. And this is true of *Danse Macabre*. For the moment, we need to work with 'with'- the force of being before one's own responsibility for the 'with' that one asserts. The circularity here is that of a self-summoning 'force'? But it is a weak force. Why?

Because it is not the law. To work this one out, we need to deal with a jurisprudential commonplace.

The law is the law because it asserts norms that- in the most sophisticated version available- are necessary for practical reason to take the social form that it does. In other words, one follows the norms of the law not through fear of sanction, but through an internalisation of normative practice which accepts that legal norms enable the coordination of different social ends. Norms, then, have force, even if this force only becomes a violent or coercive force if absolutely necessary- in exceptional circumstances. Ethical norms may have force, but they do not, if this account is to be followed, have the force of law as they lack state sanction in the last instance.

The point of this sketch is not to rake over the ashes of jurisprudence, but, to endeavour to identify a force that is almost too weak for the instruments of conventional jurisprudence to register – as it comes from elsewhere- even if this elsewhere is very close to us.

The weak force is experienced before the image. One is interpellated by something. This is a crude way of describing a complex and dynamic experience. We need to think of the force that interrupts the mundane, that draws attention to something that one is before. To call it an ethical force is to say that- experienced in a certain way- it is not like legal normativity nor what passes in jurisprudence as ethical or moral normativity. It is a weak force in the way gravity or magnetism can be weak forces.

## IX

As Manderson tells us, we are always before the image as we are before the law. We are always, therefore, in force fields, where powerful forces can overwhelm weak force. But the weaker force can retain its hold. Ethical forces that are bound up with ‘being before’- to the extent that they can be masked, can disappear almost completely- and be overwritten by the law. There is the time of judgement; or the process and telos of law itself. But there are other ways of deciding, or, of keeping decision in abeyance. If one wants to think ‘with’, then one might enter these different modalities. But there is no reason to do so other than one’s own commitment to so doing.

## X

Levertov’s *A Solitude* must be read with *Danse Macabre* as the two texts exist in a field defined by sight, touch, ‘being with’ and ethics. The poem begins with a description of vision, of seeing. The poet is watching a blind man, whose disconnection from the world of vision is presented as a “great solitude.” To be blind is to be removed from the world. Levertov, who was a great gazer on faces, continues to look at the blind man’s face. She is sat opposite to him in a train carriage. This

drama of being with takes place in the most mundane of places: “[t]he train moves uptown, pulls in and/ pulls out of the local stops” (Levertov, 2013, p. 179).

Watching the face, she becomes aware that it is animated – and moves to the rhythm of the blindman’s thoughts: “[a] breeze I can’t feel/ crosses that face as it crosses water”. The poem traces the movement of the poet’s thought and her interpretations of the thoughts of another:

....but what are his image,  
  
 he is blind? He doesn’t care  
 that he looks strange, showing  
 his thoughts on his face like designs of light  
  
 flickering on water, for he does not know  
 what look is.  
 I see he has never seen.  
 (Levertov, 2013, p. 179)

In Manderson’s terms, Levertov’s lines enacts the ‘before’ of the interpreter. The poet before the blind man is the interpreter before the social world of others who think: who are interpreters of a shared world. The poet and the blind man are ‘with’ in the primordial sense: separate and alone- held together by the enactment of the rhythm or movement of thought. This poem is also helpful as a ‘thinking with’ Manderson’s text as it provides a fine exemplification of the thesis that being before the image is not necessarily the art image – but- the condition of those who inhabit the sensorium of the world. The lines above enact a world that can- at least potentially- be shared. The blind man is strange. But the poem is about a desire to cross a gulf, a separation, that holds in place two different worlds of sense. The desire to cross the blindman’s solitude trembles like the spaces that define the verses and allow blocks of sense to exist in a rhythmic organisation – both separate and apart- elements of a field defined by an experience that the poem performs.

The poem moves towards an encounter, a moment of contact:

When he gets out I get out.  
 ‘Can I help you towards the exit?’  
 ‘Oh, alright.’ An indifference  
 (Levertov, 2013, p. 180).

This is the moment that speech and hearing emerge in the poem. The two characters are presented as acting together. But the offer for help is met with a profound indifference. The earlier movement of thought attempting to work with the terms of another’s world is deflated: her offer of help is not met with gratitude. A celebration of something held in common was premature:

But instantly, even as he speaks,  
 even as I hear indifference, his hand

goes out, waiting for me to take it,

and now we hold hands like children  
His hand is warm and not sweaty,  
The grip firm, it feels good.

The blindman's indifference is modulated by these two verses. The grand caesura that interrupts the single long clause, split over six lines, carries forward the sense of separation and contact: indifference is replaced with something else. The sensorium is not that of sight and images, but touch- and a world of touch that evokes childhood, and then the simply, the sensual pleasure of holding another's hand. Would it be too much to suggest that this experience is again modulated into something that could be described in ethical terms?

After she parts company with the blind man, Levertov's poem continues:

Solitude  
walks with me, walks

beside me, he is not with me, he continues  
his thoughts alone. But his hand and mine  
know one another  
(Levertov, 2013, p. 180).

The solitude that was first presented as the condition of the blindman is now the condition of the observer. Solitude has nothing to do with vision, but with whatever happened in the encounter between the two of them. The encounter was based on nothing more than an offer to help; an offer that was met with indifference. This was nevertheless an action directed to an other's aid. An action that was mandated by no norm other than the sense that it was the right thing to do. Indeed, it simply emerges in the poem as such.

The weak - invisible- ethical 'norm' is actually what holds together the shape and form of the poem. For a text so concerned with the movement of thought, the decision to help must thus be analysed; as it re-appears or is mediated by the closing meditation on solitude. The blindman has become solitude. His absence has become its presence: the memory of two hands touching. But that 'two hands know one another': knowledge is in the sensuous experience of the touch. The memory of the touch is set beside the "not with"- the 'not with' informs the final lines:

He knows  
where he is going, it is nowhere, it is filled  
with presences. He says, I am  
(Levertov, 2013, p. 180).

The one so indifferent to help, 'is' in his own world: a world that is filled with as much sensuous pleasure as that of the poet.



Is there is a norm buried deep within this encounter, occasioning these transformations, these reversals of view point, this rhythm of thought?

Go back to the opening line of the poem: “A blind man. I stare at him/ ashamed, shameless. Or does he know it” (Levertov, 2013, p. 179). All along the poem was about what can be known. It is organised around the figures of looking/ seeing and looking/ being seen. The “ashamed, shameless” is the opening investigation of a consciousness that has not yet been transformed- trapped in a repetition of itself (which is nevertheless already a form of doubling, of reflexivity: shame becoming conscious of itself and transforming itself). The poem enacts the sensory knowledge of the one before the world and the other: the movement of the poem itself is an enactment of a weak ethical force, a transformation, a new life, a rhythm, a dance of thought amongst words.

## BIBLIOGRAPHY

Robert Duncan, *The Collected Later Poems and Plays* (Berkeley: University of California Press, 2014)

D. H. Lawrence, *The Complete Poems* (Harmondsworth: Penguin, 1980).

Denise Levertov, *The Complete Poems* (New York: New Directions, 2013)

Desmond Manderson, *Kangaroo Courts and the Rule of Law* (London: Routledge, 2012)

Desmond Manderson, *Danse Macabre* (Cambridge: CUP, 2019)

Proto Indo-European Etymological Dictionary (Indo-European Language Revival Association, 2007)