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Rules

Introduction

Current approaches to doing philosophy with children range from being directed at the development of specific competences, such as the original P4C approach, to ones that are less goal-oriented but still dialogical in nature,¹ to those that use activities and are not primarily focused on dialogue.² While the more goal-oriented approaches have been criticized as instrumental and antithetical to the very nature of philosophy (see Introduction), approaches that are not primarily dialogical and/or lack a specific procedural framework risk being no longer recognizable as philosophical—even in a very broad sense of the term. Rather than proposing a radically new practice, we seek to demonstrate how the original P4C approach can be repotentialized by conceiving the nature and function of rules in the community of inquiry, and by extension, the community of infancy. Using Agamben's distinction between laws and rules, we argue that the rule is a unique form of educational life that produces educational freedom within a community of infancy by freeing up language for common use, while at the same time preserving the basic structure that distinguishes P4C as a specifically philosophical practice. At stake here is affirming the importance of rules while also recognizing the uniqueness of how rules constitute a community through the use of itself (as it responds to a demand).

The Question of Rules in P4C

In traditional versions of P4C the role of the teacher is defined as follows: "It is the teacher's responsibility to assure that proper procedures are being followed. But with respect to the give-and-take of philosophical discussion, the teacher must be open to the variety of views implicit among the students."³ "Ensuring proper procedures" means that teachers regulate the dynamics of the community

of inquiry without regulating the particular content (this or that philosophical position) of the dialogue that unfolds. This is meant to avoid questions of indoctrination. The P4C facilitator is only interested in *how* students think rather than *what* they think about. One way to maintain proper procedures is through the establishment of certain rules that will ensure philosophical dialogue takes place in the community and that children are encouraged to be reasonable in their thinking and ethical toward one another. As such, rules are a fundamental feature of the P4C community of inquiry (in its many shapes and sizes). For instance, Mario Biggeri and Marina Santi argue that there are basic macro-pragmatic rules that structure the kind of discourse students ought to have in a community of inquiry.⁴ These rules include the following: encouraging participants to put forward their own views, reflecting before speaking, sharing relevant information, being motivated by reasoning, giving importance to thinking, accepting challenges, building on others' ideas, discussing alternatives, embracing self-correction, mediating differences, and taking on responsibility to participate in decision-making. Thomas Jackson likewise highlights certain philosophical rules of engagement that he refers to as "pillars" of P4C.⁵ The rules of inquiry are spelled out by Jackson in terms of questions that facilitate the cultivation of a philosophical sensitivity. These questions include "what do you mean by," "can you give a reason for," "what are your assumptions," "what are the implications of what you are saying," "can you give an example," "are there counter examples that can be made." In addition, meta-reflection is composed of criteria that the teacher presents to the group prior to beginning the inquiry and again at the end of the process. Jackson gives two sets of criteria: those focused on the dynamics of the community (was listening practiced, for instance) and the inquiry itself (did it maintain focus, stimulate interest, and so forth). In short, the rules that form the pillars of P4C include certain questions that maintain an emphasis on critical thinking and criteria that evaluate the quality of the dialogue as a whole. Finally, David Kennedy discusses rules in the context of community of inquiry practice as a particular speech situation. For young children, most learning concerns the internalization of implicit rules such as when and how to speak, what discursive patterns are acceptable, and which vocabularies are valued. Kennedy also emphasizes how there are "no fixed rules for what can or cannot be part of community of inquiry curriculum."⁶ Instead, the rules apply to the way the community operates.

As Lipman makes clear, such rules need not be spelled out and memorized by the participants in a community of inquiry. He states, "It would be well to

mention here that, in teaching thinking skills, one does not necessarily begin by teaching rules, axioms, and definitions from which the remainder of the subject is to be inferred by rigorous deduction.”⁷ Instead, when it comes to children, a more “holistic approach” should be adopted where rules are learned through the dialogue itself. This avoids problems of mechanistic application. Through the proper procedure (as facilitated by the teacher), children can become intuitively sensitive to the “look and feel of illogic”⁸ and subtly “habituated” into asking questions at the right time in the right way. And then, when a certain growth, development, or progress is achieved, Lipman concedes that the rules (already internalized) can be made explicit. Or, as in his original model, rules can be spelled out as needed through didactic teaching that momentarily interrupts the dialogue and reminds participants about proper dynamics.

As one can see, which rules are appropriate and how these rules are introduced to children to promote a philosophical disposition are key features of the proper procedure of P4C. We do not take issue with this, but we do want to highlight how emphasis is often placed on what the rules should be (hence Lipman’s exhaustive lists of criteria, fallacies, dispositions, and skills) and how they should be employed rather than on what a rule *is*. This is interesting as one of the P4C children’s novels, *Lisa*, explicitly raises the question of rules in relation to standards. Yet when it comes to a social-ontological investigation into the status of the rule in its own practice, P4C has not been so self-reflexive. In other words, there is no philosophy of the rule in P4C. Rules, in this sense, are taken for granted as unproblematic infrastructure supporting the community’s inquiry. They are, to use phenomenological language, so close and familiar to the practice that they almost disappear into the background. It is instructive that the ontology of rules is absent from the key questions highlighted in the recent handbook of philosophy for children (nor is “rule” listed in this book’s index).⁹ Yet it is our contention that rules as such (not this or that particular rule) should be pulled out of this implicit background and placed squarely in the foreground of the practice. To do so is to pose some questions to rules and how they are used in the community, including “[w]hat is a rule and how does it differ from a law?” Such a question demands philosophical reflection on the nature and function of rules in relation to communities of practice. By clarifying the idea of a rule, we hope to further open up a space for P4I within the P4C literature, as P4I pushes the logic of rules to the limit point where rules dissolve into the community (and the community into its own rules), whose ultimate form of speaking is nothing other than speaking speaking’s speakability.

Monastic Rules versus Laws

To help clarify the status of rules, we will use Agamben's discussion of the nature of rules in monastic communities (and the Franciscan monastic order, in particular) in his book *The Highest Poverty: Monastic Rules and Form-of-Life*. This turn to the monastery might seem paradoxical given the critique of education-as-sacred in contemporary educational philosophy. As argued in the last chapter, educational theorists Ivan Illich and Jan Masschelein and Maarten Simons, for example, have described institutionalized schooling as a modernized, secular church, full of rituals, sacraments, and various incantations, with the teacher acting as a "priest" looking out for the flock. The reason Agamben's depiction of monastic communities can be used in a positive/constructive way is that he sees monasticism as a form of (religious) life that is itself opposed to the institution of the church. Indeed, we might go so far as to say that for Agamben, Franciscan monasticism is a kind of *profanation* of the very idea of the sacred endorsed by the church.

What makes it so, for Agamben, is that the rules that organize monastic life are not fashioned after and do not function as laws—not only the laws of the church, but laws, or the law, in general. When Agamben uses the term "law" he means "the entire text of tradition in its regulative form."¹⁰ In other words, law refers to explicit and implicit forms of regulation that condition the lived facticity of human experience in the world. There are two dimensions to this regulation: force and signification. Force ensures that there are pressures to follow the law (these pressures might be wide as in implicit social pressures or narrow in the sense of pressures exerted by explicit, juridical laws). The law is administered from above, or from outside the community. It is therefore transcendent of the community itself, standing in judgment over the community. Such judgment might be in the name of the community or for the community's best interests, but it is not, in itself, immanent to the community—hence the need for force to ensure that the community measures up to the measure of the law. Signification means that there is content to be followed (prescriptions for normative behavior). We might think of this as the model of the law as operative in its average, everyday level. Law regulates from above (providing content to actions) and ensures that actions abide by law through threat of force.

But for Agamben, there is a legitimization crisis with the law that has become the norm within the contemporary moment. Here the law remains in force but without content. Drawing on Kafka's parable "Before the Law," Agamben highlights the paradoxical force of the law to regulate life precisely in the moment

of its radical emptiness. In other words, law becomes supremely powerful when it regulates nothing and prescribes nothing. Summarizing Kafka's insight, Agamben argues that "law is all the more pervasive for its total lack of content."¹¹ This is the "summit and root of every law."¹² The key to Agamben's analysis of the paradox of the law is that the law is at its maximal power at the precise moment in which it applies to life by not applying, when its force is *pure*, meaning formal and empty. In such instances, anything appears possible—any gesture can be turned into the occasion for a trial. This, for Agamben, marks the distinctive features of modern totalitarian states. Within a state of emergency, law and life become "indistinguishable"¹³ precisely because law is nothing more than an empty force. When the force of law merges with life, the result is abandonment of life to force, or what Agamben refers to as bare life. Agamben summarizes: "[I]nsofar as law is maintained as pure form in a state of virtual exception, it lets bare life ... subsist before it."¹⁴ Bare life is life abandoned to the force of the law and as such can be killed with impunity. Bare life is therefore subject directly to the sovereign who decides whose life is worth living.

Against this backdrop it is interesting to compare Agamben's notion of rules. For instance, Agamben claims, "The rule, whose model is the Gospel, cannot therefore have the form of law, and it is probable that the very choice of the term *regula* implied an opposition to the sphere of the legal."¹⁵ Indeed, the rule is "radically heterogeneous to institutions and law" and is an attempt to "realize a human life and practice absolutely outside the determinations of the law."¹⁶ Stated simply the difference is as follows: the law becomes indistinguishable from life insofar as it is contentless whereas rules become indistinguishable from life insofar as they merge with it through infinite self-generation and self-constitution. Laws and rules converge and diverge in the zone of indistinguishability from life, but one is from above (a sovereign decision) and the other is from below (from within the community). Rules, as exemplified in the monastic tradition, are a formulization of the implicit, preexisting practices in a community. They are, simply put, expositions of the form-of-life within a community by a community. They give form to the life *as it is being lived* within the community, and what is lived, gives life to this form. As Agamben states, "The rule is not applied to life, but produces it and at the same time is produced in it."¹⁷ The two are, in other words, indistinguishable, hence the entanglement of form and life in the formula form-of-life. The application of the law results in bare life separated from its form, whereas the entanglement and indistinguishability of rule and life result in a form-of-life without separation. We might think of rules as *content without force*. In other words, there is no commandment to follow; there is no authority

of the sovereign to proclaim a state of exception; there is no superior principle to strive to embody. Rules are not requirements that can be judged against a life but are the form-of-life that has taken a vow. While the vow itself might be contentless, the key here is that the vow opens a space for a life to emerge with its own specific content. As Agamben writes, rules are not norms to be applied to a community from the outside. In other words, “there is no place for anything like an application of the law to life”¹⁸ when one is operating within the terrain of rules. The rule neutralizes the relationship between norm and action (which results in a sovereign judgment) opting instead for the immanence of rule with life. In fact, we could argue that rules are only possible through the *deposing* of laws in the act of living a life that forms its own rule. Finally, unlike the law that, in the state of exception, appears as a necessary fact of the sovereign’s will, rules are contingent upon the life of the community. This contingency means that rules concern new uses that can emerge when laws are neutralized. In sum, Agamben argues that when rules and life enter into a zone of indifference, “they allow a third thing to appear, which the Franciscans, albeit without succeeding in defining it with precision will call ‘use.’”¹⁹ Use, in this context, refers to that which does not have a predefined function, identity, or destiny. When rule and life enter into the threshold of indifference, the possibility for *free* use is introduced into the world.

In short, we can summarize as follows:

Operative laws = force + content

Inoperative laws = force – content

Rules = content – force

Rules are a form-of-life in that they are formed within life and sustained within the life of a community without reliance on any transcendental force to ensure their operativity. They are, in this sense, purely immanent to life. The *forceless content* of the rule gives back form to life whereas the contentless force of inoperative laws takes form away from life by separating it into bare life.

The unique relationship to rules constitutes the nature of monastic communities: (1) monastic life is intrinsically communal; (2) there is a complete merging of the life of monks and their religious practice; and (3) the community is based on the maxim of poverty. The latter is especially important for the way in which rules function in the monastic community because renouncing the right to own things (individually or collectively) undermines one of the most prominent tenets and applications of the law (ownership, property)—which by itself places the community outside the law (judicial realm). Instead of

ownership *over* a community (predetermining who is included and excluded or what counts as legitimate and illegitimate participation), rules concern use of a community by itself in the act of its self-generation.

Functionality of Rules and Laws in P4C

Perhaps the problem with the traditional P4C approach is a confusion between rules and laws. We need to make a critical distinction that draws on and further develops ideas from the last chapter. It is important to return to Lipman's quote above about when to reveal the rules that children have already been taught (on an intuitive level) through dialogue. Notice that the "rules" *precede* the community and come from the outside. They are imported by the teacher who ensures a proper procedure. If the rules emerged from within the community itself, then Lipman's problem of mechanical application would not arise. Mechanical application of rules only becomes a problem when the rules are somehow beyond the community, and the community must approximate these rules. Even if rules are habituated over time through the practice itself, this does not mean that the question of the *origin* of the rules is solved. Instead, the origin is merely concealed from the children. Furthermore, Lipman emphasizes the habituation of rules so they become second nature. Sharp makes a similar claim, arguing that "in time"²⁰ children who practice P4C internalize the process of giving and expecting reasons, respecting persons as individuals, subjecting ideas to critical inquiry, etc. These rules are never questioned, they are merely internalized and then later revealed as rules (but only after they have become an indisputable feature of the identity of the community). In short, the inside of the community comes to it from the outside.

Bearing this in mind, we want to propose that *there are no rules* in traditional P4C, only laws. In P4C, there is sometimes an attempt to draw distinctions between laws and rules. For instance, Kennedy discusses procedural and speech rules that regulate the behaviors of the community of inquiry as distinct from the laws of formal and informal logic that act as the ultimate "referee" in dialogue.²¹ Yet the distinction begins to break down when we recognize that what counts as a viable procedural or speech "rule" is predicated on maintaining the laws of formal and informal logic as the ultimate referee. In this sense, the rules emerge not from the community but from the inner workings of logic itself. Or perhaps more forcefully, these laws command identification of the community with the law through the rules *it* institutes. Lipman writes, dialogue counts as dialogue

only when it is “disciplined by logic.”²² If the dialogue begins to waver from this discipline under the tutelage of logic, the Voice of the teacher can intervene in the dialogue to maintain compliance and ensure that the law is fulfilled. Another way of saying this would be that the Voice of the teacher intervenes when the disciplinary *force* of the law of logic is threatened, as evidenced through the transgression of the law’s rule. This interrelationship between law and Voice is most manifest in a moment when the function of both is in jeopardy. Case in point: Lipman’s diary entry from April 1, 1982, which was written after he facilitated a dialogue about his book *Pixie* with fourth graders. Lipman writes, “Sometimes a discussion will take off in an unexpected direction and go so well that you forget to follow up some of the more obvious leads, with the result that the discussion, for all its exhilarating quality, lacks the proper cognitive closure.”²³ The facilitator is there to ensure that the dialogue moves toward a rendezvous with its destiny (reasonableness) according to the discipline of logic. The dialogue thus is a means to achieving a definitive end that is safeguarded by the facilitator who is there to maintain a course. The P4C facilitator uses certain kinds of functional questions and makes certain kinds of interventions in order to guarantee that the laws of logic are actualized and verified in the speech of the children. Lipman’s lament recorded in the diary indicates a sense of failure. Why? Because he did not successfully embody the Voice of the teacher and as a consequence, the exchange might have been exhilarating, but it did not achieve the stature of a dialogue. Things were interesting but the proper lesson was not learned. The disciplinary force of the law of logic failed, producing aberrant speech that did not culminate in cognitive closure.

While the Voice of the facilitator might be needed to create the conditions necessary for the development of certain kinds of learners (reasonable subjects prepared for democratic citizenship, for instance), it sacrifices what is essentially philosophical about the community: the experience of infancy. To open up the possibility for the community to experiment with language—and thus experiment with philosophy in relation to a demand—we need to maintain the possibility for the community to define itself in relation to its capacity for speech (rather than to laws of logic that must discipline it). The question is how we can reconceive the way rules function in P4I, in order to reduce the juridical nature and lawful execution of the practice, while, at the same time, preserving the procedural framework that makes such experimentation possible in the first place.

Returning to Agamben’s discussion of the nature of monastic rules, we can say that what would change the juridical nature of the community of inquiry is, first of all, to think of the community as sufficient (in terms of what it already is),

namely a group of human beings that can speak, rather than needing speech to become something else. Having the community see itself as such corresponds to the monks' pledge of poverty—only that here it is a pledge of intellectual poverty: renouncing the need to know or acquire specific skills or abilities according to a law of reasonableness. Like the monastic community, it is this first step of a renunciation of the need to own things that establishes the community from its inception as operating outside of the law of education. Another way of saying this would be that P4I opens a space and time for the participants to produce the form-of-life defining their community without recourse to a power outside of itself (the force of the law of reasonableness and the content of the rules that serve as its embodiment). Rules allow the community to be whatever it cannot not be according to a demand.

Instead of laws preceding the community and inserted from the outside, rules are generated as a form-of-life that produces itself. Rules *proceed* (rather than precede) from the community. The rules are not what are to be internalized so much as what are to be formulated from the practice as it emerges and comes in contact with its own infantile potentiality (see Chapter 3). And indeed, anyone who has practiced some form of philosophical community of inquiry with children will experience the excitement of children reflecting on and continually modifying the rules of their own practice. For instance, to use an example from our own experience, students in one of our P4I sessions invented the following rule: when responding, one must raise a hand and indicate with fingers how many times one has already contributed to the dialogue. In another case, a group of students engaged in P4C through an online Zoom interface invented the rule that one can use the chat function to make meta-comments about the dialogue. This self-constitution of the community out of itself is what is *most philosophical* in the community dynamic, returning the community to its own potentiality or infancy as inseparable from the form-of-life that it takes up.

In this way, Agamben enables us to give further clarity to the quality of the “emergent structure” of the communal rules highlighted by Nadia Kennedy and David Kennedy.²⁴ Insightfully, Kennedy and Kennedy argue that the laws of logic Lipman attempted to import into the community through subtle, prolonged exposure to guided dialogue are—more or less—to be found in the everyday rules of speech within communities. These include making distinctions and comparisons, clarifying concepts, generating analogies, combining propositions into syllogisms, and so forth. What is important here is that the rules are *internal* and *constituent* of the everyday language of the participants. They are not added to the language as a disciplining force from the outside. They are, in this sense,

always already the implicit form of speaking that children adopt without any supplemental force being added. We agree with Kennedy and Kennedy that respect for the sufficiency of the community and its way of speaking is essential for sidestepping the problem of disciplinary force that one encounters with Lipman's model (and by extension, the function of the Voice of the teacher). On our reading, P4I uniquely turns attention toward these intrinsic rules as the conditions for community. Through P4I, these existing rules can themselves be spoken and thought about—not as means to another end (the promotion of a certain kind of speaking) but as pure means or pure use of the community by itself to fashion itself (thus open to revision or addition through studious play, see Chapter 3). P4I allows children to experience rules structuring their interactions as rules—as the form that their living is taking in its enactment. These are not rules that are learned. Rather, students are *exposed* to the rules of language as they are named in the course of speaking with one another.

But there are two problems here. For Kennedy and Kennedy, the rules that matter in the everyday speech of children seem to still be predicated on the laws of reasonableness (certain normative assumptions about the proper way to speak within ideal speech situations). Their list only includes rules that, in the last instance, are “legitimate” in relation to laws that transcend (and bless) them. These are the rules that matter, and they matter because logic says so! Our claim is more radical in that the rules are *whatever* they are. They need not appeal to stronger laws outside of themselves to be recognized as legitimate. Instead, the work of legitimizing rules ought to remain the focus of the community itself as it is exposed to its own rules-in-the-naming. Second, Kennedy and Kennedy seem to stop at these rules as *ends in themselves*. In other words, the goal is to reveal the rules, how they work, and in turn, how they can be used more effectively and efficiently in learning how to be reasonable, deliberative subjects. Yet for us, rules are how a community *freely uses itself* in relation to a demand (rather than in relation to a law). Or, stated differently, rules are how a demand structures itself into a form-of-life that is livable.

In using itself to form itself (through its rules), the community of infancy encounters the demand of its own infancy and through this demand, has an opportunity to contemplate its potentiality. Contemplation is not a more conscious and deliberative deployment of everyday speech rules (in order to become more reasonable or solve a problem) so much as the exposure of the potentiality experienced in the emergence of a form-of-life. Agamben writes, “[C]ontemplation does not have an object, because in the work it contemplates only its (own) potential.”²⁵ Contemplation is a putting aside content and force

and instead turns toward potentiality, infancy as such. Agamben continues, “[I]n contemplation, the work is deactivated and rendered inoperative, and in this way, restored to possibility, opened to a new possible use.”²⁶ Contemplation returns the community to that which is most basic and that which is most taken for granted: the speakability of language in its infancy (without force or content). Speakability (*that* there is language to be spoken) makes an appearance not *as* the rules (and how they ought to be employed) but rather *through* the naming of rules (and how this ultimately hits upon their ground in speakability).

Think of moments when the community of philosophers turns to itself and asks of itself “*how* are we”? In such instances, the infancy experienced in taking up and employing rules of self-formation shows itself, not as content or as force but as a question of what needs to be in place for the community to be whatever it is. This is a moment of contemplating the community’s potentiality to be a community. In P4I, this experience of contemplation is commonized. In so doing, P4I makes contemplation free in ways that Agamben does not fully take into account. Indeed, Agamben’s major figures of contemplation remain largely isolated and singular rather than communal. In communal contemplation such as P4I, there is no cognitive closure (as ensured by the Voice of the teacher). Instead, what we find is linguistic *disclosure*, or language revealing its own potentiality, which is infantile and undestined. Contemplating the infantile nature of rules creates the condition for a community that is not negative or destined so much as full of potentiality. Contemplation on this view is not a time for “gathering thoughts” but for contemplating speakability, for sensing the collective potentiality to speak without thereby saying anything except sayability itself. Participants suddenly ask, “What is it that lets you say that?” (not in relation to laws of reasonableness but in terms of the ontology of infancy and its demand). These kinds of questions are contemplative in nature, meaning that they are a thinking of speech’s speakability or communication’s communicability.

Rules ensure that the community is irreparable, meaning that it is not attempting to become something other than whatever it is. For Agamben, the irreparable is “that things are just as they are, in this or that mode, consigned without remedy to their way of being.”²⁷ The community is not striving to reach a goal beyond itself (and thus live up to the expectations of a law), but rather to experiment with its own self formation through its rules. It is important to note that such sufficiency (the community of P4I is whatever it is) is not merely an acceptance of existing qualities nor is an attempt to produce new qualities to replace the old ones. It is rather a way of *reexperiencing* old qualities (such as its implicit rules of speaking) as full of potentiality. If traditional P4C practice

needs laws (instead of rules), it is because the force of the law is what intervenes and keeps the content of the speech of the community on the right track toward a specific, predefined goal: reasonableness. We might even argue that such laws are the way in which the sanctity of speech introduced in the last chapter is operationalized, or made into a form of governmentality over speech. Yet in P4I, the core experience is not one of growth, development, or progress toward an actualization of this law in the form of increasingly reasonable speech. The core experience is rather the quality of having the capability to speak (as a potentiality) emerging from the contemplation of rules (how a community is whatever it is). Agamben summarizes, “Assuming my being-such, my manner of being, is not assuming this or that quality, this or that character, virtue or vice, wealth or poverty. My qualities and my being-thus are not qualifications of a substance (of a subject) that remains behind them and that I would truly be. I am never *this* or *that*, but always *such*, *thus*.”²⁸ To be such and thus is therefore not to claim a particular identity as a possession (“I am reasonable”) or as a goal to be obtained (“I am developing reasoning skills”), but rather to experience one’s potentiality to speak within the speech one has. Being-thus is the exposure of the potentiality to speak (and not to speak) within speech and thus maintains that speech is always open for free use. Indeed it is this free use that is *demand*ed by infancy.

Finally, it should be noted that what is being shared and held in common (not owned or possessed, only used) in this kind of community is language. Common use of language means not speaking in a particular, predetermined way, not claiming ownership over language. It is this experience of the necessity of language to be contingent that Agamben calls infancy, and it is precisely this communal experience of infancy—made possible in a community based on rules rather than laws—that repotentializes (revitalizes) the community of inquiry as a community of infancy. Rules are an essential feature of the community of inquiry (qua community of infancy), precisely because they are the manifestation of the love of the community for its freedom to define its own form of educational life (through a common use of language).

The Facilitator and Rule Formation

Of course, the space and time for this experience is carved out by the facilitator who allows a demand to manifest itself/be exposed. This intervention is not arbitrary, but rather absolutely necessary given the context of the school, wherein

a rupture must happen with the classroom norms. In other words, uttering an inoperative, parodic (comedic?) oath that silences the silence of the Voice of the teacher is needed to carve out a space and time that is noninstrumental against a highly instrumental, standardized background. As such, P4I recognizes the importance of the facilitator's gesture of suspending the operativity of the laws of learning and thereby create a space and time for the use of speech as a response to the demand of infancy.

The paradox here is interesting to note, especially in relation to Agamben's analysis of sovereignty in the political realm outlined above. For Agamben, the sovereign is the one who has the power to suspend the operativity of the law, creating a state of exception from above. In this exceptional state, life is stripped bare of its content, leaving only nude life (*zoe*). As such, the law is in force without content in a state of totalitarian excess. Connecting Agamben's notion of sovereignty with that of the Voice introduced in Chapter 1, we can argue that the sovereign creates bare life precisely because of the negativity of the Voice itself (which is always predicated on some kind of mysterious, powerful, extra-linguistic and extra-judicial power that remains unsayable). The sovereign is the one whose Voice suspends the law in order to save the law (and in the process, produces the exceptional state through which life is put at risk of abandonment). As an alternative, Agamben gestures toward Walter Benjamin's notion of the state of exception *from below*, which he describes as a real state of exception that is inaugurated by the oppressed in opposition to their oppressors. Here the state of exception does not concern domination and exploitation so much as liberation via revolutionary action as workers (for instance) leave the factory and flood into the streets to protest. Whereas the sovereign makes a decision based on the Voice (and its negativity), the masses respond to an internal demand (a necessity to constitute itself out of its own practices) and in doing so manifest the potentiality that is always already present yet not destined for this or that kind of work within the given order. One is negative (resulting in sacrifice or abandonment) and the other purely affirmative (resulting in revolution against oppression). As such, Agamben and his Benjaminian inheritances suggest that there are two kinds of exceptional states (above and below) that have very different political effects.

In the classroom, the facilitator of P4I also suspends a special law: the law of learning. This law ensures that educational outcomes can be identified in relation to growth, development, and progress and measured in relation to certain predefined outcomes. The teacher thus curses the law of learning that defines the schoolhouse. But unlike the sovereign power described by Agamben,

here the suspension opens up a space where the rules defining the content for a philosophical form-of-educational-life can emerge. This state of emergency from above provides the conditions for a break with learning pressures and regulations over life so that life can live its own livability through philosophical inquiry. This is not a state of exception called forth from below, which would place the burden on children and young adults to force a neutralization of learning's powers of control. Instead, the adult takes up this responsibility and uses his or her "sovereignty" to transform the speaking conditions in the classroom. Or perhaps better phrased, the adult teacher-as-not-a-teacher takes up this irresponsibility and uses sovereignty in a parodic, profane, comical way to open up a space and time for speaking that is not beholden to the kinds of speaking determined in advance as acceptable, reasonable, and democratic according to the law of learning. As such, P4I offers a paradoxical formulation not found in Agamben's work that can be schematized as follows:

1. The law is enforced (everyday law)
 - a. Social level: enforcement of legal duties and responsibilities as citizens
 - b. Educational level: enforcement of the law of learning through scheduled testing and evaluation
2. The enforcement of law is suspended by a sovereign decision (state of exception from above)
 - a. Social level: production of bare life (without content) as a life that can be sacrificed, excluded from a community
 - b. Educational level: abandonment of students as educational subjects through various forms of suspension²⁹
3. The enforcement of the law is suspended by the subaltern or the workers (state of exception from below)
 - a. Social level: political revolution
 - b. Educational level: student protests
4. The enforcement of the law of learning is suspended by a profane decision to expose the demand (a state of exception from above that nevertheless potentializes life from below)
 - a. Educational level (exclusively): community of infancy wherein the community is allowed to carve out a place where a form-of-life can rule itself within (yet against) the law of learning (dominant in the schoolhouse)

This means that "sovereignty" of the teacher in an educational setting is not identical to that we find in the political realm and can be turned into a *positive*

rather than purely negative foundation for a community. But this only holds true insofar as the teacher-as-not-a-teacher embodies a weak, profane, parodic, and comical form of sovereignty (a sovereignty without force when it comes to students). What is sacrificed here is not life under a law but rather a law itself (and its force) in the classroom—as that which has been deactivated and held in abeyance—so that rules *from below* can emerge to define a collective form-of-life. Holding these laws of learning in suspension means that the teacher-as-not-a-teacher does not risk abandoning the lives of those exposed to a lawless condition so much as he or she risks his or her own status as a “responsible,” “professional,” and “effective” teacher whose identity is certified by the state and its expectations for professionalism. Indeed, the teacher-as-not-a-teacher is, as previously argued, a clown that always risks such labels precisely because they simultaneously must neighbor the laws of the schoolhouse while also suspending their Voice in relation to students. Thus sovereigns, in this case, actually risk abandoning themselves, turning sovereignty into a kind of bare life (that can be punished by the law of the schoolhouse that dictates productivity, efficacy, and efficiency over the classroom and its management).

Conclusion

The move from laws to rules may seem like a relatively slight or minor shift. What makes it significant is that, from an Agambenian perspective, the monastic community (and Franciscanism in particular) represents “the attempt to realize a human life and practice absolutely outside the determinations of the law,” pointing to “the possibility of a human existence beyond the law.”³⁰ In the same way, we could say that P4C, conceived as P4I, allows us to think a radically different form-of-educational-life outside of the determinations of the law of learning (and, more generally, beyond an idea of education based on laws), that is, beyond the mere acquisition and possession of knowledge, skills, dispositions, or abilities that allow for the experience of a radical openness toward possible ways of speaking, thinking, and acting that could also be seen as a prerequisite for any kind of genuine/meaningful education. Rules are therefore necessary for an educational experience in common use. But because rules are themselves immanent to the form-of-life in the community, they can be turned into a question and, for a moment, rendered inoperative through contemplation. The result, from the outside, might appear to be educationally poor or a waste of time: a community left with nothing but its rules (always

provisional and emergent) and thus lacking the laws (of learning) that would guarantee significant cognitive closure (as Lipman so desired). Yet moments of contemplation are not an absence or deficit. Rather they can be read otherwise as experiences of reflecting on the very conditions of possibility underlying rule formation. What is left is nothing other than the community in potential, without negation or destiny, a community that is whatever it is.