TASTE

Law and the Senses
Westminster Law & Theory Lab Series

TASTE

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UNIVERSITY OF WESTMINSTER PRESS

Published by
University of Westminster Press
115 New Cavendish Street
London W1W 6UW
www.uwestminsterpress.co.uk

First published 2018

Series cover concept: Hashemi-Nezhad Ltd.

Printed in the UK by Lightning Source Ltd.
Print and digital versions typeset by Siliconchips Services Ltd.

ISBN (Paperback): 978-1-911534-32-7
ISBN (PDF): 978-1-911534-33-4
ISBN (EPUB): 978-1-911534-34-1
ISBN (Kindle): 978-1-911534-35-8

DOI: https://doi.org/10.16997/book21

Series: *Law and the Senses*
ISSN 2517-1615 (Print)
ISSN 2517-1623 (Online)

The full text of this book has been peer-reviewed to ensure high academic standards. For full review policies, see: http://www.uwestminsterpress.co.uk/site/publish/

Suggested citation:
Pavoni, A., Mandic, D., Nirta, C. and Philippopoulos-Mihalopoulos, A. 2018 *Taste.* London: University of Westminster Press. DOI: https://doi.org/10.16997/book21. License: CC-BY-NC-ND 4.0

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Introduction

Andrea Pavoni

Solus ergo gustus proprie et principaliter ad rerum naturas investigandas pre ceteris sensibus est destinatus.[1]

1. Law and the Senses

Philosophy tends to relegate senses to the realm of phenomenology and experience. By contrast, critical theory has gradually eroded the holy opposition between knowing and sensing to the extent that new speculative trends are now seeking to rebuild it. While the social sciences endeavour to frame sensing within socio-historical genealogies, scientific research draws deterministic connections

[1] From the anonymous thirteenth-century tractatus *Summa de Saporibus*, of which three copies still remain, in the Bodleian Library (Oxford), British Library (London) and Biblioteca Laurenziana (Florence). Burnett translates the quote as follows: 'only taste is ordained above all the other senses as properly and principally the investigator of the natures of things'. Charles Burnett, 'The Superiority of Taste', *Journal of the Warburg and Courtauld Institutes* 54 (1991): 230–38.

between our sensing the world and the neurophysics hardware. At the same time, planetary modifications gesturing towards the seemingly unavoidable extinction of humanity suggest 'post' human ways of sensing, with novel technologies that enable us to understand things that escape human capacity to sense, thus widening up perception to inhuman scales and temporalities. Meanwhile, capitalism relentlessly crafts our sensorial immersion into hyperaesthetic atmospheres, mirrored by art's ongoing fetishisation of site-specific sensoriality.

Law is present in all this, and with a complexity that is yet to be addressed in the current sensorial turn in legal thinking.[2] In fact, law and the senses have been mostly explored through the usual *law v. 'what escapes law'* framework, one that characterises many of the 'law *and*…' approaches (e.g. law and space, law and materiality etc.). In other words, the tendency in most cases has been that of remaining trapped within a phenomenological understanding of senses, oscillating between two sides (law vs. the senses) of an unquestioned opposition, occupying each of the sides of the partition without fully exploring its promising threshold.[3] This has generated

[2] We are not the first to deal with this. See Lionel Bently and Leo Flynn, eds, *Law and the Senses: Sensational Jurisprudence* (London: Pluto Press, 1996); Bernard J. Hibbitts, 'Coming to Our Senses: Communication and Legal Expression in Performance Cultures', *Emory Law Journal* 41, no. 4 (1992): 873–955. See also the ongoing project 'Law and the Regulation of the Senses: Explorations in Sensori-Legal Studies', coordinated by David Howes at the Centre for Sensory Studies, http://www.centreforsensorystudies.org/related-interest/law-and-the-regulation-of-the-senses-explorations-in-sensori-legal-studies.

[3] For a recent attempt in this direction see Sheryl Hamilton et al., eds., *Sensing Law* (Abingdon: Routledge, 2017).

a series of compelling but ultimately limited narratives. Namely, law is assumed to be the anaesthetic par excellence, constantly numbing the polymorphous realm of the sensorial in order to assert the rational domain of normativity. According to this narrative, the legal project is a systematic attempt to depurate law from any compromise with the sensible and its contingent imprecision. The *violence*, *coldness* and *alienation* of legal abstraction, and its systematic denial of the sensual spontaneity of life, are the de rigueur accusations against law, whose failure the critical thinker is quick to point out: senses are not amenable to legal machinations, they always escape law's cumbersome and joyless, to put it à la Spinoza, apparatus.

Hence the call to re-materialise, re-spatialise, re-sensitise law: to let law come to its senses, that is. Except that law has never been outside of senses. Its way of making sense of the world is always premised on its sensorial immersion in the world itself. This appreciation requires not only thinking law differently, but also thinking senses differently. This could open a path, we argue, towards exploring the sensoriality of law, both in the epistemological way in which law engages with, and indeed senses the world, as well as the ontological emergence of law from the sensorial continuum of the world itself. This series intends to pursue this path through four intersecting conceptual endeavours.

First, to disarticulate the sensorial from its reduction to the phenomenological, the subjective, the personal and the human dimension, a reductionism of which law is simultaneously responsible as well as in denial. Second, to dismantle the law/senses separation by widening

the fissure into a complex ontology, and thus revealing the necessary but ultimately insufficient critique to law's 'anaesthetising' enterprise. While it is undeniably an anaesthetising *project*, law is at the same time an emerging *process*, and it is the uncharted territory between the de-sensitising project of legal control and the multisensorial process of legal emergence, that we intend to explore. Third, expanding on the latter observation: to expose the role of law in keeping the law/senses dichotomy in place. Fourth, to envisage an approach to law beyond these strictures, unfolding alternative strategies and methodologies to which a law attuned to *its* senses may open up. Thinking the post-human and inhuman dimension of senses, we argue, may permit rethinking law's sensorial engagement and entanglement with the world, at the same time gesturing towards different ways to use legal abstraction, beyond their absolutisation, or dismissal.[4]

2. Taste

As no text on the subject fails to point out, in the history of philosophy from Plato to Hegel and beyond, taste (together with smell) has traditionally occupied the bottom of the sensorial hierarchy: supposedly inferior – morally, aesthetically and intellectually – to the aural and the visual (the senses of clarity, purity and reason) but also to touch, whose tactile examination of the world is

[4] For a more extended presentation of these four points, see Andrea Pavoni, 'Introduction', in *SEE*, eds. Andrea Pavoni, et al. (London: University of Westminster Press, 2018).

exempted from the alien penetration that taste and smell unavoidably implicate. No amount of *Galateo*-like normative treaties or fine dining sophistication may suffice to obliterate the closeness that taste enjoys with the animal, the corporeal, the elemental.[5] No amount of self-inflicted privation, either via religious prohibition, ascetic penitence, ethical concerns or health-obsessed *orthorexia*, may sever the visceral and overpowering relation taste entertains with pleasure.[6]

However, taste did not always endure such poor treatment. According to the Stoic Chrysippus, it was the *Gastronomy* or *Gastrology*, a poem by Archestratus, that inspired the philosophy of Epicurus. As his famous aphorism goes, 'the beginning and root of all good is the pleasure of the stomach; even wisdom and culture must be referred to this'.[7] In his doctorate dissertation, the young Marx dismissed Chrysippus' belief: it was not

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[5] Giovanni della Casa, *Galateo: Or, The Rules of Polite Behavior*, trans. M. F. Rusnak (Chicago, IL: University of Chicago Press, 2013[1558]). The normative documents on table manners that began to proliferate in middle age could be read exactly as an attempt to order the experience of eating by imposing control over the body; see Daniela Romagnoli, '"Mind Your Manners": Etiquette at the Table', in *Food. A Culinary History*, eds. Jean-Louis Flandrin and Massimo Montanari, trans. Albert Sonnenfeld (New York: Columbia University Press, 1999).

[6] From the Greek ορθο- (*ortho*, right), and όρεξις (*orexis*, appetite), refers to an obsession with eating food that is deemed 'pure' in the sense of being healthy. It has been proposed as an eating disorder. See Steven Bratman M.D. and David Knight, *Health Food Junkies: Orthorexia Nervosa – Overcoming the Obsession with Healthful Eating* (New York: Broadway Books, 2001).

[7] Athenaeus, *The Deipnosophists*, vol. 5, trans. C.B. Gulick (Cambridge: Harvard University Press, 1933), 546 [standard classicists' reference: xii, 546].

gastronomy, but rather 'the absoluteness and freedom of self-consciousness', to be the core principle of Epicurus' thought.[8] Although very fond of Epicurus' materialism, Marx was not willing to confuse it with vulgar corporeal enjoyment: the sensual pleasure of eating is a mere individual business with no place in philosophy's path towards truth.[9] The archetype of this prejudice may be located in Plato, who dismissed eating and drinking as a secondary, merely functional activity, and despised the gluttony of 'those who feast only on earthly food', whose 'insatiable lust' prevented them from having 'a taste of true pleasure'.[10] True taste is strictly *platonic*.

Medieval doctors had different ideas: amongst them, taste was held in great esteem as the principal 'investigator of the natures of things'.[11] 'Sight perceives only the properties of the surface of the object, not the whole substance', a Salernitan medical writer argued.[12] When tasting instead, we enter a deep relation with the object, absorbing and swallowing, while being at the same time penetrated by – in fact, becoming-with – the object itself. This relation of mutual trespassing was not seen positively by Hobbes,

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[8] Karl Marx, *The Difference Between the Democritean and Epicurean Philosophy of Nature*, in *Marx & Engels Collected Works Vol. 1* (Lawrence & Wishart Ltd, 1975).

[9] See Michael Symons, 'Epicurus, the Foodies' Philosopher', in *Food & Philosophy: Eat, Think and Be Merry*, eds. Fritz Allhoff and Dave Monroe (Malden: Blackwell, 2009); Nicola Perullo, *Il gusto come esperienza. Saggio di filosofia e estetica del cibo* (Bra: slow food editore, 2016).

[10] Plato, *The Republic*, trans. Benjamin Jowett (Courier Corporation, 1894).

[11] See the epigraph to this introduction.

[12] Quoted in Burnett, 'The Superiority of Taste', 233.

who conceded that human beings are governed by the law of the stomach (from *gastros*: stomach, and *nomos*: law), the reason for which they are to be subjected to the discipline and control of a sovereign reason.[13]

It was the possibility to legislate over what, when and how to eat that, according to Kant, that placed taste on a higher level than smell, the basest of the senses, insofar as the least controllable and communicable.[14] Given the complicated relation between instinctive appetite and rational control, it is no surprise that taste be the sense most closely associated with restraint, as testified by the countless food prescriptions coded in religious, ethical and health beliefs throughout history. From self-inflicted penitence, as expressed in the ascetic self-privation of food performed by mystics, saints or anorexics to punishment,[15] as conveyed by an old-fashioned British idiomatic expression for serving a prison sentence: *doing porridge*. Taste is the sole sense to have a dedicated capital vice: its denigration is simultaneously epistemological, aesthetic and ethical.

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[13] Thomas Hobbes, *Leviathan*, ed. Richard E. Flathman and David Johnston (New York: W.W. Norton, 1997), 31.

[14] Immanuel Kant, *Anthropology from a Pragmatic Point of View*, trans. Victor Lyle Dowdell (Carbondale, IL: Southern Illinois University Press, 1978).

[15] Among many, telling is the case of the Italian mystic, and anorexic, Gemma Galgani. Aware that her self-inflicted starvation would have led her to certain death, she resolved to eat just the minimum necessary to survive, but asked Jesus: 'the grace of not being able as long as I live to distinguish any taste in food anymore'. She will die nonetheless, two years later, at 25. See Gemma Galgani, 'Letter from Gemma to Father Germano C.P.', July 1901. http://www.stgemmagalgani.com/2014/03/st-gemmas-submission-to-will-of-god.html (accessed March 1, 2018).

Obviously, such treatment of taste must be framed within the prioritisation of the intellect over the senses, and of knowledge over pleasure, which founded Western philosophy since Plato, according to whom beauty is an unknowable pleasure (it cannot be rationally explained), while truth is an invisible knowledge (it cannot be accessed through the senses).[16] This is also the case when taste becomes central to eighteenth-century aesthetics' attempt to re-evaluate sensible experience. In the writings of Locke, Hume, Voltaire, Kant, Hegel, Montesquieu, the centrality that taste assumes is premised on its prior purification from material promiscuity, base instinct, visceral hedonism and appetite, by means of its translation into the disinterested pleasure of an intellectual aesthetic experience. Taste, yes, but with 'the detachment and contemplative distance of vision'.[17] The mouth, of course, but not as the orifice through which food is introduced and tasted; rather, as the acoustic mechanism through which language is materialised into words.

Yet, notwithstanding the metaphorical distanciation from its corporeal counterpart, aesthetic taste still maintained a key relation with the sensorial immediacy of gustatory taste, bound to generate several conundrums, between the (claim to) universality of the former and the (supposed) relativism of the latter, the (arguably) generalisable normativity of knowledge and the (seemingly)

[16] For a beautiful reflection on taste beginning from Plato's aesthetic fracture, see the recently republished essay by Giorgio Agamben, *Gusto* (Macerata: Quodlibet, 2015).

[17] Carolyn Korsmeyer, *Making Sense of Taste* (Ithaca, NY: Cornell University Press, 1999), 39.

spontaneous singularity of pleasure. In fact, whereas taste is evidently tied to the domain of the normative (perhaps uniquely among the senses, to taste is *always* an act of judgement), such normativity rests over a highly unstable ground, apparently lacking any higher truth to ground it: *de gustibus non disputandum est*. The empiricist solution to the impasse was provided by Hume, who conceived taste as a subjective quality to be refined through education and whose *standard* depends on a consensual agreement among 'true critics'.[18] Such an empirical generalisation, however, did not satisfy Kant's quest of universality. The philosopher of Konigsberg posited a fundamental distinction: on the one hand, the visceral subjectivity of gustatory taste, tied to self-interest, biological necessity and instinctive appetite; on the other, the disembodied and disinterested universality of aesthetic judgement, which does not depend on a shared agreement a posteriori, but on the power of reason a priori: taste is the aesthetic (common) sense that emerges out of the harmonious accord between the disinterested functioning of my mind and the purposeless power of nature.[19]

Nevertheless, Kant found it puzzling that within the word 'taste' such a contradictory couple of meanings (visceral sensation and aesthetic judgement) were simultaneously encapsulated. Likewise, he found peculiar the close etymological cohabitation between *sapor* (flavour), *sapere* (knowledge) and *sapientia* (wisdom). While these

[18] David Hume, 'Of the Standard of Taste', in *Essays Moral, Political, and Literary* (New York: Cosimo, 2006[1757]).

[19] Kant, Immanuel, *Critique of Judgement* (Cambridge, MA: Hackett Publishing, 1987 [1790]).

correspondences forced him into unconvinced and unconvincing explanations, their sense was viscerally expressed in the situation in which taste appeared to resist translation into language: disgust.[20] Disgust, by definition, defies representation. Before disgust, even the genius, the one able to turn the ugly into the beautiful through a digestive process of idealisation, is seized by revulsion, nausea and vomit. The perfect oral correlation of the Kantian 'all-consuming mouth' – which ingests and digests every bit(e) of the world spitting it out into words – tilted before the material and revolting reality of a digestive system that occurs away from the head, that is run by a gastronomy of bowels and that may turn the mouth itself into an orifice of nauseating defecation.[21] Both Kant's and Hegel's *digestive* philosophies were bound to clash with the stubborn indigestibility of the real that disgust most forcefully signalled.[22]

The 'souring of taste into nausea' summarises the parable from romantic aesthetics into existentialist bleakness, best exemplified by Sartre's character Roquentin who, before the sea, does not experience any sense of beauty but rather a nauseating, 'sweetish sickness'.[23] Disgust

[20] Kant, *Anthropology*, 144–5.

[21] Jacques Derrida, 'Economimesis', *Diacritics* 11 (1981), 3–25.

[22] According to their 'digestive philosophy', Sartre wrote, 'the spidery mind trapped things in its web, covered them with a white spit and slowly swallowed them, reducing them to its own substance'. Jean-Paul Sartre, 'Intentionality: a Fundamental Idea of Husserl's Phenomenology', in *The Phenomenology Reader*, eds. Dermot Moran and Timothy Mooney (London: Routledge, 2002).

[23] Denise Gigante, 'The Endgame of Taste: Keats, Sartre, Beckett', in *Cultures of Taste/Theories of Appetite: Eating Romanticism*, ed. Timothy Morton (New York: Palgrave Macmillan, 2004), 186. Jean-Paul Sartre, *Nausea*, trans. Lloyd Alexander (New York: New Directions, 1964), 10.

figured prominently in twentieth-century thought, as the visceral indication that rotten were the foundations of the coherent edifice of the subject (Kristeva), the meaningful scaffolding of reality (Sartre), the barrier between humans and animals (Rozin), the stable frontier separating the living and the non-living (Miller).[24] In fact, what disgust renders traumatically explicit is already contained in the more general experience of taste, of which disgust is but an extreme hue.[25]

Tempting,[26] promiscuous, dangerous, taste signals the entering into an uncertain zone of synaesthetic immersion where the boundary-making machine of the subject begins to tilt, sanctioning the three-step disintegration of the transcendental subject: the blurring of ideal, identitary and physical boundaries, the collapse of distance and the erosion of immunity. First, the violation of one's bodily unity which any act of ingestion entails: taste poses an

[24] Julia Kristeva, *Powers of Horror: An Essay on Abjection* (New York: Columbia University Press, 1982); Sartre, *Nausea*; Paul Rozin and April E. Fallon, 'A Perspective on Disgust', *Psychological Review* 94 (1987); William Ian Miller, *The Anatomy of Disgust* (Harvard, CT: Harvard University Press, 1998).

[25] Thus is what led Lévinas to gradually integrate his early reflections on the concept of nausea into a more general ontology of eating that would be the material ground of his ethics, a promising step, albeit entrapped within the sterile dialectics of the Other. See David Goldstein, 'Emmanuel Levinas and the Ontology of Eating', *Gastronomica* 10, no. 3 (2010).

[26] Taste is etymologically tied to *temptāre*, i.e. trying, guessing, tempting and being tempted, corrupting and being corrupted. The etymological kinship with the term coming from the Latin *tastāre* or *taxitāre* – i.e. touching tentatively something to guess its shape, as when blindfolded – testifies for the close relation between taste and touch, evident in the fact that in order to taste something, a contact must unavoidably occur.

immunitary threat to 'somatic integrity', invading and dismantling the physical and conceptual unity of the subject, disrupting any stable, isolated and unitary understanding of ourselves.[27] Second, the awareness of being consigned to a passivity that cannot be assumed, perfectly illustrated by Roquentin, who finds himself 'wordless' and 'defenceless' before the senseless materiality of things, that insist upon touching, penetrating and ultimately dissolving him.[28] Third, the sense of an inassimilable (indigestible) reality to which we are nonetheless released, of which we are part: each ingestion *is* indigestion. This is our *sapid knowledge*, Serres suggests:

> We were too quick to forget that homo sapiens refers to those who react to sapidity, appreciate it and seek it out, those for whom the sense of taste matters – savouring animals - before referring to judgement, intelligence or wisdom, before referring to talking man … Sensation, it used to be said, inaugurates intelligence. Here, more locally, taste institutes sapience[29]

This sapience, however, should be resolutely freed from those notions of subject, individual body and human, to which existential-phenomenological, dialectical and psychoanalytical accounts are still far too dependent. Likewise, we should avoid framing taste into what Grusin

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[27] Manabrata Guha, 'Vague Weaponizations, or The Chemistry of Para-Tactical Engagements', in *Collapse, Vol. VII: Culinary Materialism*, ed. Reza Negarestani and Robin Mackay (Falmouth: Urbanomic, 2011), 177.

[28] Sartre, *Nausea.*

[29] Michel Serres, *The Five Senses: A Philosophy of Mingled Bodies* (London: Bloomsbury Academic, 2009), 154.

terms the fallacy of 'transparent immediacy', namely the perspective that 'holds that the subject's contact with the real depends upon the erasure of the medium, which correlates and thereby obscures the relationship between subject and the world'.[30] To think of taste – or any other sense – as allowing an 'immediate' encounter with reality 'beyond' the mediation of representation, would be far too simplistic, insofar as it would be oblivious of the way in which 'our' sensorial engagement with the world is always processed through the complex entanglements in which we are immersed. This implicit presupposition – more generally, that of the senses being individually owned, and freely and spontaneously experienced – blatantly overlooks the crucial fact that it is *through* the socio-cultural-legal atmospheres in which we are immersed that senses come to be perceived as such.[31] This is not to say, however, that taste should be fully reduced to the mediation of socio-cultural interpretations, symbolic meanings or political-economical structures. Here the classic example is Bourdieu, according to whom taste is structurally tied to *habitus*, which is in turn normatively connected to class structure.[32] This argument is taken to a materialistic extreme by Harris who, reversing Lévi-Strauss' famous argument (namely, it is good to eat what

[30] Richard Grusin, 'Radical Mediation', *Critical Inquiry* 42, no. 1 (2015), 131.

[31] Andreas Philippopoulos-Mihalopoulos, 'Atmospheres of Law: Senses, Affects, Lawscapes,' *Emotion, Space and Society* 7 (2013); Matthew G. Hannah, 'Attention and the Phenomenological Politics of Landscape', *Geografiska Annaler B* 95, no. 3 (2013).

[32] Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (Abingdon: Routledge, 1984).

is first good to think) maintained that it is good to think what is first good to eat: a 'good' which he assumed as the structural result of the necessity, availability and economical functionality of a given socio-historical context.[33] Notwithstanding its value in challenging the blindness to power relations of certain romantic or phenomenological accounts, this reductionism (dominant in most of contemporary food studies) in the end entraps taste within socio-cultural and politico-economical anthropic schemes, thus remaining blind to the non-human agency that constitutes its material ecology.[34]

Unfolding such a material ecology requires crafting an understanding of taste whose complexity cannot be accommodated within the smoothness of dialectical movement; whose ontology bursts the phenomenological correlation; and whose nonhuman orientation exceeds anthropic framings. Simply put: taste has to do with the ontological fact of being-in-the-world as immersed in a co-constituted materiality: being as *tasting-the-world*. Once we take this understanding to its ontological consequences, the 'false' dichotomy between immediacy and mediation collapses: following Grusin, 'mediation' is no longer understood as 'an intermediary to the understanding of the nonhuman world' but as 'a property of

[33] Marvin Harris, *Good to Eat: Riddles of Food and Culture* (Long Grove: Waveland Press, 1998); Claude Lévi-Strauss, *The Raw and the Cooked: Mythologiques, Volume 1* (Chicago, IL: University of Chicago Press, 1983).

[34] See for instance Emma-Jayne Abbots and Anna Lavis, 'Introduction', in *Why We Eat, How We Eat: Contemporary Encounters Between Foods and Bodies*, ed. Emma-Jayne Abbots and Anna Lavis (Abingdon: Routledge, 2013).

the nonhuman world itself'.[35] 'Mediation', in other words, plays a similar role to that of 'translation' in Actor-Network Theory, or to Barad's notion of 'intra-actions', that is, the ongoing 'mattering' through which materiality organises itself into assemblages, which emerge as local 'closure' of the 'materiality continuum', in which senses and law, bodies and space, affect and concepts, come to be immanently tuned in given, historically contingent configurations.[36]

While humans do not disappear from this picture, they are drastically scaled down. In Barad's words, 'humans' do not simply assemble different apparatuses for satisfying particular knowledge projects but are themselves specific local parts of the world's ongoing reconfiguring'.[37] Likewise, the senses are emancipated from human control, they become post-human configurations, inhuman encounters: we may thus conceive taste as a material emergence, a coming together of heterogeneous parts, or an assemblage that is irreducible to phenomenological experience, although not independent from it. 'My' sensation of taste is neither illusionary nor autonomous, neither subjective nor objective, neither the originating source of taste, nor determined by external structures: 'my' tast-

[35] Grusin, 'Radical Mediation', 137.

[36] Karen Barad, *Meeting the Universe Halfway: Quantum Physics and the Entanglement of Matter and Meaning* (Durham, NC: Duke University Press, 2007); '… the establishment and maintenance of system boundaries – including those of living beings – presuppose a continuum of materiality that neither knows nor respects those boundaries'. Niklas Luhmann, *Theory of Society, Vol 1* (Stanford, CA: Stanford University Press, 2012), 54.

[37] Karen Barad, 'Posthumanist Performativity: Toward an Understanding of How Matter Comes to Matter', *Signs* 28, No. 3 (2003), 829.

ing is part of an emerging territory (Brighenti, below), a tastescape.[38]

It is most notably through eating that we can glimpse the ontological fact of being part of a materiality continuum, constantly excessive to the individual, the subject, the body, the living being and other normative separations. It is 'when one animal eats another', Bataille observed, that the excessive immanence of being (what he termed the 'divine') can be savoured.[39] Perhaps this is the profound reason for the taboo against cannibalism, on the account of its capacity to trouble the normative separations on which the anthropomorphic machine (the production of the 'human') rests: cannibalism 'result[s] in a culinarism of the human, in which the human itself becomes reduced to an object'.[40] Yet, reality *is* constitutively cannibalistic. We are reminded of Calvino's *Under the Jaguar Sun*, where a couple, after vising the temples of Palenque, sit at a restaurant, experiencing while eating 'the ecstasy of swallowing each other in turn', tasting their own being 'assimilated ceaselessly in the process of

[38] The notion of tastescape here takes inspiration from the ecological connotation suggested by Roger Haden, 'Lionizing Taste: Toward an Ecology of Contemporary Connoisseurship', in *Educated Tastes: Food, Drink and Connoisseur Culture*, ed. Jeremy Strong (Lincoln, NE: University of Nebraska Press, 2011).

[39] Georges Bataille, *Theory of Religion*, trans. R. Hurley (New York: Zone, 1989), 17. However, in a reversed anthropocentric fashion, Bataille argues that it is only the animal to be open to such immanence as 'water in water' (23), since the human must always objectivity the animal prior to eat it.

[40] Eugene Thacker, 'Spiritual Meat: Resurrection and Religious Horror in Bataille', in *Collapse, Vol. VII: Culinary Materialism*, ed. Reza Negarestani and Robin Mackay (Falmouth: Urbanomic, 2011), 475.

ingestion and digestion', their own being part of a 'universal cannibalism' in which the boundaries between their 'bodies and sopa de frijoles, huachinango a la vera cruzana, and enchiladas' disappear.[41]

By eating we enter a 'continuity of material transformations of decomposition and regeneration', fermentation, decay and putrefaction, tasting the radical excess of an 'anonymous form of life whose precise function is to dissolve, transmute, and render indistinct the same anthropic metaphysics'.[42] Any dialectic circle tilts, before a concept-less exteriority that cannot be subsumed, i.e. ingested, within an historical and meaningful narration, and by which, in turn, we are devoured.[43] Schizophrenia may follow, as in Caillos' description of the patient for whom space appears as a 'devouring force', by which is pursued, devoured and digested 'in a gigantic phagocytosis', to the point that 'he feels himself becoming space'.[44] Horror is another possibility, as described by Bataille, the horror before a life that proliferates beyond death, a life that is excessive to life itself and thus to the life-death binary on which existential-phenomenological and psychoanalytical models ultimately rely. Yet, and differently from Sartre's nausea, this disgust is not human, Thacker suggests.[45] It signals that indigestibility is not a deficiency

[41] Italo Calvino, *Under the Jaguar Sun*, trans. William Weaver (London: Penguin Books, 2009), 29.

[42] Thacker, 'Spiritual Meat', 476, 464.

[43] Ray Brassier, *Nihil Unbound: Enlightenment and Extinction* (Basingstoke: Palgrave, 2007).

[44] Roger Caillois, 'Mimicry and Legendary Psychaestenia', *October* 31 (1984[1935]), 30.

[45] Thacker, 'Spiritual Meat'.

of our digestive apparatus or a limit to our capacity to know, but a feature of the world itself.

Once we overcome the correlative deadlock of *our* in(di)gestion, we enter a 'cooking without a "cook", a generic "eating" without eaters and eaten', a *culinary continuum* 'that renders indistinct everything that an anthropic pretence to gustatory culture – the culture of taste, food, and humans relating unilaterally to nonhumans – would claim as its metaphysical privilege'.[46] Whether we avoid the temptation to interpret it as a restoration of the *grandeur* of man, this is exactly what the notion of Anthropocene ultimately conveys: a culinary continuum in which humans cook, and are cooked by, geological and economical, physical and political, material and discursive forces. Accordingly, the earth is no longer understood

> … as mother of life or receptacle of celestial rays, but as a fuzzy and synthetic region of the chemical continuum, the outcome of a local 'recipe' that enjoys no synthetic or analytical privilege over the space beyond it[47]

Taste may be therefore conceptualised as the simultaneously sensible and speculative appreciation of being matter among matter, bodies among other bodies, 'complicit with anonymous materials' in a cannibalistic immanence that radically denies any transcendent God or Law.[48] Perhaps

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[46] Ibid, 476, 473.

[47] Reza Negarestani and Robin Mackay, 'Introduction', in *Collapse, Vol. VII: Culinary Materialism*, ed. Reza Negarestani and Robin Mackay (Falmouth: Urbanomic, 2011), 30.

[48] Reza Negarestani, *Cyclonopedia*: *Complicity with Anonymous Materials* (re.press, 2008).

nowhere as in the Garden of Eden can this archetypical relation between God, Law and taste be better appreciated. In the Garden, the only law weighing over Adam and Eve was the one specifically concerning a prohibition to *eat* the forbidden fruit of knowledge. The dominant interpretation was of course metaphorical: the prohibition concerned the 'truth' which the eating of the fruit would disclose. The sensory experience of taste was transcended and anaesthetised into a metaphor of intellectual hubris or intoxication.[49] In the Bible we read: 'when the woman saw that the fruit of the tree was good for food and pleasing to the eye, and also desirable for gaining wisdom, she took some and ate it'.[50] The fruit was good to see, to taste and to think.

What if what was at stake was the prohibition of tasting *as such*? What if knowledge was not beyond, but rather directly enshrined in the experience of tasting? It would be *sapor* itself to be the *sapere* which leads to *sapientia*. What wisdom? Nothing less than the crumbling of transcendence: it wasn't God that banished the human from the Garden of Eden. Tasting the fruit for Adam and Eve was to taste the absence of God, tasting the evidence of

[49] In some Jewish and Islamic sources, Eve offers wine to Adam, and gets him drunk. See Kristen E. Kvam. Linda S. Schearing, and Valarie H. Ziegler, eds., *Eve and Adam: Jewish, Christian, and Muslim Readings on Genesis and Gender,* (Bloomington, IN: Indiana University Press, 1999). In an anonymous thirteenth-century fresco at the Plaincourault Abbey in France, the tree of knowledge is an Amanita Muscaria, a poisonous mushroom that has hallucinogenic effects.

[50] Incidentally, 'Genesis' does not mention what kind of fruit was the forbidden one. The 'Nordic' apple seems to be quite out of place for a story emerged in the Mediterranean context, and was probably popularised by the Latin (mis)translation of the Bible, given the Latin *malus* means both *evil* and *apple*.

an immanent material continuum, the immanent truth of their own materiality, in this way precipitating the collapse of the Garden itself, projecting humankind into the materiality of a world devoid of the hopes and fears of a transcendent beyond: the real 'immanence of paradise' (Masciandaro, this volume) which the hypnotising Law of God had concealed. In fact, what is the holy communion if not an attempt to reassert a transcendence out of this continuum, to make clear that the only and holy unity is that between human and god, sanctioned by the holy theophagy? Instead, the culinary continuum to which we are released by the first bite brings about the collapse of the boundary between the un-mirrored inside and the unexplorable outside, facilitating the move from an Edenic humanism to an earthly post-humanism and, beyond, to a cosmic inhumanism.

This continuum, to be sure, is not a 'flat ontology but a tilted, power-structured surface', tuned by legal, socio-cultural, economical, geological, biological and cosmic normativities.[51] Evidently we need to abandon the presupposition of law as a socio-cultural construct that is superimposed over an inert world: law is a normativity made of flesh and stones, thought and water streams, cosmic and everyday interaction, human and non-human sensing: a way in which the 'world' is organised, and one whose current socio-historical orientation is heavily shaped by the juridico-economical apparatus of the capital. How to

[51] Andreas Philippopoulos-Mihalopoulos, *Spatial Justice: Body, Lawscape, Atmosphere* (Abingdon: Routledge, 2015), 3.

reconfigure taste then, from a hedonistic experience of individual enjoyment to a magnifying gustatory lens able to grasp, to put it in Althusserian jargon, the *position* that a singular tasting event occupies within the structural complexity of food normativity? 'Is it possible', as Mackay and Negarestani ask, 'to develop the philosophical pertinence of cookery without merely appending philosophy to this burgeoning gastroculture'?[52] How could law be used as a tool in this strategy? These are the questions, among many others, that inspire the six chapters and seven *speculative recipes* that form this volume.

3. Law and Taste

Law's relentless juridification of the world (i.e. the reduction of the world into legal categories) is a digestive process through which law ingests its 'outside' (that is, what law *presupposes* as its outside) by *tasting* it, and emitting moral judgements accordingly. The 'aftertaste' can only be savoured under particular conditions, when the hyperaesthetic attack of the nouvelle cuisine has passed, and one is left with one's own judgement. Awareness of aftertaste is rare and quickly dismissed. This is law's dissimulation at work: once the sensorial is put into categories and its sense directed, the law only needs to deal with the after-effects which often appear as light post-moral sedimentation. This is of course dissimulated: law's ingestion of the world must not betray any pleasure, compromise, indulgence or indeed, remainder. Digestion is the legal mechanism of

[52] Negarestani and Mackay, 'Introduction', 3.

exception, which functions by *taking in* the chaotic, ever-escaping outside (life, world, space, etc.) and domesticating it, simultaneously *including* the outside by *excluding* its materiality. It is by reducing the world to speech, text and language that law manages to ingest the world whilst 'anaesthetising its mouth'.[53]

This is the mechanism that Nicola Masciandaro obliquely challenges in his contribution. Law, Deleuze wrote, is fundamentally premised on the definition of 'a realm of transgression where one is already guilty'.[54] No amount of compliance with its rules would suffice in removing the original guilt, and thus the infinite debt humans (and non-human alike) must face, 'to bear the burden of law's own groundlessness, of law's "own" guilt'.[55] Among the consequences of this configuration is an Edenic nostalgia for a justice that is always beyond, always *to-come*: the metaphysical hope that things 'will be otherwise' in some other transcendent 'beyond' where justice will finally occur. The corollary is the resignation about the supposedly necessary sacrifice which must be performed in the present by the hand of a binding, constraining, restraining and *bitter* law. Needless to say, the requirement to 'negatively project thinking away from the present by means of concern for the inexistent past or future' is ethically and politically atrophying, insofar as

[53] Serres, *The Five Senses,* 153.

[54] Gilles Deleuze, *Masochism. Coldness and Cruelty* (New York: Zone Books, 1991), 82–3.

[55] Thanos Zartaloudis, 'On Justice', *Law and Critique* 22, no. 2 (2011), 144.

justifying the unwillingness to deal with the world and its materiality in the here-and-now.

It is exactly law's bitter metaphysical pretence to be *separated from* and *imposed on* the world, that Masciandaro opposes with the sweet truth of immanence: *law as such is inseparable from the world*.[56] Not a subjective pleasure, this notion of sweetness is an inhuman desire inscribed within the real itself.[57] Put otherwise: 'if there is indeed bitterness, let it not be *my* bitterness'. Masciandaro urges one to 'cleanse the tongue' from both the bitterness of law's transcendence and the cloying taste of its binding (from *cloyen*: to bind, to hinder movement), so as 'to find the actual point of contact between sweetness and the law', the material-discursive continuum out of which law immanently emerges. It is through such a material continuum that the relation between law and justice can be thought anew, beyond the paradigm of guilt and the transcendent hope for a better world *beyond*. At the end of this vertiginous journey through mystical, visionary and biblical sources, a strategic suggestion thus emerges: to borrow from Agamben,

> Law is not justice but only the gate that leads to justice. To open a passage towards justice is not the elimination of law, but rather its deactivation and inoperosity – in other words, another use of law[58]

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[56] The etymological root of the word *bitter* is the Proto-Indo-European **bheid*, to split.

[57] See Brassier, *Nihil Unbound*, 67.

[58] Giorgio Agamben, *Stato di Eccezione* (Torino: Bollati Boringhieri, 2003), 83–3 (my translation).

Cleansing the tongue from imaginary constructions and ecological sentimentality, and operationalising taste as a tool to discomfort given expectations, as well as a way to encounter and know the (undesired, non-human) other: this is the objective of the Japanese Knotweed ice cream devised by Cooking Sections (Daniel Fernández Pascual and Alon Schwabe). The chapter's protagonist is the Japanese knotweed (*Fallopia japonica*), a plant that is a 'native' of Far East Asia and especially Japan. This plant is classified in UK as an *invasive* species, and currently at the centre of a moral panic campaign fuelled by media and propelled by its peculiar position vis-à-vis official normativity. This is no surprise. The weed, Deleuze and Guattari famously wrote, is 'the Nemesis of human endeavour'.[59] Referring to Mary Douglas' famous definition of *dirt* as 'matter out of place', Mabey, in his aptly titled *Weed: The Story of Outlaw Plants*, defined the weed as 'a plant in the wrong place'.[60] Useless, parasitic and thus immoral, ugly, savage, toxic: a dirty, swarming, and incomprehensible being which challenges all the ideals that make up our society, from aesthetics to morality, from utilitarianism to health.

The Japanese knotweed is no exception. Its exuberant proliferation does not respect property boundaries or, most importantly, the requirements of real estate market. On account of its supposed (and unproven) capacity to penetrate streets, foundations and walls, to the extent of

[59] Gilles Deleuze and Félix Guattari, *A Thousand Plateaus Capitalism and Schizophrenia* (London: Continuum, 2004[1980]), 20.

[60] Richard Mabey, *Weeds: The Story of Outlaw Plants: A Cultural History* (London: Profile Books, 2012), 5.

causing structural collapse of buildings in the long term, the mere presence of the knotweed is capable of plunging the market value of a property.[61] What if gastronomic interaction were to substitute for legal immunisation? What if taste were to become a way to deal with the *other*, substituting immunitary prevention with co-ingestion? Making an argument for an object-oriented cookery, Cochran has proposed an approach to cooking which would recognise non-human contingencies, materiality and agency, rather than seeking to preventively defuse them, as it occurs when the 'immediate [human] aesthetic experience' is posited as the only goal.[62] Such a cookery, Mackay and Negarestani speculate, would not have to do with the exhibitionist recombination of cultural norms, but rather with an opening and attuning to nonhuman tastes and normativities, intersecting and mapping the human-non-human entanglements, and opening up 'new routes' through them.[63]

Cooking Sections articulate such an effort, proposing 'to adapt our sense of taste to them [the knotweed] rather than the law against them'. Or, we may say, using taste as a tool whereby deactivating law's anaesthetic appropriation of the world, forcing it into a non-immunitary relation

[61] Incidentally, knotweed's current proliferation is in direct relation with urban capitalism, since it is in the post-industrial urban wastelands of the latter that the knotweed finds its perfect soil, full of the same minerals (lead, copper, iron, nickel, sulphur) 'naturally' available to her in the volcanic soil of Japan.

[62] John Cochran, 'Object-Oriented Cookery', in *Collapse, Vol. VII: Culinary Materialism*, ed. Reza Negarestani and Robin Mackay (Falmouth: Urbanomic, 2011), 307.

[63] Negarestani and Mackay, 'Introduction', 19–20.

with the worlds and its bodies. That is, as a tool to 'challenge existing normative perceptions of belonging and predetermined legalities around 'aliens', contesting the image of economical and cultural toxicity attached to the knotweed – rhetorically presented as a dangerous and illegal immigrant to be extirpated – against the real toxicity of real estate market speculation. 'If our sense of taste can adapt and make "invasive" plants palatable', Cooking Sections writes, 'our borders can also evolve and mutate into a blurry condition within a postcolonial world'. Here, as in Masciandaro's chapters, the piercing suggestion of Zartaloudis resonates:

> …what is to be assaulted is not law as an idea 'in general' but the juridical paradigm of law's relation to violence as the performing art of determining guilt and taking life through a supposedly paramount, higher, ever deferred order of Last judgment[64]

It is a subtler and yet equally strategic 'assault' that we may observe in the way the notion of taste is mobilised by the British craft cider makers, explored by Emma-Jayne Abbots in her chapter, which is a critique against the law materialised in and through the normative standards of the market, as well as in the excessively rigid legal imposition of Protected Geographical Indication (PGI) regulations. In particular, the market-oriented 'tyranny of immediacy'[65] configures cider-making as the invasively controlled process of generating a uniform, consistent

[64] Zartaloudis, 'On Justice', 144.

[65] Michel Legris, *Dionysos crucifié: Essai sur le goüt du vin à l'heure de sa production industrielle* (Paris, Editions Syllepse, 2000).

and comfortable experience of pleasure: viz. an 'artificial' sweetness – achieved through the deterritorialising use of standardised techniques, imported apples, industrial yeasts, added sugar – which expresses the industry's cloying attempt to attract younger (and arguably sweeter) palates into drinking cider. This morally reproachable (from the craft cider makers' point of view), consumer-oriented sugar-coating, ultimately erases the territory and *invisibilises* the human and non-human (apple, yeast, etc.) bodies and practices involved in the production process.

We may find a resonance here with the criticism recently emerged in the realm of so-called 'natural wine', against the wine industry and its systematic production of easy and accessible wines, by means of flattening their territorial complexity in the aim of preventing non-human contingencies from threatening the standard of consistency, assumed as paramount vis-à-vis consumer expectations.[66] In fact, Abbot notes that *inconsistency* is valued among craft cider makers as the sign of a praxis that allows for unpredictability and non-human contingencies to enter the process, acknowledging that 'the nonhuman raw materials ac[t] to produce taste as much as the human craft producer'. Paraphrasing Cochran, we may term it a sort of object oriented cider-making that, consistent to object-oriented ontology (OOO)'s dictum ('objects are always in excess of their relations'), retunes standards of cider-making and tasting by opening them to a culinary

[66] See Andrea Pavoni, 'Disenchanting Senses. Law and the Taste of the Real', in *The Routledge Research Handbook on Law & Theory,* ed. Andreas Philippopoulos-Mihalopoulos (Abingdon: Routledge, in press).

continuum, in opposition to classical hylomorphism – i.e. a position that conceives praxis as the human action of imposing a form onto an inert matter.

To be sure, this strategy is not carried out through naïve spontaneity, or a consciously anarchic refusal of norms, but rather as a willing attempt to build an alternative normative framework, through a 'dialogue with "others"', both in form of appellation protocols and agri-capitalism'. Taste is the prism through which this normativity is embodied and expressed: the sharper, at times uncomfortable flavours of the craft cider (the acid, the sour, the bitter, the dry), communicate the ontological, human-non-human entanglement that (inconsistently) produced it. The resulting 'cider tastescape' is an assemblage of practices and technologies, ideas and norms, human and non-human actors, whose complexity challenges both the standardisation of the agro-industrial systems as well as the dogmatism of commonsensical taste, and which requires learning 'to savour the agony and ecstasy of [the] textured and flavourful life' of the territory the drink embodies.[67]

In these territories, specifically referring to those of wine, Andrea Mubi Brighenti argues, 'the law can … be observed as generated immanently, in the activity and the materials it is supposed to judge'. In his chapter, Brighenti moves yet another assault to law's juridical paradigm, via

[67] The quote is from Waterman's incursion into the earthy beers of Payottenland, Tim Waterman, 'The Flavor of the Place: Eating and Drinking in Payottenland', in *Educated Tastes: Food, Drink and Connoisseur Culture*, ed. Jeremy Strong (Lincoln, NE: University of Nebraska Press, 2011), 79.

a critique of the revelatory ideology of wine tasting that informs professional sommeliers. The latter, he argues,

> conceptualise the activity of tasting as an *encounter* between a subject and an object that should be resolved in favour of the latter: what counts, in their view, is the object, and the revelation – or the appearing, the explicitation, the becoming-explicit – of its features.

This is to be done by surgically splitting the realm of subjective impressions from that of scientific objectivity, joining the analytic examination of the wine with a normative judgement that frames and evaluates the experience of taste according to a set of legal requirements. What is at stake is not 'an unstructured, idiosyncratic judgement' about a wine being good or not, but rather a sort of Kantian, 'structured, categorical judgment' assessing the compatibility of a given wine, say a Côtes du Rhône, with the relative PGI requirement.

An assumption that eventually reproduces, in more complex terms, the commonsensical understanding around which taste is usually split, between a merely personal, relativistic and subjective immediacy which is not to be disputed (what Legris has termed the paradigm of the 'narcissistic taste') and a supposedly objective field of experts emitting normative judgements.[68] Evidently, the complex intermingling of law and the senses cannot be addressed via either subjective subtraction *from* law or external imposition *of* law. As Brighenti stresses, 'not only does law operate on wine "from the outside", but there is

[68] Legris, *Dionysos.*

also a special law that is secreted by wine itself in its social life': the 'living law' of territories.

Wine tasting can neither be configured as a revelatory enterprise, nor as depending on idiosyncratic subjectivity. Drawing his own work on territoriology, Brighenti proposes to understand tasting as a territory-making, that is, a multiplicity in which multiple elements come-together in a material and evolving continuum, as 'tasting produces "modalisations" that *animate* wine at the same time as they seek to assess and evaluate it'.[69] Avoiding not only classic hylomorphism, but also the reifying tendency implicit in some of the contemporary object-oriented fetishisations, Brighenti argues that 'wine is not an object, but an expressive material that fundamentally exists in the dimension of becoming'. Against the more fashionable concept of post-humanism, Brighenti proposes to rescue the concept of animism, as a more fruitful way to bridge the chiasm between analysis and judgement, and address the internal law of the tastescape.

Bataille argued that humans can only eat what they have already objectified. Likewise, the tastescape of a wine must undergo objectification in order to be marketed. For this purpose, legal categories play a key role by ratifying and reifying given relations between a set of technical, geographical and technological requirements, which are normally translated, and betrayed, into a specific visual and linguistic device: the wine label. Nicola Perullo's chapter begins from this peculiar artefact, in order to explore

[69] Andrea Mubi Brighenti, 'On Territorology: Towards a General Science of Territory', *Theory, Culture & Society* 27, no. 1 (2010).

the complex relation between seeing and tasting, in this way drawing an ideal link with the previous instalment of the *Law and the Senses* Series: *SEE*. Wine labels may be read as enacting a peculiar form of what Day defines as 'lexeme to flavour' synaesthesia: namely, a synaesthesia in which a word evokes a specific flavour on the individual.[70] Although no neuronal cross-activation is occurring (as instead is the case with synaesthesia proper), we may nonetheless see the wine label as producing, in Perullo's words, 'a relation of mutual *correspondence* … in the postal meaning of this term: a word/image calls, the taste (cor)responds'. A relation whose strength was shown by a famous experiment, in which oenology students smelled, tasted and assessed as red a wine which in fact was white, but had been dyed to appear as red.[71] More than the wine itself, students in fact tasted its colour.

Nowhere as in the current era of food porn and *food-stagramming*, star-chefs and cooking TV show, can the short-circuit between seeing and tasting be observed. Today 'the experience of eating has become *explicitly* visual as much as gustatory,' a phenomenon which, Perullo notes, 'risks obfuscating the significance of the concrete, real and material experience of both *cooking* and *consuming* the food, in favour of its media spectacularisation'. On a sense, as today cooking is increasingly elevated to

[70] Sean A. Day, 'The Human Sensoria and a Synaesthetic Approach to Cooking', in *Collapse, Vol. VII: Culinary Materialism*, ed. Reza Negarestani and Robin Mackay (Falmouth: Urbanomic, 2011), 396.

[71] Gilles Morrot, Fréderic Brochet and Denis Dubourdieu, 'The Color of Odors', *Brain and Language 79*, no. 2 (2001).

the category of art, we may interpret the *foodstagramming* craze (brilliantly framed by Pil and Galia Kollectiv, below) as an implicit response to the famous Hegelian observation that food cannot belong to art, because of its perishability: 'we can taste only by destroying'.[72] In this sense we may see the act of taking and sharing pictures of food as a way to prolong the singularity of the event of tasting into time and space, that is, to reclaim its aesthetic relevance against its ephemerality. This however comes to the price of removing the materiality of taste altogether, in a way that is not so dissimilar from the mischievous aestheticisation of food in supermarket shelves, and that is consistent with the ongoing, individualistic detachment of taste not only from the materiality (and pleasure) of producing, preparing, and consuming food (as it is arguably often the case of the novel medicalization of food triggered by contemporary's *orthorexia,* see below), but more problematically from the socio-economical structures and power relations that make it possible. Hence Perullo's suggestion: rather than heightening cooking to the level of art, it may be the case of lowering art to the level of cooking, so as to attune to the materiality of relations, practices and bodies that lead, through time and space, to a given experience of taste.

Again, this conclusion revolves around the need to open up the culture of taste to the materiality of a tastescape. This is also the suggestion emerging from the next

[72] Georg Wilhelm Friedrich Hegel, *Aesthetics: Lectures on Fine Art*, trans. T. M. Knox (Oxford: Clarendon, 1975), 138.

chapter where, with coffee as focus of their examination, Merima Bruncevic and Philip *Almestrand* Linné understand this beverage not as 'merely a packaged, commercial, private, natural resource or a commodity', but also as a tastescape in which bodies, ideas, norms and spaces comes together into a complex ecology. That coffee is directly tied to socio-cultural spaces and practices is certainly not a novel thing. From Habermas' famous account of the emergence of a bourgeois public sphere out of the free circulation of ideas brewed in eighteenth-century European coffeehouses, to the recent recognition of the 'Turkish coffee culture and tradition' (2013) and the 'Arabic coffee, a symbol of generosity' (2015), among UNESCO's 'intangible cultural heritage'. What seems to be peculiar in these instances, however, is the stress on what is *intangible* and *symbolic* (e.g. cultures, traditions) that emerges *around* coffee: the material and agentic quality of coffee, that is, are often absent in this (anthropic) picture. Against this removal, Bruncevic and Linné turn their attention to:

> the materiality of taste, namely how taste manifests itself as a tastescape … produced through the entanglement of the stimulating and addictive taste of coffee with the sensations formed within its surrounding space

In fact, in the same sense as Negarestani describes in his visionary book *Cyclonopedia* the 'agency' of oil vis-à-vis Middle-East geopolitics, we may look at coffee as a geological 'agent' normatively organising humans and nonhumans around a series of capitalist and colonial relations via the effect of its caffeinic excitement, bitter

taste and sharp smell.[73] When it arrived in London, coffee quickly substituted ale as the drink of choice – by that time, it was more sensible to get drunk on ale than sick on the contaminated water of London – triggering, in the words of Green, 'a dawn of sobriety that laid the foundations for truly spectacular economic growth in the decades that followed as people thought clearly for the first time'.[74] Coffee would be framed as a bourgeois substance of intelligence and efficiency, against beer-induced intoxication, and the lazy aristocratic decadence symbolised by chocolate.[75] While in a short text, originally published as an appendix to Brillat-Savarin's *Physiology of Taste*, Balzac excitedly wrote that coffee 'sets ideas in movement like they were grand army battalions in the battlefield', Dolphijn notes that 'the change from alcohol to caffeine [in nineteenth-century army rations] was the first sign of a new economy of violence', not only exemplified in its colonial circuits, but also in its employment as a fuel to increase work-exploitation in coffee-fuelled factories, offices, and armies.[76] By attending at its agency and materiality, Bruncevic and Linné effectively explore the

[73] Negarestani, *Cyclonopedia*.

[74] Matthew Green, 'The Lost World of the London Coffeehouse', *The Public Domain Review*, 7 August 2013 https://publicdomainreview.org/2013/08/07/the-lost-world-of-the-london-coffeehouse/ (accessed 1 March 2018).

[75] Massimo Montanari, *Il Cibo come Cultura* (Roma: Laterza, 2007).

[76] Rick Dolphijn, 'The New Alimentary Continuum', in *Collapse, Vol. VII: Culinary Materialism*, ed. Reza Negarestani and Robin Mackay (Falmout: Urbanomic, 2011), 147; Honoré de Balzac, *Traité des excitants modernes*, appendix to Jean Anthelme Brillat-Savarin, *Physiologie du Goût* (Paris: Charpentier, 1838) http://www.bmlisieux.com/curiosa/excitant.htm (accessed 1 March 2018).

tastescape of coffee and, by 'awaken[ing] law to coffee and its taste', show how such a tastescape in fact morphs into a lawscape, in which geological, geopolitical, economical and socio-cultural normativities intersect.

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What is a recipe if not the gastro-normative artefact par excellence? A set of *how-to* instructions meant to adapt the contingency of cooking to the standard of a normative knowledge. *Recipe,* in Latin, is the imperative form: *take*, and was the introductory formula of medical prescriptions. As Flandrin explains, it was only in the seventeenth century that gastronomy proper supplanted dietetics, cooking began to be assumed as an art rather than a medical science, and the hedonism of the 'gourmet' was *liberated*.[77] Yet, the early, normative power of recipes remained in place. This had ossifying effects, Haden argues, vis-à-vis the parameters of taste, and often resulted in communicating a rationalised and standardised gastro-normativity, exemplified by the ideology of measurability and repeatability expressed in recipe cookbooks and, we may add, repeated and magnified in today's TV cooking shows.[78] Camporese has emphasised the crucial role played by a 1891 recipe book by Pellegrino Artusi, *The Science in the Kitchen and the Art of Eating Well*, in producing a national consciousness in Italy as,

[77] Jean-Louis Flandrin, 'From Dietetics to Gastronomy: The Liberation of the Gourmet', in *Food: A Culinary History*, ed. Jean-Louis Flandrin and Massimo Montanari (New York: Columbia University Press, 1999).

[78] Haden, 'Lionizing Taste'.

30 years after the unification, the country was still culturally and linguistically split among regional enclaves. A unification that, however, occurred in heavily asymmetric form. Artusi, a bourgeois from central Italy, crafted a series of recipes in which 'the politico-economical system, the social structure of his society, and the myth of bourgeois order' were carefully and paternalistically translated, along marked geographical, socio-economic and gender cleavages.[79] The seven speculative recipes gathered in the second part of this volume aims towards an opposite direction. They seek to disentangle taste, first, from its parochial entrapment into bourgeois enjoyment and, second, from their normatively atrophying ideology. No longer a mechanism that preventively defuses contingency, the recipe is thus reconfigured as a tool aimed at detecting and unfolding the contingent frictions between the experience (of taste) and the culinary continuum of bodies and structures that shape it.

We begin with Kit Poulson's recipe for an Ice Cream Sundae, an ideal complement to Cooking Sections' knotweed ice cream. This popular late nineteenth-century American recipe is, for Poulson, the opportunity to reflect on the very nature of ice cream, which he sees more as a function (of politics, art, technology and even excess) than a food in itself. Ice cream may be seen as the (glace) cherry on top of an inversed Prometheanism, the millennial attempt by the human to master the ice, to bring 'the cold to the hot'. It is in fact only with the advent of a proper socio-technological apparatus, in the

[79] Piero Camporese, *Alimentazione, Folclore, Società* (Parma: Pratiche Editrice, 1980), 117 [my translation].

nineteenth century itself, that the ice cream would abandon its status as object of elite consumption and fully become the quintessentially popular food of our time. What puzzles, Poulson argues, is the ice cream's ephemeral inconsistency, always in the process of dissolving, to the point that it could be seen as 'an abstracted action, eating without food in order to better understand eating': the self-fulfilling taste of a frozen immanence, in which notions of nutrition, necessity, and even substance, melt away into an excessive experience of surplus.

This experience could match Veblen's notion of 'conspicuous wastefulness', that he saw 'as a constraining norm selectively shaping and sustaining our sense of what is beautiful'.[80] From this observation Pil and Galia Kollectiv take inspiration for their 'Rainbow Pixels', a recipe for the perfect *foodstagramming*. In an ideal dialogue with Perullo's contribution, Pil and Galia Kollectiv reflect on the ongoing de-prioritisation of the experience of taste in favour of its visual communication: as 'the meal becomes a photo session and the plate a backdrop against which the palate becomes less important than the eye', they argue, 'Veblen's conspicuousness has been democratised'. Whereas Kant sang the glory of food only insofar as 'lubricat[ing] the wheels of free and general conversation', the removal of the materiality here appears even more drastic.[81] Both the 'material culture of cooking' and the sensorial experience of tasting, are ingested by the

[80] Thorstein Veblen, *The Theory of the Leisure Class* (Boston, MA: Houghton Mifflin, 1973[1899]), 64.

[81] Christopher Turner, 'Leftovers / Dinner with Kant. The Taste of Disgust', *Cabinet Magazine*, Issue 33 *Deception* (2009). http://cabinetmagazine.org/issues/33/turner.php (accessed 1 March 2018).

image and its visual normativity.[82] Whatever the moral judgement one may have vis-à-vis this state of things, it is worth noting the problematic correspondence between this priority of visual aesthetics over taste and that of the agro-industrial mode. From the use of aesthetically enhancing chemicals to the systematic wasting of the food that is unable to meet these standards, it is evident how agro-industrial 'conspicuous wastefulness' is a serious problem, one that the current foodstagramming seemingly contributes to obfuscate.[83]

This is a process that Amanda Couch's recipe for an ox or cow tongue obliquely challenges. In this ouroboros encounter between a human and a non-human tongue, the visual, tactile and tasting materiality of food is not avoided through digital filtering but rather fully engaged with. The tongue, the 'sentinel at the boundaries of the body' and gatekeeper of taste enters in contact with its bovine alter ego. If eating is always a being eaten, tasting always a being-tasted, insofar as entering the cannibalistic and culinary continuum of being, then it is hard to find a more explicit instance than that of simultaneously licking and being licked by this non-human tongue, directly experiencing that negation of one's subjecthood, the self-objectifying entrance 'into the realm of anonymous

[82] Montanari, *Il Cibo come Cultura*.

[83] 'the fundamental function and ploy of gastronomy and its cultural overvaluation [is] the cultural exacerbation in discourse and culture of a necessary obfuscation of our relation to food, obscuring the anonymous, objectal dimension of subjectivity to which eating exposes us'. Negarestani and Mackay, 'Introduction', 26.

organic processes', which characterises every act of eating.[84] We are reminded again of Sartre's Roquentin, whose own tongue did lose formal relation with aesthetic taste and appeared to him in its slimy and disgusting reality, protruding from the gaping monstrosity of the mouth as an unbearably alien materiality. Here this impression is magnified, as the enormous and dark tongue of the bovine is an ever more appropriate proxy for the monstrous other: not the dialectical Other, however, but the implicit Real of the violent structure of killing that unavoidably underlines any act of meat eating, and that it is conveniently abstracted as much in the aesthetics digitalisation of food, as in the soothing marketing of more or less 'sustainable' meat production.

Abjection occurs in liminal places, Couch reminds us via Bartram, and it is exactly through the liminality of skin that Trine Lyngsholm seeks to make sense of this concept. The skin of milk, a threshold between liquid and solid, is where human lips and this other cow-derivate product meet. Her recipe explores the visceral feel triggered by the taste of this surface in which the body/mind gap seems to collapse, fleetingly bridging the knowledge-sensation chiasm via the revolting awareness of incompatibility between the I and the outside: '"I" do not assimilate it', as Kristeva uttered while describing the nauseating encounter of her lips with the milk. Disgust, as the taste of a radical otherness that I try to expel but ultimately cannot

[84] Dorothée Legrand, 'Ex- Nihilo: Forming a Body Out of Nothing', in *Collapse, Vol. VII: Culinary Materialism*, ed. Reza Negarestani and Robin Mackay (Falmouth: Urbanomic, 2011), 506.

since it would be only *myself* that I would spit out.[85] As in the previous instance, also in this case the experience of disgust explores the limits of a normative system – and the inconsistency of its anthropocentric, subjective and transcending premises. Desire appears to be released from these cages, so that while *I* recoil in disgust, an inexplicable and impersonal attraction remains, an excessive, inhuman 'eroticism of disgust'.[86] How to translate this visceral feeling to the audience, however? How to communicate the very collapse of communication that abjection triggers by throwing us into 'a place where meaning collapses' (Kristeva)?

How to discomfort taste by releasing an inhuman desire (a desire released from subjective enjoyment) through which relating taste to its conditions of production, distribution and consumption? These seem to be among the implicit questions informing Lyngsholm's and Couch's experiments, and also Nora Silva's recipe for a Mexican chilli salsa. Here, the violence of financial capitalism engrained within agro-industrial system is expressed via a performative engagement with an as much ferocious preparation and consumption. The salsa 'must be acidic and sour, brutally spicy, violent on the palate – Silva explains – the process of cooking must also reflect agitation: we smash, we break, we chop'. In a beautiful essay, Gigante interprets Beckett's *Molloy* and his notorious penchant for sucking stones to resist hunger, as an ironical attack to the romantic pretence to separate the appetite-driven

[85] Kristeva, *Powers of Horror,* 3.
[86] Aurel Kolnai, *On Disgust* (Chicago, IL: Open Court, 2004).

bodily enjoyment from the disinterest of aesthetic pleasure.[87] In a sense, what Molloy absurdly expresses is nothing but the insipidness of disinterest. To taste requires to take part, to be partial, interested, involved and, at times, in danger. We may read in this light Silva's own reference to Molloy as representing the modern consumer: the one that is engaged in a world whose violence is unwilling and unable to experience, that is, to taste – exactly because, to follow Jameson, peculiar to modernity is the severing of experience from its structural conditions of possibility.[88] Silva's recipe materialises this very violence, via a vigorous performance that, by removing safe distance, makes explicit the reality that normally remains hidden behind polished culinary practice.

From extreme sourness and acidity we then move to extreme sweetness in Mariana Meneses' recipe that, taking inspiration from the work of the artist Ana Prvacki, looks at the Serbian tradition of offering a spoonful of slatko (very sweet strawberry jam) to welcome the guest. Again we are in a threshold, tenuously oscillating between welcoming and fearing, trust and suspicion, embrace and entrapment. There is a thin line between the seemingly disinterested sweet pleasure the guest is offered, and the cloying bound they may be entangled with. A veritable liminal ritual, we may see the slatko as a sugar-coating of sorts, with the precise purpose to neutralise the potential for conflict that always inhabits the crossing of boundaries. It is in a sense

[87] Gigante, 'The Endgame of Taste'.

[88] Fredric Jameson. 'Modernism and Imperialism', in *The Modernist Papers* (London: Verso, 2007).

a sweet trick (tricksters, after all, are the threshold deities, from the Greek *Hermes* to the Nigerian *Exú*) that through the sensorial innocence of sweetness enacts a normative re-structuring of power relations, based on a set of mutual expectations – a 'symbolic anthropophagy' (Derrida) in which socio-cultural codes are mutually eaten into a cloying embrace that eventually leaves a 'bitter-sweet aftertaste'.

The conclusion is left to Jonathan Bywater's 'Menu Turistico', based on a text composed to accompany a dinner/exhibition curated by Jennifer Teets, held in Rome and titled, with a nod to Athanasius Kircher, *the world is bound in secret knots*. In fact, in this delicate narration of an ancient Roman meal, from the antipasto to the dessert, the themes that traverse this volume reappear, implicitly processed, confounded, and bound by the panoply of courses, reflections, 'unattributed sources', inviting the reader to a hypnotic sequence which, very appropriately, brings the volume to an end.

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The Sweetness (of the Law)

Nicola Masciandaro

> The perennial spring of imperishable sweetness is within everyone.
>
> Meher Baba

This essay attempts an intellectual attack upon everything in us that rises in revolt against this statement, against all that would dismiss out of hand the reality of its truth and confine its meaning to the realm of sentimental metaphysics. Likewise, it stands in defense of everything that already feels and knows this statement's correctness, not as concept, but as immanent fact: *the universal fact of essential sweetness*. I will pursue this two-fold aim by investigating the relation between sweetness and the law, because it is precisely via a stimulation and vexation of our sense of law that the statement of the universal fact of essential sweetness impresses us. The inversive and profoundly intimate link between these terms is found in the bitter waters of Marah (Exodus 15: 25), which I will interpret in light of medieval mystical ideas about

the immanence of paradise in order to argue for the universal ontological *illegality* of worry. At the still point or moment of identity that forms the crux of the law/sweetness relation, is found the highest anagogical sense of law, the impossible yet inevitable taste of eternal justice.[1]

1. Upside Down Sweetness

The sense of law, which always bifurcates between the ethical and ontological poles of law's idea, between law as what ought to be and law as what is, is the intimate term of our simultaneous intuition of and resistance to this fact of sweetness, the substance of the taste of its inevitable impossibility. Consider how, in hearing of it, one is legitimately caught in conundrums of thinking that such sweetness should be, yet is not and/or that such sweetness

[1] I would like to thank the reviewers of this essay, whose comments have clarified for me both the strength and the weakness of its methodology. My interpretation of the relation between sweetness and law proceeds by categorically affirming a principle and then exploring its conceptual field in a rather spontaneous manner, rather than by crafting its idea via critical consensus and contextual justification. Overall, the argument pursued is closer to poetic exegesis than academic criticism, one that aims to produce something new out of the texts, rather than account for them as such. Such an approach is legitimated by the intuitive/counter-intuitive nature of the law-sweetness equation, which if we are to take it seriously demands leaping beyond its facile senses, going beyond metaphor. Hence the commitment to identify sweetness as absolute imperative, a pure command of law, to grasp the truth of it as something that simply compels itself and against which argument, however instructive, is essentially irrelevant. In short, my wager is that this fundamentalist stance is redeemed, saved from dogmatism, by the openness of its own play. Should the reader remain unconvinced as to the essential illegality of worry, I trust that the renewed sense of its justification thus produced will be worth the failure.

is, yet cannot be. The statement of this sweetness brings law into negative relief, shadowing law forth as the inversion or negative transposition of sweetness, a category at once depending upon and contradicting it in all respects. Because there is real sweetness, there is law—because there is law, there is no real sweetness. Like other transcendent/immanent dyads, sweetness and law appear as *joined* by an impossibility of being the same, oppositionally fastened together around an infinitesimal point – the still moment of inversion – where they are impossibly one (the gate to paradise).

This inversive relation between law and sweetness is generically intelligible in connection with the classical triad of truth, goodness, and beauty. Where law is all about regulating the distinctions between the true, the good and the beautiful – a regulation that modernity pursues to the point of aporia, consigning these principles to separate domains – sweetness occupies their indistinction, the place of affective yet absolutely real movement wherein truth, goodness and beauty are synthesised in delight.[2] Sweetness in this ancient sense is rooted in the intuition of the immanence of perfection, in our idea of an existent and realisable truth wherein law *is* without persuasion or restraint, that is, without law as such, an eternally free enclosure where law is escaped through itself.[3] In the

[2] See K. N. Llewellyn, 'On the Good, the True, the Beautiful, in Law,' *Chicago Law Review* 9 (1941/2): 224–65. Llewellyn speaks of the 'sweetness of [law's] effect' (249) as a 'knitting' or synthesis of these 'three great ultimates' (247).

[3] 'The sweetness of the law [*dharma*] exceeds all sweetness; the delight in the law exceeds all delights' (*Dhammapada*, ed. Max Müller [Oxford: Clarendon, 1881], XXIV.354). 'I am also the sweet [*punya*]

context of modern philosophy, such intuition is exemplified by Schopenhauer's non-dualist theory of eternal justice, according to which, owing to 'the unity and identity of will in all its phenomena,' law is meta-temporally and always already accomplished both generally and individually: 'in all that befalls [every being], indeed can ever befall it, justice is always done to it … the world itself is the court of justice.'[4] And in the mystical tradition that especially informs my investigation, this state is exemplified by the 'sweet country' described by Marguerite Porete as that in which 'the Soul is above the Law / Not contrary to the law.'[5]

Not seeking to discursively produce or prove this perfect sweetness *from* or *for* something other than it, the method of what follows is instead to penetrate its truth as axiomatic and proceed *inside* the position that all counter-arguments only affirm it, to stay on *this side* of sweetness as the only one. Thus I follow the *inversely* logical method whereby Pierre Sogol discovers earth's ultimate alp in René Daumal's *Mt. Analogue*: 'assuming the

fragrance in the earth; I am the brilliance in the fire, and the life in all beings' (*Bhagavad Gita*, *with the Commentary of Sankaracarya*, trans. Swami Gambhirananda [Calcutta: Advaita Ashrama, 1991], 7.9). 'O taste and see that the lord is sweet' (Psalms 33:9, Vulgate). '[T]he ordinances of the Lord are true, and righteous altogether . . . sweeter also than honey and drippings of the honeycomb' (Psalms 19:9–10). Biblical citations, unless otherwise noted, are from *The New Oxford Annotated Bible* (New York: Oxford University Press, 1977).

[4] Arthur Schopenhauer, *The World as Will and Presentation*, trans. Richard E. Aquila and David Carus, 2 vols. (New York: Pearson, 2008–11), I.409–415, §63–4.

[5] Marguerite Porete, *The Mirror of Simple Souls*, trans. Ellen L. Babinsky (New York: Paulist, 1993), 142, 196.

problem solved and deducing from this solution all the consequences that flow logically from it.'[6] Like the ur-mountain of this perfectly unfinished novel, a mountain that analogically *must* exist and be accessible precisely through the earthly 'ring of curvature' whereby 'everything takes place *as if* [it] did not exist',[7] the universal fact of essential sweetness represents an ultimate sweetness that is analogically evident and accessible exactly through its seeming inexistence, the essential form of which is the fact of law. That there is law is the general index, not of a deficiency, but of the invisible yet accessible supreme *excess* of sweetness in the world.[8] Correlatively, that there is sweetness is a property of the highest and profoundest law, a paradisical or supremely enclosing sweetness-beyond-sweetness identical with love as the ultimate rule of things, the inexorable principle which binds and attracts the law-governed finite universe to its beyond, curving like inescapable gravity all laws around the whim of the lawless Infinite.[9]

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[6] René Daumal, *Mt. Analogue: A Tale of Non-Euclidean and Symbolically Authentic Mountaineering Adventures*, trans. Carol Cosman (New York: Overlook Press, 2004), 56.

[7] Ibid., 54.

[8] This excess is shadowed in the bittersweetness of sin and taboo, for example, in the legendary sweetness of human flesh (see Karl Steel, How Delicious We Must Be,' in *How to Make a Human: Animals & Violence in the Middle Ages* [Columbus, OH: Ohio State University Press, 2011], 118–35) and the lust of Myrrha (lit. 'bitter') for her father: 'he kisses her. She takes too much delight / in this' (Ovid, *Metamorphoses*, trans. Allen Mandelbaum [San Diego, CA: Harcourt, 1993], 340).

[9] In a similar fashion, Hegel identifies universal *attraction* as the summit of law, that which binds together and 'transcends law as such' (G. W. F. Hegel, *The Phenomenology of Mind*, trans. J. B. Baillie

From this perspective, as per Agamben's understanding of the inverse intimacy of the divine and the profane,[10] it is precisely the felt absence of justice in the world that shadows forth the fact of eternal or infinite justice – a fact hiding nowhere save in our ignorance of the nothingness of experience, of world as we know it: 'all experience is in "nothing". There is no suffering. When I say this, you grouse. Since you do not know the law of nothingness, you think there is nothing like justice.'[11] Just as the proverbially 'sweet' satisfaction we feel in seeing a causer of suffering proportionally suffer is, as Schopenhauer explains, really a material distortion of eternal justice, a sensing of its immanence 'misunderstood and falsified'

[New York: Dover, 2003], 86). The overall vision I intend to evoke in this essay is of the universe as an infinitely systematical order of laws within laws grounded in the eternal spontaneous Reality: 'The mystery of the universe is hierarchic in structure … The spiritual panorama of the universe reveals itself as a gradient with laws upon laws. Superimposition of one type of law over the other implies elasticity and resilience of lower laws for the working out of higher superseding laws' (Meher Baba, *Beams from Meher Baba on the Spiritual Panorama* [San Francisco, CA: Sufism Reoriented, 1958], 33). The identity of divinity and reality coincides, at the summit of existence, with the identity of freedom and necessity: 'Here there is no longer any way because for the just man there is no law, he is a law unto himself' (John of the Cross, *Collected Works*, trans. Kieran Kavanagh and Otilio Rodriguez [Washington: Institute of Carmelite Publications, 1991], 111, from the top of the drawing of Mt. Carmel).

[10] 'The world—insofar as it is absolutely, irreparably profane—is God … The proposition that God is not revealed *in* the world could also be expressed by the following statement: What is properly divine is that the world does not reveal God' (Giorgio Agamben, *The Coming Community*, trans. Michael Hardt [Minneapolis, ME: University of Minnesota Press, 1993], 89–90).

[11] Meher Baba, *God to Man and Man to God*, Chapter 33.

by separative identity or consciousness 'caught up in the *principium individuationis*'[12] so our general sense that there is no real justice, that things are not governed by the strictest and most supreme moral laws, is really a willfully unconscious twisting of the sense that they are, an identitarian or self-dramatising sophistry that perverts an overwhelming universal truth into a wieldable albeit self-mangling personal weapon. The sense of injustice, inseparably bound to its own saccharine delight, is a photographic negative of the real, incomprehensible sweetness of eternal justice. As usual, our pattern of thinking, hypnotically curved within the confined interests of its finite *cogito*, confesses the inadmissible and radically immanent fact of the matter in inverse form.

The fraudulent correlational condition proceeds thus: inwardly I sense and intuit—via law of cause and effect, awareness that 'every disorder of the soul is its own punishment,'[13] etc.—that there is justice … and *I am afraid*, for my*self*. A fear of which the only way out is instantly to install myself as arbiter, as judge of whether there is justice in the world or no. This fear, at its root, is not a calculative fear *of* anything, not a fear of any narratable, self-perpetuating implications of eternal justice. It is not a fear *for* me. Rather it is absolute auto-ontological fear, a fear that I *per se* am wrong, a direct perception of the wrongness *that* I am for which nothing, neither God nor base materiality,

[12] *World as Will and Presentation*, I.416, §64.

[13] Augustine, *Confessions*, trans. F. J. Sheed (Indianapolis: Hackett, 2006), I.12.19.

nothing other than myself itself, is to blame.[14] A fear identical to my fear of fear, a problem identical to my problem with problems. Analogous to the terrors of boredom and silence, wherein one faces the horror of being no one, the *putative* vacuum of not being oneself, this fear is of a piece with the direct perception that *you* – the so-and-so you 'know' yourself as – cannot survive (and has never properly existed within) the strict lawful order of the vast cosmos-machine. As the *Dies Irae* tradition demonstrates, the infinitely systematic universe, the self-recording book 'in quo totum continetur' [in which all is contained], is fundamentally terrifying to the 'self', which constitutively cannot face or afford the prospect of its absolute perforation by omniscience.[15] Vision of the totality in which everything is always already worked out makes *personal* free will impossible. This is why, in order to be someone, one must: (i) worry, or negatively project thinking away from the present by means of concern for the inexistent past or future; and (ii) consider oneself as a mysterious *mixture* of good and bad, an obscure combination of virtue and vice, truth and falsehood. Where the first keeps oneself a special kind of thing, a person, the second keeps oneself a special kind of authority, a criminal-judge or victim-avenger virtually capable of making and breaking law. Enslaved to these two rules or strictures of selfhood, one enjoys the illusory freedom of

[14] 'Every individual discomfort leads back, ultimately, to a cosmogonic discomfort, each of our sensations expiating that crime of the primordial sensation, by which Being crept out of somewhere' (E. M. Cioran, *The Trouble with Being Born*, trans. Richard Howard [New York: Ceaver, 1973], 16).

[15] See Eugene Thacker, 'Day of Wrath,' *Glossator* 6 (2012): 89–120.

an entity existing in the margin of law in its double sense, orbiting within an elliptical projection that is always at once in touch with and apart from what is and what should be. Such is the weird transgression lying at the core of the cry for justice, from the slightest critical remark to the most monumental collective wailing, the pure evil – a kind of inverse auto-murder – of refusing the sweetness of being 'neither oneself nor someone else'[16] and choosing the bitterness of not permitting 'the day's own trouble [to] be sufficient for the day' (Matthew 6:34). Such is the torment of a domain where nothing escapes personalisation, i.e. hell: the sheer *identity* of not seeing God and being oneself forever.

That this is at once immense good news and precisely what *you* do not want to hear on this subject is exactly the point. As Porete warns her readers at the opening of the *Mirror*, 'I pray you by love, says Love, that you hear me through great effort of the subtle intellect within you and through great diligence, for otherwise all those who hear it will grasp it badly.'[17] Accordingly, just as it is the mystic's antinomian claim of the radical immanence of paradise that elicits her judicial execution for heresy – a murder that decides, in the name of law, the fallenness of this world – so will I directly rank all that refuses the universal fact of essential sweetness under the heading of the human *hatred of paradise*. This hatred, which by definition is hardly admissible as hatred, is what one shares with Milton's Satan and Dante's infernally sullen denizens. It is simply the covert privative will of narrow

[16] Pseudo-Dionysius, *The Complete Works*, 137.
[17] Marguerite Porete, *Mirror of Simple Souls*, 80.

self-love that lies within your desire *not* to exit ourselves – 'Which way I fly is Hell; myself am Hell' (*Paradise Lost* IV.75) – and to remain 'tristi … ne l'aere dolce che dal sol s'allegra' (*Inferno* VII.121–2) [sad … in the sweet air that is gladdened by the sun]. Among its main symptoms is the weird assumption that justice might be satisfied in a world that ought to be otherwise.

Loving to mask itself with nostalgia for Eden and/or hope for a better tomorrow, the hatred of paradise is marked by hypocritical fidelity to the law, a pseudo-faith which believes in and worships law as both cause and remedy of the world's non-paradisical nature. The hatred of paradise says that law has poisoned the world and will make it sweet again (whether by law's creation, preservation, or destruction), that the problem and the solution resides with law. Neither keeping nor abandoning the law, the hatred of paradise feeds on law as a dead power, a rotting lion-carcass out of which flows the false honey of its own bitterness, the insufficiency of its semi-sweet life. The common, naturalised force of this hatred is evident in our too-easy sympathy with the speaker of William Blake's 'Garden of Love' from the *Songs of Experience*:

> And the gates of this Chapel were shut,
> And Thou shalt not. writ over the door;
> So I turn'd to the Garden of Love,
> That so many sweet flowers bore.[18]

This moment of reversion is emblematic of the operative opposition between law and sweetness in the world,

[18] William Blake, *Complete Poetry & Prose*, ed. David V. Erdman (New York: Doubleday, 1988), 26.

an environment wherein the negativity of proscription is inevitably experienced as precluding the positivity of enjoyment and freedom, and vice-versa. The law-inscribed institution, rather than preserving and securing the site of originary pleasure, the garden 'where I used to play on the green,' not only occupies it, but turns the very garden into the infected space of law's *outside*:

> And I saw it was filled with graves,
> And tomb-stones where flowers should be:
> And Priests in black gowns, were walking their rounds,
> And binding with briars, my joys & desires.

Whence the deeper meaning of the final line, namely, that not only is delight restricted, externally governed by legal bindings, but that joy and desire are themselves bound, restricted in their very form. This is a world where sweetness lacks itself, is without true savour, being delimited from within by having become the intimate exterior of proscription, the *thou shalt not*, irrespective of what is negated. Sweetness in such a world is unsavoury because the good to which it is proper, in being translated into law and consequently confused via the negativity of proscription with the evil it exempts, has been made the subject of *justification*, from which goodness is essentially or naturally free and has no need of whatsoever. Only evil needs to justify and explain itself – first to itself and secondarily to everything else. Justification is in fact evil's principal preoccupation and anxiety, its chief *busyness*.[19] So the last

[19] Here the precise evil of worry is also revealed, namely, that worry always operates as a *justification* for not being happy, as performance of a putative *right* to misery. Saint Francis rebukes a gloomy

thing one ought to do is sympathise with the 'innocent' speaker of Blake's poem in a manner that justifies his disappointment as our own, that feels *sorry* for him as fellow dissatisfied subject and voluptuous victim of the law. To do so is paradisically *illegal*. Note how the verses rather hint against the error of falling for such a fallen identity of desire. Sweetness in this realm is only referenced as a former property of the garden, properly attracting us to understand it as synthesised *per se* by the structure of Edenic nostalgia, as if the decalogic door of the chapel is the actual ground from which the 'sweet flowers' inexistently grow. No, this all-too-experienced poem is not a true account of the way things really are, but a playing out of the bitter experiential self-deception inherent to all attempts to return to a garden that *was* (or will be), to find delight in what *is not*, in the place 'Where I used to play on the green.' The truth of the Garden of Love is one that Blake realised and knows very clearly, namely, that the source of sweetness resides within, in the sheer spiritual freedom of the one who elects *not* to bind itself to desire, 'he who kisses a joy as it flies.'[20]

Overcoming or renouncing the hatred of paradise demands abandoning belief in and becoming heretic to sweetness in this failed, self-lacking sense, cleansing the tongue of this too-familiar, diurnal taste of the impossibility

companion thus: 'Why do you outwardly show your sadness and sorrow over your offenses? This sadness is a matter between you and God' (*Francis of Assisi: Early Documents*, eds. Regis J. Armstrong, J. A. Wayne Hellmann, and William J. Short, 3 vols. [New York: New City Press, 1999], III.342–3).

[20] Blake, *Complete Poetry & Prose*, 'Eternity,' 470.

of authentic, unitary enjoyment, the sugary aftertaste of our assumed fall into or away from law. It means openness to the horror of all that this hatred fears: the finding of a real source of imperishable sweetness immanent to everything that infinitely exceeds *me*, namely, the so-and-so who lives according to the illusory right of telling Reality what it should be like and do. The opportunity of tasting real sweetness asks that one pass through exposure to the perfect *terror of paradise* or sweetness-in-the-last-instance whose ordinary ethical form is the enactment of the absolute illegitimacy of worry, one's intellectual slavery to the pernicious pseudo-intuition that something (else) is always wrong with things. Correlatively, the current cultural form of the hatred of paradise, as Max Weber's famous analysis shows, is capitalism (*business*, from Old English *bisignes*: anxiety, concern, uneasiness, worry). Similarly, every ideological or identitarian process of law necessarily operates within, as its very condition, the obfuscation, falsification and elision of this ultimate fact of the sweetness. For this reason, erasure of the hatred of paradise is not ordered per se toward sweetness-production, though it may (or may not) release sweetness. The erasure is not to be realised in the style of founding external sources or institutions of sweetness, such as socially produced affective spectacles of sweetness-affirmation or returns to religion or philosophy or humanism as earthly gardens of spiritual law. To abandon the hatred of paradise means simply to live one's own life spontaneously in the *dolce stil nuovo* [sweet new style] of discriminating the infinite difference between true and false sweetness. Bataille is most right – 'Woe to those who, to the very end, insist on regulating the movement that exceeds

them with the narrow mind of the mechanic who changes a tire'[21] – because there are *higher* laws. And this is exactly what the common evocation of love as the highest law – 'Quis legem det amantibus? Maior lex amor est sibi' [Who can give law to lovers? A greater law is love to itself][22] – sentimentally forgets, that love is *law*. 'Woe unto them that put bitter for sweet and sweet for bitter!' (Isaiah 5:20).

The form of law necessitated by the universal fact of essential sweetness is *ordinary* law in François Laruelle's sense of ethics returned 'from the heavens and the earth back towards its real base which is man's immanence.'[23] Ordinary law is paradisical law in the sense of law in touch with and grounded in law's own interior beyondness or universality, law on the cosmic continuum of laws. Ordinary law is real law in the sense of the tightest possible binding together of law's two senses (what is and what should be), a binding that paradoxically intensifies and immanentises the gap between them, opening it as the narrowest gate of paradise. Ordinary law is the sweetest law – 'my yoke is easy [*chrestos*; *suave*] and my burden is light' (Matthew 11:30) – because it is the law you think the most bitter, the one whose perennial sign is in one stroke to hit you where you live and demand from you the courage to really have, without the alienation of ascribing to it, a moral code that is truly one's own. The law of ordi-

[21] Georges Bataille, *The Accursed Share*, trans. Robert Hurley, 2 vols. (Brooklyn, NY: Zone, 1991), I.26.

[22] Boethius, *Consolation of Philosophy*, trans. S. J. Tester (Cambridge, MA: Harvard University Press, 1973), III.m12.47–8.

[23] François Laruelle, 'The Concept of an Ordinary Ethics Founded in Man,' trans. Taylor Adkins (www.univocalpublishing.com).

nary law is nothing less or more than rigorously personal impersonal responsibility for guarding with one's life the secret beyond-within of law itself, the sweet pure sense of infinitesimal difference according to which it has been written that 'between Nirvana and the world there is not the slightest difference,' that in Paradise – the good thief's *today* (Luke 23:43) – 'everything will be as it is now, just a little different.'[24] With this purposeless end in mind, the remainder of this essay attempts to extract exegetically a maximum sweetness (of the law) from one of law's more bitter founding moments.

2. The Taste of Law

The disjunctive relation between sweetness and law is evident in the general discursive separation of these categories. That this is a significant rather than accidental separation is suggested by the general concept of the 'bitterness' of the law,[25] which implies preclusion against thinking law as sweet. Yet that is exactly what understanding the concept of law's bitterness will demand. The trope may be traced back to the waters of Marah (lit. *bitterness*) which Moses sweetens through the addition of a tree shown to him by the Lord (Exodus 15: 25). Christian commentators on the text emphasised the law's bitterness by interpreting the waters in fulfillment of the parallel

[24] Agamben, *The Coming Community*, 52, citing Nagarjuna and Ernst Bloch (citing Walter Benjamin citing Gershom Scholem citing a well-known Hasidic parable), respectively.

[25] For example: 'We have strict statutes and most biting laws' (William Shakespeare, *Measure for Measure*, 1.3.19).

distinctions governing their figural exegesis: Old Law/New Law, letter/spirit, fear/love, judgement/grace. As Henri de Lubac observes,

> the waters of Marah . . . lend themselves to signifying the ancient books of Scripture . . . Through the spiritual sense that is communicated to the books by the wood of the cross, they become the very sweetness of the Gospel: 'let the bitterness of the law be overcome by the sweetness of the cross.' From the time of Tertullian and Origen onward, this image is repeated indefinitely.[26]

For this tradition, sweetness is a kind of essential supplement to law, a potentiality of law that yet subsists in being different from law itself. Sweetness both characterises the essence of law, its inner spiritual truth, and is a secondary property, a sweetener and more than sweetener that makes law palatable and livable, 'so that the people may drink.'[27] Being an addition to law that transforms it without alteration into its real substance or truth, sweetness is like the *spice* of the law,[28] the deep quality of its immanent life, and precisely for that reason something that must not be confusedly identified with law itself. Sweetness is not law's essential face or appearance, not its *species*, yet there is a sweetness that has to do with it and can make it like itself. Law and sweetness represent different orders of being, especially if sweetness is conceived in light of the

[26] Henri de Lubac, *Medieval Exegesis*, trans. E. M. Macierowski, 4 vols. (Grand Rapids, MI: Erdmans, 1998), 3.256.

[27] Origen, *Homilies on Genesis and Exodus*, trans. Ronald E. Heine (Washington: Catholic University of America Press, 1962), 302.

[28] On spice as 'generational integrity of spirit and letter,' see Nicola Masciandaro, 'Becoming Spice: Commentary as Geophilosophy,' *Collapse* 6 (2010): 20–56.

anomian aspect of charity as law beyond law.[29] Yet they are interdependent. Law depends upon sweetness for its fulfillment, and sweetness depends, for its intelligibility and operation, upon law. The difficulty of the sweetness/law disjunction, the necessity of connecting and separating these terms, asks that we look further into the story, behind and beyond the doctrinal gloss.

The bitter waters of Marah must be understood in the context of the events immediately preceding and following their sweetening, on which their connection to law is founded. Given the lack of drinkable – and the presence of undrinkable – water, the people became restive, an anxious condition of great moral consequence which is later equated to tempting the Lord (Exodus 17:2): 'they went three days in the wilderness and found no water. When they came to Marah, they could not drink the water of Marah because it was bitter; therefore it was named Marah. And the people murmured against Moses, saying "What shall we drink?"' (Exodus 15:22–4).[30] In a creative reversal of this situation, the sweetening of the water, the making wholesome of what did not satisfy, is the pretext for the establishment of life-sweetening law:

> There the Lord made for them a statute and an ordinance and there he proved them, saying, 'If you will diligently hearken to the voice of the Lord your God,

[29] '[T]he law is not laid down for the just but for the lawless and disobedient' (1 Timothy 1:9). 'Love and do what you will [*Dilige et fac quod vis*]' (Augustine, *Tractates on the First Epistle of John*, trans. John W. Retting [Washington: Catholic University of America Press, 1995], 7.8).

[30] Cf. 'And which of you by being anxious can add one cubit to his span of life … Therefore do not be anxious, saying, "What shall we eat?" or "What shall we drink?"' (Matthew 6:27–31).

> and do that which is right in his eyes, and give heed to his commandments and keep all his statutes, I will put none of the diseases upon you which I put upon the Egyptians; for I am the Lord, your healer' (Exodus 15: 25–6).

The waters are both the place of the giving of law, which as object is paralleled in the tree or wood revealed to Moses,[31] and, in light of the affinity between sweetness and health,[32] an analog of the law itself whose keeping heals and protects from disease. On the one hand, sweetness, as the property of what ensures health, belongs to the law. The law is wholesome, a sweet source of well-being.[33] On the other hand, sweetness figures not the law itself, but the secondary effect or benefit of keeping it, a superadded law of the law or necessary quality of its realisation or fulfillment. As the bitter waters are sweetened by the addition of the tree, the life of the people will be sweetened in keeping the law. Within this analogy, the waters beautifully flow between being the problem law addresses and the sweetness of its solution. Significantly, the nature of the sweetening itself is left open, or hidden.

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[31] See Richard Bauckham, 'Paradise in Pseudo-Philo's *Biblical Antiquities*,' in *Paradise in Antiquity: Jewish and Christian Views*, eds. Markus Bockmuehl and Guy G. Stroumsa (Cambridge: Cambridge University Press, 2010), 52.

[32] See Mary Carruthers, 'Sweetness,' *Speculum* 81 [2006]: 1100–1.

[33] Steven Wilf highlights the figural equation of law and water in the context of how the episode narrates the social fashioning of the people 'into *nomian* beings': 'According to the *Mekhilta*, the Israelites had become 'rebellious because they had been without Torah for three days. Torah is likened to water – necessary for life on a nearly constant basis' (*The Law Before the Law* [Lanham, MD: Lexington Books, 2008], 137, 149–50).

The analogical form of the story establishes a four-fold intersection and separation of law and sweetness. On one side, law and sweetness are disjoined in the life of the unrighteous and analogously in the bitter water. On the other side, law and sweetness fuse in the life of the righteous and analogously in the sweet water. The story does not merely illustrate that there is an analogical relation between law and sweetness, but *establishes sweetness itself as the perfect form of law's governing of the real analogy between life and the living*,[34] as figured by the implicit vital homology between tree and human, which points back to their common origin in paradise. The governing analogy of the story, between the sweetening of the waters and the giving of law, is not merely figural or expressive, but holds the essence of the story as a statement about the nature of law itself. As follows:[35]

Law	**Truth**	**Living**
water	*bitter*	unrighteous
object	LAW	*subject*
water+wood	*sweet*	righteous

[34] On the analogical (as opposed to univocal or equivocal) relation between life and the living, see Eugene Thacker, *After Life* (Chicago, IL: University of Chicago Press, 2010), 108–13, 126–9.

[35] These terms of the table may be glossed as follows. The sweet subject of the law (righteous) is the one sweetened or kept wholesome by keeping the law and the one for whom the law itself is sweet, a source of delight. The bitter subject of the law (unrighteous) is the unwholesome one who does not keep the law and for whom the law itself is bitter, a source of suffering. The bitter object of the law (water) is the condition of bitterness (unwholesomeness, suffering) that law remedies. The sweet object of law (water+wood) is the condition of sweetness (wholesomeness, delight) that law provides.

The *analogy* says: law is truth. In what sense? Not as what is otherwise simply decidable as true or false, good or bad, but in the immanent sense of the living or spontaneously historical analogy between life and the living whose perfected mode of consciousness is *remembrance of the present*, i.e. that attention to things which sees them *as they are* in the context of past and future, as opposed to reducing the present – like mistaking the frame for the picture – to a mere correlate of past and/or future. The natural sweetness of truth in this sense is that which is proper to life understood as *a* life, the 'impersonal yet singular life' which Deleuze illustrates via Dickens's character Riderhood at the moment when, 'in his deepest coma, this wicked man himself senses something soft and sweet penetrating him.'[36] Truth is the non-difference between the life of the living and the living of life, the *necessity* according to which the 'Infinite … has to discover its unlimited life in and through the finite without getting limited by this process.'[37] The divine purpose of law is to realise and fulfil the infinity of this non-difference, to *wake life* to the endlessness of its immanent reality by consciously laying to sweet sleep all the purposes that bind it, above all to itself.[38] Accordingly, the practice of law must live or flow

[36] Gilles Deleuze, *Pure Immanence: Essays on A Life*, trans. Anne Boyman (New York: Zone, 2001), 28.

[37] Meher Baba, *Discourses*, I.120.

[38] As figured in Nietzsche's 'heaviest weight,' the absolutely binding-liberating principle of the eternal return of the same (*The Gay Science*, trans. Josefine Nauckhoff [Cambridge: Cambridge University Press, 2001], 194) and in Meister Eckhart's formulation of the divine whylessness of life: 'it lives without *Why*, because it lives for itself' (*Complete Mystical Works*, 110). Life's only purpose is to arrive at the purposeless Reality: 'Purposelessness is of Reality; to have a

within the proportional analogy between law and laws, namely, in the space where law is not itself the truth, or, the taking-place of things is not reduced to a fact like others.[39] Ontologically, law is what is *proven* in life and in the living. Ethically, law is how life is made worth living and the living make themselves *worthy* of life. On this point it is essential that *what* laws were given at Marah is not given in the text, only *that* laws were given. For only an open idea of law, similar to the unqualified wood, can fulfill law as truth and sweeten the waters of life. Which also

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purpose is to be lost in falseness … Love alone is devoid of purpose and a spark of Divine Love sets fire to all purposes. The Goal of Life in Creation is to arrive at purposelessness, which is the state of Reality' (Meher Baba, *The Everything and the Nothing* [Beacon Hill, Australia: Meher House Publications, 1963], 62). In these terms, the purpose of law or the law of law, is to bring to end all the purposes that separate life and living. Purpose exists in the separation of ends and means, in the empty space between law's two senses. Purposelessness lives in the inescapable free binding of life to itself, wherein what is and what should be are forever reconciled beyond reconciliation, where the dialectical circle of law is paradoxically shrunk to an infinite point. This whyless gravity of law is manifest in the proverbial sweetness of sleep, an absolute law of life. As anxiety is the enemy of sleep, so is sleep a reflection of the irreconcilability of worry and justice: 'At peace with God and neighbor, thus good sleep demands. And at peace too with the neighbor's devil! Otherwise he will be at your house at night' (Friedrich Nietzsche, *Thus Spake Zarathustra*, trans. Adrian de Caro [Cambridge: Cambridge University Press, 2006], 18). Just as justice 'never sleeps,' the infinite weight of sleep indexes the sweet immanence of eternal justice: 'suppose you feel tired and fed up and that you go to sleep. What is it that you are trying to do? It is nothing but to try to take refuge in God—your natural and inherent state' (Meher Baba, *God Speaks: The Theme of Creation and Its Purpose* [New York: Dodd, Mead & Co., 1973], 101).

[39] 'Evil … is the reduction of the taking-place of things to a fact like others' (Agamben, *Coming Community*, 14).

means that the fact of law equally needs *mere* law, simple unmixed, non-allegorical wood for its truth. Indeed, the story demonstrates such an idea of immanent truth in its own structure, wherein law is provided to people within the karmic or cause-and-effect logic of its own event, around the waters of Marah. This situational relation of law's event to causality raises a bitter question: would the Lord have given laws at Marah had the people not murmured? And a sweet answer: no.

Meister Eckhart says, 'In truth, unless you flee first from yourself, then wherever you flee to, you will find obstacles and restlessness no matter where it is.'[40] That the Marah episode is legitimately read as ordered towards this principle, that is, that the failure of people to flee from themselves while finding the bitter waters is the condition for the provision of law, is legible not only in light of the broad Judeo-Christian proscription of the 'bitterness of murmuring [*amartudine murmurationis*]'[41] as a lapse in faith and blindness to eternal justice – 'Do all things without grumbling or questioning' (Philippians 2:14); 'Why should a living man complain, a man, about the punishment of his sins?' (Lamentations 3:39) – but more significantly in terms of the spiritual 'mechanics' of sweetness

[40] Meister Eckhart, *Complete Mystical Works*, 488. Correlatively, it is in the nature of sweetness to displace its savourer: 'the sweetness-in-me experience casts the enjoying subject out of the center and places it, for a few precarious yet welcome moments, on the fringe of an autocratic taste sphere' (Peter Sloterdijk, *Bubbles: Spheres I*, trans. Wieland Hoban [Los Angeles, CA: Semiotext(e), 2011], 93) – with thanks to the anonymous reviewer who brought this passage to my attention.

[41] Augustine, *Enarationes in Psalmos*, 99.14.2, PL 37:1280.

and bitterness, both in the story and its interpretations, which point back to their inner source. As the people's superimposition of psychic bitterness upon the waters of Marah is the pretext for their being given laws, so are the laws received a means of ordering people towards the true source of sweetness within themselves, toward realising the profound relation between wisdom and taste, *sapientia* and *sapor*, according to which truth is always a matter of discriminating for and through oneself the difference between good and bad, a process of tasting or proving its *right flavour*.[42] This means that the laws cannot at all be means in the spiritually escapist or religiously legal (i.e. hypocritical) sense of a guarantee that supplants the paradisical imperative of sweetness with rules for sweetness. Rather the laws are simply *another chance* to discover sweetness's inner source, another bitterness with which to find paradise, a chance that is itself *directly* produced from the preceding failure via the cosmic logics of experience. Law is the chance that the refusal of sweetness *deserves*.[43] It is a chance to stop worrying, not because

[42] 'Perhaps *sapientia*, that is wisdom, is derived from *sapor*, that is taste … For in nothing is the victory of wisdom over malice more evident than when the taste for evil – which is what malice is – is purged away, and the mind's inmost task senses that it is deeply filled with sweetness' (Bernard of Clairvaux, *On the Song of Songs*, trans. Irene Edmonds, 4 vols. [Kalamazoo, MI: Cistercian Publications, 1980], 85:8–9, IV.204–5). The deep logical connection between the gustatory and the elective is shown in the IE root *geus*: to taste, chose (origin of both *choose* and *gustus*). As knowledge proceeds via discrimination, so is pleasure or disgust also a choice. The horizon of knowledge is governed by the ethics of taste.

[43] This corresponds to how the laws given at Marah are also a test or proof of the people: 'and there he proved them' (Exodus 15:25).

keeping the law promises removal of the object of worry (health), so that now one need only worry about keeping the law, but because keeping the law *instructs* in the needlessness and evil of worry in the first place. The lesson of law's event is exactly *not* 'I have law so now I need not worry', but 'I worry so now I need law'. To the one who exits (the possibility of) paradise, who misses paradise by deciding that *this is not it*, who refuses disobedience of the self's bitter command to remain a servant of oneself, who demonstrates too humanly a sheer inability to *be* in paradise, to this one is given law.[44] Law is the sweet and truthful reflection of the negation of sweetness, an inescapable symptom of the hatred of paradise.

To understand the Marah episode in this way, at the touch point between the 'external' binding of people to law and their 'internal' attraction of law unto themselves, requires by its own principle (the priority of self-fleeing)

[44] 'Certain it is that *work, worry, labor* and *trouble*, form the lot of almost all men their whole life long. But if all wishes were fulfilled as soon as they arose, how would men occupy their lives? … men would either die of boredom or hang themselves; or there would be wars, massacres, and murders, so that in the end mankind would inflict more suffering on itself than it has now to accept at the hands of Nature' (Arthur Schopenhauer, *Studies in Pessimism*, trans. T. Bailey Saunders [London: Swan Sonnenschein & Co., 1891], 13). The genius of this hypothetical passage, of course, is that it only reproduces the world as it is and thus begs the question of natural vs. self-created suffering so as to ironically open the speculative possibility that this in fact is paradise. Indeed the essay heads directly into an ecstatically pessimist vision of that equally certain possibility: 'There is nothing more certain than the general truth that it is the grevious [sic] *sin of the world* which has produced the grievous *suffering of the world* (24). Cf. 'Most of man's suffering is self-created through his ungoverned desires and impossible demands. All this is unnecessary for self-fulfillment' (Meher Baba, *Discourses*, III.168).

that one *neither blame nor excuse* the Israelites for the laws at Marah. Likewise, it requires a correlative neutralisation of the concept of law, so that we see law neither as punishment nor revelation, but as the pure working out of the necessity of law itself, the *actus purus of* the law of law whose universal form is the unity of cause-and-effect or the preservation of oneness in duality. To think otherwise would be to interpretively commit the same transgression our reading would redress and embitter the text with doctrinal law. Indeed the story seems conspicuously fashioned to promote or even enforce this neutrality. There is no question that the people's desire for water is right. Nor is there any question that their murmuring is wrong.[45] The rightness of one does not legitimise or justify the wrongness of the other. Rather the opposite: the wrongness is *all the more wrong* in relation to the rightness of its pretext. The waters are bitter, but something even bitterer, a hostile *exacerbation*, has been added to them, an element of *pure evil*.[46] This evil, fulfilled in the murmuring, is what is already present in the *naming* of

[45] On the semantic parameters of murmuring (Hebrew *lûn*) and its connection to rebellion against God, see *Theological Dictionary of the Old Testament*, *Volume 7*, eds. G. Johannes Botterweck, Helmer Ringgren and Heinz-Josef Fabry [Grand Rapids, MI: Erdmans, 1995], 509–12). *Lûn* is associated with the growling of dogs, which underscores both the loss of human dignity and the failure of understanding involved in murmuring, the sense in which murmuring equals irrational misapprehension.

[46] This may be understood as a corollary to Augustine's perverse delight in stealing pears that were 'not particularly tempting either to look at or to taste [*nec forma nec sapore inlecebrosis*]' (*Confessions*, 2.4.9), a formulation that intentionally inverts, like the crime, the delicious fruit of Genesis 3:6.

the waters – 'When they came to Marah, they could not drink the water of Marah because it was bitter; therefore it was named Marah' (Exodus 15:23) – insofar as the name is permitted to step beyond its own truth as (mere) name and veil reality, insofar as bitterness is permitted to pass from the waters through the word to the spirit. In failing to preserve and protect paradise with the living word or flaming sword of the tongue,[47] one instead imitatively follows language outside of paradise, literally murmuring like the bitter water beyond its bounds, missing once again the garden's narrow gate: 'For the gate is narrow and the way is hard, that leads to life, and those who find it are few' (Matthew 7:14). This tiny, momentary gate to paradise, which St. Francis perfectly illustrates in terms of patiently enduring being locked out in the cold,[48] is the infinitesimal opening or point passed over in the transition from the rightness of needing water to the wrongness of murmuring, from the good bitterness of the waters (in their own right) to the evil bitterness of demanding that the world be otherwise (according to one's own desire). The bitter conjunction of the unquestionably right and the unquestionably wrong marks a misprision or mis-sensing of law itself, a failure to discriminate between what is

[47] '[T]he problem of knowledge is a problem of possession, and every problem of possession is a problem of enjoyment, that is, of language' (Giorgio Agamben, *Stanzas: Word and Phantasm in Western Culture*, trans. Ronald L. Martinez [Minneapolis, ME: University of Minnesota Press, 1993], xvii).

[48] 'Freezing, covered with mud and ice, I come to the gate … "For the love of God, take me in tonight!" And he replies: "I will not!" … I tell you this: If I had patience and did not become upset, true joy, as well as true virtue and the salvation of my soul, would consist in this' (*Francis of Assisi: Early Documents*, I.166–7).

and what should be that ruins the chance of translating between them.[49] What the murmuring at Marah figures is precisely the *false synthesis* of the two senses, the failure to synthesise world and will for which Nietzsche offers the unconquerably sweet antidote of *amor fati*: 'seeing what is necessary in things as what is beautiful in them – thus I will be one of those who make things beautiful.'[50] True synthesis of law's two senses, what is and what should be, is sweetness. Marah is not the place of law because law is bitter. Instead, Marah is the bitterness showing that law is the form of sweetness, the necessary water, which man's bitterness *warrants*.

The exegetical tradition accords with this reading insofar as it locates the ultimate source of sweetness within the divinity of the individual soul and not in the objects and events that human beings name bitter or sweet. For Philo, the bitterness of the law is only an apparent bitterness, like the Aristotelian difficulty of virtue, a correlate of the disordered love of the good that evaporates as that love is ethically perfected and the ignorance of desire is dissolved in the 'sweet and pleasant labour' of the good.[51]

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[49] Such failure of discrimination is the same as that which inhabits the one who wants vengeance, who 'demands from the phenomenon what only pertains to the thing in itself [and] does not see to what extent the injuring and the injured parties are in themselves one' (Schopenhauer, *World as Will and Presentation*, I.426, §64). Whatever the waters of Marah are in themselves, they expose the bitterness of those who find them bitter.

[50] *Gay Science*, 157.

[51] Philo, *Works*, trans. C.D. Yonge (Peabody, MA: Hendrickson Publishers, 1993), 818–19). Wilf reprises Philo: 'Law simply *seems* constricting. When it becomes the object of desire, it may be transformed into something beloved' (*Law Before the Law*, 149).

Origen, commenting on *exacerbation* in Ezekiel 17:12, similarly derives bitterness from sin and underscores the human capacity to sweeten, via life's essential sweetness, even 'the most sweet words of God.'[52] Continuing and clarifying this line of thinking, Emmanuel Swedenborg directly interprets the bitterness of Marah as the state and quality of temptation away from 'genuine affection for truth,' a negative distortion of reality caused by the curvature of perception around self-love.[53]

Exegesis explaining the nature of the sweetening of the waters, even if literally projecting the origin of sweetness outward into natural or supernatural external sources, is also easily savoured as confirmation of the more mystical sense I am insisting on, a sense ideally articulated by Eckhart via the ancient metaphor of the sick man's tongue.[54]

However, this interpretation both misunderstands Philo and commits the error of glossing love of the good as an eros of law. Law is good, but it is not the good. The *goodness* of law is tied precisely to its constriction, its operation of binding beings to the good, as well as, via love, binding the good itself to its own beyond, to what is beyond being. If there is something in law to be loved, it is just this binding. As a condition of responsibility, law is ordered toward freedom and for that reason can never be the space of freedom itself, which 'can be manifested only in the void of beliefs, in the absence of axioms, and only where the laws have no more authority than a hypothesis' (E. M. Cioran, *History and Utopia*, trans. Richard Howard [Chicago, IL: University of Chicago Press, 1987], 11).

[52] Origen, *Homilies 1–17 on Ezekiel*, trans. Thomas P. Scheck (Mahwah, NJ: Newman Press, 2010), 147–8.

[53] Emmanuel Swedenborg, *Works, Volume 14* (Cambridge: Riverside Press, 1907), 201.

[54] 'As long as that which intervenes [the bitterness of the sick tongue] has not been removed in us, we will never get the proper flavor of God, and our life will often be harsh and bitter' (*Complete Mystical Works*, 350). I would highlight here the principle of intervention or interruption, the sense in which the error of bitterness takes the

The tree by which the waters of Marah are sweetened has generally been interpreted as also being bitter, so that the sweetening might carry the sense of a wondrously positive double negation of bitterness, a 'miracle within a miracle.'[55] At the level of spiritual acts, this is to be understood as the marvelous nullification of bitterness or affective negativity that occurs when bitterness is no longer negated or embittered, the suicide-from-without of bitterness when it is entered into itself and permitted to be beyond relation in positive non-determining resignation to whatever it is.[56] See what happens to fear when the fear of fear is renounced – it kills itself. In the

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form of a stoppage of the flow of life and insertion of self as a barrier *between* consciousness and the world. A real version of this analogy is the way in which a person may love their own sickness insofar as it serves as a way of keeping the world 'about' them. The sense of murmuring as intervention or interruption in the Marah episode is paralleled in the way it necessitates Moses's intervening with the Lord and thence the intervention of law itself, which is now placed in covenantal fashion *between* the people and their health. The goodness of the law thus lies precisely in creatively displacing the distorted selfhood that was bringing life down.

[55] 'He puts something injurious inside something injurious in order to produce a miracle inside a miracle' (*Tanhuma Beshallah* 24), as cited in Eliezer Segal, *From Sermon to Commentary: Expounding the Bible in Talmudic Babylonia* [Waterloo, Ontario: Wilfrid Laurier University Press, 2005], 92). God does not only turn something bitter to its opposite, but all the more miraculously does so by adding bitterness to bitterness, so that there are two miracles, one positive and one privative: (i) turning the bitter to sweet; (ii) preventing the bitter (of the wood) from embittering the bitter (of the water).

[56] Commentary on the name *Mary*, cognate with *Marah*, offered another context for articulating this principle. See *Anchoritic Spirituality: Ancrene Wisse and Associated Works*, trans. Anne Savage and Nicholas Watson (New York: Paulist, 1991), 186. Samuel Zinner identifies the Virgin's name as denoting 'the world's bitterness which her own reality of celestial sweetness cancels' (*Christianity*

form of the Marah episode, this means putting the bitterness of the water back into water, or in Quentin Meillassoux's philosophic terms, undoing correlational identity by 'transform[ing] our perspective on unreason … and turn[ing] it into the veridical content of the world as such.'[57] If there is indeed bitterness, let it not be *my* bitterness. 'I do not want to accuse; I do not even want to accuse the accusers. Let *looking away* be my only negation!'[58] If there is a problem with life, that is, if *I* have a problem with it, let life itself *be* the problem. Hell is only destroyed by entering it, by staying in it. Here one must understand the identity of turning away from bitterness and embracing it (like the Turin horse), which fulfils the *imperative to be* as figured by Miguel de Unamuno in terms of enduring the passion of the mystery (rather than trying to solve it) or allowing oneself to be swallowed by the Sphinx and 'know the sweetness of the taste of suffering.'[59]

Crucially, the tree was also figurally and even literally equated with the most sweet Tree of Life (Genesis 2:9).[60] Complementing the sense of a miraculously surplus auto-negation of bitterness, the sweetening of the water thus carries the sense of an overpowering of bitterness by a

and Islam: Essays on Ontology and Archetype [London: Matheson Trust, 2010], 211).

[57] Quentin Meillassoux, *After Finitude: An Essay on the Necessity of Contingency*, trans. Ray Brassier (London: Continuum, 2008), 82.

[58] Nietzsche, *Gay Science*, 157.

[59] Miguel de Unamuno, *The Tragic Sense of Life*, trans. Crawford Flitch (New York: Dover, 1954), 283.

[60] Pseudo-Philo's *Biblical Antiquities* relocates Exodus 15.25 to the period of forty days on Sinai (Exodus 24:18) in order to make the link (Bauckham, 'Paradise,' 52). Origen connects the tree to the cross via comparison to wisdom as 'tree of life' in Proverbs 3:18 (*Homilies*, 301–2).

marvellous and original sweetness, not merely sweetness strong enough to compensate for and mask bitterness, but a sweetness that eliminates it all together within the infinitely superior quality of itself. Sweetening in this sense indicates return to the non-dual primacy of the good, its being beyond the opposition of good and evil.[61] This is the truly *spicy* paradisical sweetness that makes bitterness to be nothing, in keeping with the idea of spice as not merely a condiment or addition to substance, but that which fulfills substance itself. So Philo interprets the tree added to the waters of Marah as the perfect good by connecting it at once to spice and the Tree of Life.[62] Ethically, such sweetening pertains to escaping the prison of the good, that is, overcoming morality as such, the *identification* with the good that binds both the good and oneself into opposition with evil.[63] The sweetness of this escape belongs to the fact of its being materially easier that escaping evil. For where evil is an evident and concrete prison that really must be escaped via the difficult

[61] 'Evil is not a being; for if it were, it would not be totally evil. Nor is it a nonbeing; for nothing is completely a nonbeing, unless it is said to be the Good in the sense of beyond-being. For the Good is established far beyond and before simple being and nonbeing' (Pseudo-Dionysius, *Complete Works*, 85).

[62] Philo, *Works*, 256.

[63] '*When a person looks upon himself as being good and not bad, he is engaged in self-affirmation through identification with this conviction, which is a continuation of separative existence in a new form* … Identification with the bad is easier to deal with because, as soon as the bad is perceived as being bad, its grip on consciousness becomes less firm. The loosening of the grip of the good presents a more difficult problem, since *the good carries a semblance of self-justification through favourable contrast with the bad*' (Meher Baba, *Discourses*, I.98).

binding of ethos or virtuous habit, the good, like those force fields that typically surround the false paradises of science fiction stories, is an obscure or invisible prison which disappears soon after its existence is discerned and its mechanism seen through.[64] Theologically, such sweetening pertains to the instantaneous and seemingly impossible absolute erasure of evil in divine justice, the eternal moment of all things being made new and well in the revelation that they were never otherwise, that 'nothing is ever written on the soul.'[65] For Julian of Norwich, this is the sweet anagogy of her intuition that *all shall be well* – a Now found within her vision of the crucifixion at the moment when Christ turns to her in good cheer from the cross.[66] In this light, the sweeting of the waters of Marah evokes the principle of a first-and-last sweetness that is intelligible as the perfective detonation of law itself, a manifest explosion of law's subject-determining negation (*thou shalt not*) into an impossibly positive and hyper-objective *shall be* that speaks beyond hope, rendering consolation ridiculous and even its own assurance senseless. Not coincidentally, the opposed senses of the wood as sweet or bitter were synthesized and suspended in the *coincidentia oppositorum* of the Cross.[67] And by

[64] '*The difficulty concerning the abode of evil is not so much of perceiving that it is a limitation but in actually dismantling it after arriving at such perception. The difficulty concerning the abode of the good is not so much in dismantling it as of perceiving that it is, in fact, a limitation*' (Meher Baba, *Discourses*, I.98).

[65] Meher Baba, *Discourses*, I.99.

[66] Julian of Norwich, *Writings*, 193.

[67] 'Moses sweetened the water in Marah with a bitter wood, / and the Nation drank and satisfied their thirst. / Likewise the cross of Jesus sweetened the bitter Nations, / and gave them the sweet taste of

means of medieval wood-of-the-cross legends, the figural relation between the cross and the tree shown to Moses at Marah was also literalised, its wood derived from a paradise-planting grown in its waters.[68]

The figural reading of the Marah tree as Tree of Life and/or Cross manifests a significant but otherwise vague formal aspect of the episode, namely, that the sweetening of the waters by means of the tree signifies a *paradisical inversion* of the normal flow of life into a higher and other kind of life. Where life in its regular flourishing would be imaged in the watering of a tree, the inverse 'treeing of the water' at Marah suggests the principle of a spiritual inversion that realises the natural sweetness of life[*zoē*][69] at a level of reality or being wherein the human is no longer simply dependent, like tree upon water, upon the seeming sweetness of external sustenance and becomes instead the very principle of an independent and world-sweeting sweetness. The arboreal reversal figures transition from recipient to source. In Porete's self-annihilated and intoxicated terms, such a human is the one who not only gets drunk whether there is wine or no, but who can drink from the impossible itself: 'And she is inebriated not only

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the name of the Creator' (*Narsai Homiliae et Carmina*, II.124–5, as cited in Cyril Aphrem Karim, *Symbols of the Cross in the Writings of the Early Syriac Fathers* [Piscataway, NJ: Gorgias Press, 2004], 70–1)

[68] See Nicole Fallon, *The Cross as Tree: The Wood-of-the-Cross Legends in Middle English and Latin Texts in Medieval England* (Ph.D. dissertation, University of Toronto, 2009).

[69] 'And we all see that men cling to life even at the cost of enduring great misfortune, seeming to find in life a natural sweetness [γλυκύτητος φυσικῆς] and happiness' (Aristotle, *Politics*, III.6, in *The Basic Works of Aristotle*, ed. Richard McKeon [New York: Random House, 1941]).

from what she has drunk, but very intoxicated and more than intoxicated from what she never drinks nor will ever drink.'[70] Achieving her own nature as paradisical tree, this soul makes even the bitter waters of Marah intoxicated. For as the human body is inversely homomorphic to the tree, an upside down tree,[71] so must one spiritually invert oneself vis-à-vis life in the world, that is, turn right side up all that refuses to stand upright and be in paradise today, in order to really live: 'his delight is in the law of the Lord, and on his law he meditates day and night. He is like a tree planted by streams of water, that yields its fruit in its season, and its leaf does not wither' (Psalms 1:2–3). But to know this real sweetness of a life in direct and practical terms, to taste and see its reality rather than fall into theoretical imagination of it, it is necessary to sense the sweetness (of law) in the most literal terms, to find the actual point of contact between sweetness and the law.

3. The Sweetest Law

That law ought to be understood as essentially bound to the inversion of sweetness is evident from the logical relation between the terms. Where law signifies what coerces and binds, sweetness signifies what attracts and delights. The inversive relation is immediately suggested by the continuity between coercion and per*suasion* along the spectrum composed of the opposites of force and attraction. And

[70] Marguerite Porete, *Mirror of Simple Souls*, 105.

[71] See Plato, *Timaeus*, 90a, in *The Collected Dialogues of Plato*, eds. Edith Hamilton and Huntington Cairns (Princeton, NJ: Princeton University Press, 1963), 1209.

if we recognise that delight is fundamentally linked with freedom, with the potential to do as one pleases (*quodlibet*), then a proportional oppositional continuity between delight and binding is also clear. The inverse logical relation between sweetness and law is also indicated by the fact that the pejorative sense of sweetness as cloying (via Middle English *cloyen*, to bind, hinder movement, fasten with a nail) is connected with the principle of binding. So Aquinas defines the essence of law thus: 'Law is a rule and measure of acts, whereby man is induced to act or is restrained from acting: for *lex* (law) is derived from *ligare* (to bind), because it binds one to act.'[72] In other words, law encodes and transposes sweetness in a negatively volitional manner, enclosing the freedom of what one wants to do within the necessity of what one must. This relation may be summarised with a simple table:

Attraction	SWEETNESS	Freedom
persuasion, coercion	↕	*delight, cloying*
Force	LAW	Binding

Following this logic, law is simply the actualisation of the inversion of sweetness. Law is sweetness upside down. As the negation of sweetness deserves law, the justice of law resides in its serving as an affirmation of sweetness. The distinction and conceptual inseparability of the terms is correlative to the 'inclusive exclusion' that obtains between *zoē* and *bios*, bare life and political life, as per

[72] *Summa Theologica*, trans. Fathers of the English Dominican Province [New York: Benzinger Brothers, 1947–8], I-II.Q90.Art1.

Agamben's analysis.[73] The implication of this close correlation is that the imminent task given to the biopolitical body is that of a constitution and installation of a law that is wholly exhausted in sweetness, a law that is only its own sweetness.[74]

The answer to the question of the identity of this law, this new sweet law, could not be more simple or clear. The writing is on the wall – writing that immediately numbers, weighs and divides the very person, your so-called 'self': *thou shalt not worry*. Not worrying is at once how to 'politicise' the '"natural sweetness" of *zoē*' and is itself the 'politics already contained in *zōe* as its most precious center.'[75] Any resistance to this law is the ineradicable sign of its truth. To require justification of this law, for instance to bother about 'what the world would be like' if it were kept, or to deny any materiality or substance to it, is already to evade its immanent task and pervert its proper good. The proscription of worry is *pure law*, sweetest law, in the strictest sense. It is fully and simultaneously a law of freedom and the freedom of the law. It lays down no precept or rule, places no categorical restriction on what one can or cannot do. At the same time, this law absolutely binds, ties one's neck in the noose of one's own logic, so that one must either reside in rebellion towards it (a rebellion that perforce only manifests its own futility: I worry in order to keep worrying) or necessarily begin

[73] Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford, CA: Stanford University Press, 1998) 8.

[74] See Agamben, *Homo Sacer*, 188.

[75] Ibid., 11.

to escape worry's total evil, the fact that to worry is to bind oneself and others in a terrible way. Likewise, *thou shalt not worry* is simultaneously a law of attraction and an attraction of law. The authentically and purely negative work of not-worrying, a negativity free from its own *against*, does nothing but open and invite other potentiality and impotentiality, the unknown plenitude of powers otherwise eclipsed by preoccupation. At the same time, being without worrying is the bare promise of law itself, its own attraction, which not worrying simply realises directly, without binding itself to a ground or reason. 'Do everything, but don't worry. Worrying binds.'[76]

The supreme legitimacy of *thou shalt not worry* is proven and intensified by the seeming impossibility of its not being kept, by the terror of following it in a topsy-turvy world that willfully mistakes pain for sincerity, anxiety for responsibility, concern for understanding and thinking for knowledge. All the more reason, then, to implement not-worrying as a protocol that one need not worry about, a perfectly unprogrammable rule whose following passes freely within and without the imprisoning walls of false power, above all the narrow circle of demands upon reality that keep one a self-hypnotised human, a someone at the expense of remaining elsewhere than in paradise. As much a law as not a law: the real principle of universal synthesis and sweetness (of the law), a sweet new style that is always invented by the few who are concerned only with what they *must* do, the 'great man … who in

[76] Meher Baba, quoted in *The Awakener* 3:2 (1956), 12.

the midst of the crowd keeps with perfect sweetness the independence of solitude'.[77]

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[77] Ralph Waldo Emerson, *Self-Reliance and Other Essays* (New York: Dover, 1993), 23.

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The Plant That Can Sink Your Mortgage Ice Cream

Cooking Sections

[NOTE: the terms 'native', 'non-native', 'alien' and 'invasive' are in inverted commas to remind the reader of their subjective definition.]

In July 2013 lab technician Kenneth McRae murdered his wife Jane before killing himself in the West Midlands.[1] He was reported to have gone mad after finding out that Japanese knotweed was growing under his house, spreading from the nearby golf course into his property. However, no knotweed was found in the property after the fatal murder. In February 2016, William Jones hanged himself after being notified that the land he owned also

[1] 'Kenneth McRae Killed Wife Jane and then Himself Over Knotweed Fears', *BBC News*, 13 October 2015, http://www.bbc.co.uk/news/uk-england-birmingham-34515446.

had the same plant growing on site.[2] How have we come to a point in time, when an edible plant is the instigator for paranoia-driven deaths? Can a sense of taste for the plant challenge the status quo of its 'crime-inducing' tendencies?

Japanese knotweed (*Fallopia japonica*) and other 'non-native' species, like Himalayan balsam (*Impatiens glandulifera*), rhododendron (*Rhododendron ponticum*) and giant hogweed (*Heracleum sphondylium*) have been at the forefront of a war against non-human 'invaders' in Northern Europe, and specially in the UK. These plants have been accused of taking over land, property, and the 'natural' environment.

Japanese knotweed in particular can allegedly penetrate through the foundations of a house by growing 6cm per day.[3] According to Eco Control Solutions, one of the lucrative knotweed eradication companies operating in the country, the plant can cause: a reduction in land value; damage to foundations and structures; damage to road surfaces; damage to walls; and a monoculture swamping out 'native' vegetation.[4]

Statements over the destructive or invasive character of the plant can nonetheless be contested. As James Dickson and John Bailey have widely published, there is no empirical evidence proving that the plant is as destructive and

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[2] 'Stourbridge Man Killed Himself Over Japanese Knotweed Fears', *Express and Star*, 24 February 2016.

[3] Eco Control Solutions, 12 December 2012, https://www.expressandstar.com/news/2016/02/24/stourbridge-man-killed-himself-over-japanese-knotweed-fears/#Gp2FclSEvukiExWA.99.

[4] Ibid.

Figure 1[5]

'invasive' as the media claim.[6] Indeed, the introduction of 'non-native' species has almost always increased the

[5] Japanese knotweed growing in front of a derelict property, London SE16. Photo: the authors, 2016.

[6] See Bailey, J.P. & Conolly, A.P. (2000); Dickson, J.H. (1998); and Dickson, J.H., Macpherson, P. & Watson, K. (2000).

number of species in a region.[7] The urgency to dismantle the subjectivity embedded in the perception and the laws around 'non-native' 'invasive' plants could decrease the violence upon both humans and the built environment.

Before people started taking their life – traumatised by the plant rendering their property worthless – the British government allocated extraordinary budgets to try and solve the *problem* of plants from elsewhere 'invading' us here and now. In preparation for the 2012 Olympic Games, £100 million was spent into the clearance of the Olympic site.[8] The total cost to handle Japanese knotweed and other 'invaders' for British taxpayers adds up to £250 million a year. At a global scale, it is estimated that the expenditure on mitigation and eradication programmes exceeds £1.4 trillion.[9]

In the 2000s Japanese knotweed turned from a horticultural problem into a mediatic event. Academic journals, broadsheets and tabloids reported the 'great invasion'.[10] They portrayed an environmental challenge in war paint, declaring a battle to save the 'pristine' British landscape. The language deployed threatened the overarching power

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[7] Mark A. Davis et al., 'Don't Judge Species on Their Origins', *Nature* 474 (2011): 153–154; Mark Davis, *Invasion Biology* (Oxford: Oxford University Press, 2009).

[8] Adam Whitehall, 'Japanese Knotweed: Government to Issue Asbos to Those Who Fail to Deal with Invasive Plant', *The Independent,* 19 November 2014, http://www.independent.co.uk/news/uk/home-news/japanese-knotweed-government-to-issue-asbos-to-those-who-fail-to-deal-with-invasive-plant-species-9870356.html.

[9] David Pimentel et al., 'Economic and Environmental Threats of Alien Plant, Animal, and Microbe Invasions', *Agriculture, Ecosystems and Environment* 84 (2001): 1–20.

[10] See *Environet Media,* http://www.environetuk.com/Media.

of real estate value with headlines like the following: 'The Garden Invader That Could Sink Your Mortgage', 'The Invader, If It Is in Your Garden Panic Now', 'At War With Aliens', 'Hidden Threat', 'Japanese Knotweed Invasion Causes Hertfordshire Home Price Drop', 'The Plant That Could Cost You Your Home', 'Horror Weed on Rampage' or 'Knot in My Backyard'.[11]

Despite endless variations of similar phrases, fear has not been caused by the mere presence of Japanese knotweed; it is rather banks and environmental laws that have made people panic. Any trace of the plant in one's property can result in the refusal to grant a mortgage or a planning permission. By putting real estate market and property value under the threat of a plant, a new industry of fear was immediately born. Knotweed has even been declared as 'indisputably the UK's most aggressive, destructive and invasive plant'.[12] As a result, the Law Society Property Information Form requires sellers and buyers to declare whether the property on sale is affected by it.[13]

To question the criminalisation of Japanese knotweed, it is crucial to understand first the edible condition of the plant in its country of origin, where far from being a pest, is part of a popular consumption cycle. In the volcanic soils of mountainous regions in Japan, knotweed (*itadori,* 虎杖, イタドリ) has flourished for centuries. Like many other plants in the *Polygonaceae* family – rhubarb, sorrel, sea grapes – knotweed is enjoyed savoury or sweet in a

[11] See the Newspaper Articles subsection in the list of references.

[12] Fred Pearce, *The New Wild: Why Invasive Species Will Be Nature's Salvation* (London: Icon Book, 2015).

[13] The Law Society, 'Property Information Form TA6', Question 7.8.

number of dishes and teas. In villages around Seki, Gifu Prefecture, it is widely foraged and used as a delicate ingredient, and some turn its stems into jam preserves. Not only has a sense of taste for the plant developed over centuries among humans; even some insects, like the psyllid *Aphalara itadori*, are dependent on those same juicy stems for their diet and also lay eggs on them. Having detected that these insects limit the growth by devouring the plant, British scientists are currently experimenting with importing these 'natural eaters' of the plant to release them in affected areas as a form of biocontrol.[14]

Unlike most crops, knotweed thrives in volcanic ashes and chemical-rich soils as it absorbs all sorts of minerals coming from the inner core of the Earth. In that sense, the original volcanic landscape of Japan shares many similarities with urban wastelands and grey zones that have been contaminated with heavy metals for decades. They both provide digestible strata for knotweed. Furthermore, the decline of ports, factories, dumpsites, landfills, road sides, and train tracks in British post-industrial cities made them the ideal sites for the appearance of knotweed – with soils contaminated by lead, copper, iron, nickel, sulphur – all similar in composition to volcanic soils in Japan. If we compare a chronological series of maps showing the spread of the plant nationwide, they expose how the geography of the thriving plant followed the appearance of wastelands resulting from

[14] Japanese Knotweed Alliance CABI, 'Establishing the Psyllid: Field Studies for the Biological Control of Japanese Knotweed', http://www.cabi.org/projects/project/32999

de-industrialisation processes in the country.[15] In non-designed landscapes, where nothing else is planted, knotweed reveals its anthropogenic nature: far from looking 'naturally' edible, it is immediately associated with man-made toxic grounds.

Public perception of plants does not result from any scientific taxonomy of species, as classification criteria do not revolve around leaves being short or long, green or red. Subjective classifications according to cultural standards of belonging, citizenship, fair play and morality do not contribute to an objective understanding of ecology.[16] Public perception is inherently constructed and based around the subjective making of belonging and Othering: entitling a plant to befit a certain place and time or excluding it from being part of it.[17] Distance and proximity in this sense are continuously transformed for different purposes and economic interests. Far from scientifically objective taxonomies, determining when a subject becomes 'invasive,' or eventually 'naturalised,' depends on the artificial definition of spatial and time boundaries. Borders should be enough to determine whether a 'native' species belongs to a specific nation-state. Nonetheless, changes and redefinition of national boundaries, such as Scotland or Catalonia potentially becoming fully

[15] See Chris D. Preston, David A. Pearman and Trevor D. Dines, *New Atlas of the British and Irish Flora* (Oxford: Oxford University Press, 2002); and John Bailey, public lecture at CCA Glasgow, 6 May 2016.

[16] Davis, 'Don't Judge Species on Their Origins'.

[17] Ian Rotherham and Robert Lambert (eds.), *Invasive and Introduced Plants and Animals: Human Perceptions, Attitudes and Approaches to Management* (London: Routledge, 2013).

independent nation-states affect the multiple interpretations of 'native' and 'non-native' entities.

Identifying when an 'alien' arrived or became naturalised is crucial to determine its 'native' character. The amount of years that a species has inhabited a certain place should be enough to determine its degree of belonging. But is the threshold 3 years, 30 years, 300 years, 3,000 years or 30,000 years? Over the past two centuries the planet has experienced an incomparable movement of species across the globe. As Ian Rotherham and Robert Lambert claim, if we were to consider a longer time perspective, most 'native' flora could actually be referred to as 'alien' invaders.[18] Notable examples are potatoes and tomatoes, brought to Europe from the Americas, that despite being 'non-native' crops eventually 'took over' the Mediterranean and Northern European diets as staple foods.

The preference for biodiversity over bio-uniformity is a cultural construct of recent times, and the notion that 'alien' species are enemies of biodiversity is a relatively modern idea.[19] Not only the definition of 'native' or 'non-native' is challenging, but the association of the 'alien' as a negative agent plays a crucial role in that distinction. English botanist John Henslow first outlined the concept of 'ecological nativeness' in 1835; and by the late 1840s, botanists had adapted the terms 'native' and 'alien' from common law to help them distinguish those plants that

[18] Ibid.

[19] Chris Smout, 'How the Concept of Alien Species Emerged and Developed in 20th-Century Britain', in Rotherham & Lambert, *Invasive and Introduced Plants and Animals,* 55–56.

composed a 'true' British flora from other artefacts.[20] Despite referring to plants and animals, the language deployed in their classifications did seriously influence discourses on human migration. The right to travel and settle in Britain was exercised freely until the end of the nineteenth century. Even if passports were introduced in 1858, they were more a matter of convenience for those traveling abroad, rather than means of population control. There was little control over new immigrants rights to settle in Britain. With massive immigration from Eastern Europe during the 1890s, perceptions of foreigners started to shift, as recorded in the growing accounts of racism and xenophobia. The fear of the other resulted in the passing of the 1905 Aliens Act, which started applying immigration quotas for the first time. Unsurprisingly, around the same time residents of turn-of-the-century London started to complain about Japanese knotweed 'invading' their properties.

Charles Elton's post-Second World War writing on *The Ecology of Invasions by Animals and Plants* is considered the pillar of 'invasive' ecology. If before the war, Elton was promoting 'exotic' species to be generally tolerated; during the Second World War, he worked as part of the war science team to prevent imports of foreign pests and diseases into Britain.[21] Elton drastically shifted his practice from welcoming new plants to promoting 'botanical nationalism', whereby the taxonomy of 'non-native' species

[20] Davis, 'Don't Judge Species on Their Origins'.
[21] Rotherham and Lambert, *Invasive and Introduced Plants and Animals.*

radically exacerbated the idea of a national landscape.[22] More recently, the Wildlife and Countryside Act 1981 banned the release of 'non-native' species into the wild; the Environmental Protection Act 1990 classed Japanese knotweed as a 'controlled waste' and required that it be disposed safely at licensed landfill sites; the Wildlife and Natural Environment (Scotland) Act 2011 criminalised the spread of 'invasive' plants; the 2014 Wildlife Law: Control of Invasive Non-Native Species and the Infrastructure Act 2015 allowed right of access to private land for eradication of 'invasive' 'alien' species. Yet, if we were to be strict and environmentally rigorous about how damaging some plants are to 'native' flora, the multimillion British timber sector, for instance, would need to seriously rethink monoculture 'forests' that are economically profitable, yet 'non-native' and environmentally disruptive. Hence, a more flexible and environmentally sound notion of 'native' and 'invasive' is urgently required.

Scaremongering campaigns have produced images of Japanese knotweed dramatising the 'destructive' properties of the plant. Widely circulating online, this imagery aims to proof how the plant penetrates walls, roofs and floors, and depicts how knotweed is not just a plant. It is a plant attached to a crack on a concrete or brick surface. That is its contemporary botanical image, with doses of fear tightly associated to it.

[22] Ian Rotherham, 'History and Perception in Animal and Plant Invasions: The Case of Acclimatization and Wild Gardeners', in Rotherham & Lambert, *Invasive and Introduced Plants and Animals,* 243.

Figure 2[23]

If, to follow the idea of objectivity according to science historians Lorraine Daston and Peter Galison, the botanical image is a clear means of production of truth. Eighteenth-century atlas illustrators had the authority to define what is the image of a plant; what is the perfect image of the plant. The ideal. The average. The normal. Goethe's *Urpflanze*.[24] But that image is so idealised that it actually does not exist, as it carries features of many specimens, put together in an impossibly true way to distribute certain kind of 'objective' knowledge. Botanical drawings traditionally overlapped different time cycles simultaneously, to represent growth and death, blossoming and decay, through the production of fictional images that tamed nature at a pictorial level.

[23] Different lobbies have pushed for associating the image of knotweed to a crack on a concrete surface. Illustration: the authors, 2016.

[24] Lorraine Daston and Peter Galison, *Objectivity* (Brooklyn, NY: Zone Books, 2007), 69.

The image of a plant condenses scientific and/or economic interests around it. Today the image of a concrete crack is almost inseparable from Japanese knotweed, which has turned it – and other 'non-native' 'invasive' plants – into fully anthropogenic species that pose a menace to society. However, it can be questioned whether Japanese knotweed poses a real threat, and whether it can penetrate through a 30cm thick slab of concrete: is knotweed really producing the crack, or was the crack already there and the plant grew through it, like any other plant? According to John Bailey, the media often claims that knotweed can grow through concrete, without any evidence of this. It is true that knotweed can grow through a gap in concrete or a gap between brickwork and concrete, but so can many other plants. Repetition of this claim does not make it any truer.[25]

Eradication companies aim to kill the plant with pesticides, glyphosate and injections. None of them has so far achieved the ultimate goal, as it seems that the 'pest' cannot be made to disappear, but lives on to perpetuate the lucrative business of eradicating 'non-native' 'invasives'. In an elaborated report for customers seeking to get rid of the plant, one example of advice given sustains the scaremongering strategy:

> During the survey it was noted that there was a significant infestation of mature and healthy Japanese knotweed within an adjoining garden with further Japanese knotweed located on the private garden of the subject property. Japanese knotweed is

[25] John Bailey, public lecture at CCA Glasgow, 6 May 2016.

> designated as an invasive species by the Environment Agency and is a structurally damaging plant able to penetrate a range of surfaces and structures. Planning permission and many mortgages are declined due to the incidence of uncontrolled Japanese knotweed in or close to subject properties.[26]
>
> Mortgage lenders often refuse to lend on property with knotweed, or close to knotweed infestations.[27]

Their use of language reiterates toxicity and contamination to stress the urgency of eliminating the plant: 'It is essential to eradicate all of the infestations otherwise the client's site will be re-contaminated in the near future.'[28] It also borrows from the idea of intervention in military terms: 'We have an Operative in your area [...] and are enquiring as to whether you are needing another Knotweed treatment.'[29] In addition, companies providing eradication services emphasise the shift of responsibility towards the owner: 'The legislation above puts a duty of care on the landowner with Japanese knotweed infestations to be proactive in the control and eradication of it.'[30] Furthermore, new regulations influenced by the ongoing scaremongering are turning that proactiveness into a legal obligation. Otherwise, 'failing to control Japanese knotweed in one's property could result in an anti-social behaviour order and a fine of up to £2,500.'[31]

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[26] Eco Control Solutions, 12 December 2012.
[27] PBA Solutions, 9 July 2013.
[28] Eco Control Solutions, 12 December 2012.
[29] PBA Consulting Solutions to the authors, 30 August 2016.
[30] Eco Control Solutions, 12 December 2012.
[31] 'Fines for Failure to Control Japanese Knotweed', *BBC*, 19 November 2014, http://www.bbc.com/news/uk-30110654.

It is impractical to try to restore ecosystems to some 'rightful' historical state.[32] The public perception of 'native' and 'non-native' is constructed and subjective, as they are qualities attributed by man to the – less and less natural, and increasingly artificial – environment. Therefore, wars against 'invasive' species are impossible to be fought. A parallel stream of action that tackles 'non-native' 'invasives' from a less xenophobic approach has aimed to include and embrace them into the everyday cycle of human diet as a means of gastronomic control. The idea of eating 'invasive' species is not new.[33] Even if it can balance the rapid spread of certain species, it has been criticised for also posing some challenges, like creating markets of consumption that investors would be willing to continue or even encourage. Contrary to this, the idea of incorporating these plants into a diet is not about creating a trend that would worsen their spread, but to think of food as a cultural heritage with an expiration date. To declare them temporary national dishes until the ecosystem is rebalanced. To adapt our sense of taste to them rather than the law against them. Any plant has been 'non-native' 'invasive' at some point in the geological history of the planet; it is just a matter of years or centuries for us and other species to start learning how to turn them into part of a daily dietary cycle.[34]

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[32] Davis, 'Don't Judge Species on Their Origins'.

[33] Eduardo H. Rapoport et al., 'Edible Weeds: A Scarcely Used Resource. *Bulletin of the Ecological Society of America* 76 (1995): 163–166; Martín A. Nuñez et al., 'Invasive Species: To Eat or Not to Eat, That Is the Question,' *Conservation Letters* 5 (2012): 334–341; Scottish forager Mark Williams uses Japanese knotweed to distil local gin (Mark Williams in discussion with the authors, February 2016).

[34] James Dickson in discussion with the authors, 27 February 2016.

A remarkable example is the 'invasive' lionfish in the Cayman Islands that since the late 1980s has spread all across the Caribbean. A lionfish eats any other smaller fish and reproduces so quickly that it has overrun most reefs, threatening aquatic life and with it, the tourist diving industry. Lionfish have poisonous spikes, making them difficult to catch and only possible to be fished manually with a spear or harpoon. Their tasty meat has made the Caymanian government encourage people to catch and cook these fish. They have set regular tournaments awarding the diver catching the largest amount of fish in a day, and persuaded local restaurants to serve them as 'local' dishes. Within a few years the Caymanian government has recorded a reduction in numbers of lionfish since the initiative kicked off.[35] Could gastronomic culture become a temporal practice with an expiration date – to eat lionfish until new ocean predators emerge or lionfish is no longer an ecological 'threat'? Centuries of accelerated mobility causing displacement and misplacement of species require forms of eating that have as much agency as legal frameworks to balance the environment.

Following the Caymanian initiative, *The 'Next "Invasive" Is "Native"'* was born as a project that questions negative definitions and taxonomies of 'aliens' that have been living in Britain for decades, centuries or millennia. Instead, could we integrate newcomers, misplaced and displaced edible plants, into an everyday form of eating? The project emerged as part of *Pokey Hat,* an exhibition that looked

[35] Authors in conversation with the Department of the Environment, Cayman Islands. March 2015

at the socio-economic history of ice cream in Glasgow.[36] The stigmatised public perception of Italian immigrants, who arrived to Scotland in the 1900s, was accentuated by an unprecedented wave of ice cream parlours they opened all across the city. These new venues effectively challenged the sexist Victorian morale and became 'sites of promiscuity,' where women were able to socialise on their own till late at night.[37] After three or four generations, ice cream has become a matter of national pride in Scotland. The project initiated a collaboration with five local ice cream parlours in Glasgow to produce ice cream out of 'non-native' 'invasive' species, like Japanese knotweed or Himalayan balsam, but also 'native' 'invasive' species, like nettles (brought to Britain by the Romans some two millennia ago, also from Italy). The recipes for the different ice creams were developed together with the descendants of the 1900s ice cream makers.

Yet in order to source the plants, the project had to operate within the laws criminalising 'non-native' 'invasive' knotweed, which forbid the spread of it, but do not affect the foraging of 'native' 'invasive' nettles. Cutting and throwing away knotweed rhizomes is forbidden on the basis that it can lead to new shoots, but the foraging of the plant for full consumption is undefined and can take place in a legal limbo. The acceptance of 'non-native' species might happen through the cone, the palate or the plate but a transformation of the legal system that

[36] *Pokey Hat* was curated by VERBureau for Glasgow International in 2016.

[37] 'Ice Cream and Immorality', *Glasgow Herald*, 18 May 1906.

Figure 3[38]

criminalises them has to support the redefinition of who does or does not belong and what is to be tasted.

The second iteration of *The 'Next "Invasive" Is "Native"'* took place as part of The Empire Remains Shop, a platform set up by Cooking Sections to speculate on what it would mean to sell the remains of the British Empire in London today. Continuing the rationale challenging subjective laws regulating 'non-native' 'invasive' plants, the *Devaluing Property Real Estate Agency* followed as an installation for two weeks in September 2016.

[38] *Devaluing Property Real Estate Agency*, at The Empire Remains Shop in London. Photo: the authors, 2016.

It responded to the context of the site, located on 91–93 Baker Street at the heart of Marylebone, a district left ghostly by overseas investors accruing valuable properties they will never occupy.[39] It reacted to the omnipresence of real estate agencies, who are becoming real invaders in our cities and are profoundly damaging the housing environment in both their *ethos* and modus operandi. The *Devaluing Property Real Estate Agency* replicated the aesthetics of their window displays through LED lightboxes to compile and showcase a series of properties 'affected' and devalued by knotweed: properties whose owners committed suicide believing they had gone bankrupt after the plant appeared in their garden, or properties whose value simply dropped and became another market niche for buyers. A thirty-minute consultation session on how to devalue property through the agency of a plant was offered. Hundreds of people stopped by the window to look at the assets on display: some engaged with the topic, others ridiculed it, and others became infuriated for playing with such a serious business and stable pillar of society. As part of the consultation session, the agency of the plant materialised in the tasting of *The Plant That Can Sink Your Mortgage Ice Cream*.

If our sense of taste can adapt and make 'invasive' plants palatable, our borders can also evolve and mutate into a

[39] Hettie Judah, 'A Mock Pop-Up Critiques Britain's Imperial History', *Artnet*, 17 August 2016, https://news.artnet.com/exhibitions/london-pop-up-shop-critiques-englands-imperial-history-609824.

Figure 4[40]

blurry condition within a postcolonial world. Learning how to eat 'non-native' 'invasive' plants introduces tastiness as a form of habituation. Like in the case of the

[40] *The Plant That Can Sink Your Mortgage Ice Cream*. Photo: the authors, 2016.

tubers and vegetables brought from the Americas in the fifteenth century, the Italian ice cream makers in Scotland in 1900s, and the recent eating of lionfish in the Cayman Islands, Japanese knotweed as an ingredient can challenge normative perceptions of belonging and predetermined legalities around 'aliens'. Indeed, the sense of taste has been able to adapt throughout history and constantly blur the category of 'native' and 'non-native'.

This essay is based on The 'Next "Invasive" Is "Native"', a performative lecture by Cooking Sections at The Empire Remains Shop.

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Corporeal Crafting: Tastes, Knowledges and Quality Protocols in British Cider-Making[1]

Emma-Jayne Abbots

1. Introduction

In this chapter I interrogate the ways in which craft cider makers utilise corporeal taste to construct their own normative framework of quality, in relation to both agri-capitalism and initiatives that work to celebrate artisan production in the form of appellations of origin. My primary intention is to highlight the critical role the body and the senses play in the construction of knowledge about what constitutes a 'quality' cider and indicate the

[1] This project was funded as part of an AHRC Care for the Future grant entitled *Consuming Authenticities* (AH/M006018/1). My thanks go to Elaine Forde and Hazel Thomas who were instrumental in the data collection, and to my project co-investigators, Deborah Toner, Anna Charalambidou, and Ana Martins. I am particularly indebted to all the cider producers who so generously gave their time and knowledge to the project. My gratitude is further extended to the editors and to the anonymous reviewer for their thoughtful and helpful comments on an earlier draft.

tensions that emerge when such embodied and intuitive knowledge is abstracted and codified. In so doing, I show where bodies – both human and non-human – are located and made present in craft production processes, as well as the ways these are absented in makers' narratives of 'other' forms of production.

First, I discuss the elements that craft producers see as contributing to a quality craft cider, with an emphasis on manual labour, natural processes and minimal intervention. As such, I indicate the normative frameworks through which cider makers animate their ideas of a tasteful cider, which, in turn, enables the construction of their product and practice as craft in opposition to the tasteless products of agri-capitalism. This also draws attention to the vitality of non-human bodies and the unpredictable interactions between multiple substances. Secondly, I unpack how craft producers value these flavour inconsistencies that emerge from the interplays between human and non-human bodies, and tease out the disjuncture between their own markers of quality and the values that underpin appellation frameworks, such as Protected Geographical Indications (PGIs). Finally, I offer an exploration of how makers learn their craft through embodied practice and close with a reflection on the centrality of the senses craft cider making, as well as the interplays between bodies, taste and the reproduction of knowledge.

As I have argued elsewhere, the body – with some notable exceptions[2] – is ironically rendered invisible in much

[2] See, for example: Allison Hayes-Conroy and Jessica Hayes-Conroy, 'Taking Back Taste: Feminism, Food and Visceral Politics', *Gender,*

of the literature on eating and drinking, which has tended to favour political economic analysis and symbolic meaning over affect, materialities and the senses.[3] In parallel to this, a Foucauldian-inspired social constructionist perspective that draws attention to the ways in which bodies are subjected to and constituted by political dynamics and discourse has emerged[4] which, while highlighting the fluid, fragmentary and socially embedded nature of bodies, has also paradoxically dropped the lived body from view.[5] As Carolan notes, scholarship that claims to be about bodies rarely attends to 'actual bodies, in terms of how they think and feel'[6] and thereby 'misses the opportunity to add sentience and sensibility to our notions of self and person'.[7]

In this chapter, I pay heed to the calls for a greater focus on embodiment and attend to the 'bodiliness'[8] of craft

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Place & Culture: A Journal of Feminist Geography, 15:5 (2008): 461–73; Elspeth Probyn, *Carnal Appetites: FoodSexIdentities,* (London: Routledge, 2000); David Sutton, *Remembrance of Repasts: An Anthropology of Food and Memory* (Oxford: Berg, 2001).

3 Emma-Jayne Abbots, *The Agency of Eating: Mediation, Food and the Body* (London: Bloomsbury, 2017).

4 Judith Butler, *Bodies That Matter: On the Discursive Limits of "Sex"* (London: Routledge, 2003); Jan Wright, J. and Valerie Harwood, eds., *Biopolitics and the 'Obesity Epidemic': Governing Bodies* (New York: Routledge. 2009).

5 Brian Turner, *The Body and Society: Explorations in Social Theory*, 2nd edition. (London: Sage Publications, 1996), 28.

6 Michael Carolan, *Embodied Food Politics* (Farnham: Ashgate, 2011), 9.

7 Thomas Csordas, 'Introduction: The Body as Representation and Being-in-the-World', in *Embodiment and Experience: The Existential Ground of Culture and Self*, ed. Thomas Csordas (Cambridge: Cambridge University Press 1994), 4.

8 Ibid., 4.

cider makers, while also situating embodied encounters within the broader political and economic dynamics of assessing, valuing and commodification. I align with scholarship that examines how subjective experiences produce politicised knowledges, and draw on the 'visceral geographies' perspective developed by Hayes-Conroy and Hayes-Conroy, which illustrates the interplays between the sensate body and political dynamics.[9] In interrogating how social categories, such as race and gender, both shape and are shaped by the sensory experience of eating, they demonstrate the extent that 'social disenfranchisement and physical tastes both reinforce and resist each other'[10] and indicate the connections between body and society. Similarly, Carolan's study on embodied food politics elucidates how an individual body is directed – or 'tuned' in his words – towards industrial, highly processed foods and shows how seemingly individualised tastes are informed by wider political and economic frameworks.[11] I build upon the foundations laid by these writers by illuminating how cider makers' embodied experiences facilitates the construction of the categories craft and craft maker, with a particular focus on the interplays between corporeal and social tastes.

This chapter is also informed by Bourdieu's seminal work on *Distinction* in which he examines the ways social tastes, while seemingly benign and natural aesthetic

[9] Hayes-Conroy and Hayes-Conroy, 'Taking Back Taste'.

[10] Jessica Hayes-Conroy, *Savoring Alternative Food: School Gardens, Healthy Eating and Visceral Difference*, (Abingdon: Routledge, 2014), 3.

[11] Carolan, *Embodied Food Politics*.

judgements are instead socially inscribed through *habitus*, meaning embodied cultural capital, habits and practices.[12] Bodies, then, are individual, social and political,[13] and taste is both subjectively experienced and culturally informed. Bourdieu shows that tastemakers, in the form of cultural intermediaries, who manipulate the flow of knowledge between producers and consumers, are critical to this process as they set the agenda of what constitutes good taste and work from a position of legitimate information experts.[14] Taste, acts as a mechanism for the reproduction of social difference, with the lower classes looking to emulate the 'good taste' set by groups of higher social standing. In situating such tastemakers within the burgeoning petite bourgeoisie professions of the 'cultural industries', Bourdieu, while highlighting class dynamics, however limits the political authority of knowledge to particular social actors who are positioned at the intersection of economy and society.[15] In this chapter, I continue to look beyond such limitations as I explore the role that small producers, who do not appear at first glance to have the social status of cultural intermediaries, act as

[12] Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (New York and London: Routledge. 1994); *The Logic of Practice*, trans. R. Nice (Bloomington, IN, Stanford University Press, 1990).

[13] Nancy Scheper-Hughes and Margaret Lock, 'The Mindful Body: A Prolegomenon to Future Work in Medical Anthropology' *Medical Anthropology Quarterly,* 1:1 (1987) 6–41.

[14] Bourdieu, *Distinction.*

[15] Matthews, Julian and Jennifer Smith Maguire, 'Introduction: Thinking with Cultural Intermediaries', in *The Cultural Intermediaries Reader*, eds., Jennifer Smith Maguire and Julian Matthews (London: Sage, 2014) 1–12; see Abbots, *The Agency of Eating.*

tastemakers in both senses of the word, despite seemingly having lower levels of economic and political capital than large-scale manufacturers and legal institutions.

2. Introducing the Cider Makers

My discussion is based on qualitative data collected from a number of craft cider-makers located across Wales and Herefordshire through a mixed-method approach, including focus group discussions and interviews, personal history collection, participatory mapping and participant observation.[16] The subjects of my study can be classified as 'artisan' producers in that they produce less than 7,000 litres of cider a year, although, as I show below, factors beyond size and scale inform the construction of these makers' products and practices as 'craft'. Their own definitions of craft are not, however, uniform and a small number are uncomfortable with the term, preferring instead to focus on 'just being a maker of good cider', while others actively and passionately embrace the label. Nearly all the makers are relatively new entrants to the market and do not have a previous background in cider (outside of drinking it). Many started cider making as a hobby and have had to learn the necessary skills through trial and error, reading instruction manuals, talking to the craft cider community, which they find to be generally supportive to new entrants, and spending time with other makers who have mentored them.

[16] Due to commercial sensitivities, I do not identify any producer by personal or company name and direct quotations are therefore not attributed to named individuals.

Contrary to the image that is commonly depicted in marketing narratives of cider, as seen in the advertisements of large-scale producers, the majority of the craft producers with whom I conducted research do not originate from a farming background and few have their own orchards. Instead, they rely heavily on forming relationships with other farmers, estate and orchard owners, and even individuals who have a couple of cider apple trees to source their raw ingredients, with one telling me how he could often be found driving around the neighbouring countryside in a hunt for cider apples. This reliance on friends and neighbours continues during harvest, when makers encourage others to help them pick the apples by hand and transport them. A sense of collectivism is hence evident in many makers' narratives, which often highlights how making cider is a lifestyle choice that enables them to live and work with friends and family in beautiful countryside. As one maker stated 'cider has given me a border collie and a great view'.

A number of distinctive themes and commonalities thereby emerge from my participants' narratives, not least that they are looking to create a quality product of which they are proud, by working with nature and the community. This is not to state that the makers are not commercially aware, but rather to explain that economic gain, as I elucidate below, is not the primary motivating force. The makers should not be regarded as a homogenous group, however, as they come to cider making with a range of professional backgrounds, personal experiences and political and economic capital. Some, for example, still need to work in waged full- or part-time

employment to economically survive, whilst others have retired from positions in engineering and medicine. A small number have significant landholdings and large properties, whereas others produce their cider in small makeshift garages and sheds. A few presses are hand-built from scrap materials, but some makers are able to invest heavily in new technology. Many, especially those located in southwest Wales, have also recently moved into the area, not uncommonly from England and the south-east, whereas a small number define themselves as Welsh. There is not the scope nor space here to tease out these variances, but I do indicate differences of opinion and tensions when it is relevant in my account below.

3. The Embodied Labour of Flavour

One of the central tenets of many a craft maker's narrative about the ingredients required for a good tasting cider is manual labour, with a number emphasising that it is in such embodied practices that craft can be located. They talked at length about the care and attention required to produce a flavourful cider: from handpicking the apples to hand-washing them in cold water to inspecting each apple individually for blemishes to pressing the pomace, makers all stressed the bodily presence and physical work involved at each stage of the process. This was summarised neatly by one producer who responded to my question about what makes a craft cider by exclaiming 'a bad back!' – a flippant response perhaps, but one that points to the value of manual labour and the centrality of the human body in creating both a good cider and a good

cider maker. Within such framings, the introduction of new technologies and interventions are unsurprisingly deemed problematic, insomuch as they detract from the taste of the end product. This is explicable, in part, by the value producers place on slowness, with one maker telling me that, although an increase in demand motivated them to invest in technology, they returned to more labour-intensive methods as the quality declined. He explained:

> … we decided to invest in a belt press. A huge great thing! It washed the apples, took the apples up a spiral tube, scratted them then took them through presses.[17] It made the cider so fast that the quality of the cider went. There was too much sediment, we just didn't like it. Labour-wise the press saved us a lot of time but we've got rid of it. Now we have this lovely twin-screw press. Very old, a lot of work, we don't make as much cider, but the quality is better.

Similarly, a number of producers were sceptical about a neighbouring maker who was embracing technology in the form of mechanised production lines, sharing with me that they thought his cider had become less flavoursome since he had adopted such measures. In the words of one maker, his cider has 'lost its oomph' – meaning the unidentifiable magic ingredient that elevates a cider from average to high quality that can only be discerned upon drinking and tasting. For his part, the maker who was readily adopting newer technologies argued 'it doesn't matter if it's wooden barrels or steel vats – it's still craft.

[17] Scratting refers to the breaking up of apples in order for them to enable them to be pressed for juice.

They're just the tools for the job – the tools that you use', and located his skill in his innovation and mastery of the materials. For most, then, speed of production matters. Jackson and the CONANX Group state that 'most definitions of artisanal production stress its handmade and small-scale nature with minimal use of mechanization'[18] and cider makers are no different: they echo the established popular argument that slowness of production equates to care and quality,[19] as well as scholarship on how the modernisation of the food system has triumphed over the constraints of time and space to produce cheap, low quality food.[20]

Inherent within these framings is the premise that technology, in the form of industrial equipment, acts to alienate the producer from their end product.[21] Yet, as West points out, what is deemed technological and mechanised is relative and problematic, with objects that were once regarded as industrial now being seen as museum pieces.[22] This insight holds true for cider production, which

[18] Peter Jackson and the CONANX Group, *Food Words: Essays in Culinary Culture* (London: Bloomsbury 2013), 27.

[19] See, for example, Carlo Petrini, *Slow Food: The Case for Taste* (New York: Columbia University Press, 2001).

[20] Sidney Mintz 'Food at Moderate Speeds', in *Fast Food/Slow Food: The Cultural Economy of the Global Food System*, ed. Richard Wilk (Lanham, MD: Altamira, 2006) 3–11.

[21] Karl Marx, *Capital: An Abridged Edition* (Oxford: Oxford University Press 1995 [1867]).

[22] Harry West, 'Artisanal Foods and the Cultural Economy: Perspectives on Craft, Heritage, Authenticity and Reconnection', in *Handbook of Food and Anthropology*, eds., Jakob Klein and James Watson (London: Bloomsbury, 2016), 400. See also Heather Paxson, *The Life of Cheese: Crafting Food and Value in America* (Berkeley, CA: University of California Press, 2013).

has witnessed an evolution in production technologies from immovable horse-powered stone presses to horse-drawn travelling presses to the 'antique' smaller screw presses some makers continue to use today. Producers commonly downplay their use of modern equipment in their biographies and even the most cursory of glances through their marketing materials will yield a significant number of images of antique presses. This could be seen as a cynical marketing ploy and, while makers are very aware that images conveying tradition and the rural idyll fit with consumer expectations, this is not the key factor in their narratives. Instead, they talk fondly and animatedly about their more aged equipment that requires the input of manual labour, and stress how this contributes to the taste of their cider and their practice as craft. This very embodied engagement with the tools of their craft forges a connection between the maker's body and their product, and the resulting cider thus becomes imbued with the essence of the maker, as well as the substances of the raw materials and tools.

4. 'You should be able to taste the apples'

Trade-offs often need to be made, however, as makers strike a balance between commercial viability, labour costs and availability, and the desire to produce a flavoursome product. These are negotiated through the idiom of taste and, although they are rarely able to narrate what lies behind any compromises in the manual labour process, the equation of speed with a loss of flavour plays a significant role. Mechanisation detracts from the desired

apple-rich flavour, which is one of the key characteristics of a quality cider, and makers aspire to make a drink that is as natural as possible. This means there should be no added extras in the form of artificial yeasts, sulphites and sugar. As one explained, a good cider is 'a natural product' made by 'leaving nature to do its stuff for three months'. Another young maker took me through his production process step-by-step by focusing on the natural processes of fermentation and the release of pectin involved, and downplaying any additions he had made, such as enzymes that split the juice. He reflected that 'there are more natural ways of doing it' and expressed the ambition to get to that stage, concluding that makers have to 'guide [their] cider in the right direction'.

It is not just the makers, but also apples and other matter, then, that are doing the work of giving the cider flavour. Bennett draws our attention to this vitality of both animate and inanimate substances by examining the manner in which things have the agency to affect and produce effect in human and non-human bodies.[23] Questioning anthropocentric treatments of objects as 'dead matter', she demonstrates how food acts upon the body to create different cognitive effects – effects that, for Mol, lie beyond the control of the consumer's body.[24] In writing that '[o]rganic and inorganic bodies, natural and cultural objects…are all affective', Bennett thereby inverts the assumption that it is humans that act upon

[23] Jane Bennett, *Vibrant Matter: A Political Ecology of Things* (Durham, NC: Duke University Press, 2010).

[24] Ibid: ix; Anne-Marie Mol, 'I Eat an Apple: On Theorizing Subjectivities', *Subjectivity,* 22 (2008) 28–37.

things, invoking an Actor-Network Theory-inspired model to argue that agency is relational, distributed and produced through dynamic interactions between human and non-humans.[25] As such, she challenges the binary between subject and object, and nature and society. Similarly, Goodman calls for an approach that accounts for the 'hybrid co-productions of natures-cultures' and reveals, through an analysis of episodic events such as food scares, the multiple actors that shape a food's network.[26]

Returning to cider, these arguments enable us to posit that the end product is a hybrid of nature and culture, with the non-human raw materials acting to produce taste as much as the human craft producer. Moreover, they also give us a route to explore ways in which apples and yeasts act upon and create affect and effect in the maker, just as much as the maker acts upon his raw materials in the process of production.[27] Viewed through this lens, craft production becomes a collaboration of multiple bodies, rather than an imposition of the human body onto nature. Yet it takes time for such collaborations to occur: it cannot be rushed. Time and space are required to enable the slow fermentation, in the form of interac-

[25] Bennett, *Vibrant Matter*, xii. See also Bruno Latour, *Reassembling the Social: An Introduction to Actor Network Theory* (Oxford: Oxford University Press, 2005).

[26] David Goodman, 'Agro-food Studies in the "Age of Ecology": Nature, Corporeality, Bio-Politics', *Sociologia Ruralis,* 39:1 (1999), 28.

[27] I use 'his' purposefully here as cider making is gendered and all my participants were men, although women are involved in the process but often in a supporting, marketing and administration role. There is not the scope to explore these dynamics in this paper.

tions between the human and non-human entities of makers, apples, yeasts, tools and casks. It is in this process that the quality of taste emerges.

5. Sweetness v. Dryness: Industrial v. Craft

Makers' valorisations of manual labour, slowness and natural production processes further facilitate the construction of craft cider as diametrically opposed to the offerings of large-scale, globalised producers, which are regarded by makers as lacking in apple flavour and tasting only of sweetness and sugar. Sweetness is treated ambivalently – at best – in craft cider circles, with self-styled 'purists' advocating a dry flavour and some makers looking to attain dryness to distinguish their craft. Not all makers agree with such judgements and the levels of sweetness in craft ciders are subject to some discussion, with a number opposing the 'purists' and acknowledging a trend towards sweetness that is, in the main, driven by the desires of the consumer, especially the younger market that have been introduced to cider by global drinks manufacturers. Such younger consumers are also deemed to have sweeter palates as a consequence of the wider trend of increasing sugar consumption and a number of more mature makers expressed a concern that this trend was influencing younger makers, who are also regarded as having less of a palate and preference for dryness. Generational differences aside, the theme that sweetness to the detriment of apples is antithetical to a good tasting cider, and also typical of the products large-scale corporations, is evident.

There is a broader ethical framework at play here in which the craft maker juxtaposes their labour, their care and attention to their product, their relationship to nature and their commercial motivation to the values of large-scale manufacturers. One maker declared, 'people who murder their grannies or rob their children won't make craft cider – they make [Cider Brand]! Because they'll be out to get rich quick'. This startling indictment points to the ways in which craft producers assert their distance from global corporations through their distinct economic and social values, and I was told on more than one occasion how a craft maker would throw a barrel of cider away if it was not of sufficient quality, despite the economic cost. Others had resisted offers from larger retailers, as having a product placed in a supermarket chain is regarded as a sign of compromised integrity. One maker even restricted the availability of his product to consumers in his home county, arguing that there was an attraction to only being able to obtain a product in its particular locale. 'Selling out' in the form of increasing the scale and speed of production and marketing to a wider consumer base is thus equated to a shift away from craft and, by extension, a watering down of apples and sweetening of taste.

These constructions of the self as crafter in relation to the large-scale aligns with scholarship of the heritage food sector that has highlighted the fluidity of the term 'artisanal' and demonstrated its contingency with agri-capitalism. Paxson, for example, argues that the category of the artisanal is formulated and 'othered' in relation to the industrial and West writes that this comparison 'is essential to the ever-changing definitions of the artisanal, as

the category makes sense only in relation to its constantly changing other'.[28] I wish to extend this well-established argument by stressing the role that taste plays in formulating such otherness. Other non-craft ciders are too sweet because they are (understood to be) made predominantly from (imported) apple concentrate with added sugar by fast and careless processes, rather than with naturally fermented apples that are carefully guided. The bodies of the makers, as well as the whole bodies of apples, are thus rendered invisible in narratives of large-scale production whereas they are front and centre in craft cider. The products of agri-capitalism are inevitably tasteless in such constructions: as Jackson and the CONANX Group observe, industrially produced foods are commonly 'caricatured' as 'bland' and 'overly standardized'.[29]

Craft cider makers thereby construct their own normative framework, in relation to agri-capitalism, through which notions of acceptable production processes and desired flavours are propounded and upheld. It is in the taste of the product, then, that the oft-invisible embodied production practices can be brought to the fore and the moral integrity of the producer unveiled. Using taste in this corporeal sense further enables makers to produce ideas of what constitutes taste in the Bourdieusian sense, as they work to distinguish their product – and their production means and values – from the industrial. They thus emerge as tastemakers in both senses of the

[28] Paxson, *The Life of Cheese*; West, *Artisanal Foods and the Cultural Economy*, 409.

[29] Jackson and the CONANX Group, *Food Words*, 25.

word, albeit to a relatively small audience of other producers, as they set the agenda of 'good taste' that derides the mass-market and associates bland, sweet cider with a less-discerning maker and consumer. Corporeal taste, as the manifestation of a maker's value system, provides a paradigm through which social tastes can be defined, assessed, and hierarchised.

6. Valuing Inconsistency

The construction of their own 'good tasting' cider in relation to the tasteless, mass-market products of agri-capitalism continues in craft makers valuing inconsistency. As one maker surmised 'it sounds strange; you always want to keep the quality but inconsistency [of flavours]'. This further elucidates the ambivalence surrounding the one producer who was shifting to higher levels of mechanisation, as he also advocated an approach that looked to abstract and replicate taste profiles and was hence moving towards a more consistent product. Nonetheless, this maker was also keen to state that this process could never be foolproof and he emphasised how he could not account for the interactions between materials that take place once the cider is fermenting, noting that one of his ciders developed surprising pineapple undertones when developing in newly purchased barrels that had once held rum.

The value placed on inconsistency can be related back to how the makers regard their product and practice as closer to nature than that of the agri-capitalists. There is unpredictability in natural processes. West makes a

parallel observation about artisan cheese makers, who see the variable characteristics of their cheese as a reflection of the ever-changing environmental factors in which it is made, and contrast this to standardised, 'less natural', products.[30] This further points to the vitality of the non-human, which cannot be fully controlled, as Mol's observations on eating an apple show.[31] She writes that prior to eating there are two discrete entities: the human body and the apple. Yet upon eating, the apple's body fragments and becomes incorporated into the eater's body, thus breaking down the barriers between object and subject: each blurs into the other. This process is not fully governed by the human eater, as the apple's substances work within the human body and engage with internal organs in unpredictable ways. Agency is thus dispersed with multiple bodies all acting upon each other in myriad ways. This is further illustrated by Bennett's account of fat in which she argues that, while the substance creates different cognitive states, it does not do so as mechanical causality, with predictable results.[32] Rather, it should be seen as a process of emergent causality, meaning that different fats prompt different effects and affects in different bodies in different contexts.

In cider, the unpredictability of natural processes can also lead to innovation, as unintended and unexpected flavours, such as pineapple, emerge and makers explore the non-human bodies that interacted to do so. New

[30] West, *Artisanal Foods and the Cultural Economy.*
[31] Mol, *I eat an apple.*
[32] Bennett, *Vibrant Matter*, 41–2.

product lines are 'developed' in this manner, with one maker starting a line of vinegars and chutneys as a consequence of a batch of cider fermenting in unanticipated ways. This maker also produced an award-winning cider, but informed me that they could in no way replicate it, even if they so desired, because they were not sure how they produced it in the first instance. Such statements were proudly professed as they serve to reassert a maker's credentials as an artisan who is more concerned with making a good-tasting cider than garnering financial rewards and mass-market appeal. In contrast, the economic success of agri-capitalism is premised on the production of a consistent-tasting product. This consistency of flavour, regardless of geographical location, is, as Ritzer explains in his thesis on 'McDonaldization', the fundamental production rationality driving the expansion and economic success of globalised corporations that leads, in his rendering, to cultural homogenisation.[33]

Consistency also facilitates a mass-market experience that is seemingly placeless, as food becomes disembedded from its site of production and consumers disconnected from producers in both perception and lived experience.[34] The sites and relations of food production are obscured as they grow in complexity.[35] Even alternatives,

[33] George Ritzer, *McDonaldization: The Reader,* (Los Angeles, CA: Pine Forge Press. 2010).

[34] Moya Kneafsey et al., *Reconnecting Consumers, Producers and Food: Exploring Alternatives,* (Oxford: Berg, 2008).

[35] Benjamin Coles, 'Placing Security: Food, Geographical Knowledge(s) and the Reproduction of Place(less-ness)' in *Careful Eating: The Embodied Entanglements of Food and Care*, eds., Emma-Jayne Abbots, Anna Lavis and Luci Attala (Farnham: Ashgate, 2015) 151–72.

in the form of heritage products, organic foods and artisan production, serve to replicate such spatial and temporal relations, as they reproduce the hegemonic dynamics of agri-capitalism by constructing their offering in opposition to it.[36] Needless to say, it is this very opposition to industrial food that craft cider makers value and look to create. They may be reinforcing industrial cider manufacturing by establishing an 'alternative' in relation to it, but (in)consistency – borne from a particular geographical locale and unpredictable materials, a visible site of production, and connections between human and non-human bodies – at least gives them a taste-based mechanism through which they can distinguish themselves and their product.

7. Branding Place-based Food

A tension further emerges when craft producers' celebration of inconsistency is placed alongside the normative frameworks of protected geographical indications (PGIs), which work to abstract, codify and scale the quality of a food stuff by emphasising its place-based particularities – particularities which, as we have seen, are often unpredictable and inconsistent. As West explains, PGIs, along with protected designation of origin (PDOs), form part of a suite of appellations of origin and geographical indications that are regulated through a 'growing array of national laws and international treaties that sometimes

[36] Benjamin Coles, 'The Shocking Materialities and Temporalities of Agri-Capitalism', *Gastronomica: The Journal of Critical Food Studies,* 16:3 (2016): 5–11.

reinforce and sometimes contradict one another'.[37] Emerging from the formation of the European Union in 1992, PGI status relates to 'products for which the quality or characteristics are essentially or exclusively due to geographical conditions' and pertains to products that are partially prepared, produced and processed, in a traditional manner, in a specific, defined region.[38] It therefore works to provide a counter to the seemingly 'placeless' and homogenised products of agri-capitalism by celebrating place-based connections and *terroir*. As such, it could be assumed that craft cider makers would value such a designation.

'Traditional Welsh Cider', which recently acquired PGI status, is described as:

> cider made in Wales from first-pressed juice of cider apples from any indigenous and non–indigenous apple varieties grown in Wales to a traditional production method. Traditional Welsh Cider may be made from a blend or a single variety of first pressed apple juice. 'Traditional Welsh Cider' is made from 100% pure cider apple juice.[39]

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[37] Harry West, 'Appellations and Indications of Origin, Terroir, and the Social Construction and Contestation of Place-Named Foods' in *The Handbook of Food Research*, eds., Anne Murcott, Warren Belasco and Peter Jackson (London: Bloomsbury 2013), 210.

[38] Ibid. 227. This is in contrast to the more stringent PDO status, whereby a product must be *entirely* prepared, produced and processed in a determined geographical region using traditional methods.

[39] Department of Environment, Food and Rural Affairs '*Protected food name: Traditional Welsh Cider* https://www.gov.uk/government/publications/protected-food-name-welsh-cider, (accessed 11 November 2017), 2.

Such a description appears to align neatly with the makers' own values, and the application was drawn up by the Welsh Perry and Cider Society in consultation with its members. Yet, a significant proportion of my participants was largely ambivalent about the designation and did not see it as means through which to enhance the value of their product. They tended to avoid the topic in discussions, and made it clear that they did not have an interest in it, nor regard it as relevant to discussions of craft and artisanal production. There were few strong feelings against appellation protocols, but there were no strong inclinations towards it either. In part, this apathy can be attributed to the practicalities of producing a cider from solely Welsh-grown apples, as a number of makers source their raw materials from across the border in England, in addition to the interpersonal relations within the cider community. But it also stems, I would suggest, from differing value systems and paradigms of distinction.

The disjuncture between craft makers and formalised paradigms of appellations of origin is documented in Cavanaugh's study of salami in Bergamo.[40] She elucidates a process of commodification, reification, and appropriation, as a foodstuff that was once deeply entrenched in small-scale and domestic spaces, and hence laden with sociality, is extracted by large-scale producers and potentially regulated under Geographical Indication (GI) protections. As such, Cavanaugh argues, the product becomes less 'our salami' (*salame nostrano*) as it is

[40] Jillian Cavanaugh, 'Making Salami, Producing Bergamo: The Transformation of Value, *Ethnos,* 72:2 (2007): 149–72.

increasingly abstracted from the community. A similar process of alienation and appropriation is further documented in West and Domingos's account of Serpa cheese in Portugal, which explores how small-scale producers, who have had to modernise their production practices to become commercially viable, were effectively excluded from a *Slow Food Presidia* that valued 'traditional' production processes – much like the wording of Traditional Welsh Cider's PGI description.[41] Ironically, glossing over the historical social and economic inequities that motivated craft producers to change to less risk-laden production methods in the first instance, West and Domingos write that the *Presidia* sought to reify an idealised, historicised and codified form of making Serpa that was ultimately removed from the everyday realities of small-scale producers in the present. A picture thus emerges of actors with higher levels of economic, political and cultural capital – in the form of multinational corporations and political and community leaders – adopting place-based markers of quality in a manner that disenfranchises the voices of the very craft makers that such protocols and practices are designed to protect.

Processes of alienation from the small-scale notwithstanding, the extent that appellations of origin are markers of quality and reflections of traditional production practices have also been questioned. West also tells us that, in some contexts, appellation frameworks have

[41] Harry West and Nuno Domingos, 'Gourmandizing Poverty Food: The Serpa Cheese Slow Food Presidium', *Journal of Agrarian Change,* 12:1 (2012), 120–43.

been appropriated by agri-capitalism and resulted in what some see as an 'erosion or abandonment of traditional methods in favour of more modern, more profitable ones'.[42] Likewise, Bowen and Zapata note that smaller producers of Mexican tequila were marginalised as larger producers used less ecologically sustainable methods, such as mono-cropping and pesticide use, in order to capitalise on the drink's PDO status.[43]

As Bowen and De Master observe, such processes of codification can threaten the diversity of traditional practices, as, in seeking to standardise the attributes of quality, they are unable to account for the dynamism and unpredictable nature of craft production – the very characteristics valued by cider makers.[44] For them, quality, in terms of taste, cannot be placed on a scale, labelled or be made to fit within a set framework of regulations. Their end product is not only too unpredictable for such apparatus, but it's very quality – and by extension the identity of the maker – is based on its inconsistency and innovation. A disjuncture of value systems and normative frameworks of quality between craft makers and appellations protocols thereby emerges.

This is not to state that craft cider makers do not value tradition or place. On the contrary, they consistently celebrate historical continuities in practice, materials and

[42] West, *Artisanal Foods and the Cultural Economy,* 420.

[43] Sarah Bowen and Ana Valenzuela Zapata 'Geographical Indications, Terroir, and Socioeconomic and Ecological Sustainability: The Care of Tequila', *Journal of Rural Studies,* 25: 1(2009), 108–19.

[44] Sarah Bowen and Kathryn De Master, 'New Rural Livelihoods or Museums of Production?: Quality Food Initiatives in Practice, *Journal of Rural Studies,* 27: 1(2011), 77.

environment and are aware of the legacy on which they draw. Such continuities are not rendered static, however, but allow for a conception of tradition that is fluid and subject to change, in contrast to more reified frameworks. Nor I am arguing that cider makers do not have a normative framework or one that is any less prescriptive than other paradigms. They abstract, define and uphold quality and assess practices and products against such markers just as much as other framings. They just do so through a value system that does not align neatly with appellation protocols and regulatory frameworks.

8. Embodied Knowledges

The process of abstracting elements of cider, which are subjectively experienced through taste, into a quality framework, is not a process without its difficulties or tensions. It has been noted that artisan food producers commonly have 'an historical, experiential, and intuitive understanding' that comes from 'hands-on knowledge', and it is this quality that enables the association of artisanal food production with corporeal taste.[45] The producers with whom I conducted my research were no different. Whilst some cidermaking knowledge was gained from reading instruction manuals and working and talking with other cider makers, much of their knowledge is acquired through trial and error and learning 'on the job'. This, as I have indicated above, can lead to expensive mistakes, as well as innovation, experi-

[45] Jackson and the CONANX Group, *Food Words*, 23–5.

mentation and new product ranges. It also leads to the development of a palate through continuous drinking and tasting, through which the identification of different flavour elements is learnt, assessed and valued. Makers' bodies are, then, at the forefront of knowledge-making, with one maker telling me he tasted his cider every day while it was coming towards the end of the fermentation process in order to assess the optimum moment to bottle it. Similarly, another maker discouraged me from choosing his cider at a festival as it, to paraphrase him, 'just wasn't right and needed more time'. The cider, to my palate, was of a perfectly high quality, but the maker had the greater experiential knowledge of drinking his earlier ciders and those of other makers. His palate was, in the words of Carolan, 'tuned' through the continued sensory experience of tasting and assessing multiple ciders over the course of his career.[46] Certain subjective flavour sensations are, then, ascribed to socially produced knowledge.[47]

This embodied practice of identifying and valuing the flavours that constitute a quality craft cider can be cast not only as the human body obtaining knowledge of material substances, but also, returning to Mol's apple, of those material substances acting upon the consuming body. Foods acquire bodies as much as bodies acquire foods, as human bodies are dialectically shaped by the non-human bodies acting upon them.[48] This encounter of bodies does

[46] Carolan, *Embodied Food Politics*.
[47] Probyn, *FoodSexIdentities*.
[48] Abbots, *The Agency of Eating*, 55

not occur in isolation, however, but in dialogue with socially produced knowledge paradigms that distinguish and place value on embodied experiences and thus work to identify markers of quality. Such encounters between bodies, and between bodies and knowledge, (re)produces normative frameworks about desired (and undesired) tastes and attributes categories, such as sweet, dry and apple-rich in the context of cider, to the substance being tasted.

Yet, while cider makers can agree that a good-tasting cider contains the desired balance of valued flavours, how each maker experiences those characteristics can differ subjectively. This was particularly evident from the heated debates that took place during cider competitions, when makers blind-taste and judge a range of ciders but, at times, struggle to recognise the attributes and qualities that other tasters identify. Emphasising specific flavours and qualities clearly involves a process of tasting, identifying, labelling and valuing but discerning the flavours being tasted does not necessarily mean that each is experiencing the flavour in the same way. As Bennett reminds us, substances work on different bodies in different ways. Makers agree, however, that while they may individually identify particular characteristics in different ciders, they are all searching for those flavours and associate them with craft. Hence, normative frameworks of quality are enforced while the contents of such paradigms are being potentially disrupted.

The ways in which quality characteristics are abstractions of subjective corporeal experience has been further expounded by Coles' study of the production of taste

profiles within the coffee industry.[49] He details an iterative process through which each taster individually details the flavours and aromas of each coffee and imprints them with signifiers, such as 'earthy' and 'peaty'. These definitions are then compared to the results of other tasters and place-based expectations of how a coffee from a particular region should taste. A collective profile of flavours is thereby created through the co-joining and flattening of tastes into specific industry-accepted characteristics. Coles further notes the ways in which this process trains the coffee-taster's palate in a manner not dissimilar to ways in which Latour observed perfumiers acquiring a 'nose' based on their continuous corporeal engagements.[50] Or, returning to cider, that makers acquire a palate. But, like cider makers, coffee tasters do not just keep this abstracted knowledge to themselves. Rather the taste characteristics they identify are worked into marketing literature and sales brochures that, in turn, inform consumers' tasting experiences by indicating what flavours they should be able to identify in each coffee. Consumers' bodies are thus guided and trained via the bodies of industry experts: as Cole's concludes, 'to drink coffee is to drink a lot of bodies'.[51]

This process maybe less explicit in craft cider but it is indicative of how prevalent the bodies of producers

[49] Benjamin Coles, 'Ingesting Places: Embodied Geographies of Coffee' , in *Why We Eat, How We Eat: Contemporary Encounters Between Foods and Bodies*, eds., Emma-Jayne Abbots and Anna Lavis (Aldershot: Ashgate, 2013), 255–70.

[50] Bruno Latour, 'How to Talk About the Body?: The Normative Dimension of Science Studies', *Body and Society*, 10:2–3 (2004), 205–29.

[51] Coles, *Ingesting Places*, 268.

are, as well as also how the subjective sensorial experience of one can shape the corporeal encounters of others. Such making of taste, through a normative knowledge paradigm of signifiers and categories that is reproduced through further tasting and assessing, works to position those creating knowledge in a position of social authority – or in the words of Bourdieu, as cultural intermediaries – as they not only shape what can be tasted, but also whether that which is being tasted is in good taste. They thus become tastemakers in both senses of the word by inscribing their own embodied experience onto other bodies, and using their own subjective encounters to set the social parameters of what constitutes good taste.

9. Conclusion

As I have tried to show, the body and senses are deeply embedded within cider makers' normative frameworks both in the manner in which their own bodies, through the enactment of labour, are deemed to be a critical ingredient of a good-tasting cider, and in the sense that their own subjective embodied experience is a key mechanism for assessing and judging the quality of both their own and others' end products. It is only in tasting the drink that knowledges about what constitutes good taste can be made and remade, and the substances being tasted can be assessed against such frameworks.

I have written elsewhere that food is symbolic, political and economic, but also a material substance that we feel within our bodies, that stimulates our senses, produces embodied responses and invokes emotions, and

I have made the argument that human and non-human bodies are commonly absented in their entirety in much Food Studies scholarship.[52] Critical accounts of appellation protocols and *terroir* have tended to overlook both human and non-human bodies, focusing instead on the politicised processes through which celebrated foods become disembedded, abstracted, appropriated and commodified.[53] Likewise, bodies are often rather ghostly entities in accounts of alternative and heritage foods, which have hinted at the bodily presence of producers but have rarely brought this to the analytical fore. Both these areas of scholarship have yielded significant insights into the cultural politics of artisan food and agri-capitalism and importantly drawn our attention to the political dynamics, economic inequities, and processes of alienation at play. Unpacking the factors motivating dominant scholastic trends has not been the purpose of my discussion. Nor is it my intention to diminish the value of this scholarship. Rather, I aim to highlight that, in turning an analytical 'blind-eye' to the body and the senses, a key part of the picture is being obscured. Seeking to understand the role that bodies, both human and non-human, play in the formation of normative frameworks of quality, by examining the processes through which sensory experiences, such as tasting, become abstracted, codified, and placed on a scale can, I hope to have indicated, be a productive

[52] Abbots, *The Agency of Eating*, 155.

[53] See West, *Appellations and Indications of Origin, Terroir, and the Social Construction and Contestation of Place-Named Food* and West, *Artisanal Foods and the Cultural Economy* for an overview of this literature.

way through which the bodies in all their forms can be drawn into dialogue with political economy. It can also provide a route through which the multiplicities of, and interactions between, taste in both its corporeal and Bourdieusian forms can be interrogated.

Accounts of craft food and drinks are well placed to provide the material for such analyses. As West, drawing on Jackson and CONANX Group, observes, 'artisanal foods are often described as facilitating corporeal and sensorial reconnection'[54] and, although he and others have shown how these descriptions can lean towards problematic imaginings of romantic pastoralism,[55] it is also evident that craft cider makers themselves draw connections between their human bodies, the substances they are tasting, their natural environments, and their socially produced and intuitive knowledge about what constitutes a quality cider. This process, in turn, constructs craft makers, their production practices, and their product as quality-laden, flavoursome and tasteful – and, most importantly, as craft. They do not create these normative frameworks in isolation, however, but in dialogue with 'others', both in form of appellation protocols and agri-capitalism. Thus, corporeal taste becomes a mechanism for defining social good taste and forging new forms of embodied political capital, with those producing such knowledges emerge as alternative tastemakers to regulatory paradigms of quality.

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[54] West, *Artisanal Food and the Cultural Economy*, 410.

[55] Nuno Domingos, Jose Sobral and Harry West, eds., *Food Between the Country and the City: Changing Ethnographies of a Global Foodscape* (London: Bloomsbury, 2014).

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Tasting Wine Making Territories[1]

Andrea Mubi Brighenti

1. Introduction

This chapter explores the intersections between the activity of wine tasting and the law. Certainly, wine is an extremely legislated object. However, not only does law operate on wine 'from the outside', but there is also a special law that is secreted by wine itself in its social life. While the social life of wine can be observed in a multiplicity of sites, the moment of tasting may illuminate some interesting facets of the problem. How can wine tasting develop its own inner law? This is the driving question of this chapter. The theoretical lens to tackle the question is territoriology, i.e., a general science of territorial formations. The notions of animism and constitutionalism are also employed as two tools to bring to light the ways in

[1] I wish to thank Andrea Pavoni and two anonymous reviewers for their comments on a previous version of this text, and for their encouragement to improve my work. Limitations are my own.

which territories are forged and elaborated. The judgement of a wine, especially in public performances, is a subtle activity where this special material is interrogated following the lines of its own expressiveness. Instead of a post-humanist legal insight, what is reflected upon here is the way tasting produces 'modalisations' that *animate* wine at the same time as they seek to assess and evaluate it. Here, the law can thus be observed as generated immanently, in the activity and the materials it is supposed to judge. The law emerges as a form of encounter in the territorialisations laid out and shaped by the dynamic of the encounter itself.

2. Pleading Animism as a Theoretical Alternative to Post-Humanism

Post-humanism is a premature ideal, given that we don't have a clue of what the human is in the first place.[2] However, it is a matter of everyday experience that humans have moments when they become non-human. Not only this, but the way in which humans reach out for each other (what is also called 'society') occurs precisely through similar moves. As the anthropologist Marcel Mauss saw clearly, human society is a vast domain of circulations, and there is no other way for humans to associate with others except through the range of non-human materials to be fashioned and passed on, of things given and

[2] '… and then the clouds break, and we see how, with the rest of nature, we are straining towards man, as towards something that stands high above us.' Friedrich Nietzsche, *Untimely Meditations* (Cambridge: Cambridge University Press, 1997[1876]), §III: 5.

taken. These things we also call *media*. Most notably, and contrary to what often believed, the things that mediate us are never inert objects; instead, they are alive. They *are* us, they are our non-human becoming that enables us to be human with others. That is why Maussian sociology is, at bottom, *animistic*.[3] According to this point of view, people and things appear as terrains, events, encounters – that is, impossible to set apart.

This is why *animism* may be a better word for the insight post-humanism claims to encapsulate. While it is impossible to develop a whole theory of animism here, the type of approach that is endorsed draws from authors who have recently attempted to revive vitalism, such as Jane Bennett, Tim Ingold and more particularly, Mattias Kärrholm in his analysis of the work of the modernist architect Louis Kahn and the Brazilian writer Clarice Lispector.[4] In various ways, recent scholarship has suggested that animism is a perfectly normal attitude and a common procedure in contexts where we do not master all the variables and entities at play (which is, after all, in

[3] Marcel Mauss, *Sociologie et anthropologie* (Paris: Puf, 1950). In his early discussion of Mauss' work, Lévi-Strauss severely castigated this animistic penchant in his French predecessor. But, perhaps, animism found the most suitable place to survive right at the heart of structuralism. Certainly, in retrospect, one may conjecture that modernism was in the end more animistic than post-modernism. In architecture, for instance, this becomes particularly striking when one examines closely the work of Le Corbusier or Louis Kahn. See Mattias Kärrholm, 'The Animistic Moment. Clarice Lispector, Louis Kahn and a Reassembling of Materialities', *lo Squaderno* 39 (2016).

[4] See Jane Bennett, *Vibrant Matter: A Political Ecology of Things* (Durham, NC: Duke University Press, 2009), Tim Ingold, *Being Alive* (London: Routledge, 2011) and Kärrholm, 'The Animistic Moment'.

most cases of our life). In these contexts the subject and the object, instead of standing in front of each other – as they are supposed to be, and required to be – become enmeshed in hybrid terrains. As noted by Kärrholm, the animistic attitude consists of 'the animation of an actor with a face or a body'. In other words, animism concerns specific situations or peculiar 'moments' when things are brought to have faces so that the involved bodies become animate.[5] The ensuing situation is one that 'entails the becoming of a living and moving body, a figuration, that also figurates my body or other associated bodies'.[6]

In the following text, an attempt is made to show how animism may help explaining the experience of wine tasting. To this aim, wine tasting is observed as a form of *territory-making*. In turn, territories are conceptualised through the lens of territoriology, i.e. a general or enlarged science of territories devoted to study the life of human animals – among others – as they consociate, thanks to special formations that carry them literally 'beyond themselves'. As a science of social life, territoriology is necessarily dynamic, attentive to territory making acts that occur through territorial stabilisations, transformations, transductions, abductions, evictions, etc.[7]

[5] The notion of 'facialisation' or face-making is extensively developed by Deleuze and Guattari and provides an important background for my whole discussion. See Gilles Deleuze & Félix Guattari, *Mille Plateaux* (Paris: Minuit, 1980).

[6] Kärrholm, 'The Animistic Moment', 75.

[7] See Andrea Mubi Brighenti, 'On Territorology. Towards a General Science of Territory', *Theory, Culture & Society* 27(1) (2010) and Mattias Kärrholm, 'The Materiality of Territorial Production a Conceptual Discussion of Territoriality, Materiality, and the Everyday Life of Public Space', *Space and Culture* 10(4) (2007).

Territories are not just explored – they *are* explorations. Conversely, there is no exploration that is not territorial: study *is* reconnaissance, wayfaring. Territories are as much spatial as they are temporal; they are as much material as they are expressive.[8] Engagement, temporality, protraction, fidelity, stubbornness are just some of the dimensions in which territories come to exist and persist. In its territorial embodiments, social life takes place in the element of the visible, the sensible 'fabric' where humans and things meet and become interwoven. And the visible can never be dissociated from a sayable *in statu nascendi* – in other words, the visible evokes endless visibilisations that derive from the ways in which materials are arranged, tools employed, meetings imagined and carried out.[9]

These facts are palpable (better, palatable) in the experience of tasting. Of course, for the sociologist, who has pledged alliance to the Weberian *Wertfreiheit*, hedonistic consumption of whichever substance may retain its moral legitimacy (regardless of the fact that Weber himself did not particularly like hedonists). However, it is in an intermediate position between sheer, 'mute', or 'dumb' hedonism (drinking in order to get drunk) and a purely 'formal-rational', 'commercial' knowledge of products (being an expert in wine classifications and brands) that

[8] Andrea Mubi Brighenti and Mattias Kärrholm, 'Three Presents: On the Multi-temporality of Territorial Production and the Gift from John Soane', *Time & Society* (2016).

[9] Andrea Mubi Brighenti, 'The Visible', *Frontiers in Sociology* (2017), https://www.frontiersin.org/articles/10.3389/fsoc.2017.00017/full

the complex, animistic territory of tasting opens up.[10] Territories have their law – a living law which could also be called a 'constitution'.[11] Contrary to what usually held, a constitutional approach provides the most detailed, concrete, and microscopic analysis of law.[12] Understood as radical legal pluralism, constitutionalism 'frees the legal imagination from structuralist thinking; it frees legal conceptions of normativity from the assumptions of Weberian formal-rationality; and it frees legal notions of relationships from their anchorage in official institutions of third-party dispute resolution'.[13]

An attempt is made here to show that constitutionalism and animism may be helpful tools in the study of territorial practices. The following theoretical reflections derive from a previous ethnographic study of sommeliers as qualified taste guides.[14] The experience of tasting was

[10] While in theory all drinkable liquid can be tasted (including, for instance, whisky, honey, olive oil, coffee, tea, water etc.), for historical, commercial, and cultural reasons, the tradition of wine tasting is the one where the most refined terminology and a wide-ranging systematics has developed.

[11] I have explored this nexus between law, territory and constitutionalism in Andrea Mubi Brighenti, 'On Territory as Relationship and Law as Territory', *Canadian Journal of Law and Society/Revue Canadienne de Droit et Société* 21(2) (2006).

[12] See for instance Roderick A. Macdonald, *Lessons of Everyday Law* (Montreal: McGill-Queen's University Press, 2002).

[13] Roderick A. Macdonald, 'Metaphors of Multiplicity: Civil Society, Regimes and Legal Pluralism', *Arizona Journal of International & Comparative Law* 15(1) (1998): 71.

[14] A commissioned research carried out in 2007–8, mainly in Central and Northern Italy. Funded by the Italian Ministry of Research and University under the project *Ethnography of Professional Communities and Expert Knowledge* coordinated by Prof Giolo Fele at the University of Trento.

then mainly observed as a type of *public performance*. A number of observations were carried out at events where professional and semi-professional sommeliers met to taste and debate wines from specific regions (wines from Jura, wines from Marche…) or specific grapes (nebbiolo, sagrantino…). As sommeliers were discussing wines, it appeared clear that tasting has to do with probing and simultaneously shaping the territorial constitution of the encounter with a given wine in a shared, public domain. Also noteworthy is the fact that wine is increasingly ingrained in the official presentation and imagination of territories: it confers value to territories. Blind tasting session are increasingly organised as not only contests but also tourist attractions for marketing purposes.[15] This way, the 'internal constitution' ends up doubling the external one, and the law of the state which surrounds the production and distribution of wine is in its turn covered by the law of wine.

In this context, it is also interesting to observe how taste appears as simultaneously one-dimensional – insofar as it surely represents a form of passion, fixation, even mania – and n-dimensional – in the sense that this experience quickly evolves into an increasingly rich, nuanced, unique territory of relations and their history, a territory that ultimately forms the atmosphere in which tasters find their own location as well as their way. This way,

[15] One may land for instance in Rome for a scientific conference and end up at a featured tasting session where a local sommelier, making his best efforts to speak a passable English, showcases the five most famous Italian wines trying to depict a snap 'portrait of Italy' and its landscapes.

the landscape affects the viewer who regards it. A sort of animistic effect ensues, whereby territorial constitutions can never be successfully reduced to 'orthogonal', subject-object relations, but must be disassembled and probed as rounded, evolving formations.

3. Judging Wine

What is it that we actually drink, Antoine Hennion asked provocatively: a liquid, a label or a price?[16] 'During a nice dinner in the company of friends, a glass of wine can create a moment of merry conviviality. Wine tasting, however, *is a different thing*.' Such an austere remark, written almost in the register of an admonishment, can be found in the opening page of a classic tasting textbook by the Italian Sommelier Association. Similar, more or less explicit, remarks are not uncommon among sommeliers. In the first place, sommeliers need to distinguish themselves from people who merely 'enjoy wine' – here is a first assertion of legal pluralism, namely, cutting out the jurisdiction. Yet, some sort of enjoyment is certainly involved in tasting. At first, one might be tempted to oppose the company of a 'merry glass of wine' and the activity of 'wine tasting' as one would oppose convivial pleasure, on the one hand, and intellectual pleasure, on the other. While this view is not entirely wrong, for it to make sense, the expression 'intellectual pleasure' must be understood correctly.

[16] Antoine Hennion, *Qu'est ce qu'un bon vin ? Ou, comment intéresser la sociologie à la valeur des choses* (Paris: Centre de Sociologie de l'innovation. Working Paper 15, 1 March 2015).

First, we are not dealing with the difference between a social and a solitary activity, given that tasting is always a social activity. Early on in her training, the neophyte taster is recommended never to taste alone. This is essentially for two reasons: on the one hand, an aesthetic-moralistic one – 'it is not nice' – on the other, no less remarkably, an epistemological one – 'exchange of views is necessary.' In this sense, even when two colleagues or friends perform a tasting session, we are already dealing with a form of public experience and the specific visibilities conveyed by it.

Second, 'intellectual activity' is not meant in a loose, everyday sense as an alias for non-manual occupations. Instead, it is taken as pertaining to a form of practice specifically related to the production of *judgements*. What contradistinguishes wine tasting is the expression of taste judgements. On the one hand, judgement is certainly tied to a whole universe of publicness, visibility and accountability. As such, it is intimately linked to legal discourse via the production of justifications, and the mobilisation of repertoires of justification.[17] As soon as one describes a wine, one also becomes accountable to an extended series of rules and protocols, as well as background knowledge, normative expectations and so on. One can best feel *the weight of judgement* when, as a novice, one is asked to present a wine and comment upon it. It is a bit like learning to walk, but also at the same time like learning the right answer from the school textbook. In a sense, the right

[17] Luc Boltanski and Laurent Thévenot, *On Justification: Economies of Worth* (Princeton, NJ and Oxford: Princeton University Press, 2006[1991]).

answer is already there as the technique that enables one to walk, despite the fact that we all walk differently. The formulation of a judgement puts tasters in the domain of semiotic investigation: indisputably, wine emits signs. What do these signs mean? How to make sense of them? How to adequately capture the uniqueness of this wine? How to legitimate my interpretive hypothesis? How can I defend my thesis in front of other tasters? Such public judgements are simultaneously technical, normative, legal and, more amply understood, moral and political (in that, following radical constitutional pluralism, pure formal rationality is a luxury we cannot afford).

But interestingly, sommeliers tend to reject all terms and phrasing concerning 'judgement'. Why is it so? The fact is that they are running a campaign for 'objectivity'. Tasting, sommeliers argue, should not be reduced to a matter of personal taste (*de gustibus*); what should be at stake is the 'objective analysis of the sensations' produced by wine on one's sensory apparatus. In the technical vocabulary developed by sommeliers, the evaluative aspects, such as the formulation of judgements concerning the quality, harmony and evolution of a wine, must play a subordinate role and, above all, they must only be formulated *after* a complete and accurate description and analysis of the wine just tasted has been carried out.

Certainly, organoleptic or 'sensory' analysis is different from chemical analysis, also known as 'instrumental' analysis (i.e. analysis conducted with technological means of detection), such as, for example, a gas chromatography. Sommeliers know quite well that, by making use of their sense organs, they can only hope to achieve

measures that are quantitatively less precise than those revealed by a technical apparatus. Nevertheless, they do not regard this fact as compromising objectivity, least as an impediment to their work. Sommeliers have developed the distinction between, on the one hand, a list of quantitative elements and, on the other, the ability to spot and express the unity (the 'proper quality') of a given wine (sometimes, also referred to as its 'atmosphere'). A refrain often heard in the community of sommeliers is that, after all, it is humans, not machines, who eventually drink the wine: consequently, producing an ensemble of quantitative measurements can only have industrial applications, but is insufficient to render an accurate analysis. The latter can only be attained when one can claim to have 'understood' a certain wine – when one has captured its evanescent *Stimmung*. In this sense, recognising the presence of a subject and admitting its importance to organoleptic analysis are not considered by sommeliers as hampering well-balanced analysis – to the extent that the subject, as they say, does not 'prevaricate' the operation by producing 'idiosyncratic' statements. In short, professional sommeliers conceptualise the activity of tasting as an *encounter* between a subject and an object that should be resolved in favour of the latter: what counts, in their view, is the object, and the revelation – or the appearing, the explicitation, the becoming-explicit – of its features.

4. Understanding the Modes of Expression

However, this image, pivoted around the relationship established between an investigating subject and an

investigated object is not entirely adequate to account for the practice of wine tasting as a public, visible undertaking. Indeed, by describing wine as a mere object upon which a certain analytical activity is performed, one would not be able to understand much of sommeliers' professional working practices. The image of wine as an object misleads us into a kind of deterministic conception which deteriorates into either a search for causal mechanisms of chemical molecules combinations, or on the contrary – but with comparable reductionist outcomes – a radical social constructivism where an equally simplistic activity of truth construction by consensus is envisaged. Which are, then, the actual ways in which wine has a voice in the activity of tasting?

Wine is neither a subject nor an object. Instead, it could be better appreciated as an *expressive material*, or a *mode of being* that emerges and takes shape in the context of the practice of tasting. The specific nature of encounters with wine lies in a double articulation, always simultaneously material and expressive. Taking inspiration from Spinoza's *substantiae affectio*, a mode can be described as precisely the outcome of an encounter, a meeting of agents and reagents (chains of wine-glass-nose-mouth-light-fellow tasters…), a complex composition of distributed variables within a continuum of heterogeneous elements that stretch into each other. The series of nexuses and links established by these 'prolongations' is of neither casual nor causal nature. The 'grip' or 'catch' that certain elements exercise upon others endures only until these configurations remain active, effectuated in practice. And this happens until agents act upon each other

and react to each other by selecting and capturing certain qualities that can be appropriated from the material itself. In short, a mode is a sphere that entails a whole array of territorial production, articulation and stabilisation. A mode captures a legal constitution, as precarious and in transition as it can be.

Such a conception could be called the *modalisation of wine*. Its usefulness lies in overcoming the dichotomy between *analysis* and *judgement*: each moment in the description and analysis of a wine entails an exercise of judgement, although not intended as a statement of personal preferences. Here, the distinctive aspect of judgement is to be found in its *public* nature, its visible presence in the animistic connection among humans. In other words, judgement is addressed to an audience, it is meant to be visible, ostensible, social, not as a further accidental determination – judgement is produced *and then* made public – but as an intrinsic aspect – publicness is the element in which judgement is produced. Thus, judgement (and its law) represents the largest category, into which wine analysis falls; and the preoccupation of sommeliers can be appreciated as the requirement to distinguish between two types of judgements: a structured, categorical judgement, on the one hand, and an unstructured, idiosyncratic judgement, on the other.

Sociologically speaking – as well as from a strictly lexical point of view – we can apply the notion of *taste* judgement to wine tasting because taste is not a simple set of preferences and appreciations, but rather a complex social relationship spanning the micro-scale situation at hand and the macro-scale world of winescape at large.

The name of Pierre Bourdieu is often associated with the thesis that differences – not only in consumption styles and patterns, but also in taste preferences – are employed as items or affordances of class distinctions. The subjective correlate of this view is that taste works as a sixth sense, or a sense of cultural orientation: by recognising ourselves in certain schemes of perception and appreciation, we recognise ourselves as belonging to a certain class. Although not entirely wrong, this interpretation of Bourdieu's work is, to say the least, partial. In fact, Bourdieu's habitus-field theory envisaged to take into account not only the structural but also the *generative* dimension of taste. For Bourdieu 'classification systems would not have such crucial stakes were they not also contributing to shape classes themselves, adding to the effectiveness of the objective mechanisms the confirmation that derives from the images structured in ways that are consistent with classification.'[18] Between linguistic-symbolic structure, on the one hand, and the structure of the distribution of capital, on the other, there is always an interplay, an interstice, a loose space where 'the strategies designed to take advantage of the discordance between the real and the nominal, to appropriate words in order to appropriate the things they designate, or to appropriate things waiting to obtain the words that record them, make their appearance'.[19] Insofar as we are concerned, the structuralist thesis essentially identifies *positions* on

[18] Pierre Bourdieu, *La distinction. Critique sociale du jugement* (Paris: Minuit, 1979): 474.

[19] Ibid. 475.

the basis of *oppositions*. As in Saussure's classic notion of *langue*, a taste option would be seen as a position that makes sense only insofar as it is distinguished and opposed to other options: you can only tell good taste on the basis of its difference from both common taste and bad taste – or, more accurately, good taste is nothing but *that which* is opposed to something else known as common, trivial, etc.

Yet, there is compelling evidence that, even keeping in mind the structural genesis of taste dispositions, taste cannot be explained as *solely* a matter of social distinction. This insight has gained ground in sociology over the last decade. Antoine Hennion and Geneviève Teil in particular have criticised the structuralist view on taste for its lack of recognition of the positive role that materiality plays in it.[20] This new sociology of taste has pointed out that the act of engaging with a material object in activities as diverse as tasting a glass of good wine, listening to a piece of music, or opening a new climbing path on a cliff cannot be reduced to the positional differentiation of a subject from others. The differentiating function assigned to taste by the structuralist view is only one function among many other ongoing functions, and probably not even the most important one. Indeed, what matters most is not taste as opposed to lack of taste, but taste as a plurality of ways of being that are stimulated

[20] Antoine Hennion & Geneviève Teil, 'Le goût du vin. Pour une sociologie de l'attention', in Véronique Nahoum-Grappe and Odile Vincent (Eds.) *Le goût des belles choses* (Paris: Éditions de la MSH, 2004).

by a single material object. Taste represents the ways in which we engage in a variety of materials. Taste is a terrain, a territory.

> In the difficult transition from *taste* to *tastes*, the issue is of course, more than ever, the contact with the object, but an object that opens up and becomes plural. Between a bunch of music notes and a work of art, between the physical wine and tasted wine, you pass through a sort of flaking, a series of mediations, you never swing over a dividing binary line. Tastes invite us not to turn away from the object and go looking for the real causes elsewhere, but to rethink the object that is in front of us as a possibility, as an attempt and a temptation, rather than as a sum of its parts.[21]

Such an argument is certainly not meant to lead us back to naive determinism: 'the object – continue Hennion and Teil – does not 'contain' its effects, as well known in aesthetics: taste is revealed precisely in uncertainty, variation, and the deepening of the effects that the product creates at the time and in the circumstances of its use.'

Here, the term 'object' must be placed rigorously in quotation marks. As we inspect more closely, we recognise that in practical activities such as wine tasting, music listening and rock climbing, there is no such thing as an object that stands in opposition to a subject.[22] Rather, we are faced with a whole Gestalt, a configuration: a *terrain*,

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[21] Ibid.

[22] For the case of climbing, see also Andrea Mubi Brighenti and Andrea Pavoni, 'Climbing the City. Inhabiting Verticality Outside of Comfort Bubbles', *Journal of Urbanism: International Research on Placemaking and Urban Sustainability* (2017).

region or *territory* of encounters. It is upon this terrain, within this region, inside this territory, that we can define what is the actual *focus* of our practice, the problem field, the *problématique*, the *Fragestellung* as well as the playground, that is, the *interest* of it. Hence, with respect to wine, the importance of territory is doubled: not only is wine a territorial product, the product of a given territory or *terroir*, the unique ensemble of terrain and climate (pedoclimatic conditions); it is also a territory in itself: it contains the affordances that enter into a range of territorial compositions with the tasters. If we look at wine as the product of a territory, we are led to describe it as an *object*; but, if we look at it as a territory in itself, we might begin to appreciate it as an *environment*. Such is its dual legal constitution, which calls for a plural constitutionalism.

5. Laying out the Problem Field

Why can wine tasting be said to constitute a *problem field*? Etymologically, the word problem refers to something that is thrown before someone, or carried along the way. In this sense, the note of caution often recalled by sommeliers, according to which 'in tasting, you can never generalise,' refers precisely to a dynamic of knowledge that proceeds by problems, as opposed to deductive or syllogistic knowledge. Of course, a problem-orientation does not exclude guidelines for correct tasting. There are operative norms and preferential options in wine tasting. These guidelines determine the existence of a series of marked versus unmarked choices, whereby certain judgements are accepted as 'going without saying', less

contestable and less surprising than others. But the training of novice sommeliers proceeds largely by examples and cases, to the point that one could never overstate the importance of experience and habit, of a personal history of dedication, devotion, of *commitment to drinking*. Even before defining a specific professional knowledge, experience and habit create an essential horizon of *familiarity* for the encounter, a preliminary and crucial *taste for the taste*.

From this perspective, wine could be characterised as a *sensory problem.* Not only the sense of taste, but all the five perceptual senses are involved in tasting. As a result, in this context the sense of taste stands by synecdoche for what is in fact a complete multi-sensorial practice. The sense of hearing must be attentive to capture how wine falls into the glass; sight must be able to describe the limpidness, colour, thickness or effervescence of wine; smell must grasp the intensity, persistence, complexity, quality and bouquet description of wine; taste and touch must interrogate its softness, hardness, texture, balance, intensity, persistence and quality, while all the senses must work together to determine evolution and harmony. The rich sensorium involved in and stimulated by tasting leads she who is exercising and improving her abilities as a taster towards a progressive refinement of one's sensorium. More and more refined abilities are proportionally called for in order to 'deal with' more and more refined and complex wines. A poor taster cannot make much of a rich wine. It is not just a matter of dispositional subjective qualities. What matters is the capacity to articulate the problem field in increasingly subtler and more nuanced

ways. Such is the ability to create new encounters and new modes, to liberate new expressive materials and introduce new visibility thresholds between a range of continuous phenomena – the ability to make and remake the integral law of tasting.

To improve as a wine taster means, in other words, to make wine become *visible*, or visibilise as many of its qualities as possible. It means – following Gabriel Tarde's methodological recommendations – to move from 'similarities and repetitions of complex and confused masses to similarities and repetitions of detail, more difficult to grasp, but more precise, elementary and infinitely numerous as infinitesimal.'[23] All these similarities and repetitions, and above all these differences, are *social* insofar as they are *material*, rather than simply *structural* (or 'distinctive', in Bourdieu's sense). The social would not be possible without all the acts that inscribe, project and extract certain intensities and meanings into and from the materials at hand. The intuition of continuity is the payoff of animism.

In tasting, sensory abilities evolve with the ability to articulate one's feelings of the actual occasions, the ability to *speak about wine* – advice that is often repeated to novices. The correct usage of the conventional wine vocabulary (the grammar) must be supplemented with the capacity to move within the problem field with a certain familiarity (*nonchalance* and *savoir-faire*). The good sommelier is such because the *nonchalance* and *savoir-faire* (both untranslatable French words) with which she

[23] Gabriel Tarde, *Les lois sociales* (Paris: Synthelabo, 1999[1898]): 47.

speaks about wine reveals her familiarity with and proximity to the expressive materials. Legal autochthony is what is at stake. Above, we have drawn attention to the 'intellectual pleasure' involved in tasting wine. Now we are perhaps better placed to see that, in fact, pleasure comes from accepting a challenge to judgement, which proves one's willingness to enter the game. The game of tasting also outlines a fundamental issue of *style*. We know, for instance, that wine descriptors are, more or less explicitly, evocative rather than referential (a descriptor such as 'peachy' does not mean that the same molecule is present in the peach and in the wine). The evocative dimension of judgement is not a neutral medium but something that stands out in comparison with the more or less – usually, less – developed skills of perception possessed by the general public of drinkers and non-drinkers alike.

6. Leading Humans

The sommelier is not simply living a personal experience with wine: she is also acting as a guide into the shared territorial experience of tasting. Today, the role the sommelier as an expert in 'wine communication' – or even a 'wine opinion leader' – is meeting increasing success. When we observe guided tasting sessions with lay participants, we notice that on these occasions the sommelier acts as an officiant and a veritable *medium*. Her *officium* consists in leading the other drinkers into a territory laid out by descriptions, analyses, debate and discussion. Wine tasting turns into – or rejoins – andragogy and psychagogy. The words chosen and used by sommeliers

are hardly neutral; for example, once a cherry flavour has been evoked, named and put on the table, it will be in most cases recognised even by a novice. Because influences on judgement come from all sides, getting used to 'let the wine speak' thus also means to put oneself to test. One learns to move in a field that exists at the crossroads between the uniqueness of the actual encounter, and the repeatability – even, the seriality – of all wine encounters. The otherwise evanescent term *style* corresponds quite neatly to the trajectory drawn by this movement (we may also call it wayfaring, or reconnaissance) of social expression enacted through materials that are alive, like wine. Such is the wisdom of animism.

The paradox of training to taste probably lies in the fact that the novice fails to effectively describe or appreciate a wine not because she does not pay enough attention, but because she pays *too much* attention. The neophyte surrenders completely to the fullness of her immediate sensory experience. She is literally flooded with sensations and fails to introduce lines of discontinuity in the continuum of the experience. Descriptions, glosses, repertoires and classifications are meant to enable the taster to establish significant thresholds of differential visibility in this vast terrain. In order to be able to taste wine, one must keep at a certain meaningful *distance* from the wine – the correct distance necessary to make it thoroughly visible, or more insightfully so. Here is another way in which the law operates within this sensory domain. The visibilisation of wine can only be obtained thanks to the introduction of given a priori into the immanent uniqueness of the present experience. The sommeliers' tasting sheet

(and scorecards are not different) is, from this point of view, a small Kantian masterpiece: *transcendental* in the precise philosophical sense, sheets and cards indicate the *sets of dimensions* that the encounter is necessarily bound to acquire, so that the 'only' thing that remains to be done is to make them *relevant* at the appropriate moment and in the appropriate way during the unfolding, actual occasion (how so, and how much).

Tasting is made possible by attention – more precisely, it is made possible by a careful strategy of visibilisation entailing perceptions and sensations. Visibility and movement are the constituents of this inner law of tasting.[24] Rather than with perceptions, tasting is more precisely concerned with *apperception* in a Leibnizian sense, that is, perceptions made relevant upon a threshold of awareness and significance. In practice, wine tasting involves listening to one's body and its reactions. Mauss taught us that the body is the first technical tool of humanity;[25] it is probably also the first legal tool. In tasting, one has to pay specific attention to how one's eye, nose and mouth react during the encounter with this wine: how, for instance, clarity and colour are revealed by tilting the glass at 45 degrees; how perfumes reach your olfactory mucosa directly through a short, sharp aspiration that creates a vortex of olfactory molecules;[26] how saliva in one's mouth

[24] I have explored the intimate connection between law and movement in Andrea Mubi Brighenti, 'Lines, Barred Lines. Movement, Territory and the Law', *International Journal of Law in Context* 6(3) (2010).

[25] Mauss, *Sociologie et anthropologie*, §VI.

[26] On the vibratory theory of smell, see in particular Luca Turin, *The Secret of Scent: Adventures in Perfume and the Science of Smell* (New York: Harper Collins, 2007).

reacts with the acidic components of wine, and so on. This is how an encounter with wine is deployed. The technical instruments sommeliers employ – a decanter, a specially-shaped glass… – work as *tools to produce apperception*, sensory amplifiers that enable to magnify the visibility of the features one is trying to grasp and share with others. This Spinozean-Leibnizian situation can hardly be brought back into a classical Cartesian horizon. What emerges from tasting is not just one's own personal private encounter with wine: as in mimetic desire, someone else's encounter is simultaneously always involved. Since tasting is an intrinsically social activity, issues of authority and consent are pervasive; and yet, it would be unfair to regard them as omnipotent, resulting in a sheer truth-by-consent. It is simply not true that, just because no objectivity can be attained, everything and anything can be said about a wine, if one just sounds rhetorically convincing. Tasting involves the capacity to lay out and articulate a territory, mapping its geography, detailing its features and traits, defining its constitution.

Authority and consent are certainly part of the process, but the activity of tasting resides in the specification of the areas and the limits within which authority and consent matter. It is thus necessary to bring sensations and judgements into a shared public territory. This is why, as argued above, tasting can be appreciated as a kind of territorialisation properly understood – i.e. a territorial encounter in an ethological sense. Encounters are always characterised by their contingency and uniqueness. Encountering this or that wine is not a necessity (the encounter may not be), nor is it necessarily protracted (it may interrupt

soon). Therefore, sensory analysis and sensory appreciation entail an apparently impossible task: a unique, contingent meeting – one which may not be repeated – must be repeated – traced back and compared to former encounters, tracing a route towards further encounters to come. Tasting as wayfaring brings the encounter with this wine at hand into a series of virtual encounters with all possible wines, thus defining a peculiar tension between factual unrepeatability, on the one hand, and the axiological need for repetition, on the other. One's story with wine tasting lies at this crossroads.

The territorial aspect of the tasting experience becomes evident as soon as divergences between tasters appear. Given the experiential richness of tasting, and given the number of variables entailed in one encounter, such differences are actually quite common. Unlike more hierarchical contexts in which a single sommelier guides newbies, when a group of professional and semi-professional sommeliers who are basically peers make a joint tasting session, there is a general trend towards recomposing differences in judgement, in a joint effort towards unanimity. In other words, by attempting to converge on a set of shared views or, at least, articulating and disaggregating the elements of disagreement, sommeliers try to 'modalise' themselves. A shared mode must be gained or re-gained by re-territorialising the encounter among the sommeliers. While only rarely do trained sommeliers diverge in the evaluation of certain basic or simple aspects of wine, such as softness and hardness, more subtle assessments, such as nose-mouth correspondence,

evolutionary state, and harmony, might turn out to be more difficult to recompose. There are several ways to get out of an interpretive impasse and reconcile judgmental divergences. Naïve scientific realism, which assumes the existence of an independent external truth which judgement might or might not mirror, does not apply here. At the other extreme, however, it is likewise not enough to speak of truth by consent. A *mode* must be modulated by tasters using the same materials and puzzling about similar issues of shared concern.

7. Sailing the Sea of Wine

Let us briefly recapitulate two fundamental reasons that prevent us from accepting the naïve scientific realist image of taste judgement as a process of mirroring. In the first place, wine is not an object, but an expressive material that fundamentally exists in the dimension of becoming and in a conjoint territory. This fact precludes that it can be assessed in the same manner in which an object or tool (i.e., a glass) may be appraised. Especially when we face an aged wine, or an otherwise 'important' wine, we are dealing with a material *in evolution*. Immediately after pouring it, the bouquet is often too 'closed', and needs time to 'open up'. An equally crucial effect is played by the temperature of service, which makes the apperception of qualities range widely from one glass to another, from one moment to the next. These are just two variables that frame the encounter with wine as an unfolding process, instead of a punctual event. With Bergson, it is necessary

to locate ourselves, not the order of time, but in the order of duration.[27] Wine endures.

Furthermore, not only is wine dynamic along a diachronic axis. It is dynamic also synchronically. It often happens that, during a sufficiently large tasting session, all tasters assume that they are drinking exactly 'the same wine'. True, they are drinking the same type of wine, produced by the same wine-maker in the same year and the same vineyard. Hypothetical disagreements in evaluation are assumed to have been caused by substantively diverging judgements. In fact, it may turn out that, although the wine is indeed of the same type, tasters are drinking from *different bottles* – and, as well known, each bottle is 'an entirely different story' in terms of evolution, temperature, etc. A myriad of further details like this one, such as different glasses, uneven lighting of the room and so on, can produce infinite minor variations affecting the overall outcome of tasting. We need to think, not in terms of major drift, but again in terms of small perceptions to be brought within a single apperception.

The different micro-assemblages of singular elements that converge in a single session of tasting determine unique encounters for each taster, in each micro-location, at each specific moment in time. Modes, in other words, proliferate beyond the limits of control. All the rules and protocols are tentative tools to provide us with a compass for *sailing in the sea of wine*. Since, as said, wine cannot be reduced to an object, one way of appreciating it is to regard it as an *environment*. We are not facing wine,

[27] Henri Bergson, *Essai sur les données immédiates de la conscience* (Paris: Presses universitaires de France, 1967[1889]).

nor are we merely surfing on its surface; in fact, we are *immersed in it* as sailors, as we simultaneously struggle to probe it. Wine is an *environment of individuation*. As with every other passion, with every other one-dimensional fixation, one ingests what remains to be seen. In this sense, to turn again to Bergson – this time to the later Bergson of *Matière et mémoire* – wine is a *multiplicity*: it is the multiplicity that results from a heterogeneous material that cannot be reduced to either a numeric set or a degree on a numeric scale.[28] What we find here is not a multiplicity of discontinuous, atomic, divisible states, but a multiplicity of a continuous flow taken in the range of a unifying *memory*: 'The qualitative heterogeneity of our successive perceptions of the universe – writes Bergson – is linked to the fact that each of these perceptions stretches for a certain lapse of duration, as well as to the fact that memory condenses an enormous multiplicity of stimulations which appear to us all together, albeit they are in fact successive.' In fact, it is as overlapping multiplicities secreting their own law that humans consociate, via their territory-making explorations – making sense of their senses, that is, deploying the expression of animated materials.

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[28] Henri Bergson, *Matière et mémoire. Essai sur la relation du corps a l'esprit* (Paris: Presses universitaires de France, 1968[1896]).

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On the Correspondence Between Visual and Gustatory Perception

Nicola Perullo

1. Introduction

We are currently facing a curious paradox: taste, usually thought of as a 'minor sense' in the sensory hierarchy, is celebrated and 'culturalised' first and foremost through vision, the supreme sense par excellence.[1] It is visible to everyone: gastronomy, cooking, food and wine in general

[1] To cut a long story short, the general objections against the philosophical importance of gustatory taste and its consequent disregard has fallen into three areas: epistemology, aesthetics and ethics. An epistemological weakness has often been proposed, together with its aesthetic consequence: taste belongs to the minor senses because it does not allow for a powerful and objective knowledge of the outer world as the major senses (sight and hear) do. This weakness matches then with the ethical dangers of gluttony and excess. See for instance Elizabeth Telfer, *Food for Thought: Philosophy and Food* (New York: Routledge, 1996); Carolyne Korsmeyer, *Making Sense of Taste, Food and Philosophy* (Ithaca, NY: Cornell University Press, 1999); Nicola Perullo, *Taste as Experience. The Philosophy and Aesthetics of Food* (New York: Columbia University Press, 2016).

have acquired their own place as objects of education, reflection and appreciation. This paradox has actually just become apparent: the process to the visualisation of taste was born and developed in the context of the scientific and philosophical revolutions of modernity; science as analytic and experimental method, and philosophy mostly conceived as epistemology produced a model of knowledge based on the distinction between subject and object. In this context, taste is supposed to be important only as 'something' we should analyse and, then, objectivise.[2] This process coincides with the birth of aesthetics in the eighteenth century, the 'Century of Taste'.[3] A theory of subjectivity and judgement went along with a new sensibility for artworks and, more in general, artefacts, including gustatory ones. During the same period that gastronomy became a socially established practice, restaurants as well as public museums were established.

With respect to the relation between visual and gustatory perception, however, something new occurred in the last century, with the invention of photography and cinema, and with the digital revolution. In the most diverse areas of pop culture, there is a growing proliferation of visual images: gastronomy and taste play an eminent role in this process, considering the vast numbers of websites, blogs, television programmes, movies and photos dedicated to food: *Master Chef* and similar reality shows, but

[2] See Steven Shapin, 'The Sciences of Subjectivity', *Social Studies of Science* 43 (2012): 170–184.

[3] See George Dickie, *The Century of Taste: The Philosophical Odyssey of Taste in the Eighteenth Century* (Oxford and New York: Oxford University Press, 1996).

also phenomena like *food porn* and *foodstagramming.* A visual image, however, is not unique and can take different forms: a string of written signs is as visual an image AS a photograph, a painting, a line on the sand. It is therefore necessary to clarify whether this variety also means differences in content and outcomes, or whether the relationship between the image and the gustatory perception works similarly across the board. The image expresses, evokes, indicates and *shows*, whatever this means. To show is to demonstrate, prove, and make something evident to the senses and the intellect through sight. To show is to show something, an object, a merchandise, a body, a dish, a bottle of wine, through a sign. What does it mean then to show what should be principally valued and celebrated through the appreciation and enjoyment of gustatory taste?

However much we argue about it, we do not sit at the table, whether at home, at a restaurant or a wine bar, in order to contemplate the dishes or to read labels on wine bottles; rather, we sit down in order physically to eat, drink and consume, although at times – as if to underline the difference – we talk about tasting and culinary experimentation. This is largely because the visual admiration of a dish or the reading of a wine label neither sate us nor satisfy us in their own accord. What is, then, at stake when we visually appreciate culinary artefacts, to the point that sometimes we develop an unconditional admiration for a cook based on purely visual judgement, or we predetermine a wine's taste simply after having read its label? This is the general question I would like to explore in this chapter, which is divided in two parts. In the first part, I discuss the relation

between sight and taste through the case of the wine label, as presumed carrier of information that should supposedly prefigure the taste of the wine. In the second part, I deal more generally with the relation between images and food through an understanding of cooking as art, something that is very important today with regards to the role assumed by chefs as creators, authors or artists. The answer I suggest is that the relation between visual and gustatory perception is a continuous relation of correspondence. I need to make one important clarification: as I show below, by 'correspondence' I do not mean here any 'adaequatio', any accord, between vision and taste, in the manner of 'adaequatio rei et intellectus'. Drawing from Tim Ingold's work, instead, I would define it as the ongoing and continuous relationship and exchange between the two, like in postal correspondence: questioning and answering that can be the base of agreement, as well as disagreement and excess.[4] This goes into two different but related directions. On the one hand, the experience of taste, the actual tasting, always exceeds the image. On the other, the image guides, defines, determines and prescribes taste. This double implication restores an important role to vision and calls for an ethical commitment to the production of images. The perspective I am proposing here is then also a critique of the standard conception that sees taste as a 'minor sense' with respect to sight and hearing: as I try to indicate, single senses are just an abstraction. In fact, taste has always been enhanced by vision and this is particularly true today; yet,

[4] See Tim Ingold, *The Life of Lines* (London and New York: Routledge, 2015).

at the same time, in the case of food, visual perception is also shaped by gustatory perception, in a dynamic process of mutual correspondence.

2. (Don't) Read the Label

As I write these lines I'm drinking a wine called *Iconoclaste*. Curious! Before me, and little by little inside me, the very paradox I would like to write about unfolds. Here, before me: in front of my eyes, near my mouth. I have a wine label that denies itself, because it calls for the negation of its visual appearance. The paradox I want to point out here it is not just about Appellation, Denomination or Geographical Indication (to which I return below). It is about the more general question: what does a visual image – a label – show, express or indicate? In this case, it seems that *Iconoclaste* explicitly suggests its own suppression. But does it work differently to other, more polite and conventional labels?

As it is well known, a label is not just a mark. It can be a sign but also a symbol or even an icon. It indicates a relationship with a source, a presumed point of origin – a physical site, a Denomination, a property – from which a process flows, a chain leading to an end: the end of the process, and the purpose of the process. Some labels describe or evoke the process itself. In the case of food or wine, its consumption. The label is made to be consumed, indeed destroyed. It is like a road sign pointing towards a city: it cannot properly *express* that city, it can only evoke it, allude to it. Therefore, a label does not really signify anything, as the promise of an experience, vis-à-vis its

content. It indicates, alludes and evokes but does not signify, at least as far as we believe that to signify would mean to produce a tight relation between the word or sign and the 'thing': how much can a label reading 'Barolo' of a given vintage and producer, guarantee the experience I will have of this wine? Very little, and this little does not depend on the meaning of the label but, possibly, on the memory of previous experiences. Thus, the iconoclasm appears less paradoxical than we think: a wine label is a sign pointing to what, by definition, will not leave traces about – apart from the memory of those who drank it, or the writing of those who write about it. Historically, writing about food and wine taste has been the trace of what is no longer present. Taste and writing, in this sense, shared a common destiny that wedded them to sight and orality in a subordinated and marginal life, as opposed to a supposedly 'full' presence.[5] The question is anything but abstract or speculative. Label issues, although having to do with law and regulation, directly open up the issue of justice: is it possible to do justice to a wine through the mere reading of a label? No, it would seem, yet it is not that simple. Let us look at this point in detail.

On the one hand, even with the best intentions the label cannot say everything about the wine. Here, I am not referring to the debate about whether or not to inform the buyer about all the ingredients that a wine contains. The problem rather concerns the questions of the authenticity and quality of memory, expected taste and aesthetic

[5] The classic reference here is Jacques Derrida, *Writing and Difference* (Chicago, IL: University of Chicago Press, 1978).

experience. Let us take two (Barolo), same vintage and same *Cru*. The first comes from a family, resident in the Langa for many generations. The second is made by a young Swiss couple that has arrived a few years ago, and originating in different professional backgrounds. Let us hypothesise – in fact, this is often the case – that the wine has been elaborated in very different ways. Were we to ask which is the *more* authentic of the two (Barolo) – which one expresses more profoundly its territory – what could bring us closer to provide an answer? As we know, the label cannot tell us anything about such differences (and often, in fact, it does not say anything at all), and thus would be of no help to establishing which is the more authentic. Only the experience of drinking would provide a basis for an answer. Authenticity is not defined abstractly, because it is a continuous process of authentication. One might even conclude, and perhaps this is the most probable solution, that the two (Barolo), albeit so different, are both authentic, thus tuning our measure of authenticity to broader criteria and recognising among them, thanks to the gustatory experience, some traits and 'family resemblances'. In this respect, therefore, the label will never be able to say everything. The map of the territory is not the territory. Words and images are not the things.

On the other hand, however, something very different may occur, able to reinstate an absolute normative power to the label – something that would go beyond the indexing logic pursued so far: we may simply entrust it to resolve the tasting dispute. To us, the two (Barolo) appear to have a completely different taste, yet they are both (Barolo), since the law says so. On a closer *look*, this

power of the label is a power of sight: the label should be read. In this case, writing moves from witnessing the experience to prescribing it. The power of writing – and consequently of the visual image, of a label – is *performative* and prescriptive: that wine *is* a Barolo insofar as we *name* it as such, and the taste is moulded according to the performative power of naming.[6] Of course, the prescriptive power of the label is not born out of a random event: it is the result of a long normative process that led to the creation of various types of geographical denominations.

With respect to wine, three relevant aspects qualify such denominations: (i) they identify a spatial range, a given geographically delimited area, (ii) they have no temporal limits, and (iii) they identify some properties considered *essential* to the protected object, in this case the wine. With respect to our example: the 'Barolo' DOCG classification is determined according to some portions of land within a given area corresponding to some of the Langhe municipalities; the 'Barolo' DOCG has no temporal limits; the 'Barolo' DOCG is subjected to a set of rules [*disciplinare*] regulating certain aspects that are deemed necessary – according to both viticultural and oenological ambits – for a drink obtained from the alcoholic fermentation of certain grapes to be bottled with such label. The first two aspects refer to what is termed 'terroir'. The third aspect, instead, refers to technological and scientific elements.[7]

[6] See John L. Austin, *How to Do Things with Words* (Oxford: Oxford University Press, 1962).

[7] See Andrea Borghini, 'On Being the Same Wine', *Rivista di Estetica* 51 (2012): 175–92.

These three aspects, however, simply corroborate the thesis on the paradoxical nature of the label and the norm that produces it, an ultimately circular paradoxicality. Without going into details, it is enough to recall the following: a *terroir*, an area, a *cru* are a constellation of climate and microclimate, the life of the soil and of all those elements that create a given ecosystem, obviously including the anthropic one, together with traditions as well as individual and communitarian styles. All this however is not static, it is *produced* and modified constantly (for instance, we may think about the impact of global warming on the ripening of a fruit, or about the unpredictability of winds, or even the different hands and feet that will walk the vineyard, or about the trenching, the erosions, the roads built near the vines). Where are to be situated the boundaries containing the domain(s) of identity? And of course, who makes this decisional process work, how and when? We all know it is a social body, a varied community composed by makers, experts, markets, aficionados, etc. But is this all we can say about this? The terroir is a living organism that changes in spatial and geographical, temporal and historical, as well as social and cultural terms. Same for the third aspect, the one concerning technology: there exist so many different styles and projects to make a wine, and just as many variables – dependent on conscious choices as well as uncontrollable factors – that it is impossible to include them all in a definitive and final piece of regulation. In fact, in the last 30 years we have seen regulations [*disciplinari*] adjusting to the modifications that each of the three aspects have undergone. To put it differently, it is as if the

law – and especially the label, as the law's most immediate and commercial expression – would often ratify practices and criteria coming from external drives: the market, the consumers, the enthusiasts and the experts.

Hence the circularity I was alluding to: both the identification by a legislator of a static physical space, and the rigid protocols that regulate dynamic processes are abstractions. Perhaps necessary abstractions, but surely insufficient, since they do not anticipate the modifications that continuously occur, but rather merely ratify them, with the result that they always and unavoidably arrive *aprés-coup*. At the same time, once ratified, a regulated modification also becomes prescriptive of future perceptive experiences. This happens because taste is partially 'blind': insofar as being a singular and specific experience, it cannot encompass the entire area to which such a norm refers. The relation among words, images and taste therefore, is a relation of mutual *correspondence*, as already stated, in the postal meaning of this term: a word/image calls, the taste (cor)responds. The taste calls, a word/an image (cor)responds.[8] Such correspondence is not necessarily an accord: it may also produce discordances that will be put back on the correspondence's negotiating table in order to produce novel spaces of communication and accord.

3. Vision of Taste, Taste of Vision

One of the main reasons for which the so-called 'haute cuisine' and the great cooks of today enjoy unparalleled

[8] See Ingold, *The Life of Lines*.

social and cultural success in relation to the past, is that this is the Age of World Picture, becoming in turn the Age of Food Picture, to paraphrase Heidegger. What is again at stake in this process is the apparently paradoxical nature of the sensorial hierarchy: instead of restricting taste, sight enriches and stimulates it through its ability to make the edible appetising to sight itself (a desirability that is not necessarily physical). In fact, in one sense it has always been so: remind just the medieval banquets, with their rich scenography in which plays, music, colours created a multisensorial taste experience, a real food show. But in another sense, the phenomenon is also very new: mediatisation, especially after the digital revolution, played and still plays a paramount role.[9] On the one hand, it is very easy to be critical of it: the aestheticisation of everyday life reveals in fact an anaesthetisation, a loss of 'real' experiences replaced by a visual apparatus, variously called 'virtual' or 'augmented' reality; as some scholars stated, this has to do with the age of aesthetic capitalism.[10] Food images are good examples, as we see below. On the other hand, things are not that simple and, again, I shall propose a different approach based on the relational idea of correspondence between vision and taste. If we cannot escape from an appreciation of the so-called 'gastronomic' senses – taste, smell, touch – in a global, multisensorial way, audition and (especially) vision has

[9] See Nicola Perullo, 'Can Cuisine be Art? A Philosopical (and Heterodox) Proposal', in *The Taste of Art: Cooking, Food and Counterculture in Contemporary Practices*, eds, Silvia Bottinelli and Margherita d'Ayala Valva (Fayetteville, AR: University of Arkansas Press, 2017), 23–44.

[10] See Gilles Lipovetsky and Jean Serroy, *L'esthétisation du monde: Vivre à l'âge du capitalism artiste* (Paris: Gallimard, 2013).

to be included in this. We should look then for images deeply involved in the processes of gustatory perceptions as complex experiences, that is, images that correspond to them and vice versa. To correspond is to respond, to be able to respond to a call; and this is the original meaning of the word *responsibility*, being able to respond. This is a challenge that calls for an ethics of the gaze, an ethics of responsible food pictures beyond easy explanations and journalistic trivialisations.

Let us begin from a simple fact: as the saying goes, one also eats with the eyes, and this is because there is a continuous relation between visual and gustatory perception. According to James Gibson, taste is more than the totality of flavours and gusto-olfactory reactions and relations. Gibson has proposed an 'ecological approach' to perception that concerns also gustation. Taste is a multimodal perception, a 'perception sense' and not a 'sensation sense'. Every time, different saliences and *affordances* are put into play.[11] In that sense, and because of the history of humankind, sight occupies almost always a privileged and dominant position. We shall radicalise now the multisensorial quality of taste. If taste, as any other sense, is not an isolated *dispositif* but functions together with the other senses, then the senses as isolated *dispositives* do not *exist* on the perceptive plane: this simply is an abstraction. It is therefore incorrect to speak about the influence of sight over taste or, conversely, of taste over sight, as was analysed earlier with respect to the question

[11] See James J. Gibson, *The Senses as Perceptual Systems* (Boston, MA: Houghton Mifflin, 1966).

of labels. The supposed 'hierarchy of the senses' cannot be overcome by claiming recognition of the specific domain of each sense. One should rather speak about the differential planes and specific articulations of a unique sentient body.[12] We taste food by eating it, but we also think, look, feel and touch while eating; when feeling the waves of the sea, we look, we touch, we hear, etc. Let us, therefore, take taste as a specific articulation – a point of emergence of the sentient body – and let us focus on some of its relations with sight – another peculiar emergence on the perceptive place – without, however, forgetting its relation of continuous and dynamic correspondence with the whole sentient plane.

It would, therefore, make no sense to underestimate sight's relevance for taste, and thus for the cooked food that is eaten. This is evident in the Italian expression '*acquolina in bocca*' (literally, 'mouth-watering', or 'salivating at the thought'), and it often suffices to think the extent to which the colour of a food can affect its taste, whether positively or negatively. Let us take two examples. The first is the case of vegetarian cuisine. Historically driven by ontological, ethical or religious issues, the great tradition of vegetarianism has often generated refined visual and formal constructions, occasionally by imitating carnivore-dish appearances. Far from being a sign of disvalue

[12] The classic reference is, of course, Maurice Merleau-Ponty, *Phenomenology of Perception* (New York: Routledge, 2012) and also, and especially, Maurice Merleau-Ponty, *The Visible and the Invisible* (Evanston, IL: Northwestern University Press, 1969) and Michel Serres, *Les cinq sens* (Paris: Grasset, 1985).

and disesteem, this process of imitation shows how visual memory can be powerful, stimulating appetites and inducing taste values. As it has been shown, in societies where the carneo-paradigm is largely prevalent, the assumption that meat is more appetising is strong, so dishes such as soy steaks, fruit lobsters and many more are produced. The second example is the case of haute cuisine, that is the cuisine of the gourmet, authorial, sophisticated, avant-garde kind. The contribution of visual perception to taste has been consciously emphasised and underlined (according to what, approximately and imprecisely yet commonly accepted, is called 'aesthetics', in the sense of exhibition and appearance to sight). As we know from cuisine historians, the sumptuous medieval banquets gave as much relevance, if not higher, to the staging elements – musical, theatrical, chromatic features – as to the gustatory ones. More precisely: a food or meal's taste was to be the synthesis of all these elements. Although, subsequently, the history of modern art and aesthetics accustomed us to neatly distinguishing and separating, at times even opposing, the various sensorial domains, this has not been the case for a long time.[13] It is quite traditional to appreciate gastronomy and cooking as design – its form, colour, construction, project. It is not by chance that, in Western culture, the most immediate assimilation of cooking with art was done through the analogy to architecture and sculpture, valorised as visual perception.[14]

[13] See Sylvie Davidson and Fabrizio Lollini, eds, *Le arti e il cibo: Modalità ed esempi di un rapporto* (Bologna: Bononia University Press, 2014).

[14] See Marie-Antoine Carême, *Le pâtissier pittoresque* (Paris: Hachette, 2013).

Today, visualised food is so common as to have become trivial. Films, videos, and above all photography, dominate not only the narrow niche of *foodies* and gastronomes but also global pop culture. In fact, as said earlier, the current explosion of cooking as a cultural and mass-media phenomenon, testified by the veritable gastro-mania for food reality shows such as *Master Chef*, is a consequence of the digital revolution, which had a profound influence both on the image, and critique, of food.[15] Everyone takes pictures of food, dishes, meals: a potentially infinite image archive of *foodstagramming* and *food porn*. In this context, the experience of eating has become *explicitly* visual as much as gustatory, in the most transversal way: from the most sinister food porn, to refined and polished haute cuisine magazines and books, increasingly conceived as coffee table books, to be enjoyed as veritable art catalogues. Here, the image of dishes has no instructive value, it is not useful for a dish preparation recipe, but only valuable in itself as work of art. Also in this case then, the relation between vision and taste assumes an ambivalent character. On one hand, it promotes the culturally marginal practice of cooking, elevating it to the level of art, and this is obviously the case of 'high' cuisine that said relation presents and celebrates. Today, cooking is culture, as anyone with the minimum of curiosity about the world can appreciate. One can learn everything about a chef's 'philosophy' by looking at their dishes on books, social media, videos, without ever having entered their restaurant, if they have one. This phenomenon may

[15] See Gianfranco Marrone, *Gastromania* (Milano: Bompiani, 2014).

enrich a culture as well as create a consciousness. On the other hand, however, it risks obfuscating the significance of the concrete, real and material experience of both *cooking* and *consuming* the food, in favour of its media spectacularisation.[16] The price to pay for the planetary diffusion and consumption of food images is potentially high: the progressive virtualisation of such culture, a rarefaction as result of which one *looks* more and more while cooking, but experiences less and less, or with less awareness. Is it possible to eschew this outcome, avoid the risk of an image overdose – which can be observed also in the praxis of many cooks elaborating their dishes as if they were *visual designers* – in order to propose a productive relation with the vision of taste? Is a positive relation with food possible in this context? It is, although it is not easy: it is a matter of disentangling the realisation of a dish from its merely virtuoso exhibition, that often degenerates into the studied exhibitionism of the creator of the dish, and the compensatory voyeurism of the observer of the image. This could be done in favour of a dimension able to grasp the profound sense of this relation, and to link it to the dimensions of *memory,* passion, care, and engagement.

For such a productive vision of taste, a 'levelling strategy' is required. In terms of aesthetics, this entails refraining from elevating cooking to the level of art as if this would sanction its value. This is the most common operation, not only among artists and art theoreticians, but also among cooks. Instead, it is a matter of levelling art to the level of

[16] See Lipovetsky and Serroy, *Esthétisation du monde.*

cooking.[17] What does that mean? Thinking art as cooking means thinking it as a material practice of sensible, perishable and contingent processes. The ability to understand art is ancient and modern at the same time. Ancient, since tied to a paradigm that today has been relatively forgotten, according to which 'art' indicates a technical skill, a craft, a *techne*, a perfect and concrete know-how, related to the execution of both material (a jewel, a pair of shoes, a culinary dish) and intellectual objects. Modern, since it concerns a modality of art generation as a specific aesthetic and cultural experience, and as a consumption good, that has been established only in the last few centuries. In the age of the technical reproduction of any artefact, and of pervasive aestheticism, art has become other vis-à-vis its traditional conceptualisation in terms of superiority and exceptionality. That is, whether today *everything*, including art in its entirety, is pop – as many scholars maintain, I believe, with good reason – then it is not clear why cooking, in order to be art, should take off the apron, clear the table, and make space for a desk wherein to project, ideate and design something superior and exceptional that will be then simply prepared and eaten, as if preparation and ingestion would be a degradation to that higher and elevated dimension.

Yet, this is not the case, and there are convincing reasons for this. Let us take, for instance, the notion of *aura*. Pondering on the new languages of photography and cinema, Walter Benjamin in *The Work of Art in the Age of Mechanical Reproduction* points out the loss

[17] See Perullo, 'Can Cuisine be Art?', 23–44.

of aura that characterises the contemporary production of artworks. Because of its infinite reproducibility through technology, a work of art loses its uniqueness and authenticity that derives from its inability to being repeated in space and time. However, Benjamin anticipated that a novel manifestation of the aura would occur through these very technologies. Today, the aura would be the 'technical equivalent' of things. In this sense, it is the food's global digital dissemination that would bring about its attraction and magnetism. However, we can also take a different path for understanding aura in the specific situation of gastronomic experience. In fact, an argument can be made that the cooking aura would consist of the concrete experience of sitting at a table and tasting the dishes: an always unique and irreproducible experience that images shared instantaneously can only partially evoke. This consideration should prompt us to valorise the whole process of *creation* of a dish: from the *ideation* (project or intuition) to the *preparation* (similarly irreproducible insofar as dependent to gestures, hands, actions) up to the *actualisation*, that is, the moment when the dish enters the stage, appearing on the table as part of a meal that may be organised in many different ways.[18]

The levelling strategy, therefore, requires, at the same time, a strategy of broadening the horizon of art: art is no (longer) only tied to seeing and hearing, as many still think especially in the gastronomic field, trapped within

[18] See Gianfranco Marrone, 'Goodman in cucina: le attivazioni di Babette', in *Cibo, filosofia e arte*, ed., Nicola Perullo (Pisa: ETS, 2014), 69–81.

the modern paradigm of 'fine arts'. Art is also tied to touch, taste and smell. Such a strategy would radically flatten the sensorial hierarchy that structures western modern art, in which touch, taste and smell occupy the lowest spots. Hegel observes in *Aesthetics* that artistic enjoyment only refers to the theoretical senses of sight and hearing, and not to touch, taste and smell. In fact, the latter three senses have to do with materiality and its immediately sensible qualities: smell, with the material volatilisation of air; taste, with the material dissolution of objects; touch, with the warm, the cold, the smooth.[19] Even if this paradigm served a purpose in the process of constituting modern art and aesthetics, today it appears inadequate and impracticable.[20]

The idea that the art of cooking would consist in the visual 'beauty' of a dish is a construction related to the ocularcentrism of modern aesthetics. Besides the by now obvious appreciation of the relevance played by vision vis-à-vis taste, we need to go a step further so as to generate a thinking and practice for the perceiving body in which taste and sight would be co-implicated as a corresponding relation. This, however, implies a need to think strategically about the possibility of an art of cooking that would not depend on being beautiful to the eye, but rather enjoyable to eat. Such gustatory *good* would be the artistic fact. Food is not consumed and does not disappear.

[19] See Serres, *Les Cinq sens*.

[20] See Carolyn Korsmeyer, *Making Sense of Taste: Food and Philosophy* (Ithaca, NY: Cornell University Press, 1999) and Telfer, *Food for Thought*.

Rather, it is transformed and transforms us. We must overcome the fixation on a visible and permanent object. In an aesthetic model that is not tied to formal representation, other aspects related to consumption, metabolism and transformation are to be valorised too. Food always leaves a trace in both mind and body. Accordingly, food images have a key role in expressing a fundamental duality that they can and must clarify. An image is profound if it succeeds in suggesting that cooking is not (merely) visual art, but rather art in respect to vision, technical skill, care, passion and work.

We must thus overcome the idea that the art of cooking would principally consist in the design and the ideational project, that precedes its preparation and actualisation, prefiguring them. Here too a visual prejudice is at play: ideas (from the Latin *video*, to see) are mental images, visions. The hand, however, is as creative as the head, as shown by palaeontology, anthropology and evolutionary psychology, as well as by the observation of all that happens in a kitchen. It is a matter of understanding the correlation between head and hand, body and mind. The word *ductus* indicates the gesture that links the executor, the creator, to the matter she is handling. However, when passion, awareness and care are present – as is the case in any great cooking – the *ductus* is not a merely passive reproduction: it is creative and always generative of something more than the idea.[21] The continuous perfecting of high-level artisan

[21] See Richard Sennett, *The Craftsman* (New Haven, CT and London: Yale University Press, 2008); Tim Ingold, *The Perception of the Environment: Essays on Livelihood, Dwelling and Skill* (London and New York: Routledge, 2000); Tim Ingold, *Making: Anthropology,*

work – as is the case of any activity in which the body has a central role, such as in sports – depends on an 'obsessive energy', that is, a drive that produces the artisanal self-improvement. Accordingly, every gesture is not a mere (passive) repetition of the former, but rather a supplementary evolution, in the sense of an all-encompassing corporeal knowledge that constantly evolves, in and through the relation between the matter (in this case, food) and the hand. The apprenticeship and *expertise* of the cook may thus lead to an infinite self-perfecting. It is within such a capacity for repetition that the spaces of creative freedom may be found. This opens greater possibilities and allows the overcoming of the dichotomy – again, a modern one, unknown to both the premodern world – between artist-creator and artisan-executor. The great cooks are always creative, because they do not work mechanically *on* matter, but rather *with* matter. They test its breaking points, articulations and possibilities vis-à-vis the result they aim to obtain, and often the objective is modified during the practice. Cooking is therefore art, both in the sense of the project and the idea, and that of the *ductus*. Often the two aspects co-exist, and occasionally one might prevail: what counts, however, is the final result.

The earlier suggestion to conceive of the relation between sight and taste as a relational and non-hierarchical

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Archaeology, Art and Architecture (London and New York: Routledge, 2013); Krina Patel, *Thinkers in the Kitchen: Embodied Thinking and Learning in Practice* (Cambridge: Harvard Graduate School of Education, 2008). For the concept of *ductus* see Jacques Derrida, *The Truth in Painting* (Chicago, IL: University of Chicago Press, 1987).

correspondence, has numerous ethical implications (the image is always ethical, as Didi-Hubermann aptly noticed).[22] I shall indicate here just one, which I think is of the greatest importance: the deconstruction and overcoming of the gender issue. As it is known, the world of art cooking (in the sense in which we are dealing here) is almost entirely male. The primacy of vision over the other senses, as well as of the design over the *ductus*, gives rise to the idea that the cook would become a culturally 'elevated' figure only when, more than cooking, he *thinks* cooking, and *projects* dishes. The French word *chef* expresses well this axiology: according to the historian Jean-François Revel, a chef is a man able to invent what has not yet been eaten at home.[23] The chef is a chief, someone who commands and that today is often thought of as the intellectual: a head and a mouth, but not necessarily a hand. Or rather, the hand is not part of the conception of culinary art. It is not difficult to appreciate the implications of this approach with respect to the question of gender, and the prejudices and subordinations it implies. Instead, it is important to think of cooking as art only when the significance of the *concerned* relation with food becomes palpable: a relation that originates in the (often but not necessarily always) maternal gesture of nourishing and of caring for well-being. All cooks, of all genders, should be aware of this, independently of the style they decide to pursue. To be sure, today this awareness seems

[22] See George Didi-Huberman, *Images in Spite Of All: Four Photographs from Auschwitz* (Chicago, IL: University of Chicago Press, 2008).

[23] See Jean-François Revel, *Culture and Cuisine: A Journey through the History of Food* (Boston, MA: Da Capo Press, 1982).

to be growing: haute cuisine seems increasingly to valorise intimate elements, those tied to domesticity, infancy and the transmission of savoirs and tastes (in Italian: *saperi e sapori*). As a form of compensation for a hierarchy everyone perceives to be limited and inadequate, what occurs instead is a sort of general *maternalisation* of the style of at least a part of contemporary cooking.

In this way, the taste of vision may also become the taste of memory. In this case, sight concedes us something that taste does not. As for the wine label, the visual image may help our comprehension and reflection, since cooking does not only inhabit the immediacy of the present. The gustatory experience is not just dissected and immediate; rather, every instant in which it takes place, reveals the infinite knots linking it to all the past instants, already consumed and only apparently lost. Sight might thus help us, in an apparently paradoxical way, to understand that (also) within taste and cooking there exist no progress. What exists instead is their continuous expansion, wherein new expressive possibilities are integrated, boundaries widened, novel paths drawn, within the awareness that it is always possible to turn or return from where we started. Because the time of taste is not a straight line but rather a circle or, better, a spiral.

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A Taste of Law and Coffee – From Tastescape to Lawscape

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I have come far from across the Omniverse. You shall fetch me your universe's ultimate cup of coffee. Black. You have five Earth minutes. Make it perfect![1]

1. From Space to Cup

Ziltoid the Omniscient's quest for the ultimate cup of coffee is actually not that far-fetched if compared to the earthly ambitions of coffee exporters and experts alike. Indeed, in *The Coffee Exporter's Guide*, an authoritative United Nations publication for actors involved in international coffee trade, early on it is stated that:

[1] Devin Townsend, 'ZTO', *HevyDevy Records* (2007).

> Green coffee is graded and classified for export with the *ultimate aim of producing the best cup quality* and thereby securing the highest price[2] [*our emphasis*]

Much like for Ziltoid, today the love of coffee, and quite frankly the obsession for it, has turned into a seemingly never-ending quest for the most perfect and refined cup. Sometimes it appears to be a relentless pursuit. Anybody who has ever enjoyed a good cup of coffee, even if it is a takeaway on the run, can understand this obsession. Finding the ultimate cup of coffee sometimes includes hunting down the rarest and most perfect coffee beans that gain their exclusivity from having been grown in very specific regions,[3] or that have been processed in very unusual ways, or both. In the unusual process category, the so-called 'animal-processed coffees' can be found. Among these, the most famous one is probably the Indonesian Kopi Luwak. This is a coffee made from beans that have been processed, chemically and by fermentation, in the gut of the common palm civet (Paradoxurus hermaphroditus) and which are then excreted, cleaned

[2] International Trade Centre, 'The Coffee Exporter's Guide', Third Edition (Geneva: International Trade Centre, 2011), 5.

[3] For some coffee enthusiasts, the hunt many times continues even further. To this end, 'single origin' coffees, are commonly understood as coffees 'sourced from one single producer, crop, or region in one country'. Additionally, 'single farm' and 'single estate' coffee specifies that it is the 'coffee [is] sourced from one farm, mill, or co-operative'. Yet more specifically, some coffee labels not only mention the estate name, but also 'the specific lot or paddock the coffee was grown on, or if it's a microlot (a specific varietal from a specific farm)', 'Everything You Need to Know About Single Origin Coffees', Perfect Daily Grind, http://www.perfectdailygrind.com/2015/09/everything-you-need-to-know-about-single-origin-coffees/.

and roasted like ordinary coffee.[4] Not only does this processing method result in a coffee that is among the top contestants for the world's most expensive coffees, it is also said to end up in a unique coffee with 'rich, heavy flavour with hints of caramel or chocolate' and that is 'earthy, musty and exotic'.[5] Yet, the world's most exclusive coffees are not only found among the extraordinary animal processed ones, but also among those grown in specific regions and that have unique flavour characteristics. One example, equally considered to be among the world's most exclusive and expensive coffees, is coffee from the 'Gesha' or 'Geisha' trees.[6]

Although there is no commonly agreed world standard for grading and classifying coffee, *taste* is always intrinsically involved in the process of finding the best cup quality.[7]

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[4] See 'About Kopi Luwak', Kopi Luwak, http://www.kopiluwak.org/new/about.htm. About the common palm civet, see 'Paradoxurus hermaphroditus', The IUCN Red List of Threatened Species, http://www.iucnredlist.org/details/41693/0.

[5] 'About Kopi Luwak'. Unfortunately, a backside of the Kopi Luwak hype is that the traditional practice of collecting beans excreted from wild-living civets has turned into an industry with considerable animal welfare implications for caged civets, Gemma Carder et al., 'The Animal Welfare Implications of Civet Coffee Tourism in Bali', *Animal Welfare* 25, no. 2 (2016): 199–205.

[6] Varieties of Gesha or Geisha coffee have reached a kind of cult status in the specialty coffee world, especially the ones from Panama. It is sold in very small amounts and even at prices surpassing those of the so-called 'Cup of Excellence' coffees. Its flavour has been described as 'one of the most complex, intensely flavoured and desirable profiles of all the coffee varietals', see 'Geisha/Gesha', Mercanta, https://www.coffeehunter.com/knowledge-centre/geishagesha/.

[7] The Coffee Exporter's Guide lists among other things altitude and/or region where a coffee is grown, preparation process, bean size, imperfections, roast appearance and cup quality, including flavour

While taste is usually approached as a subjective experience, something uniquely individual, it must already here be stressed that it extends further than this. In practice, the individual experience of taste is constituted through an interplay of *internal* senses, *external* surroundings, and *recurring* practices.[8] Moreover, taste itself is a collective term describing a set of *multiple senses*. Within this set of senses, the primary ones for experiencing various aspects of that which is eaten or drunk are 'the chemical senses which encompass *taste*, smell and chemesthesis'.[9]

Drinking a cup of coffee then can in effect not just be described as a single sensory experience merely involving taste; it is rather a conscious multi-modal practice that has become increasingly anchored in scientific perfection involving such relatively recent academic disciplines as 'molecular gastronomy'.[10] This experience of coffee as a

characteristics, see International Trade Centre, 'The Coffee Exporter's Guide', 5.

[8] For an introduction to molecular gastronomy and the interaction of senses involved in experiencing food, see Peter Barham et al., 'Molecular Gastronomy: A New Emerging Scientific Discipline', *Chemical Reviews* 110, no. 4 (2010): 2313–65. For an examination of how among other external factors such as size and colour of plateware may affect the senses in experiencing food, see generally Charles Spence and Betina Piqueras-Fiszman, *The Perfect Meal – The Multisensory Science of Food and Dining* (Oxford: Wiley-Blackwell, 2014). With regards to practices and *rituals* surrounding the experience of coffee, see Section II below.

[9] 'Chemesthesis mediates information about irritants through nerve endings in the skin as well as other borders between us and the environments, including the epithelia in the nose, the eyes, and in the gut. Chemesthesis uses the same systems that inform us about touch, temperature, and pain.', Barham et al., 'Molecular Gastronomy', 2316.

[10] Barham et al., 'Molecular Gastronomy', 2313–65.

multi-modal and multi-sensual experience opens up some interesting discussions that we want to develop here, particularly within the setting of the *Law and the Senses* series.

Today, the field of 'coffee science' already addresses coffee from several academic fields such as chemistry, physics, biology and technology,[11] and here we are especially interested in the wider notions of taste that can be connected to the materiality of law that we link to practices and spaces in and through which coffee is enjoyed. The spatiality and materiality of law unfolds in this chapter, where law and the taste of coffee converge into an assemblage – a lawscape. Our aim is to place the taste of coffee within the general discussion of how law deals and can deal with the senses. More specifically, to do that, we try to tease out the materiality of taste and law, and approach the experience of the taste of coffee as art, craft, ritual, as well as space. We discuss how all this can be connected to the notions of for instance practical legal manifestations such as intangible cultural heritage, the regulation of the public sphere, geographical indicators and in extension, the production of lawscape.

[11] See e.g. Britta Folmer, ed., *The Craft and Science of Coffee* (Amsterdam and Boston, MA: Academic Press, Elsevier 2017). See also *BeanScene Magazine*, 'Joseph Rivera The Coffee Scientist', *BeanScene Magazine*, online edition June (2010), https://www.beanscenemag.com.au/articles/view/joseph-rivera-the-coffee-scientist. Other aspects that are concerned in the field of coffee science are tropical soil, plant science and post-harvest storage of green coffee beans, see Shawn R. Steiman, 'Shade Coffee in Hawai'i – Quality, Physiology, and Biochemistry' Ph.D. thesis, University of Hawaii (2008), and Borém et al., 'Evaluation of the Sensory and Color Quality of Coffee Beans Stored in Hermetic Packaging', *Journal of Stored Products Research* 52 (2013): 1–6.

Ours is in no way the first attempt to deal with coffee from a 'legal' point of view. Nevertheless, the bulk of the research already conducted in the field predominantly adopts dogmatic approaches, focusing on the regulation of trade and market issues such as export and import of coffee, international coffee agreements, or intellectual property aspects such as branding.[12] This is perhaps not very surprising given the position and value of coffee in the global economy and within the confines of the advanced capitalism that frames it.[13] Following the trade and market issues, that are most often discussed, are environmental aspects such as biodiversity and water use in coffee production,[14] as well as social issues, connected to

[12] P. Brian Bartels, 'Preventing Coffee Cooperation From Grinding To A Halt: An Institutional Analysis of the International Coffee Agreements and Recommendations for Achieving Long-Term Cooperation in the International Coffee Trade', *Creighton Law Review* 42 (2009): 279–322; Carol Robertson, *The Little Book of Coffee Law* (Chicago, IL: American Bar Association, 2010); Jill Draeger, 'Perking Up the Coffee Industry Through Fair Trade', *Minnesota Journal of Global Trade* 11 (2002): 337–72; Seth W. Shannon, 'Economic Stimulation: The History and Hope of Coffee in Development', *Transnational Law & Contemporary Problems* 18 (2009): 169–96; and Daphne Zografos Johnsson, 'Using Intellectual Property Rights to Create Value in The Coffee Industry', *Marquette Intellectual Property Law Review* 16 (2012): 283–327.

[13] Many sources about coffee make the claim that coffee is the second largest commodity traded in the world, after oil. While coffee definitely has an important position in the world trade as a commodity, after a closer scrutiny, and depending on the factors being taken into account when commodities are ranked as most traded in the world, it is apparent that this claim becomes quite difficult to defend, see Mark Pendergrast, 'Coffee Second Only to Oil?', *Tea & Coffee Trade Journal,* April (2009).

[14] See Denis A. O'Connell, 'Shade-Grown Coffee Plantations in Northern Latin America: A Refuge for More than Just Birds & Biodiversity', *UCLA Journal of Environmental Law & Policy* 22, no. 1,

labour rights, for instance the health hazards the coffee farmers are exposed to in their work environment caused by amongst other things exposure to chemicals and pesticides.[15]

But we want to reach beyond these discussions. What we are interested in are the entanglements of coffee and law, how they (un)fold and enfold each other in material manifestations such as cultural heritage, practices, brands, forming an experience, a *tastescape* and finally a *lawscape*, that encompass much more than just trade, labour and environmental legal issues.

2. Tastescape: Coffee and Spaces of Cultural Heritage

Coffee today has become an acknowledged cultural practice. The more exclusive and rare the cup of coffee is seen to be, the more coveted it will be. The *provenance issue* is equally fervently debated in coffee circles as in any art circle. Which farm a coffee bean stems from appears to be as pertinent an issue as the provenance discussions surrounding

(2003–4): 131–53; Grace H. Brown, 'Making Coffee Good to the Last Drop: Laying the Foundation for Sustainability in the International Coffee Trade', *Georgetown International Environmental Law Review* 16 (2003–2004): 247–80; and Ashok K. Chapagain and Arjen Y. Hoekstra, 'The Water Needed to Have the Dutch Drink Coffee', *Value of Water Research Report Series No. 14* (Delft: UNESCO-IHE Institute for Water Education, 2003), 7 and 21.

[15] Frederick A. Veitch III, 'Brewing Up a Storm: The Potentially Cataclysmic Effects of Industrially Grown Coffee', *Colorado Journal of International Environmental Law & Policy* 13 (2002): 211–39; Grant E. Helms, 'Fair Trade Coffee Practices: Approaches for Future Sustainability of the Movement', *Indiana International & Comparative Law Review* 21 (2011): 79–109; Jeremy Weber, 'Fair Trade Coffee Enthusiasts Should Confront Reality', *Cato Journal* (2007): 109–17.

cultural heritage or indeed from which geographical place a cultural item originates. The same goes for which (latte) artist has created a prize-winning decorative cup of cappuccino. The 'coffee guys' talk about 'clean' coffee the same way lawyers talk about clean cultural heritage objects, that is, something that has not been looted, illegally exported, or counterfeited. The coffee guys, as frequently as art historians, seem to be asking the question: have any dirty hands been involved in acquiring the product, are we buying that which we are being promised? Who made this? Are there any authenticity certificates? Is this a *fake*? The perfect cup of coffee can thus very well be seen as a cultural practice or a cultural heritage in itself.

In tourism studies the term 'tastescape' has been employed in order to describe how a place can be experienced and enjoyed through taste. Typical examples involve tasting local cuisine in its place of origin, for instance sparkling wine in Champagne, pasties in Cornwall, coffee in Colombia, Port wine in Porto, and so on. In the 'tastescape', so the claim generally goes, the place itself and the bodily senses connected to the taste are so to speak entangled in the moment the local cuisine is enjoyed in its 'authentic' setting. The term tastescape is meant to broaden the experience of a place that is usually assumed to be ocular-centric.[16] It adds on to the very heritage and practice aspects to taste, while tying it to its place of origin. This common use of the term tastescape of course relies on, and reinforces, the dichotomy authen-

[16] Sally Everett, 'Beyond the Visual Gaze?', *Tourist Studies* 8, Issue 3 (2008): 353.

tic vs artificial taste experience, the authentic being fetishised as something sublime, that can only occur in the place of 'origin'. In many ways, as we shall attempt to show below, this dichotomy is further reinforced by regulation. What such an approach does, however, is to congeal an equally artificial notion of authenticity, tied to a specific physical environment. Here, we do continue to use the term tastescape, but not in this simplified manner. In the article 'Lionizing Taste: Toward an Ecology of Contemporary Connoisseurship' Haden for instance proposes another dimension to the term[17] that we are interested in here, namely an *ecological* one, that points to a (post-human, or even beyond-human) materiality of taste, which is much more immersive, and less dependent on the fetishisation of space as a specific physical place, as it is often perceived in the more common uses of the term. So, must one enjoy Ethiopian coffee in Ethiopia in order to experience its most authentic taste?

We want to explore this very notion of tastescape and bind it to the taste of coffee and law. Making this entanglement visible and showing that the legal interaction with coffee goes beyond the usually discussed trade, environment, labour or sustainability issues, we are searching for the materiality of taste and law through the notion of tastescape as we are deploying it here. The law-coffee entanglement that we look for here certainly connects

[17] On the materiality of taste and the ecology it is part of, that we here refer to as 'tastescape' see e.g. Roger Haden, 'Lionizing Taste: Toward an Ecology of Contemporary Connoisseurship,' in *Educated Tastes: Food, Drink and Connoisseur Culture*, ed. Jeremy Strong (Lincoln, NE: University of Nebraska Press, 2011).

to rules and norms, and also to places of origin, but it reaches further than that too, to other issues such as meetings, creativity, aesthetics, discussions, practices and *spaces*.

Let us then first look at how the notion of tastescape manifests itself from a cultural heritage point of view. In cultural heritage terminology, intangible cultural heritage is described in the following manner:

> The 'intangible cultural heritage' means the *practices*, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and *cultural spaces associated therewith* – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity.[18] [*our emphasis*]

As with tangible cultural artefacts, each year UNESCO adds new items of cultural heritage to their list of intangible cultural heritage.[19] If something is deemed to be cultural heritage it will thus be included on either one or the other UNESCO list and become recognised and protected. But what does that mean when we are discussing

[18] UNESCO Convention for The Safeguarding of The Intangible Cultural Heritage, Art. 2 (1970).

[19] For the full list see 'Browse the Lists of Intangible Cultural Heritage and the Register of Good Safeguarding Practices', UNESCO United Nations Educational Scientific and Cultural Organization, http://www.unesco.org/culture/ich/en/lists.

the tastescape of coffee? As an initial illustration, a quick browse through the UNESCO list of intangible cultural heritage reveals that there presently are nine listings that somehow connect to coffee, the first one having been listed in 2008. Beginning with the most recent and working backwards, these are:

In 2015:

- *Arabic coffee,* as a symbol of generosity
- *Majlis*, a cultural and social space where the coffee drink is an integral part

Both registered as joint cultural heritage of United Arab Emirates, Saudi Arabia, Oman and Qatar.

In 2013:

- *Turkish coffee culture and tradition*
- *Âşıklık* (minstrelsy) tradition, a performance at weddings, in coffeehouses and during public festivals
- *Karagöz,* a shadow theatre once played at coffeehouses, gardens, and public squares, especially during the holy month of Ramazan (Ramadan)

All registered for Turkey.

In 2008:

- *Arts of the Meddah*, public storytellers, usually performed in coffeehouses: Turkey
- *Iraqi Maqam* a type of music often performed in coffeehouses: Iraq
- *Oxherding and oxcart traditions* used to transport coffee beans: Costa Rica[20]

[20] See 'Browse the Lists of Intangible Cultural Heritage and the Register of Good Safeguarding Practices Full text search: coffee', UNESCO United Nations Educational Scientific and Cultural Organization, http://www.unesco.org/culture/ich/en/listsdisplay=default

Additionally, on the list of Intangible Cultural Heritage in Need of Urgent Safeguarding there is an inscription from 2011 for *Naqqāli*, an Iranian dramatic story-telling, a performance art once performed in coffeehouses, tents of nomads, houses, and historical venues that is now in risk of peril because it might be forgotten.

It can easily be noted that within the UNESCO regime all listings connected to coffee are in fact more often than not directly tied to spaces: coffeehouses, cultural spaces, theatres, gardens, squares, tents, and ultimately, *nation states*. Moreover, one of the core interests of this chapter is reflected in this reality – namely that even though the listings mentioned above are for 'intangible' heritage, there is a clear insight that the experience of coffee is often tied to materiality, and particularly a material space, such as coffeehouses, cultural spaces, towns, regions or nation states.[21] However, while all the above listed examples have wider connections to coffee as intangible heritage in various ways, it is only the Turkish coffee culture and tradition registered in 2011 that explicitly connects coffee as heritage to *taste*. Looking closer at the nomination for the tradition to be included on the list of intangible cultural heritage, Turkey asserted the following:

> Turkish coffee culture and tradition goes back to the 16th century when coffee started to be served

&text=coffee&inscription=0&country=0&multinational=3&type=0&domain=0&display1=inscriptionID#tabs.

[21] On the connection between materiality and intangible cultural heritage see Fiona Macmillan, 'Heritage, Imperialism and Commodification: How the West Can Always Do Its Best', *Europa Ethnica* [forthcoming, 2018].

> at *coffeehouses* in Istanbul. The tradition has two distinguished aspects which makes its *taste* unique and provides means toward socialization. [...] Coffee leaves a long-lasting taste at someone's palate due to its preparation techniques which require time and its freshness. [...] To catch the pleasant taste requires some skills such as the way and degree with which the coffee is roasted. It is crucial to roast all the coffee beans equally and wait some certain time. [...] Turkish Coffee is not only a beverage but also a communal *practice* that brings together *cultural spaces*, social values and beliefs within a context of socialization process. Its role in socialization can be traced back to opening of the first coffeehouses with its noticeable decorations in Istanbul. Coffee houses were then, and still are *the places* where people drink coffee, converse, share news, read books and socialize.[22] [*our emphasis*]

Here then, we can clearly see that taste is furthermore considered to be an integral part of coffee as intangible heritage of Turkey. However, none of the inscriptions on the UNESCO list of intangible heritage, the Turkish coffee included, directly deals with the *materiality* of taste, namely how taste manifests itself as a tastescape. For now, suffice it to establish that the taste of coffee can initially be connected to the UNESCO legal regime, primarily as intangible heritage.

UNESCO's descriptions provide us with a link to further exploring the materiality of taste in the spaces of coffee, while connecting coffee to cultural heritage. What

[22] See the Turkish nomination form that can be found at 'Turkish coffee culture and tradition', UNESCO United Nations Educational Scientific and Cultural Organization, http://www.unesco.org/culture/ich/en/RL/turkish-coffee-culture-and-tradition-00645.

can be noticed from the UNESCO listings is that coffee as heritage is also associated with (more or less public) spaces in which it is enjoyed. In this vein, the description of for instance the Arabic Majlis from the intangible cultural heritage list is worded as following:

> It is typically a large *space* with carpets on the floor and cushions against the wall. There is usually a stove or fire to prepare coffee and other hot beverages. The Majlis space is open to all people and may be frequented by family members, tribes and inhabitants of the same *neighbourhood*, and other remote neighbourhoods. Community elders are considered true bearers [of the tradition], especially those with extensive knowledge concerning *nature*, genealogy and tribal history. Judges and religious sheikhs have special importance in the Majlis as they adjudicate on disputes and clarify political, social and religious rights and responsibilities.[23] [our *emphasis*]

Both now as well as historically, coffee and its taste seem often to be tied to sociability, and this directly links coffee to conversations, exchange of ideas, which in turn is tied to the production of public space.[24] The practice of coffee drinking contributes to the production of spaces

[23] 'Majlis a cultural and social space', UNESCO United Nations Educational Scientific and Cultural Organization, http://www.unesco.org/culture/ich/en/RL/majlis-a-cultural-and-social-space-01076.

[24] These places for 'sociability' and exchange of 'political ideas' were of course always vastly male dominated, and in Europe mainly frequented by men from a certain social (upper) class, which Habermas explicitly points out. As such, these were places inherently asymmetrical in composition in terms of class and gender. Another aspect that can also be stressed in passing, is the connection of taste to colonialism as coffee was quintessentially a colonial product, and this is not only true for coffee, but also tea, sugar, spices, etc.

where dialogue and public discourse can be exercised. As such, the freedom of speech aspects may be added on as a further layer within the tastescape. This is notably clear from the UNESCO reasons for including the Turkish coffee tradition on the list of intangible heritage, where it is stated that:

> The Committee […] decides that [this nomination] satisfies the criteria for inscription on the Representative List of the Intangible Cultural Heritage of Humanity, as follows:
>
> […]
>
> R.2: Inscription of Turkish coffee culture and tradition on the Representative List could promote greater visibility of the intangible cultural heritage and provide an example of a social institution *favouring dialogue*;[25] [*our emphasis*]

In *The Structural Transformation of The Public Sphere*,[26] Habermas too makes a connection between coffee and the production of the public space. He develops his discussion on the production of public space and how it over time evolves to mass culture and consumer goods packaged as private entertainment, which gradually replaces the public literary and political debates in the salons and coffeehouses. The interesting point here is that Habermas identifies an intriguing issue in showing that salons and

[25] 'Turkish Coffee Culture and Tradition', UNESCO United Nations Educational Scientific and Cultural Organization, http://www.unesco.org/culture/ich/en/RL/turkish-coffee-culture-and-tradition-00645.

[26] Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger and Fredrick Lawrence (Cambridge: Polity, MIT Press, 1992).

coffeehouses had a public purpose as a focal point for the exchange of ideas.

However, the rather narrow approach to the notion of the public space that Habermas employs is also in itself a simplification. His focus on the physical public sphere, as anaesthetised, numbed gathering spots, where rational communication occurs, overlooks the very sensational aspects of coffee that we are investigating here. The sensual experience of the coffee and even the taste itself must be added and further examined as to how this taste-space assemblage participates in the production of speech, dialogue, expression, and so on. For instance, it is known that it was because of the nightly discussions of the oriental *samar* tradition, of being awake throughout the night and talking, that *Thousand and One Nights* was transmitted orally and remembered. Coffee kept the participants awake and alert. And this is of course only one of as it were thousands of examples that connect the drinking of coffee, its invigorating character and its addictive taste to writing, literature, communication and places for public discourse. It has also been recorded in several biographies that it was the addiction and love of coffee that enabled Proust to write *In Search of Lost Time*. Baudelaire also wrote that the experience in the coffeehouse was unique. For him, it was a mixture of being outside and being at home, being able to see people, feeling like being in the centre of the world while at the same time remaining hidden from it. These meetings and encounters enabled the mentioned authors and others to develop their thoughts, ideas, inspired them to write, participate in the production of public speech, literary dialogue and practices

where the sensory experience of the taste of coffee is integral but not necessarily visible.

In a rather comical comment on coffee, production of literature, speech and their connection, Michael Koh mentions an incident when he was discussing authors who were addicted to drinking coffee with an energy drinks spokesperson, to which the latter supposedly quipped:

> You have to understand that this is an epidemic, […] Coffee is extremely hazardous to your health. Don't you know how Shakespeare died? From drinking coffee. The French Revolution? Coffee. The fall of the Han Dynasty? Coffee. Do you know how people can tolerate Dane Cook? Coffee. I can go on! Coffee makes people unnecessarily giddy. It's a menace. There's no other explanation.[27]

The energy drinks spokesperson was maybe right in claiming that coffee makes people talkative and giddy.[28] Quite what it is a menace to is unclear, but it is doubtlessly powerful. True or exaggerated for emphasis, this connects the sensory experience of the taste of coffee to action in and through which the production of the public space occurs. Thus, far from only being a dichotomy between on the one hand the individual human expe-

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[27] Michael Koh, 'Coffee: The Writer's Addiction', *Thought Catalogue*, 14 October 2013, http://thoughtcatalog.com/michael-koh/2013/10/coffee-the-writers-addiction/.

[28] On drugs, coffee shops and law see e.g. Peter Cluskey, 'New Cannabis Law Hits Dutch "Coffee Shops"', *The Irish Times*, 10 October 2011. That coffee is both a drug that enables creativity as well as an addictive substance is an interesting point to be made here. Coffee could also be read as a *pharmakon* in the Platonian sense, see e.g. Michael A. Rinella, *Pharmakon: Plato, Drug Culture, and Identity in Ancient Athens* (Plymouth: Lexington Books, 2011).

rience of taste, and on the other, a collective but numb physical space, an assemblage is formed instead where the ritual of coffee drinking is binding the sensation, speech and the space together, quite literally forming a *tastescape*. What thus connects coffee to speech and in extension to the production of the public sphere largely seems to be the tastescape produced through the entanglement of the stimulating and addictive taste with the sensations formed within its surrounding space. As such, the notion of the human and the notion of the space form an assemblage through the very sensorial experience of taste. Whether a cup of coffee merely passes as drinkable, however much invigorating it might be (as may have been the case in the early coffeehouses compared to today's standards), or exquisite in presentation and in taste (a culinary art form which it is today), may even be irrelevant here as it nonetheless makes people addicted to its intoxicating sensation leaving people energetic, ready to write, talk, write, dance and communicate.

However, the significance of coffeehouses changed over time and gradually the public discourse that once occurred in these spaces perhaps waned, as coffeehouses as a phenomenon firstly diminished in number, and eventually disappeared.[29] The public debates that had

[29] But as Brighenti and Pavoni note, the coffeehouse re-emerged later of course, and today we encounter it in the guise of a café, coffee shop or coffee place, where city dwellers, constantly connected to wi-fi find daily refuge. These places 'look the same' everywhere, and are precisely designed to look 'obsessively repetitive'. As such they are both numb and intensive, as the discourse that once took place in a coffeehouse is muted on the surface, but may indeed be very intensive virtually, in a dematerialised form, through digital

occurred in such spaces became transformed into a private activity of drinking *branded coffee*, with the advent of e.g. Starbucks in the 1970s. It may as per such reasoning be claimed that even if the experience of the taste of coffee still is often enjoyed in relatively 'public' places it does not necessarily involve the same type of public discourse as before. This tendency of commodification is perhaps neutralised somewhat with the UNESCO inscriptions that attempt to still safeguard the diminishing aspect of dialogue and communication connected to coffee by protecting it as heritage, but the tendency is nonetheless there. Evidently, today the enjoyment of coffee is becoming increasingly privatised, linked to a singular human experience, one that people need to buy into, that is packaged, sold and commodified as branded coffee or as a lifestyle; a discussion we will return to in the next section.

What we see here is that in the tastescape, the taste of coffee as a singular experience is entangled with the production of the public space. This means that the sensational experiences of coffee, such as its taste, is added onto the public sphere, and then the notion of the public sphere is widened. It challenges the idea of seeing the public sphere as a numb physical space only and moves it further still, adding on a sensory experience of being-in-a-coffeehouse. The whole multi-sensational experience of coffee is thus connected to for example the production of identity and community through the practices of cultural

connection with others through wireless or smart devices. Andrea Mubi Brighenti and Andrea Pavoni, 'Airspacing the City. Where Technophysics meets Atmoculture', *Azimuth* [forthcoming 2018].

heritage that in turn can be connected to (transgenerational) communication within the context of protected cultural heritage and/or freedom of speech by and through the engagement in the public exchange of ideas.

Now to return to the 'law' in the law-coffee-space entanglement. Can law appreciate all these sensorial dimensions of coffee? Can law *sense* the tastescape? Further still, can law be present in the production of the tastescape where public discourse is performed when the space and the taste of coffee merge through e.g. a cultural heritage ritual, where the entire sensorial experience taken together makes up a *post-human* assemblage of law-space-body?

3. Lawscape: The Taste of Coffee and the Law-Space-Body

Lawscape, a tautology between law and space, adds on geological, political, aesthetic, legal and biological dimensions to the entanglement of law and space. In the coming together of law and space, or here, law and the tastescape, we want to highlight how these two merge into an assemblage. It is about the realisation that law and space cannot be separated and that they are constantly conditioned by each other, as well as that in the lawscape neither space nor law vanish entirely.[30] Put together in the concept of lawscape, space gains agency while law gains materiality. The term lawscape thus alludes to a fusion of the notions of law and (land)scape. The connection between law and

[30] Andreas Philippopoulos-Mihalopoulos, *Spatial Justice, Body, Lawscape, Atmosphere* (Abingdon and New York: Routledge 2014), 4.

space is not a matter that is purely, or only, geographical. Connecting law to once again material space, is not just a matter of jurisdiction or territoriality either. In this context, space is rather seen as a multiplicity immanent to law, a sphere that is constantly unfolded onto bodies and spaces – forming entanglements, and assemblages. Here this concept enables us to see the spatial in law, taste, and coffee. And, as Philippopoulos-Mihalopoulos points out, *the spatial* in lawscape is material. He writes:

> [s]pace also brings an awareness of (other) spaces, both within and significantly beyond the reach of the law, which, in turning spatial, the law is progressively taking into consideration.[31]

We have revealed the agency of space in the section above looking at the tastescape of coffee as cultural heritage connected to sensorial experiences and the discourse taking place in the public space. In the lawscape, we now develop law's materiality.

The taste of coffee as part of a ritual or heritage produces a multi-modal sensory experience that gives rise to the tastescape. We have seen how coffee and its taste can fall within the definition of intangible cultural heritage and as such both participate in the production of communities and lifestyles, but it must again be noted that these are national in nature, always connected to a nation state. On the one hand coffee is seen as part of the cultural heritage of a defined community, listed as heritage *through a nation state*, but on the other hand as we

[31] Ibid., 46.

shall soon see in this section, with its global appeal and character it has always been shared and exported across borders. Places that initially did not have a strong coffee culture imported it and with time it became their own.[32] Thus, coffee and indirectly its tastescape was in fact never tied to just one place of origin it has always been mobile, itinerant, even nomadic, as it constantly travels and escapes its places of origin.

Above, in the very definition of tastescape, we established how consuming a local product in its place of origin constitutes a merger of space and taste. To add on law and move it into the lawscape, various schemes of protected geographical indications (PGIs) must be mentioned, for example the regimes that protect the name of a product connected to its place of origin. So to use the examples from above, only sparkling wine that is made in the French region of Champagne may use the word *Champagne* in its branding. Only pasties made in Cornwall may be referred to as *Cornish*,[33] or only coffee from Colombia may use *Café de Colombia* on its labels, marketing, and the like. The legal framework is provided by among others various EU regulations concerning protection of geographical indications, and for instance labelling

[32] One such place is of course Sweden, one of the largest coffee consumer countries in the world, with no coffee production of its own. However, the Swedish 'fika' ritual, which means to have a coffee with or without something to eat on the side, or to just have a break, has become a Swedish institution of sorts. See e.g. Anna Brones and Johanna Kindvall, *Fika: The Art of The Swedish Coffee Break, with Recipes for Pastries, Breads, and Other Treats* (Berkeley, CA: Ten Speed Press, 2015).

[33] This particular EU protection of the UK's geographical indications may of course be subject to change after Brexit.

of agricultural products and foodstuffs,[34] as well as World Intellectual Property Organization (WIPO) regulation on a global level.[35] The PGI regime prevents misrepresentation in terms of e.g. falsely referring to a sparkling wine as Champagne that is not from the same French region. It also guarantees a pre-set standard of quality; the consumers are informed what they are purchasing, and from where. What is interesting to note here, is that while the previous section discussed tastescape within the frames of a national heritage discussion (e.g. the taste of Turkish coffee as heritage of the Turkish community), the present section describes how the PGI regime is framed by an auxiliary regulation regarding trademarks. That is, we have moved from a territorialised heritage setting dependent on an 'authentic' place of origin into a deterritorialised commercial intellectual property setting, made to specifically protect the *commodity* and its intellectual assets[36] as it travels. The PGI system thus fluctuates between a capi-

[34] For the regulation of geographical indications, designations of origin, and traditional specialities concerning agricultural products and foodstuffs, see Council Regulation (EC) No 510/2006 (2006) and Council Regulation (EC) No 509/2006 (2006). Regarding matters surrounding definitions, description, labelling etc., see specifically Regulation (EC) No 110/2008 (2008).

[35] A number of international treaties and conventions deal partly or entirely with the protection of geographical indications or appellations of origin on a global level. Most of them are administered by WIPO such as the Paris Convention for the Protection of Intellectual Property (1883) and the Berne Convention for the Protection of Literary and Artistic Works (1886), as well as under the World Trade Organization (WTO) that administers the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS).

[36] This is of course also an economical right that gives private companies competitive advantage by being associated to a particular geographical place.

talist structure of global trade in commodities and the role as a guarantor in terms of origin, taste and quality. This regime is no doubt crucial in *protecting* local tastes, however within a commodifying logic. This means that the capitalist aspect of the lawscape ought to be examined to some extent too.

In the course of export and import of coffee, we have already seen that it is becoming commodified on the international global market, it constantly becomes subject to the rules and norms of the global advanced capitalism. The capitalist machine is able to understand the movements of coffee. The experience of coffee becomes a commodified one, even if it is constantly changing and moving. We move from the national heritage to the global commodity. Even the so-called 'fair trade' coffee, that is not directly tied to any origin, has become subject to the commodification processes. It too has been packaged, and is marketed as such – to adhere to the rules and norms of commerce. Slavoj Žižek for instance claims that the 'fair trade' cup of coffee is packaged in a way that what we are in fact being sold is a product that offers only the commodified experience of coffee, stripped away from its emancipatory potential, but in return for consuming it, we are being promised repair and redemption. This is what Žižek refers to as the 'New Spirit of Capitalism',[37] namely a leaner type of capitalism that has to some extent incorporated a response to its critique into itself. Drinking commodified fair trade coffee has thus become a com-

[37] Žižek is of course referring to the homonymous concept introduced in Luc Boltanski and Eve Chiapello, *The New Spirit of Capitalism*, trans. Gregory Elliott (London: Verso, 2007).

mercialised lifestyle in its own right within the new spirit of capitalism, where even the lifestyle itself has become a commodity. Žižek writes:

> The 'cultural' surplus is here spelled out: the price [of a cup of coffee] is higher than elsewhere since what you are really buying is the 'coffee ethic' which includes care for the environment, social responsibility towards the producers, plus a place where you yourself can participate in communal life […] This is how capitalism, at the level of consumption, integrated the legacy of '68, the critique of alienated consumption: *authentic* experience matters.[38]

Law participates in understanding coffee in this way, within the 'new spirit of capitalism', by for instance the PGI regulation.[39] It inadvertently enables a new type of commodification to take place where both the place and the taste are commodified through a legal regime. Perhaps a violent act, which in many ways remains invisible and may also include the sensorial aspects of coffee. This is the neoliberal capitalist perspective that Žižek raises. The taste of coffee thus moves, but it moves in a way that is adapted for capitalist commodification and exploitation.

How does all of this affect coffee in the lawscape, the assemblage of law-coffee-space?

By adding on the commercial legal framing the act of drinking coffee becomes submerged in a control mechanism of the capitalist system. If we can accept that human senses as we know them are to some extent mouldable,

[38] Slavoj Žižek, *First as Tragedy, Then as Farce* (London: Verso, 2009), 53–4.

[39] Even if the regime has its benefits too, as pointed out above, in that it can e.g. protect local producers.

or as Bourdieu seems to argue, that they are socially constructed as cultural capital, and if they can be affected by sociocultural and technological changes, a relevant question here is: can the human so-called 'subjective perception' of taste be normatively influenced by entering the lawscape? Ultimately, we want to understand how law can grasp the sensorial aspects of the taste of coffee. For that to happen the production of the tastescape as well as the lawscape need to be employed. As we have shown, the taste of coffee really is a matter of spaces, of a very material spatial engagement between law-space-(human) bodies.

The taste of coffee has thus *become* a lawscape. Another insight is that the taste of coffee is often framed by a territory, by various geographical places of origin, be it for the purpose of heritage or branding. We have for example seen how UNESCO clearly has no problem in including coffee in its various guises on the (intangible) heritage list. However, these listings are very much connected to nation states. We have furthermore seen how PGIs tie coffee to places of origin (e.g. Colombia, Jamaica, Indonesia) in order to make it stronger as a commodity, as well as to protect the local producers, and ensure quality. The difference that we want to stress lies in the way the heritage framework ties coffee to a territorial dimension that is purely national in the socio-cultural sense, whilst the PGI framework is interested in the brand connected to a (more or less constructed) locality, while a third type that could be called the 'connoisseur framework' that we have mentioned only obliquely focuses purely on the geographical/biological territoriality, tied to the bean as

a natural resource in itself. In all these frameworks coffee is always somehow tied to space and territoriality in different senses, while always being entangled with taste, communities and lifestyles.

Can law sense taste? Can law, as we know it, have a taste?

Arguably, coffee has evolved from once having been an ingredient in the public debate to a commodity, from a public activity to a private enjoyment, from experience to consumerism, from a ritual of sorts to a multitude of global (commodified) lifestyles. The notion of what coffee is, or could be, is being reproduced within the lawscape. By seeing further than the fetishised notion of coffee, where coffee is seen as a natural or *national* resource (now increasingly threatened by climate change), and by linking it to cultural heritage and the tastescape that produces the intensive public spaces, we think that new discussions can be initiated and further explorations of coffee and law-space-body be encouraged. These are for instance more explicit connections of the taste of coffee to freedom of speech, freedom of information, constructions of identities, communities, groups, and ultimately the construction of the notion of the Anthropos and its interaction with its surroundings.

This chapter has attempted to awaken law to coffee and its taste, to show that in the lawscape coffee is not just merely a packaged, commercial, private, natural resource or a commodity fully separated from the human being. We have explored whether it is possible to open up law to these aspects of taste. We demonstrated how valuable insights connected to materiality and space tend to be lost

when certain aspects, such as the sensorial experience, are being confined to merely individual experiences, only connected to a singular human being, a *de gustibus non est disputandum* of sorts.[40] The claim that we put forward in the introduction that taste is a multi-modal experience involving *internal* senses, *external* surroundings, and *recurring* practices, has thus been materialised here.

So, on a final note, what does it mean to realise that a lawscape always covers the tastescape of coffee? If the lawscape is always present, seeing, feeling, *atmospheric*,[41] and if the taste of coffee as cultural heritage has been submerged in it, would that also mean that a disciplining of space, taste and the human agency in a Foucauldian sense has occurred? The answer to that question is, frustratingly perhaps, that we do not know. But we think that we ought to continue this discussion by making connections and linkages between coffee, its taste, law and the spaces in which it is enjoyed.

We began this chapter by following Ziltoid the Omniscient's rather Sisyphean quest for the perfect cup of coffee, but in the end we arrived at a question we do not know the answer to, and what we seem to be left with appears to be a similar (bitter?) aftertaste, a realisation that humans after all, for all our post-human insights, may never be able to deliver the ultimate cup of law.

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[40] Literally translated 'in matters of taste, there can be no disputes', see Haden, 'Lionizing Taste'.

[41] 'There is no outside!' cries Philippopoulos-Mihalopoulos in *Spatial Justice,* 1.

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RECIPES

Ice Cream Sundae Made with the Hands

Kit Poulson

You will need three tubs of ice cream
Select it by colour rather than flavour – it works best with some light and some dark.

You will also need:
Some powders and jellies.
Some particles and crystals.
Peaches from a tin.
A glace cherry.
Two fan shaped wafers.
A sundae glass.

Remove ice cream from the fridge. Place it in large bowls. Take handfuls of ice cream and push them into the sundae glass. Use no spoons to shape the ice cream, feel the cold sink in, feel the bones inside your flesh. Feel the fat turn hard and unresponsive. As you go on fingers swell with cold, so hands fumble and it becomes hard to be subtle.

Layer colours. Shape and mould.
In between scoops insert layers of peach, jelly and crystal.
Work till the glass is piled high, almost to overflowing.
Position a glace cherry on the highest point.
Place two fan wafers on either side of the cherry.
Dust with chocolate powder.

Eating for Pleasure, Eating for Emptiness. Some Notes on Ice Cream

Although a food, ice cream is perhaps better understood when considered as a function of technology, of politics, of art and of course of excess.

Technology

Ice cream escaped the confines of regal kitchens with the invention of the steam engine, the electric battery the ability to store and release energy at will.

Bringing heat to food had been an accepted idea for thousands of years, but the reverse exercise, to generate coldness lay beyond almost every household. The transport of blocks of ice to deep cellars was conspicuous consumption par excellence. Wealth melting away at the first touch of the sun. Now every village, street, and in some parts of the world even house, supports a little white box, its own miniature ice cave. And that is a wonder of organisation, before even considering the other elements of an Ice Cream Sundae; the machinery for extracting milk and meat from cows, for putting peaches inside metal containers, harvesting nuts and grinding them.

The ice cream might be seen as an emblem of a second phase of humans use of technology, first bringing the hot to the cold, then bringing the cold to the hot.

Politics

It is a deceptive dish, a cheap luxury, a democratic delight, yet one which can only be produced by a complex and advanced technology. Ice cream can only survive in conditions of relative stability and predictability. Too many blackouts and it will melt. A mark of a society concerned to allow its citizens at least a small amount of non-instrumental delight, or a tawdry substitute for something more substantial? Eating without food. If we are to surrender ourselves to taste alone, without nutrition, then surely we should aspire to more complex and abstruse experiences? Vanilla becomes a byword for bland and unadventurous, a creamy salve for the abrasions of the everyday.

But would you like an ice cream? Yes, yes, yes, I would!

Art

The key idea here is suspension. The first sight of the Ice Cream Sundae reveals a towering confection, it's fugitive elements somehow in balance – the ice cream at it's most complete. To consume it is a long and difficult task. And is the initial promise met? Bloat and freeze in the innards do not detract from the first sight, the promise, the offer. And what an offer, there is a place in which the laws of taste, and the precise judgements of the near abstract can bring us to the other, satisfy the deep need. But for just a moment.

Excess and Vitality

Ice cream is an excessive substance, a product of surplus, beyond the demands of necessity. It is also marked by a somewhat oblique relationship to nutrition? In both these senses ice cream is non 'vital'. After all what kind of life does it promote? Perhaps it indicates a contrary set of desires within the human psyche. A need for stasis, to both have your cake and eat it. An abstracted action, eating without food in order to better understand eating. Piling metaphor on metaphor, looking for a way to arrest the world and stop it melting away…

Another way of looking at it is that it is simply a relief on a hot day. But what a construction to bring that comfort.

'Rock and Roll will never die', **Kit Poulson & Benjamin A Owen, 2018**

Rainbow Pixels

Pil and Galia Kollectiv

Ingredients:
Supercook food colouring gel kit
A minimum of nutrients
iPhone X
A curved plate with a smartphone holder (optional)

Method:
For maximum unicornification, choose food that closely follows a Photoshop gradient.
Select portrait mode on your iPhone X.
Avoid harsh shadows and dark spots. Use natural light. Avoid a flash or harsh, direct sunlight.
Use an HB2 filter for a cooler temperature to capture those mermaid tones.
Before serving, geotag your picture.

> *The requirement of conspicuous wastefulness is not commonly present, consciously, in our canons of taste, but it is none the less present as a constraining norm selectively shaping and sustaining our sense of what is*

> *beautiful, and guiding our discrimination with respect to what may legitimately be approved as beautiful and what may not.*[1]

According to Veblen, aesthetic norms are shaped to some degree by a social need to demonstrate 'wastefulness', to consume beyond the satisfaction of a particular use, conspicuously, so that others are able to appreciate one's ascent beyond mere use value. Veblen writes that this social requirement to show an ability to waste beyond utility has determined, to some extent, the faculties of judgement and that what is considered beautiful, decent or even novel is linked to the pecuniary quality of the object at hand, to its known and social market value rather than its private use value. This is not unlike Foucault's principle of the internalisation of the principle of authority, where one's behaviour is guided by an external fear of being under surveillance, even in the absence of the verifiable presence of power.

Taste is performative by nature: it is meant to signal to others where one belongs in a particular social hierarchy and what one's affiliations are. Just as the main concern of the judicial process is not to determine truths but to demarcate socially tolerable behaviours, to announce what normative modes of being are and what deviances will not be acceptable, culinary taste does not simply make judgements about good or bad food. This is summed up by the priest in Franz Kafka's *The Trial*, who concludes his interpretation of the famous 'Before the Law' parable by saying to K, 'you don't need to accept everything as true,

[1] Thorstein Veblen, *The Theory of the Leisure Class* (Boston, MA: Houghton Mifflin, 1973[1899]), 64.

you only have to accept it as necessary'.[2] To an extent K's mistake is to search for absolute truths when the social necessity of the law is simply to declare which territories fall inside and which outside its gate.

In the last decade, the conspicuous quality of taste has been accelerated and enhanced by the growing use of social media. On these platforms, eating moves further and further away from the subjective realm of use value as a sensuous experience and into the realm of social advertising. Social media users will often broadcast their latest culinary adventure, the exotic location in which they have had cocktails tonight, the talked about starter in an impossible-to-book restaurant, the end of a long queue in front of a 'secret' pop up downtown. The experience itself is often of secondary importance to the way it is broadcast to a network of professional affiliates and hopefully enhances one's cultural capital. In this respect Veblen's conspicuousness has been democratised – trickled down from the affluent leisure classes. It has become the norm by which post-Fordist workers measure their integration into an inherently socialised workforce. In order to prove one's rightful place amongst the cadre of professionals, one must constantly share taste preferences and be able to decipher and pass judgement on others' expressions of tastefulness.

But conspicuous taste goes even deeper than that. Sharing food experiences on Instagram produces new objects of consumption and when the eating becomes a

[2] Franz Kafka, *The Trial*, trans. Mike Mitchell (Oxford: Oxford University Press, 2009[1925]), 159.

photographic opportunity, the meal becomes a photo session and the plate a backdrop against which the palate becomes less important than the eye. Rainbow-coloured unicorn grilled cheese, a chocolate doughnut balanced on top of a chocolate cupcake, pink and purple smoothie bowl, a slice of spaghetti and meatball pizza or 19 scoops of ice cream in two cones are all images governed by the law of the lens. The Instagrammable monstrosities of our times, from unicorn cupcakes to mermaid bowls, are in many ways successors to the aspic rings and carved vegetable flowers of yesteryear. But the role of photography in documenting these prior to consumption has produced new criteria for the production of these foods. A recipe for our times would therefore read as a ratio of colours spread across 1080px by 1080px.

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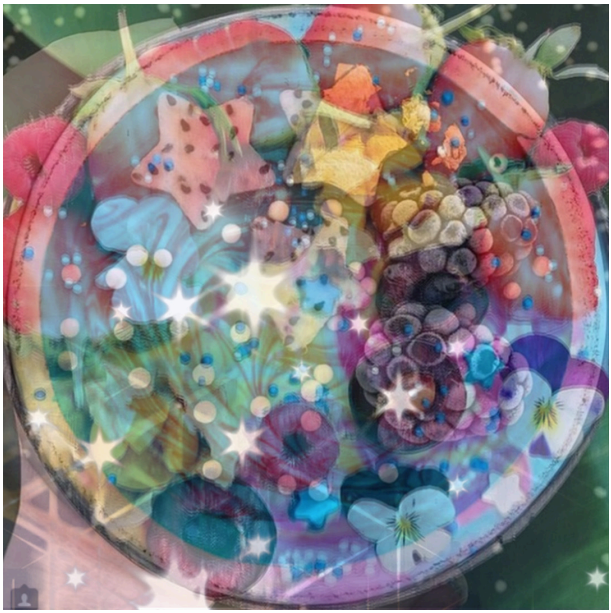

Image: Pil and Galia Kollektiv

The Taste of Tongues

Amanda Couch

To Prepare Ox or Cow Tongue

The old recipes called for boiling me.[1] However, in contemporary times, it is suggested that a gentler poach is more suitable to keep my flesh tender and succulent.[2] If you can, buy me fresh. And make sure to get me from a good butcher, one who knows my home.

1. Before you open my travel bag, brace yourself. I will look shocking! I will be bloody, and a bit of a mess. And I will be heavy. My connective tissue may still be there, hanging on. Remember I have been

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[1] See Isabella Beeton, 'Boiled Tongue', in Isabella Beeton, *The Book of Household Management*, Volume 1 (Ex-classics Project, 2009), 397, accessed 30 November 2017, https://www.exclassics.com/beeton/beetpdf1.pdf

[2] Jennifer McLagan, *Odd Bits: How to Cook the Rest of the Animal* (New York: Ten Speed Press, 2011), 51; and Hugh-Fearnley Whittingstall, 'Have a Heart: Hugh-Fearnley Whittingstall's Offal Recipes' *The Guardian*, 19 April 2013, accessed 30 November 2017, https://www.theguardian.com/lifeandstyle/2013/apr/19/offal-recipes-whittingstall.

severed. I might be pink, but I might also be grey, which I know is not the colour you are used to. I also might be spotty or blotchy, but this isn't because I was sick, or that something is wrong, but a display of my ethnicity.

2. You can rinse me in cold water. Some like to tidy me up a bit by trimming my root, but I wouldn't worry too much.
3. Get the biggest saucepan you can find. Place me inside. It's OK if I curl around the sides. Cover me with plenty of cold water, with at least 5 cm above me.
4. I like to have a flavoursome water to taste when I poach, and you will enjoy me all the more. So, add an onion (quartered). Some insert cloves into the onion's flesh, but I like them chucked in loose. They sometimes tickle as they bob up and down with the bubbling water. Also, pop in a chopped carrot, and a couple of stalks of celery.
5. Then some herbs and spices: a few whole peppercorns, two whole peeled garlic cloves, and a bay leaf. Some say allspice berries are nice, but if you can't get them whole, I like a sprinkling or two of the powder, and finally some parsley stalks and thyme. Thyme is my favourite. It caresses every time it floats by.
6. Over a medium-low temperature, gently, bring my bath to the boil, and then turn the heat down.
7. I might secrete some slightly unsightly scum, so if you wouldn't mind spooning it off the surface from time to time, I'd appreciate it.
8. Leave me here for around 2 hours. You can test me every now and then after 90 minutes.
9. Be gentle as you pull me out of my broth, as I'm delicate now, hot, and still surprisingly heavy.

To Prepare Human Tongue

A bitter *apéritif* should be prepared and taken.[3] The bitter herbs open up the taste buds, awaken the palate, as well as opening you up to the experience ahead.[4] My favourite is Campari Bitter Spritz.

- 50ml of Prosecco
- 25ml soda water
- 50ml Campari
- A slice of lemon
- Ice cubes

Accompany your drink with a selection of olives to roll on your tongue, for the perfect *amuse-bouches,* or more appropriately *amuse-gueules*, the 'gueule' meaning mouth, snout or face of an animal.[5]

'Pick it up with your fingers and place it, tip first, into your mouth, and lick its surface with your own … In the act of French kissing, where the tongue of another finds its way into one's own mouth, is the only time when we

[3] The word 'apéritif' comes from the Latin verb *aperire* meaning 'to open' or 'uncover'. See 'aperitif', *Etymology Online Dictionary*, 2017, accessed 25 December 2017, https://www.etymonline.com/word/aperitif

[4] 'The bitter herbs stimulate digestion, enzyme production, bile and gastric juices to enable nutrients to be broken down and absorbed more efficiently'. Vicky Chown and Kim Walker, *The Handmade Apothecary Healing Herbal Remedies* (London: Kyle Books, 2017), 44.

[5] See 'Amuse-bouche', *Wikipedia: The Free Encyclopedia*, 2017, accessed 26 December 2017, https://en.wikipedia.org/wiki/Amuse-bouche; 'Gueule', *Wiktionary: The Free Dictionary*, 2017, accessed 26 December 2017, https://en.wiktionary.org/wiki/gueule; and 'Gueule', *Harrap's Dictionaire Mini Anglais* (Paris: Harrap's Larousse, 2014).

experience the sensation of two tongues in our mouth. Except for now!'[6]

The principle organ of taste, the tongue is the gatekeeper to the body. It frequently traverses the threshold of the mouth, past the teeth and lips, to taste and judge the world beyond. 'O ambivalent organ' as Erasmus called it in 1525, is actually anything but equivocal when we experience the taste of a food which we do not like.[7]

You were fatty. Salty. With an earthy tang.

Acting as the sentinel at the boundaries of the body, the tongue upholds the food rules. It becomes the judge who interprets the laws of the basic tastes: sweet, sour, salty, bitter, and savoury or umami, and arguably the newly discovered, piquancy or hotness, and *oleogustus* or fatty,[8]

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[6] This guidance was offered to participant-diners of my participatory performance dinner, *Reflection on Digestion* in the chapter, 'The Mouth', when confronted with a lamb's tongue. They were delighted, and a few, slightly horrified, to be asked to put aside their table manners and social norms, and taste the tongue in an unusual way. From the script of Amanda Couch, 'Reflection on Digestion: A Performance Dinner', 14 April 2016, hosted by LIBRARY, London (unpublished). *Reflection on Digestion,* is an ongoing series of performance dinners since 2014, where participant-diners are guided to experience historical and contemporary narratives of digestion through their senses and the processes of digestion in their own bodies. They are served dishes made from offal of the digestive system, and for the chapter on the mouth discussions around tongue, teeth, the jaw, smell and taste accompanied the serving of tongue.

[7] Erasmus, 'Lingua', transl. Elaine Fantham, in ed. Fantham and Rummel, *Collected Works of Erasmus* (Toronto: University of Toronto, 1989), 365.

[8] Mandy Oaklander, 'A New Taste Has Been Added to the Human Palate', *Time*, 28 July 2015, accessed 23 November 2017, http://time.com/3973294/fat-taste-oleogustus/.

deciding what is acceptable to know, and to therefore bring inside.

What was I? Was I salty? Sweet? I hope I wasn't bitter?

Taste is also how humans make judgements. 'Throughout history, and in many cultures, *taste* has always had a double meaning', author and naturalist, Diane Ackerman reminds us in her book, *A Natural History of the Senses*. 'The word comes from the Middle English *tasten,* to examine, to touch, test, or sample… so a taste was always a trial or test.'[9]

You were saturated with the aromas of your broth. Onion, celery, carrot, bay, thyme, parsley, peppercorn, allspice, cloves. Seeping from you. Clinging to you. Wallowing in your papillae.

The tongue is arbiter of our individual food choices and preferences, framed by cultural and social codes, but also what our body wants. 'It drives a primal sense of "acceptable" or "unacceptable" for what is sampled.'[10]

I held my tongue out of my mouth, still, inviting. I guided you to taste me. To lick me. My tongue. My lips… And then you went inside my mouth.

Some might believe my play here with an ox's tongue is in poor taste, or even a violation of sacred laws. Perhaps because it is a cow;[11] because it is dead; maybe because of how it might have lived and died; or because the organ

[9] Diane Ackerman, *A Natural History of the Senses* (New York: Vintage, 1990), 128.

[10] Paul A.S. Breslin, 'An Evolutionary Perspective on Food Review and Human Taste', *Current Biology*, 23 (2013), accessed 2 December 2017, DOI: https://doi.org/10.1016/j.cub.2013.04.010.

[11] In Hinduism, the cow is believed to be sacred.

has been cooked, and is now food. Moreover, because it is a tongue specifically, and 'looks formidable – it's so like a giant version of the human equivalent,' as chef, food writer and campaigner Hugh Fearnley-Whittingstall has remarked, compelling us 'to confront the fact that we are, undeniably, consuming what was once a living, chewing beast.'[12]

You sought to find my other taste receptors at the back of my throat. But you went too far.

Moreover, interspecies philosopher, Donna Haraway would have replied across the kitchen, that 'whether we know how to eat well or not … human and nonhuman animals are companion species, messmates at table, eating together.'[13]

Was it by accident, or on purpose, that you made me gag?

Food writer and chef, Jennifer McLagan in her book, *Odd Bits*, embraces the world of tongue meat, and enquires despite this long and illustrious history on the dinner table, 'what is it about the tongue [today] that elicits such a negative response?'[14] Her own reaction implies notions of the abject, surmising that 'we are all too intimately familiar with our tongue, there in our mouth and connecting us to our food.'[15]

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[12] Hugh-Fearnley Whittingstall, 'Ox Tongue, Oxtail and Pigs' Cheek Recipes', *The Guardian*, 7 May 2011, accessed 30 November 2017, https://www.theguardian.com/lifeandstyle/2011/may/07/tongue-oxtail-pigs-cheek-recipes

[13] Donna J. Haraway, *When Species Meet*, (Minnesota and London: University of Minnesota Press, 2007), 301, accessed 23 November 2017, ProQuest Ebook Central, https://ebookcentral.proquest.com/lib/ucreative-ebooks/detail.action?docID=328400.

[14] McLagan, *Odd Bits,* 49.

[15] Ibid.

Did you want me to vomit on both of us?

Abjection occurs at the thresholds, between boundaries that define relations according to a value position, when as Kristeva states an 'object [is] jettisoned out of that boundary.'[16] Angela Bartram, artist and academic proposes that 'it is concerned with ambiguity and uncertainty of social position, circumstance or values.'[17] She argues that abjection succeeds in liminal places, such as mouths, which are 'open punctures' to the body where there may be potential physical violations at the border, as well as the breaching of 'acceptable … psychological, conventional or moral bounds.'[18]

Has this tasting gone from food to love? Our licking, my sucking, your tongue in my mouth? Are we dancing at the unpalatable bounds of zoophilia, or bestiality, and necrophilia?

Bartram reflects on her various performances, such as *Tonguing* 2006, and *Licking Dogs* 2008 where tongues violate the thresholds of the mouth, writing,

> To lick and be licked is a promise in an intimate relationship of other encounters, of what might be, might happen. Because licking makes reference to the private and clandestine scenarios of the bedroom, this can make public viewing uncomfortable.[19]

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[16] Julia Kristeva, *Powers of Horror: An Essay on Abjection,* trans. Leon S. Roudiez, (New York: Columbia University Press, 1982), 69.

[17] Angela Bartram, 'The Transgressive Mouth in Live Art and its Relationship to the Audience', (PhD Thesis, School of Arts and Education, Middlesex University, 2009), 5, accessed 30 November 2017, http://eprints.mdx.ac.uk/6275/.

[18] Ibid., 5, 2.

[19] Ibid., 26–7.

For some creatures, taste is essential to successful mating practices. Male *Drosophila* flies, for example, employ taste to judge the difference between females and themselves.[20]

Dripping with your appetising broth, are you salivating? Inviting me? Desiring me?

Much of Bartram's work is often performed to play on what might be considered bad taste. When we watch Bartram and her collaborator, Mary O'Neill, spit on and lick each other in the confines of a corridor, in *Spit and Lick* 2003–4, we viscerally experience the taste in our mouths of our own saliva potentially being contaminated with that of another. We are unsure of whether this foreign substance has invaded our own bodies, understanding all too well what Ackerman writes of taste as 'an intimate sense. We can't taste things at a distance.'[21]

Running my tongue from your tip to root, I discover your fuzzy nap. It tickles. It makes me giggle. The papillae that shelter your taste buds are everywhere. Discovering them, I relish the sensation of my taste buds tasting the taste of your taste buds.

In this furtive act of transgression, the experience and similarities of tongues sheds light on our own selves as animals, pointing to the emerging arena of multispecies ethnography, where notions of our relational and entangled relationships with non-human others is unfolding the grip of anthropocentrism.[22] 'If we appreciate the fool-

[20] Breslin, 'An Evolutionary Perspective'.

[21] Ackerman, *A Natural History of the Senses*, 128.

[22] 'Multispecies ethnographers are studying the host of organisms whose lives and deaths are linked to human social worlds'. S. Eben Kirksey and Stefan Helmreich, 'The Emergence of Multispecies Ethnography', *Cultural Anthropology*, 25/4 (2010), pp. 545–576,

ishness of human exceptionalism', Donna Haraway proposes, 'then we know that becoming is always becoming *with* — in a contact zone where the outcome, where who is in the world, is at stake.'[23]

The further back along you I go, the bigger your papillae get. I wonder if mine do this too? Licking the other direction, it's scratchy, almost sharp, like a brush. You press hard, and it feels like you cut me. I can still feel a tingle on my tongue hours later.

Looking through Haraway's *Chthulucene*, a vision of interconnectivity, where hierarchies of humans and non-human animals are dissolved, and all become kin, it could be argued that at every meal we are performing some kind of cannibalism. 'Critters', she states, 'interpenetrate one another loop around and through one another, eat each another, get indigestion, and partially digest and partially assimilate one another and thereby establish sympoietic [a making-with] arrangement.'[24]

With my incisors, I peel off a little tissue at your root where a bit was coming away from your whole. I spread you over my tongue with my teeth. I soften and disperse you. And savour you.

I now have a taste for you. With you moving in my mouth, I can't stop from biting hard down on you, and ripping off your tip.

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accessed 17 December 2017, DOI: https://doi.org/10.1111/j.1548-1360.2010.01069.x.

[23] Haraway, *When Species Meet,* 244.

[24] Donna J. Haraway, *Staying with the Trouble: Making Kin in the Chthulucene,* (Durham, NC, Duke University Press: 2016), 58.

I will you to bite me. I want you to tear me in two. To suck me. Chew, chomp, and swallow me.

I want to incorporate your nourishing nutrients. To absorb you. Assimilate you.

My silken melting fat, oozing out of me, dissolving into you.

A marriage of meat.

You, warm, lean, beefy, earthy flesh.

You, warm, wet, sweet, bloody body.

I becoming you. You becoming me. Us becoming one.

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Image: Amanda Couch

Skins

Trine Lyngsholm

Ingredients:
- 1 cup of milk

Instructions:
Heat the milk in a pot and bring it to the point of boiling. Poor the milk into a cup and place it in the fridge or any other cold place for about 3 minutes. The skin will now have formed.
Enjoy!

> *…Our sensory experience of the world originates in the interior sensation of the mouth, and the world tends to return to its oral origins*[1]

This essay is not an explanation, it is merely thoughts from an artist experiencing taste… and material for food is for me as much a material as it is a life-necessity.

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[1] Juhani Pallasmaa, *The Eyes Of The Skin: Architecture And The Senses* (Hoboken: John Wiley & Sons, 2012), 14.

When using food as a material in the studio I experience the same mechanisms as I do when using 'non-organic'/ dead material; I feel the tactility and texture, is it soft and sticky or crispy and maybe even painful? I feel it not only through the skin on my fingers but I instantly feel it through the skin on my tongue and in my throat; just by looking at it I can taste it and judge it![2]

The image of a toddler, sitting in a garden, very concentrated, putting soil into their mouth or leaning against a metal railing, only touching it with their mouth and tongue, is quite familiar. It is a good example of just how important the mouth is to the human being.[3]

Most often I know exactly what food or material will feel like if I would put it in my mouth and try to swallow it, but sometimes I fall short. Sometimes when exposed to a new texture or a new surface, or even a familiar-looking material that turns out to feel totally different than expected, I experience a visceral feeling; it can be messy and mixed, a feeling of surprise and logic, of disgust and excitement. As if my mind already knew it but my body did not, or is it the other way around? All I know is that my body and mind are one in this instant, intermingled

[2] 'Our contention is that the oral cavity with its equipment of tongue, lips, cheeks, and nasopharynx is the first surface in life to be used for tactile perception and exploration. It is well suited for this purpose, for in it are represented the sense of touch, of taste, of temperature, of smell, of pain, and even of deep sensitivity, as the latter will be involved in the act of swallowing'. René A Spitz and W. Godfrey Cobliner, *The First Year Of Life* (New York: International Universities Press, Inc., 1965), 64.

[3] Trine Lyngsholm, *There's a Liquid Sky All Over the World: An Essay on The Visceral Feeling* (MA, Royal College of Art, 2017), 12.

in a web of tingling and gagging, of retracting and releasing all at once.

I chase the visceral feeling, it is the main subject in my work; how can I make the audience feel this both physical and emotional tingling/gagging in their bodies or in fact in the void between the body and mind? Is it actually by re-experiencing food or material that I have experienced before? Or is it to experience the constitutions being violated? Is it to break the laws and twist the conformities into something abstract; something which is both known and unknown to me at the same time?

Norms or laws we have created and been taught influence the decision or judgement of what I will feel repelled or drawn by[4] both with food and material, with everything around us; social boundaries, laws of food, etc., but what happens when I experience something I have nothing to reference to? Is that even possible? Would my brain not try to connect it to something I have experienced before and in mere lack of reference then make up my own 'fantasy-perception' which I then base my judgement upon?

I see the body and the mind as a constant 'fluid mass' that through the senses integrates extraneous phenomena into us as beings; both consciously and unconsciously we have a constant conversation going on between the extraneous and the internal being.[5]

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[4] Georges Bataille, *Georges Bataille: Essential Writings*, ed. Michael Richardson (Thousand Oaks, CA: SAGE Publications, 1998), 28–38.

[5] 'One can say that we perceive the things themselves, that we are the world that thinks itself — or that the world is at the heart of our flesh. In any case, once a body-world relationship is recognised,

But when this conversation is abruptly disturbed, just for a split second, as a result of being 'inexperienced', do we then automatically reference our own body, the inner physical part that is so connected to our emotional being? Is it due to us automatically basing our judgement upon our very first encounters with the world (done via the mouth) that especially food, the texture and taste hereof, can trigger such dramatic reactions within us?

> … I experience a gagging sensation and, still farther down, spasms in the stomach, the belly; and all the organs shrivel up the body, provoke tears and bile, increase heartbeat, cause forehead and hands to perspire…[6]

Through describing an enigmatic phenomenon that contradicts itself, Julia Kristeva connects our perception of being in the world, with what we put inside ourselves – what food we consume[7] – not with materiality and cleanliness.[8]

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there is a ramification of my body and a ramification of the world and a correspondence between its inside and my outside, between my inside and its outside'. Maurice Merleau-Ponty, *The Visible And The Invisible*, ed. Claude Lefort, trans. Alphonso Lingis (Evanston, IL: Northwestern University Press, 1968), 136.

[6] Julia Kristeva, *Powers Of Horror, An Essay On Abjection* (New York: Columbia University Press, 2010), 2–3.

[7] 'When it comes to the milk she writes about us as human beings wanting to separate us from our parents, to become ourselves, to become a person. We are intuitively repelled by what she offers and spit out the milk as to 'spit her out' and become independent people, as to create our own ego and walk further towards our own death…' Lyngsholm, *There's a Liquid Sky All Over the World*, 12; as quoted in Kristeva, *Powers Of Horror,* 2–4.

[8] 'It is thus not lack of cleanliness or health that causes abjection but what disturbs identity, system, order. What does not respect borders, positions, rules. The in-between, the ambiguous, the composite'. Kristeva, *Powers Of Horror,* 4.

Experiencing loathing of skin on warm milk might be transferred onto another experience when reminded of it. Whether that be bodily or emotionally (if one can even separate that!); the embodied memory of this thin and fragile membrane, which sticks to the back of my throat while trying to swallow it, might be triggered by the wafer-thin and greasy latex-skins I made in the studio the other day; perhaps through distorting the familiarities of taste, if that be the taste of stone, latex or food, I will be able to trigger this feeling of abjection in my audience and diminish the void between the body and mind?

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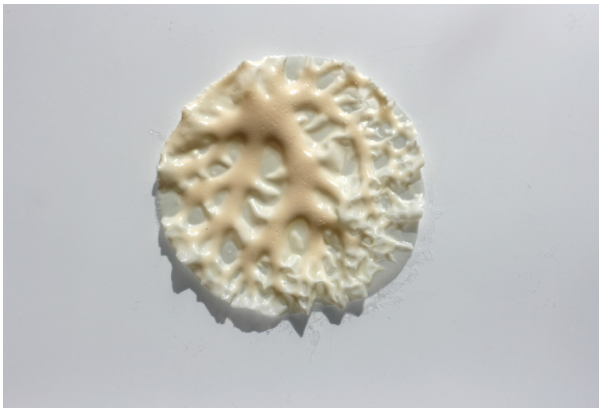

Image: Trine Lyngsholm

Salsa

Nora Silva

This is the base for any salsa, which might then vary from country to country. In Chile, for example, you might add chopped tomatoes for a *pebre,* and call the chillies *ají.* Alternatively in Mexico, you might call the chillies *chiles* and call the salsa *pico de gallo.* In any case, a good base is paramount for any variation.

Ingredients

- 2 coriander plants, imported if possible
- 10 small red chillies, imported if possible
- 1 lemon, from your local corner shop

Procedure

1. First of all you and your sous-chef need to stretch. Cooking is a flexible activity that demands a trained body. Warm up for about 10 minutes.
2. The kitchen is a hazardous space. Every risk should be assessed correctly and you should be wearing the appropriate gear. Danger might be waiting for you at

the least expected corners, so you should wear full protection to be ready.
3. Put on antibacterial thick gloves ceremoniously. They should cover your hands at all times. Your face must be also protected with a mask in case food splashes. Put it on with pride.
4. Needless to say you should be wearing all white, from top to bottom. It is impossible to detect any impurities on any other color clothes.
5. You are ready now to bring the coriander plants into the cooking space. Do so with care and treat them like a just-born baby.
6. What follows is the hardest part of the recipe. You should use all your strength and concentration as the success of your salsa depends on it. Crash the plants on the floor vigorously and repeated times until the plant is completely destroyed. Use violence and accumulated anger.
7. Pick the coriander leaves that remained whole.
8. Chop the coriander and chillies finely.
9. Clean the plants mess with a broom and form a pile with the soil.
10. Go to your local grocer to buy a lemon and squeeze its juice on the soil.
11. Season the coriander and chillies with the rest of the lemon and some salt.

It's not a question of worrying or of hoping for the best, but of finding new weapons.[1]

Art, in fact, can be nothing but violence, cruelty, and injustice (…) Look at us! We are still untired! Our hearts know no weariness because they are fed with fire, hatred, and speed!… Does that amaze you? It should, because you can never remember having lived!

[1] Gilles Deleuze, *Negotiations 1972–1990* (New York: Columbia University Press, 1990), 178.

> *Erect on the summit of the world, once again we hurl our defiance at the stars!*[2]

The plants are smashed on the floor, repeatedly, the performers absorbed in automation. There is a thick layer of protective clothes, gloves and masks that establish a clear distance between them and the destruction of the coriander. Its violence is somehow dehumanized and normalized by risk assessments. Health and safety ingests violence and allows it. Yet we carefully feed from the ruins.

Salsa is a performance about violence, the violence of financial capitalism. Standing at the aftermath of what *The Economist* called 'the biggest bubble in history' – 2008's crisis – financial capitalism is far from collapsing, but is rather changing our behaviour and what we perceive as normal, true or legal. What is radically different from previous punctual economic crises - such as the Japanese one in 1990 – is that this one is global. Sainsbury's chillies, used for the performance, are grown in Egypt, Ethiopia, France, Gambia, Netherlands, India, Israel, Jersey, Kenya, Mozambique, Senegal, Spain, United Kingdom, Zambia and Jordan according to their website.[3] Food and its structures – the food industry or table manners or all

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[2] Filippo Tommaso Marinetti, 'The Founding and Manifesto of Futurism', in *Documents of 20th Century Art: Futurist Manifestos,* ed. Umbro Apollonio, trans. Brain, Robert, R.W. Flint, J.C. Higgitt, and Caroline Tisdall (New York: Viking Press, 1973), http://www.italianfuturism.org/manifestos/foundingmanifesto/ (Accessed 9 January 2018).

[3] 'Sainsbury's Chillies, Mixed 50G', Sainsbury's, https://www.sainsburys.co.uk/shop/gb/groceries/sainsburys-chillies--mixed-50g (Accessed 9 January 2018).

the traditions that surround food – mirror accurately the contemporary political turbulence. How does that taste, then?

It must be acidic and sour, brutally spicy, violent on the palate. The process of cooking must also reflect agitation: we smash, we break, we chop. However, we are detached from any turmoil, we cook like machines or disciplined Foucauldian bodies.[4] The salsa is sharp and piercing, and it has traces of soil. It floods the mouth with tickles and its texture is raw and grainy. It is a shock that leaves you neutral, like Beckett's absurdist quest-hero *Molloy*: 'I had neither taste nor humour, I lost them early on.'[5] Despite the fact that *Molloy* is well educated, he is a vagabond that roams around hopelessly killing dogs and old people, not with anger or grudge, but with indifference. He has a particular devotion to sucking pebbles though, even if he can't taste them, or precisely because he can't taste them. Might *Molloy* be the paradigm of the contemporary citizen?

About 100 years ago, Marinetti promoted violence in the most enthusiastic manner. The Italian artist praised speed and hatred as tools to awaken the public. A century later we are plunged in a fast sleepwalking, aggressive but removed from individual agency or responsibility.

The taste of the current times is opaque, dismayed. It has a post-truth flavour of sorts, and it ends with a pile of dirt neatly assembled to trick the eye – or the taste buds. It's all a disaster, but a clean one.

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[4] Michel Foucault, *Discipline And Punish*: *The Birth of the Prison* (New York: Random House, 1975).

[5] Samuel Beckett, *Molloy* (New York: Alfred A. Knopf, 1951), 39.

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'Your Friendly Local', photography by Karolína Matušková.

Strawberry Slatko

Mariana Meneses

1 kg fresh strawberries
1 kg sugar
1 cinnamon stick
1 vanilla pod
2 star anises

After cleaning and rinsing the strawberries, let them drain well and put them in a saucepan together with the sugar and the spices.

Boil the strawberries on moderate heat for 40 minutes to an hour without stirring. During this time remove the foam that forms while boiling the mix.

Remove the saucepan from the stove and let it cool – cover with a wet cloth. The liquid should have a syrupy consistency when cool.

Once *slatko* has cooled completely, pour it into sterile jars and place them in a dry, cool and dark spot.

Greeting and receiving the other supposes opening oneself and my house to the needs of the newly arrival. The

welcome determines the relationship between the guest and the host in the sense that, it emphasises the conditions by which the new arrival enters the home, while at the same time it establishes the rules and tasks that both parties need to comply. The welcoming gesture, however, differs in terms of who knocks on my door. What Jacques Derrida refers to as an invitation, implies that I am familiar to that who arrives and I am expecting their presence, thus the welcoming supposes a confirmation of my hospitality. But on the contrary, if a complete stranger visits me, arriving completely unexpected to my doorstep, the welcoming gesture lingers between an action that supposes recognising the identity of the newly arrival and his/her motivations.

Food becomes a powerful strategy to convey the welcoming gesture and plays a key role in 'making guests.' Gifting and offering food helps individuals and communities to establish non-hostile contact with the other, allowing social bonds to emerge.[1] Food functions as a symbol of trust and interdependence between the host and the guest. It shows the host's intention to be hospitable, not only because giving food or drinks intends to quench the hunger or thirst of the guest, but also because these edible gifts show the amount of time, detail, and resources

[1] Marcel Mauss, *The Gift* (London: W. W. Norton, 1990), 7; Claude Lévi-Strauss, *The Raw and the Cooked: Mythologiques, Volume 1 (Raw & the Cooked)*, vol. 1, Mythologiques (Chicago, IL: University of Chicago Press, 1983); Andrew Shryock, 'Breaking Hospitality Apart: Bad Hosts, Bad Guests, and the Problem of Sovereignty', *Journal of the Royal Anthropological Institute* 18, Special Issue: The Return to Hospitality: Strangers, Guests, and Ambiguous Encounters. (June 2012): S20–33.

invested to receive the guest. An offering of food specific rituals, manners and protocols aimed to welcome a guest, each of them belonging to a particular cultural context.[2]

In other words, welcoming the other with food is a transformational event that supposes the stranger or foreigner — who can be potential threat — becoming a guest or allied to the host.[3] Food might be read as the initial welcoming gesture that shows an openness to the arrival of a stranger; an 'act of politeness' that allegedly proves the host's hospitality. But, how genuine is the welcome we are offered by the time we arrive to someone else's doorstep?

Apart from establishing the first contact between both parties, the gift of food determines the status and role played by the subjects involved in the process: (i) who acts as host; (ii) who helps the host to prepare and deliver the gift of food; (iii) who is the guest or receiver of this hospitable gesture, and what is expected from her/him. The welcoming gift of food demarcates boundaries; however, I want to emphasise here that this action is always embedded to specific culinary and cultural traditions that help to establish the future relationship between host and guest from the moment of their encounter.

Take for example the offering of Slatko. At first glance it is understood as a 'gesture of friendliness' that needs

[2] Elizabeth Telfer, *Food for Thought: Philosophy and Food* (Abingdon: Routledge, 1996), 83–4.

[3] Jacques Derrida and Anne Dufourmantelle, *Of Hospitality*, ed. Miele Bal and Hent de Vries, trans. Rachel Bowlby (Stanford, CA: Stanford University Press, 2000), 28.

no reciprocation — at least not in material shape.[4] The expected counteract, however, supposes a moral repay moments after the guest leaves the host's threshold. The extreme sweetness of Slatko aims to accomplish two main purposes. Slatko 'sweetens the tongue' of the visitor, both literally and metaphorically. It only takes one spoonful to astonish the palate of the guest, however, the intention of this sweetening extends beyond the sensitive. It 'sweetens' the visit of guests, communicating the newcomer that s/he is an expected guest, giving sense to the notion of a 'home sweet home,' where the host will take care of her/him. At the same time, Slatko indirectly tells to the guest how s/he is expected to behave after leaving the threshold and emphasises how the welcoming gesture is expected to be returned; this is by avoiding spreading any sort of gossip about the host, her/his behaviour, and even about the threshold and its contents after leaving.[5]

Sweetness provokes a shocking impression in the guest's taste buds making it an unforgettable experience, thus Slatko is presented as a hospitable and generous welcome gift that aspires to convince the guest to forget any hostile intentions, or to prevent them taking place.[6] However, the gifting and welcoming becomes corrupted from the moment when the host(s) intends to benefit from the guest in any possible

[4] Telfer, *Food for Thought: Philosophy and Food*, 83–4.

[5] The University of Chicago. 'Ana Prvacki: The Greeting Committee'. video, 3.05, 28 March, 2012. https://www.youtube.com/watch?v=-PP8spWyn3c.

[6] Although according to Derrida, a gift 'must not be generous[,] generosity must not be its motive or its essential character. One may give with generosity but not out of generosity'. Jacques Derrida, *Given Time* (Chicago, IL: University of Chicago Press, 1992), 162.

form. The sweetness of Slatko welcomes the newly arrival, but the pleasant and hospitable experience can suddenly transform into one that prohibits, restricts, and conditions as it aims to protect the host from the guest's confabulations or gossip. Slatko, in this sense, leaves a bittersweet aftertaste to those who realise that the welcome they were offered implied a reciprocation that subjects their behaviour to the needs and manners of the host.

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Ana Prvacki. *The Greeting Committee*, 2012 Performed by the artist for 'Feast: Radical Hospitality in Contemporary Art'.[7]

[7] Curated by Stephanie Smith Smart Museum of Art, The University of Chicago, USA Image courtesy of the artist and 1301PE.

Menu Turistico[1]

Jonathan Bywater

Roma, Dies Mercurii xix Januarius MMXII

Students of Grammar, Humanity, and Christian Doctrine, before dinner or supper, though you should think it really unnecessary, you ought to wash with water in sight of the company, that he who dips in the same dish with you, may be certain that your hands are clean.

The fact that contemporaries referred to the various places in the villa as 'theatres' must be seen as the traditional metaphor of the residence as a 'stage,' providing the

[1] Quoting a range of unattributed sources, this text was composed for a dinner/exhibition titled 'The world is bound in secret knots', conceived and hosted by curator and writer Jennifer Teets at a private residence in Rome, January 2012, under the auspices of Qwatz and the Fondazione Giuliani. It was presented on the occasion in the form of a printed menu within the table setting. Other contributors to the event were Marco Bruzzone, Lorenzo Cirrincione, Nicholas Hatfull, Darius Miksys, Jurgen Ots, Tania Pérez Córdova, Aaron Schuster, and Paolo Thorsen-Nagel. It is intended the reader senses a number of distinct voices whilst not easily to distinguish between them so as to be able to find suggestive the connections and discontinuities in the montage.

background for the ambiguous interrelation between the architectural and/or natural setting and the experience of the spectator-actor involved in a series of actions-reactions and endless *coups-de-theâtre* or obliged to gesticulate and act against his wishes (water jokes).

The pleasures of the table are considered sensations born of the various circumstances of fact, things and persons accompanying the meal.

One of the traits of Italian meal organization throughout that whole period (even from the mid fifteenth century to the mid-seventeenth) was candied specialties at the start of the meal – not only fruits as in French banquets, but assorted and sometimes very sweet confectioneries.

Pronounce each letter and syllable with proper sweetness (yet not like some pedagogue, who is teaching children to read and spell,) neither stifling your words between your teeth, as if you were chewing them; or huddling them together, as if you were swallowing them.

Let us start with a day in Lent.

Before leaving Rome books were selected and packed up from a well-stocked library, from which the company read passages every day as they strolled along the shady avenues or sat in the garden enjoying the cool of the fountains. The readings provided the starting-point for lively discussions in which the choice spirits of his circle took part. The subjects were theological and philosophical, but also questions of ethics, which particularly interested the owner of the library himself. On hotter afternoons, waiting for the cool of the evening, they preferred more entertaining subjects, reading and discussing the classical poets, Horace in particular, who had exalted the healthiness and beauty of the area.

The first course, called even then *antipasto*, was a series of appetizers quite different from what the term brings to most people's minds today. Since the pasta course was not introduced until the middle of the 1800s, the word *antipasto* could not have meant 'before the pasta,' but 'before the *pasto*' or meal:

Schiacciatini (little *schiacciate* or pizzas) with ground rosemary, olive oil and pepper
White endive-dandelion salad
Tarts of *pesci ignudi* (a type of fish no longer available)
Fettuna, Tuscan garlic bread, with *pignoli*
Rombi (slices of turbot) fried with slices of glazed citron

The constant deviation from the principal axis, whether forced or only suggested, means that the observer can never fully experience things in a Renaissance manner from a fixed objective viewpoint. Her experience of them becomes a much more subjective one of continuous exploration and surprise, unified by the constantly varying sounds of water.

The absence of the table fork would have been of minor interest if it had not been for the way in which the service of food was organised. Only the head of the table was served individually. Others ate in pairs if only one side of the long table was occupied, or in fours if there were people on both sides of it. Each two or four was known as a 'cover'.

The second course was the boiled course. This never varied, whether the third course was fried or roasted dishes:

Poached sturgeon (using the whole large middle section)
Little sturgeon balls, *polpe*, poached in a spicy fish soup
Lentil soup served with caviar

Savor bianco di Amandole, spicy almond sauce (probably to accompany the poached sturgeon)
(A great variety of sauces and *savori* were used to accompany these boiled and poached dishes.)

We should search for a complex system, as is borne out by the correspondence of contemporary literati engaged in constructing elaborate iconographies for the decorative programmes commissioned by their patrons. Based on an analysis of the underlying 'philosophy', we can identify the general system of myths used here, using a sophisticated *itinerarium mentis* that reinterpreted the places as *media* in a cosmogony of Hesiodean ascendency, given renewed meaning by Neoplatonic Orphism and set into the history of the Tiburtine *genius loci*.

From Greece dinner forks travelled in the fourteenth or fifteenth century to Italy, a country whose refined manners had again become the envy of Europe. Elsewhere their use remained uncommon, but in Italy, for a while, they stuck (Even as late as 1897 the British Navy was forbidden the use of knives and forks, which were considered prejudicial to discipline and manliness. In America, however, nineteenth century etiquette manuals were so severe about people who ate peas off their knives that America became a nation of dedicated fork-eaters.).

The third course:

Fried broccoli with bitter-orange sauce and pepper
Fried trench (a freshwater fish from the Bisenzio River near Florence)
Deep-fried whole little fish from the Arno (*pesciolini*), squid, and little shrimp, garnished with lemon slices and olives

High and hieratical in the Grotto, the multimammary goddess is wet nurse to all living beings. Both Moon and Jupiter, the Sun and Mars, Mercury and Bacchus, Ceres and Flora, she is in fact all intelligence in *rerum natura*, and Minister to whomever is cause of the causes. As Macrobius recounts, she is all things and the Sun and all the planets, and Hercules and his tasks. She is love, which generates and impregnates the earth while sleeping; and, having awoken, stirs the flames of love and sweetness in the birds and animals, all those that fly through the air and walk on the earth, and all that moves under the sun.

It is very rude, when at table, to scratch any part of your body. You ought to take care, also, if possible, not to spit during that time; or, if you are under a necessity of doing it, it ought to be done in some decent manner.

The fourth, or fruit, course included both fruit and vegetables and sometimes *frutta di mare*, like oysters (This may be how *frutti di mare* got its name, by being included with the fruit course.). If included, cheese was most generally eaten with this course. When, however, it was cooked in a special way, such as fried or in a pastry, it could be served with the antipasti. Pastries themselves could be included with any course, depending on what was in them.

Again, it was Florentines who tended to localise sweet dishes at the end of the meal. Honey and sugar had been used in many kinds of dishes before this time, and since cane sugar was newly available and a popular luxury in the sixteenth century, it was not possible to localise sweet dishes totally; there was, however, a great push in that direction:

Tart or pie of pureed chickpeas, with red apples (matching colors were important)
Ground almond pudding with sugar
Hearts of palm
Fresh fennel

On other occasions they moved to the 'supper room' facing the Fountain of the Owl, where the guests could be entertained by the sound of birds, both real and fake.

He delighted in pointing out the conflation of language and tongue, the linguistic and the gustatory. Historical dictionary in hand, he exclaimed, "Look at all the words in the food lexicon beginning with the letter g: *goût*, *gourme*, *gourmet*, *gourmand*, *gastronome*, *glouton*…"

Somewhere toils an army of waiters and kitchen staff, consisting of carvers, under-butlers, butlers for the large and small dining rooms, stewards, bottlers, cooks, undercooks and pastry cooks.

On the evening of the same day, everyone supped lightly:

Salad of mint, lettuce, field salad with flowers and capers
Spinach *alla fiorentina*, probably then as now with *balsamella* and Parmigiano
Little pastries, some each of artichokes, cardoons and fennel
This really was a typical day.

It was the meal which was responsible for the birth, or at least the elaboration of languages, not only because it was a continually recurring occasion for meetings, but also because the leisure which accompanies and succeeds the meal is naturally conducive to confidence and loquacity.

Such, in the nature of things, must have been the origin of the pleasures of the table, which must be carefully

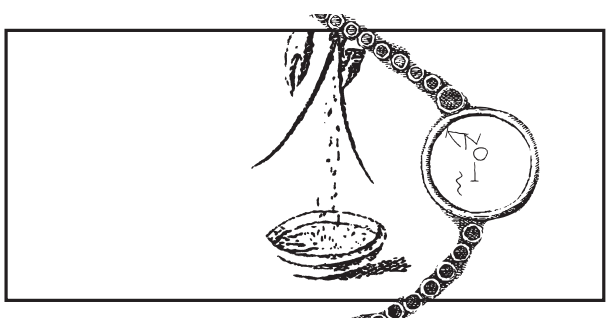
distinguished from their necessary antecedent, the pleasure of eating.

How does this wine taste?
A little moist, I think.

How is this dish to be eaten?
With your mouth.

Grand residences can have a certain melancholy all of their own, perhaps due to the disproportion between their size and the usual number of inhabitants, not to mention the dismal sight of carefully preserved mediocre works of art. Their luxury can suggest by its age the transience of fortunes, the inevitable impermanence of all things. This emanation of the past, as overpowering and funereal as the scent of a mummy, affects even the simplest mind.

Wonderland has its own truths, one of which is the irony with which it helps us to view our own.



The front of the printed invitation to 'The world is tied in secret knots', 2012, design by Nicholas Hatfull.

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The Westminster Law & Theory Lab is a research lab based at the University of Westminster, experimenting with collapses between law and other disciplines, such as geography, religion, anthropology, art theory, political theory and so on.

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