BOAVENTURA DE SOUSA SANTOS

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TIME, BAROQUE CODES, AND CANONIZATION[1]

1. The Modern Equation between Roots and Options

Roots and options are two of the most basic references of social action. Roots are references that operate by backward linkages; options are references that operate by forward linkages. Social actions may be said to be root-oriented or option-oriented. The specifity of Western modernity resides in the equation between roots and options that lies at the foundation of the modern social construction of identity and change. Such an equation confers a dual character on modern thought: on the one hand, it is a thought about roots, on the other, a thought about options. The thought about roots concerns all that is profound, permanent, singular, and unique, all that provides reassurance and consistency; the thought about options concerns all that is variable, ephemeral, replaceable, and indeterminate from the viewpoint of roots. The two major differences between roots and options are scale and time. Roots are large-scale entities; options are small-scale entities. Because of this difference of scale, roots are unique while options are multiple.

Roots and options are also distinguished according to time. Societies, like social interactions, are built upon a multiplicity of social times, and differ according to the specific combinations and hierarchies of social times that they privilege. Drawing freely on Gurvitch's typology of social times (1969: 340), I suggest that roots are

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characterized by a combination of a) long duration time and time *au ralenti* (*temps de long durée et au ralenti*); b) cyclical time (*temps cyclique*), the time that *danse sur place*; c) Belated time (*temps en retard sur lui même*), time whose unfolding keeps in wait. Options, on the other hand, are characterized by a combination of a) accelerated time (*temps an avance sur lui même*), the time of contingency and discontinuity; b) explosive time (*temps explosive*), the time without past or present and only with future. In a continuum between glacial time and instantaneous time, modern roots tend to cluster around glacial time, while modern options tend to cluster around instantaneous time. If in roots the *tempo* tends to be slow, in options it tends to be fast.

The root/option duality is a founding and constituting duality, that is to say, it is not subjected to the play it itself institutes between roots and options. In other words, one does not have the option not to think in terms of roots and options.

It is in the light of this equation of roots and options that modern Western society views medieval society and distinguishes itself from it. Medieval society is seen as a society in which the primacy of roots is total, whether it be religion, theology, or the tradition. Medieval society is not necessarily a static society but it evolves according to a logic of roots. On the contrary, modern society sees itself as a dynamic society which evolves according to a logic of options. The first major sign of this change in the equation is perhaps the Lutheran Reformation. With the Reformation, it became possible, starting from the same root - the Bible of Western Christianity - to create an option vis-à-vis the Church of Rome. By becoming optional, religion as root loses in intensity, if not in status as well. In the self-same historical process through which religion goes from roots to options, science goes the opposite way, from options to roots. Giambattista Vico's "new science" is a decisive landmark in the transition that started with Descartes and would be completed in the nineteenth century. Unlike religion, science is a root that originates in the future, it is an option which, by radicalizing itself, turns into a root, thereby creating a wide field of possibilities.

This shifting of stances between roots and options reaches its peak with the Enlightenment. In a large cultural field, which includes science and politics, religion and art, roots clearly presume to be the radicalized other of options. This is why reason, thus turned into the ultimate root of individual and collective life, has no other foundation but the creation of options, and this is what distinguishes it, as a root, from the roots of the ancien régime (religion and tradition). It is an option which, by radicalizing itself, makes possible a wide range of options.

In any case, options are not infinite. This is particularly obvious concerning the other great root of Enlightenment: the social contract and the general will sustaining it. The social contract is the founding metaphor of a radical option - the option to leave the state of nature and inaugurate the civil society - which turns into a root that makes everything possible, except to go back to the state of nature. The contractuality of roots is irreversible, such being the limit of the reversibility of options. That is why, in Rousseau, the general will cannot be challenged by the free men it creates. Rousseau says in the Social Contract: "whoever refuses to obey the general will shall be compelled to do so by the whole body. This means nothing less than that he will be forced to be free" (1973: 174).

From the nineteenth century onwards, the mirror play of roots and options has been consolidated and becomes the *idéologie savante* of the social sciences. The two outstanding examples are unquestionably Marx and Freud. In Marx, the base is the root and the superstructure the options. In Freud (and in Jung) the centrality of the unconscious in depth psychology resides precisely in the fact that the unconscious is the deep root that grounds both the options of the ego and their neurotic limitation.

In a world that had long lost its "deep past" - the root of religion - science becomes both in the communist and the introspective revolutions the only root capable of sustaining a new beginning in Western modern society. On that basis, good options are the options legitimated by science. This is what grounds, in Marx, the distinction between reality and ideology; and in Freud, the distinction between

reality and fantasy. In this distinction also resides the possibility of modern critical theory. Horkheimer puts it very eloquently when he says: "Reason cannot become transparent to itself as long as men act as members of an organism which lacks reason" (1972: 208).

In our century, sociology and social sciences in general have developed as disciplines on the basis of the new roots/options equation, converted into the master model of social intelligibility: structure and agency in sociology and anthropology; the *longue dureé* and *l'événement* in history; *langue* and *parole* or deep structure and surface structure in linguistics are different versions of the same equation.

Concerning the modern political field, the liberal political equivalent of this new equation of roots and options is the nation-state and positive law, now turned into the roots that create the wide range of options in the market and in civil society. In order to function as a root, law must be autonomous, which means it must be scientific: the juridical root, as a radicalized option, consecrated by codification and positivism.[2] The liberal state, in its turn, constituted itself as a root by imagining homogeneous nationality and national culture. The state becomes, then, the guardian of a root (ethnicity, language, culture) that does not exist beyond the state.

2. Entering a Post-Equation Era

The modern equation of roots and options, on the basis of which we have learned how to think social change, is undergoing a process of profound destabilization that seems to be irreversible. Such destabilization presents itself under three main forms: turbulence of scales; explosion of roots and options; interchangeability of roots and options.

As regards *turbulence of scales*, the root/option equation rests on this difference between large-scale roots and small-scale options and on its stability. Today we

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[2] I analyze this historical process in detail in Santos, 1995: 55-109.

are living a chaotic confusion of scale among phenomena. Urban violence is in this paradigmatic. When a street kid is looking for shelter to spend the night and is for that reason murdered by a policeman, or when a person who, approached in the street by a beggar, refuses to give money and is for that reason murdered by the beggar, what happens is an unpredictable explosion of the scale of the conflict: a seemingly trivial phenomenon seemingly without consequences is equated with another one - now dramatic and with fatal consequences. This abrupt and unpredictable change of the scale of phenomena occurs today in all the various domains of social praxis, and that is why I dare to consider it as one of the basic features of our time.

Following Prigogine (1979; 1980), I believe that our societies today are characterized by bifurcation. As we know, bifurcation occurs in unstable systems whenever a minimal change can bring about qualitative changes in an unpredictable and chaotic way. This sudden explosion of scales creates a tremendous turbulence and leaves the system in a state of irreversible vulnerability. I believe that the turbulence of our time is of this kind, and that in it resides the vulnerability affecting all forms of subjectivity and sociability, from labor to sexual life, from citizenship to the ecosystem. This state of bifurcation reverberates upon the root/option equation, rendering chaotic and reversible the scale difference between roots and options.

Another illustration of this turbulence is provided by the social contract. This metaphor for the contractualization of the political roots of modernity is being starkly destabilized. The social contract is a root-contract based on the commonly shared option of abandoning the state of nature. Two hundred years later, we are faced with structural unemployment, the return of supremacist ideologies, the abysmal increase of social and economic inequalities among the countries of the world-system and inside each one of them. Considering the famine, poverty, and disease that beleaguer the Southern countries and the internal third world of the Northern countries, it seems obvious that we are opting for excluding from the social contract

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a given and significant percentage of the population of our countries, forcing it to go back to the state of nature, so to speak. The deradicalization of the social contract as a master political root implies that the social contract can no longer sustain the range of options it once purported to sustain. As the scale of the root shrinks, the suppression of options that goes with it appears justified as if sustained by an alternative root (the state of nature). That is why such a moderate option of advanced capitalist societies as the welfare state appears today to be an extremist position, as extremist and utopian as the option it sought to eliminate or replace: socialism.

The second manifestation of the destabilization of the equation of roots and options is the *explosion of roots and options alike*. What is commonly called globalization has given rise to a seemingly infinite multiplicity of options. The range of possibilities has expanded tremendously, as legitimated by the very forces that make possible such expansion, be it technology, market economy, the global culture of advertising and consumerism, or democracy. Options appear limitless. And yet, we live in a time of localisms and territorializations of identities and singularities, genealogies and memories. In sum, the time we live in is also a time of limitless multiplication of roots.

The explosion of roots and options does not occur merely by means of the endless multiplication of both. It also occurs in the process of searching for particularly deep and strong roots capable of sustaining particularly dramatic and radical options. In this case, the range of possibilities may be drastically reduced but the remaining options are dramatic and full of consequences. The two most telling examples of this explosion of roots and options by means of the intensification of both, are fundamentalism and DNA research. Fundamentalism is usually understood as any extreme version of the politics of identity. Indeed, its most common form derives from extreme versions of Eurocentric universalism. The hegemonic character of this latter form of fundamentalism is signaled by its capacity to designate the extreme versions of the politics of identity as the sole forms of

fundamentalism. Of all fundamentalisms, neo-liberal fundamentalism is, no doubt, the most intense. In the course of the last few decades, market economy, capitalism's latest pseudonym, has become the new social contract, that is to say, the universal economic base or root which forces the majority of countries into dramatic and radical options, indeed, for many countries, the option between the chaos of exclusion and the chaos of inclusion.

On the other hand, DNA research, conducted within the scope of the human genome project, signifies, in cultural terms, the transformation of the body into the ultimate root whence sprout the dramatic options of genetic engineering. The boom of the neurosciences and the research on the brain for the past few years - the so-called "brain decade" - can also be interpreted as another way of converting the body into the ultimate root. We began the century with the socialist and the introspective revolutions, and we are now closing it with the body revolution. The centrality then assumed by class and the psyche is now being assumed by the body, itself now converted, like enlightened reason before, into the root of all options.

This extensive and intensive explosion of roots and options only destabilizes the root/option equation to the extent that it interconnects with the *interchangeability of roots and options*. We live in a time of unmasking and deconstruction. Today we see that many of the roots in which we have been mirroring ourselves were but disguised options or perhaps rather underexposed options. In this field, major contributions have been provided by feminist theory and epistemology, critical race theory, postcolonial studies, and the new historicism. By considering the West/East option of primatology as studied by Donna Haraway (1989), the sexist and racist option of the welfare state as analyzed by Linda Gordon (1990; 1991), the option, denounced by Martin Bernal (1987), to eliminate the African roots of Black Athena so as to intensify its purity as the root of European culture, and the option to whiten the Black Atlantic so as to hide the syncretisms of modernity, as Paul Gilroy (1993) has shown - we realize that the roots of our sociability and intelligibility are, in fact,

optional, and address the hegemonic idea of the future that gave them meaning, rather than the past which, after all, only existed to function as the anticipated mirror of the future.In sociology, in general, the explosion of roots and options in recent times has taken the form of the proliferation of revisionism concerning the founders of the discipline (Alexander 1982a, 1982b, 1987, 1995; Giddens, 1993, 1995; Collins, 1994; Wardell and Turner, 1986; Ritzer 1990, 1992; Cuin and Gresle, 1992; Wagner, 1992).

The interchangeability of roots and options has become constitutive of our life trajectories and histories. The current debates on adoption and on the negotiation of motherhood are perhaps the best example.[3] The wall of secrecy that for many years separated the birth mother (root) from the adoptive mother (option) has been questioned by the "open adoption" policy. The interdependence of birth and adoptive mothers gives the adopted child the possibility to opt between biological and socially-constructed genetic roots or even to opt to keep both of them as a kind of bounded root life contingency. In the new constellation of meaning, roots and options are no longer qualitatively distinct entities. Roots are the continuation of options in a different scale and intensity; and the same goes for options. The outcome of this circularity is that the right to roots and the right to options are reciprocally translatable. All in all, it is now becoming a question of style.

The mirror play of roots and options reaches its climax in cyberspace. In Internet, identities are doubly imagined, as flights of imagination and as sheer images. People are free to create roots at their pleasure and then reproduce their options ad infinitum. Thus, the same image can be seen as a root without options or as an option without roots. Then, it no longer makes sense to think in terms of the root-option equation. The distinction between backward and forward linkages that sustained the equation becomes a matter of clicking. Actually, we come to realize that the equation only makes sense in a conceptual, logocentric culture which

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[3] A fine analysis of negotiated motherhood, interweaving scientific analysis and personal life trajectory, can be read in Yngvesson, 1996.

speculates on social and territorial matrices (space and time), subjecting them to criteria of authenticity defined in terms of scale and perspective. As we move on to an imagocentric culture, space and time are replaced by instances of velocity, matrices are replaced by mediatrices, the authenticity discourse becomes an incomprehensible gibberish. There is no depth but the succession of screens. All that is below or behind, is also above and in front. At this stage, perhaps, Gilles Deleuze's analysis of the rhizome gains a new up-to-datedness (1968). Mark Taylor and Esa Saarinen, two media philosophers, have recently stated that "the imaginary register transforms roots into rhizomes. A rhizomic culture is neither rooted nor unrooted. One can never be sure where rhizomes will break new ground" (1994: Gaping 9).

3. Transitions and Baroque Codes[4]

The trivialization of the distinction between roots and options implies the trivialization of both. In this lies our difficulty today in thinking social transformation. The *pathos* of the distinction between roots and options is constitutive of the modern way of thinking social change. The more intense the *pathos*, the more easily the present evaporates into an ephemeral moment between the past and the future. The most eloquent version of such *pathos* is the Communist Manifesto. In the absence of the *pathos*, the present tends to be eternalized, devouring both past and future. Such is our present condition. We live in a time of repetition. The acceleration of repetition provokes a feeling of vertigo and a feeling of stagnation at the same time. Because of its acceleration and mediatic treatment, repetition ends up subjecting even those groups that assert themselves by the *pathos* of roots. It is as easy and irrelevant to yield to the retrospective illusion of projecting the future into the past, as to yield to the prospective illusion of projecting the past into the

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[4] By "codes" I mean discursive formations and formulations that function as common language and shared rules in struggles concerning identity and social transformation.

future. The eternal present renders the two illusions equivalent, and neutralizes both. Thus, our condition takes on a Kafkaesque dimension: what exists can be explained neither by the past nor by the future. It exists only in a chaotic web of indefinition and contingency. While modernity deprived the past of its capacity for irruption and revelation, handing it on to the future, as Benjamin so eloquently showed in his "Theses on The Philosophy of History" (1968: 253-64), the Kafkaesque present deprives the future of this capacity. What irrupts in the Kafkaesque present is erratic, arbitrary, fortuitous, and absurd.

Because we are in a period of transition, this Kafkaesque condition cannot be accepted as a normal state of affairs. It is either confronted as dangerously deceiving condition or understood as a borderland of relatively unmapped opportunities and uninsurable risks. The strategy of confrontation and denunciation is premised upon the continuing validity of the dualism of scales (large/small) and the dualism of times (times of roots/times of options) that underlies the modern equation of roots and options. The collapse of these dualisms gives way to new servitudes and compulsions which, by virtue of the subsequent hiatus of codification, may easily present themselves as new auroras of liberty. Thus, the explosion of roots that has been the outcome, whether intended or not, of identity politics, does not merely trivialize roots. It brings along the risk of ghettoization and refeudalization--the proliferation of differences which, because they are incommensurate, render coalitions impossible and lead ultimately to indifference. The explosion of roots neither multiplies roots nor makes choices proliferate. It rather provokes a rootlessness that creates choices at the same time that it blocks their effective exercise. On the other hand, the explosion of options, far from doing away with the determinism of roots, brings about a new, perhaps more cruel, determinism: the compulsion of choice, of which the market is the utmost symbol. In different ways, the market is, both for consumers and producers, a new system of coercion (Wood, 1996: 252).

To conceive of our condition as a borderland condition requires closer attention. It presupposes that the dualist codes that sustained the modern equation of roots and options have been finally sublated. The present hiatus that seems like a gap or absence of codification, is actually a fertile field where new synthetic codes are emerging. These codes are merely an "ascending aspiration," as Fourier would say, asserting themselves by means of baroque codes in which scales and times mix and in which underexposed options act like roots and overexposed roots act like options. What is most striking and original about these codes is that, though intrinsically provisional and easily discardable, they have, while they last, great consistency. They are, therefore, as intensely mobilizing as convincingly replaceable. The hiatuses, or gaps, among codes render sequences among them inapprehensible as such. Therefore, sequences have no consequences as consequences have no sequence. The experience of risk is thus much more intense and, since the causes are apprehensible only as consequences, there is no insurance against this kind of risk.

I call these post-dualism codes baroque codes because they are discursive formations and formulations that operate by intensification and *mestizaje*. There is intensification whenever a given social or cultural reference is exposed beyond its limits—whether through overexposure or underexposure—to the point of losing its "natural" quality (e.g., a root turning into an option or vice-versa). There is *mestizaje* whenever too or more autonomous social or cultural references mix together or intepenetrate to such an extent and in such a way that the new references emerging therefrom, however autonomous they may appear to be, bear witness to their mixed heritage.[5]

Mestizaje is of two kinds: *mestizaje* resulting from overexposure and *mestizaje* resulting from underexposure. *Mestizaje* resulting from overexposure concerns constellations of roots and options that proliferate in a chaotic manner, changing places in an irregular and unpredictable way. This kind of *mestizaje* occurs in many

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[5] On *mestizaje* and the baroque, see Santos, 1995: 499-506.

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of the struggles conventionally termed new social movements: feminist and ecological struggles, the struggles of the indigenous peoples, struggles for human rights, and so on. *Mestizaje* resulting from underexposure concerns constellations of roots and options that concentrate on exemplary, ideally unique reproductions, whereby options become so intensified as to become roots. This kind of *mestizaje* can be seen in the different processes of canonization described below.

Mestizaje resulting from overexposure is proper to baroque codes in which roots are subjected to the logic of options. There are roots only because there are options. Risk, a dominant presence in all baroque codes, is, in this type of code, confronted by creativity of action, by appealing to autonomy, self-reflexivity, individuation, extra-institutionality. The baroque codes that operate through overexposure *mestizaje* preside over the social processes of creative dispersal and networking. The most consistent example of a baroque code bearing the form of overexposure *mestizaje* is Ulrich Beck's concept of subpolitics (1995). At the antipodes of Foucault, Beck starts from the idea that the institutions of industrial modernity have created subjects they can no longer control. Science and law, the two megaroots of industrial modernity, have created such a wide hiatus between the individual and the State that the political options brought about by modern institutions have become a vast void. Politics needs, therefore, to be reinvented as subpolitics, that is to say, by proceeding to politicize what industrial modernity considered nonpolitical. Feminist and ecological struggles are the examples privileged by Beck to illustrate the new synthetic codes capable of sublating such dualisms as public/private, expert/lay person, political/economic and of shaping society from below by means of reflective rule altering.

The second type of baroque code is constituted by *mestizaje* resulting from underexposure. In this case, options conform to the logic of roots, that is to say, there are options only because there are roots. Here, risk is confronted not by the creativity of action but rather by the sustainability of action, by appealing to options that are intense or shared enough to allow for the sustained reproduction of an

increasingly wider range of options. This kind of baroque code presides over all the canonization processes. By canonization processes I here mean processes of particular intensification of references, whether they appear as backward or forward linkages. Intensification can either be produced by strict imitation (or reproduction), as in the musical canon, or by extreme difficulty, if not impossibility, of imitation, as is the case of Christian canonization. Intensification, whatever its process, confers to the object of intensification a particular exemplarity, strangeness, value, and soundness, which make it adequate to function as condition or ground for multiple exercises of choice, whether permitted or forbidden. Ideally, the process of intensification is consummated when the choice of the object of intensification foregoes justification as choice to become, itself, justification for other choices. The baroque codes that operate by means of underexposure *mestizaje* and preside over the canonization processes are perhaps the most intriguing and complex and therefore require more detailed reflection.

4. Baroque Codes and Processes of Canonization

Amongst many canonization processes under way in this period of transition, I distinguish three: the literary canon, the common heritage of humankind, and the world cultural and natural heritage.

The literary canon

By literary canon is meant the set of literary works that, at a given historical moment, the dominant or hegemonic intellectuals and institutions consider to be most representative, of greater value and authority in a given official culture. A recent example is Harold Bloom and the 26 major authors (novelists, poets, dramatists) that he institutes as the Western canon (Bloom: 1994). Beyond such individualized definitions of what belongs to the canon and what, by implication, must be excluded from it, the university and the educational system have so far

been the key institutions in creating and reproducing the canon. As Guillory stresses, the role that the church played in the constitution of the Biblical canon, has been played by the school as far as the literary or, in general, the artistic canon goes (1995: 239).

The literary canon is one of the baroque codes in which underexposure *mestizaje* operates more clearly: the works chosen to integrate the canon are the ones that stop being exposed to the logic of options and become the foundation or root of the literary field. The intensification process that these works undergo endows them with the cultural capital necessary to allow them to display the exemplarity, the uniqueness, and inimitability that sets them apart.

As a baroque code, the literary canon is a synthetic code, a code that is also structurally ambivalent since, to subject options to a logic of roots--as befits underexposure *mestizaje*--it must begin by opting among several alternatives so as to deny, at a later stage, the status of root to every alternative that has not been chosen. This conception of the literary canon as a baroque code is particularly obvious in Harold Bloom. Though assuming as his own the choice of canonical authors, Bloom goes on with not a little irony: "the choice of authors here is not so arbitrary as it may seem. They have been selected for both their sublimity and their representative nature" (1994: 2). Further down, after asking rhetorically what makes a particular author or work canonical, he says: "The answer, more often than not, has turned out to be strangeness, a mode of originality that either cannot be assimilated or that so assimilates us that we cease to see it as strange" (1994: 3).

The literary canon is particularly contested in the Anglo-Saxon cultural world and mainly in the US. The positions become extreme between those who defend the canon such as they find it, investing it with the function of guaranteeing the national and cultural identity and stability, and those who attack it by questioning precisely the (elitist, partial) conception of identity that it imposes; the latter contest the canon's stability and representativeness and propose either the elimination of some authors from the canon or the inclusion of other authors or works up until now

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deemed unworthy of entering the canon. In the economy of this essay, the detailed terms of the debate are not relevant.[6] What is important is to stress the fact that the debate exists, and to understand the logic of its underlying argument.

The discussion of the process of canon formation and reproduction (Guillory, 1993, 1995; Levine, 1996; Kamuf, 1997) in itself sheds light on the historical nature of the canon and its volatility, as well as on the social forces and institutions that shape it one way or the other. Equally important is to note the canon's capacity for resistance, the ease with which it creates solidity and imposes itself as authority, routine or mere inertia. The intensity of the debate, in its institutional, political, and mediatic repercussions, is easily appropriated by the intensification process at the basis of underexposure *mestizaje*. The very debate about options and their alternatives intensifies the submission of options to the logic of roots. Up to a certain point, canonization feeds on decanonization.

A comparison of the literary canon with the Biblical and historical canons might be useful in this regard. The Biblical canon, that is to say, the texts that together are considered to be the Holy Scripture in the Judeo-Christian tradition, was formed very early on and kept quite consistently; even deviations from it have shown remarkable persistence. As Guillory says, "Given the character of the Church as an institution to which one either does or does not belong, the process of canonical selection in this context must take the form of a rigorously final process of inclusion or exclusion (on dogmatic grounds). Every would-be scriptural text is included or excluded once and for all" (1995: 237). As concerns the literary canon, things are different by virtue of the different institutional practices of churches and schools. But even in the ecclesiastical field there are differences. While the Biblical canon reveals great stability, canonical law, though far more stable than the secular law of the states, has undergone some changes in the course of the centuries, even as it goes on maintaining the norms that ground and confer stability to the church as an

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[6] For a brief survey of the debate, see Santos (1994). For the main issues at stake, see, e.g., Bloom (1987), Kimball (1990), D'Sousa (1991); Guillory (1993;1995), Levine (1996), Kamuf (1997).

institution. These changes are due in part to the internal heterogeneity of the different normative elements that constitute the canonical law: divine law, natural law, regulatory positive law, etc.

Unlike the literary canon, the historical canon does not so much concern texts and authors as rather events and contexts. Though in some countries less visible than the literary canon, the historical canon also exists and consists of the foundational narrative of the nation-state, as well as of such historical events as are considered to have the utmost importance and, for that reason, said to be canonical. In the past decades the historical canon in some countries has been under the same kind of turbulence that has affected the literary canon in the Anglo-Saxon cultural world. Suffice it to mention the controversies generated by the historical revisionism of François Furet concerning the French Revolution (1978) or that of Renzo de Felice concerning Italian fascism (1965; 1977).

The Common Heritage of Humankind

The common heritage of humankind is a doctrine in international law and international relations. The concept was formulated for the first time in 1967 by Malta's Ambassador to the United Nations, Arvid Pardo, in relation to UN negotiations on the international regulation of the oceans and the deep seabed. Pardo's purpose was:

> to provide a solid basis for future worldwide cooperation . . . through the acceptance by the international community of a new principle of international law . . . that the seabed and ocean floor and their subsoil have a special status as a common heritage of mankind and as such should be reserved exclusively for peaceful purposes and administered by an international authority for the benefit of all peoples. (1968: 225)

Since then, the concept of the common heritage of humankind has been applied not only to the ocean floor but also to other "common areas" such as the moon, outer space and Antarctica. The idea behind this concept is similar to the idea of the social contract, that is to say, the idea of the construction of commonly shared ground upon which differences and divisions can flourish without compromising the sustainability of social life. However, contrary to the social contract, and as befits a baroque code, the common heritage of humankind is not a once-and-for-all choice but rather an ongoing process of selection, always to be revisited, contested, and revised. Whatever becomes heritage has always been there. The instant of nomination creates the eternity of the nominated. The nominated are those natural entities that belong to humankind in its entirety. All people are, therefore, entitled to have a say and a share in the management and allocation of their resources. Five elements are usually associated with the concept of the common heritage of humankind: nonappropriation; management by all peoples; international sharing of the benefits obtained from the exploitation of natural resources; peaceful use, including freedom of scientific research for the benefit of all peoples; conservation for future generations (Pureza 1993, 1995; Blaser, 1990; Weiss, 1989; Kiss, 1985; Dupuy, 1974).

Although it was formulated by international lawyers, the concept of the common heritage of humankind transcends by far the field of traditional international law, inasmuch as both its object and subject of regulation transcend the states. Humankind emerges, indeed, as a subject of international law, entitled to its own heritage and the autonomous prerogative to manage the spaces and resources included in the global commons. The Law of the Sea Convention, signed in Montego Bay on December 10, 1982, contains the most developed formulation of the concept of the common heritage of humankind to date.

The common heritage of humankind is a baroque code that operates through underexposure *mestizaje*. The natural resources covered by the common heritage of humankind undergo a process of intensification that converts then into the

foundation or guarantee of the survival of life on earth. As with the literary canon, the options are so intensified that whatever is selected in becomes exempt from the game of roots and options. As long as the selection is sustained, it becomes a root without options. The exemplarity, uniqueness, and precious value of the resources that constitute the common heritage of humankind is thus guaranteed by the way in which everything else on the face of the earth depends upon them for its existence.

Like the literary canon, the doctrine of the common heritage of humankind has been contested. However, while the literary canon has been defended by hegemonic groups of the educational system and attacked by emergent and marginal groups, the common heritage of humankind has been strongly attacked by hegemonic groups of the international system, especially the US, an attack that is indeed radical in that it aims at blocking the very process of canonization of the doctrine, or at reducing its scope and effect to such an extent that it will be totally irrelevant.[7] Contrariwise, counterhegemonic groups, such as peace and ecological movements, as well as Third World countries, are the ones engaged in the struggle for the doctrine's canonization.

The common heritage of humankind clashes with the interests of some states, particularly those that have the technological capacity and financial means to engage in the exploration of the ocean floors--core countries like the United States, Italy, the United Kingdom, Japan, Belgium, Germany, Canada, and the Netherlands (Kimball, 1983: 16).

Even though the Sea Convention was originally signed by 159 states, it took twelve years to be ratified by sixty states, the number of ratifications needed to bring the Convention into force. The implementation of the Convention started in November 1994. No doubt due to the pressure mainly of the US to correct some of

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[7] The common heritage of humankind clashes with the interests of some states, particularly those that have the technological capacity and financial means to engage in the exploration of the ocean floors-- core countries like the United States, Italy, the United Kingdom, Japan, Belgium, Germany, Canada, and the Netherlands (Kimball, 1983: 16).

its "imperfections," the Convention will be implemented with an annex agreement, which in fact will neutralize or subvert some of the most innovative features of the common heritage of humankind regime. One of the most revealing characteristics of the common heritage of humankind is its baroque openendedness, the capacity to extend the process of intensification to other areas or resources, thus converting them in further roots of life on earth. Interestingly enough, such roots may lie outside the earth in the outer space.

Indeed, another area in which the common heritage of humankind regime has been consecrated is the outer space. I have in mind the Moon Treaty of 1979, which entered into force on June 11, 1984. In its Article XI, the Moon Treaty states unequivocally that the moon and its natural resources are a common heritage of humankind. Article VI states that "the exploration of the moon shall be the province of all mankind and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic and scientific development." Like the law of the Sea Convention, it, too, denounces obvious clashes with the interests of core countries. Neither the United States nor the former Soviet Union, China, Japan and the United Kingdom are signatories or parties, with the result that none of the major "space powers" is legally obliged by the treaty.

As regards the literary and historical canons, the canon, as I have shown, is established while the struggles around it aim at historicizing, relativizing, and decanonizing it to a lesser or greater extent. On the other hand, as regards the common heritage of humankind, it is the very process of canonization itself that is the object of contestation and struggle. The common heritage of humankind thus illustrates that societies or cultures don't even need a fully developed canon to engage in canonical wars. The latter only require the provisional existence of a baroque code with its corresponding underexposure *mestizaje*. The struggles involving the process of canonization may end up dissolving the canon altogether. Baroque codes exist in anticipation of the reality they aspire to.

World Cultural and Natural Heritage

The third and last process of canonization to be mentioned here is the World Cultural and Natural Heritage. As established by the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage of 1972 (ratified by 152 countries as of December 1997), monuments, groups of buildings, sites, and natural formations that meet certain criteria and tests of authenticity will be considered as being of "outstanding universal value" and accordingly nominated for inclusion in the World Heritage List. Such value may be established from a variety of points of view: history, art, science, aesthetics, anthropology, conservation or natural beauty.

As in the other processes of canonization--the literary canon and the common heritage of humankind--the World Cultural and Natural Heritage operates by means of an exceptional intensification of the selected objects, endowing them with such aura of exemplarity, uniqueness, and irreplaceability that they acquire the foundational status of quality of life on earth. For that reason, in the terms of the Convention itself, their deterioration or disappearance would be "a harmful impoverishment of the heritage of all nations of the world." This intensification process can be seen clearly in the criteria defined and applied by the World Heritage Committee.[8] To be part of the cultural heritage, monuments, groups of buildings or sites must meet one or more of a set of well defined criteria. Thus, property nominated should:

i. represent a masterpiece of human creative genius; or

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[8] These data can be look up on the net. See UNESCO, World Heritage Committee, on http://www.unesco.org:80//whc/criteria.htm

ii. exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town planning or landscape design; or

iii. bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared; or

iv. be an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history; or

v. be an outstanding example of a traditional human settlement or land-use which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of irreversible change; or

vi. be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance (the Committee considers that this criterion should justify inclusion in the list only in exceptional circumstances and in conjunction with other criteria cultural or natural)

As regards the natural heritage, the natural sites or formations (whether physical, biological, geological or physiographic) should:

i. be outstanding examples representing major stages of earth's history, including the record of life; significant or on-going geological processes in the development of landforms, or significant geomorphic or physiographic features; or

ii. be outstanding examples representing significant or on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants or animals; or

iii. contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance; or

iv. contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation [.]

In December 1997, 134 cities in 58 countries had been declared world heritage. Since 1993 they have been part of the Organization of World Heritage Cities whose main objective is to foster cooperation, solidarity, and mutual support among the cities so that they can preserve "the privileged position" invested upon them.[9] In December 1997 the World Heritage List consisted of 552 properties in 112 countries, of which 418 were cultural, 114 natural, and 20 mixed.

As a canonization process, the world cultural and natural heritage has some similarities with the common heritage of humankind. In both cases, the aim is to define systems of protection and special juridical statuses for resources that are considered to be of exceptional importance for the sustainability and quality of life on earth. However, in contrast with that of the common heritage of humankind (or indeed of literary works), the canonization of the world cultural and natural heritage

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[9] See the statutes of the Organization of World Heritage Cities adopted in Fez on September 8, 1993. Other institutions concerning the world heritage are the International Center for the Study of the Preservation and Restoration of Cultural Properties (ICCROM), the International Council on Monuments and Sites (ICOMOS), and the World Conservation Union (WCU).

has been relatively little contested. Since 1978 the World Heritage Committee has been steadily including sites in the World Heritage List. Just to stay within the nineties, 17 sites were included in 1990, 22 in 1991, 20 in 1992, 33 in 1993, 29 in 1994, 29 in 1995, 36 in 1996, and 46 in 1997.

There are several explanations for this contrast but perhaps the main ones are the following. Unlike the literary canon, the world cultural and natural heritage is a positive-sum game. The inclusion of a site in the cultural or natural canon does not directly imply the exclusion of an alternative site, especially when the sites are located in different countries. This is, therefore, an open canon that is not subjected to the limits imposed by the curricular structure of the school system. On the other hand, while the literary canon up to a point feeds itself upon the forces that contest it, as far as the cultural and natural heritage goes the limits of canonization reside in the forces that promote it: a virtually infinite canonization of sites or formations might bring about the perverse effect of decanonizing (i.e., trivializing) all the sites and formations already included in the heritage list. The baroque codes that operate by means of underexposure *mestizaje* depend on the production of scarcity: intensification demands rarefaction. Nevertheless, scarcity can be produced in different ways and at different levels.

As regards the contrast also existent between the canonization processes of the world cultural and natural heritage and the common heritage of humankind, what seems to happen is that, unlike the latter, the former does not put into question the ownership, whether public or private, of the canonized site or formation. As the 1972 Convention clearly states, acknowledgment of the outstanding universal value of a given monument, set of buildings, site or formation demonstrates "the importance, for all the peoples of the world, of safeguarding this unique and irreplaceable property, to whatever people it may belong." For this reason alone, property is not only not contested but rather sanctioned to the extent that it is "incumbent on the international community as a whole to participate in the protection of the cultural and natural heritage of outstanding universal value, by the

granting of collective assistance which, although not taking the place of action by the State concerned, will serve as an efficient complement thereto." In other words, unlike the common heritage of humankind, the world cultural and natural heritage does not imply contestation either of the property claim or the sovereignty claim of the involved states. On the contrary, it aims at creating the conditions that will make one and the other fully effective. The truth of the matter is that while as regards the common heritage of humankind the economic interests tend to be enormous and in conflict, as regards world cultural and natural heritage the interests tend to be lesser and complementary, as witness the interests of world heritage owners and the interests of world and national tourism industry.[10]

The Times of the Baroque Codes

In the previous section I analyzed two types of baroque codes: the baroque codes that operate by means of overexposure *mestizaje* and preside over the processes of creative dispersal and networking; and the baroque codes that operate by means of underexposure *mestizaje* and preside over the processes of canonization. Both types of codes are synthetic in aspiration. The different kinds of *mestizaje* they produce between roots and options bear witness to the fact that the dualism of roots and options is still present in them, even if only as a ruin, a memory or a discomfort. They are, therefore, ambivalent codes, an ambivalence that is reflected in the social times they privilege. These times are themselves ambivalent, irregular, unrhythmical, in a word, doomed to be not-well-tempered. Again drawing freely on Gurvitch (1969: 341-43), I suggest that the social times of baroque codes are mainly three. First, there is the *trompe-l'oeil* time (*temps trompe-l'oeil*) which, though apparently a long duration and *au ralenti* time, conceals an enormous capacity for irruption, that is to say, of bringing about emergencies and abrupt, unexpected crises. Second, there is the time of irregular beat between the emergence and disappearance of rhythms (*temps de battements irréguliers entre*

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[10] On the articulation between world heritage cities and tourism industry, see Peixoto, 1997.

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l'apparition et la disparition des rythmes), a time of enigmatic duration and intervals between series of duration. This is the time of uncertainty, contingency, and discontinuity *par excellence*. Finally, there is the alternating time between belatedness and forwardness (*le temps d'alternance entre retard et avance*), a time of discontinuities between anachronisms and anticipations, a time of struggle between past and future fighting for space in the present. The present is thus far more evanescent in this time than in all the other social times.

All these different social times occur in both types of baroque codes, though perhaps in different combinations or constellations. Any one of these times has a specific ambivalence resulting from its combining, in a failed synthesis, the elements of a given dualism, whether a dualism between duration and explosion, between the irregularity of the emergence or the irregularity of the disappearance of the rhythm or between anticipation and anachronism. The way this ambivalence presents itself may vary according to the slower or faster rhythm that shapes the changes or oscillations. Drawing now from music, I suggest that such *tempos* as *largo, lento, adagio, andante* and *moderato* tend to prevail in baroque codes of underexposure, as well as in the canonization processes presided over by them, whereas *allegro, presto* and *prestissimo* tend to prevail in baroque codes of overexposure and the respective processes of creative dispersal and networking presided over by them.

5. Conclusion

The equation of roots and options is of crucial importance to understand processes of social identity and transformation in Western modernity. In this essay, after having analyzed the equation, I have tried to identify the factors that have lately contributed to destructure this equation. This destructuring has been so pronounced that, in my view, the equation is suffering from a terminal crisis, and we are, accordingly, in a post-equation era or a period of transition. In this period two

twin processes can be detected. One the one hand, certain references up until now considered as optional forward linkages are so underexposed that they become roots and are treated as such; on the other hand, certain references up until now considered as foundational backward linkages are so overexposed that they become optional and are treated as such. Both the processes of underexposure and overexposure involve mixing, interpenetrating, cross-fertilizing and cross-undermining references up until now unambiguously claimed either as roots or options. It is this *mestizaje* of references that translates itself into what I have been calling baroque codes, that is to say, discursive formations and formulations about social and cultural identity and change in which the dualism of roots and options is present only as ruin, memory, nostalgia or discomfort. They are codes that aspire to synthesis without however reaching it. Codes that are, therefore, ambivalent, complex, relatively chaotic, and eventually contestable and contested. These codes, just like the equation of roots and options that they aim at replacing without totally succeeding, evolve according to specific social times that engage in various types of temporal combinations or constellations. I distinguish two types of baroque codes: baroque codes that operate through overexposure *mestizaje* of roots and options and preside over social processes of creative dispersal and networking; and baroque codes that operate through underexposure *mestizaje* of roots and options and preside over the social processes of canonization.

Because of their mixed character, their voracious adaptability and their irregular durations and rhythms, baroque codes are congenial to the processes of globalization, be they hegemonic globalizations—led by dominant groups to further the interests of global capitalism—or counter-hegemonic ones—led by subaltern groups to resist and create alternatives to global capitalism.[11] The baroque codes offer a common ground of ambiguity, that is to say, a common ground of bounded incoherence and self-contradictoriness in which conflicting interests and social

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[11] For a more detailed analysis of the distinction between hegemonic and counter-hegemonic globalization, see Santos, 1995: 262-65; 1998b.

groups try to use to their advantage the relative blurring of the distinction between transgression and conformity or between changing and enforcing rules. The relative strength of the different interests and groups dictate the general orientation and direction of the globalizations. The concrete outcomes, however, are indeterminable and always reversible.

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