

Prefatory Note

In French law, there is a saying: “le mort saisit le vif” (the dead invests the living). In this adage, the verb “saisir” (to seize) not only expresses the power of the dead over the living. It also refers to a right, the legal right of a living person— “la saisine” (*Code civil*, article 724)—that goes into effect immediately upon the death of a testator. Indeed, as we will see, this legal use of the verb “saisir” translates one of the most fundamental principles of hereditary acquisition. Inheritance confers on me a right, and this right is exclusive because the authorization to accept belongs to me alone. The right to an inheritance is not a possession, however, and it should not be confused with an unqualified gain or even with something whose desirability can be assumed. Rather the exclusive authorization to choose whether I will or will not have the legacy in question is “mine” regardless of my choice; my desire to be possessed of such a choice has no bearing on the possibility of my chosenness. The right to accept or refuse a legacy is not something I choose. It is my election to the necessity of choice.

When it occurs, an act of inheritance (the acceptance of a legacy) is an extraordinary act: on the one hand, because it elicits from the heir a response to a chosenness; on the other hand, because any true act of inheritance always implies momentous decisions and responsibilities. Until there is a decision on the part of the heir, a

legacy cannot but remain suspended, hovering between acceptance and rejection.

Inheriting the Future explores the implicit but unarticulated relation between legacy and morality. If every act of inheritance requires decision and responsibility, then the question “What should I do?” is no longer simply discursive or theoretical: it is also moral. But let us not forget that the critical concept of moral possibility comes to us from Kant who literally refers to it as a bequest, a “Vermächtnis” of speculative reason. This book examines the notion of morality in the late work of Kant and analyzes its nineteenth and twentieth century extensions in the writings of Flaubert and Freud. In all three writers, I suggest, the definition of morality is bound up with this more fundamental problem of legacy. Kant’s analysis of “possession,” Freud’s study of obsessional neurosis, and Flaubert’s stylistic innovations thus require us to rethink the concept of autonomy in terms of an inheritance that is not “ours” to refuse.

Beginning with Kant’s distinction between an external object of choice and an object of respect that “possesses” a dignity, Chapter 1 points to an example of “possession” that not only lies beyond the concept of ownership but also conditions the very possibility of moral action. Chapter 2 then turns to the case of obsessional neurosis in Freud—to that illness where those affected seem possessed by a peculiar force of super-moral obligation. Finally, in the posthumous work of Flaubert, Chapter 3 investigates the legacy of a narrative temporality that forces us onward, indefinitely, relentlessly, in the name of “sameness.”

Because the structure of inheritance gestures beyond philosophy, psychoanalysis, and literature, this book does not simply focus on three authors, it also covers three centuries and three disciplines. One might further speculate that legacies—because they exceed all traditional notion of boundary—*always* speak in more than one voice (idiom, language). Indeed, as I have tried to show, every legacy points to a structural predicament, a fissure that forever prevents what we call “epistemology” from closing itself off in

spatiotemporal terms. The question of legacy is not simply a question that is left to the future: it is *the* question that *must be* left to the future. And yet, as attested by the examples of Kant, Freud, and Flaubert in this book, a legacy is also an ongoing obligation to which we are bound to respond.