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**Labour and Life:
On the Foundations of Agamben's Biopolitics**

by

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March 2009



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Labour and Life: On the Foundations of Agamben's Biopolitics

Declaration

**This thesis is the result of my own work.
Material from the published or unpublished work of others which is used in the
thesis is credited to the author in question in the text.**

This thesis is 39,986 words long.

A. C. Whittall

22 March 2009

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Radiohead; because free music downloads and political agitation in 5/4 time may be the only defence against tyranny we have left!

"I want to see you smile again
Like diamonds in the dust
The amazing sounds of the killing hordes
The day the banks collapsed on us.

Cease this endless chattering
Like everything is fine
When sorry is not good enough
Sit in the back while no-one drives.

So glad you're mine."

- Radiohead,
The Amazing Sounds of Orgy.

Labour and Life: On the Foundations of Agamben's Biopolitics

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Labour and Life: On the Foundations of Agamben's Biopolitics

Introduction

From the discomfiting insistence of Da Vinci's 'Eye' to the surreal epiphany of the 'Mae West Room' at the Dali museum in Figueres, the world of art has long recognised the central importance of anamorphosis to truly engaging visual representation. Whether simply induced as an aesthetic trick of the eye, or as a committed vehicle for political subversion¹; the ability of the artist to use shifts in viewing perspective to disrupt a stable image, and thereby bring to light the hidden content concealed within, finds its theoretical equivalent in Giorgio Agamben's 1998 work *Homo Sacer: Sovereign Power and Bare Life*.² Agamben's concern in *Homo Sacer* is to present the reader with an alternative reading of Western political history and, in doing so, bring to light a previously obscured form of political relation, 'biopolitics', which he identifies as conditioning our political structures from the age of antiquity to the present day. The central aim of Agamben's project is to provide a new understanding of our current political situation, placing ancient and contemporary events in their correct context on the basis that only a thorough understanding of the way biopolitics has determined our political development will allow theorists, present and future, to offer a coherent set of alternatives to the catastrophe of modernity.

The distinctive tenor and innovative sweep of Agamben's work rests upon his ability to achieve the perspectival shift which allows us to see the entire history of the Western

¹ As in the post-war anamorphic landscapes of 17th C. England, which, when turned on end, revealed a portrait of executed King Charles I.

(For this example and others see; <http://myweb.tiscali.co.uk/artofanamorphosis/what-is.html>)

² For the purposes of this essay, the capitalised *Homo Sacer* will refer to Agamben's work, whilst the non-capitalised *homo sacer* denotes (Agamben's construction of) the actual figure of the 'sacred man'.

political tradition in an entirely new light. In the same way as a move to our left allows the viewer to see the glowering, ominous skull that lurks at the very centre of Holbein's 'Ambassadors'; Agamben's *Homo Sacer* reveals to us the disturbing presence of a banished 'bare life', and the oppressive monolith of sovereign power, lurking at the very heart of the Aristotelian *Polis*, our modern democratic states, and our most cherished contemporary political shibboleths; 'human rights' and the 'sacredness' of life.

The journey Agamben takes, from ancient Athens to Auschwitz and on, depends upon his use of two of the Twentieth Century's most celebrated social theorists, whose unique articulations and elisions achieve the preliminary disruption of our vision that allows the biopolitical nexus of Western political history to emerge from the shadows. The centrepiece of Agamben's 'biopolitical' architecture is his appropriation, and suggested articulation, of Michel Foucault and Hannah Arendt; it is within their potent treatments of biology, power, and totalitarianism that Agamben finds the ground for his analysis of a sovereign political order that holds the 'bare' biological life of its citizens as the very object of its power, whilst also using each theorist to supplement the blind-spots he believes the other has missed. Investigating Agamben's claim that his theory of biopolitics can be based upon the combination of these two theorists forms the first general objective of this investigation.

The second general objective of this project is to present the reader with a distinctly Marxian reading of Agamben's work; arguing that Agamben's own concept of 'bare life' shares a constitutive connection with the Marxist concept of alienated labour. Further, we will seek to assert that reading Agamben's historical account of the development of biopolitics, and his prescriptions for potential future actions, through the prism of a Marxian

critique of capitalist relations of production works to solidify Agamben's philosophical analysis into a compelling materialist historical narrative and substantive model for future political action, thus fulfilling a number of Agamben's original aims.

To be clear, it is not the aim of this project to posit a *replacement* for Agamben's theory of biopolitics, a theory with whose foundations, diagnoses, and implications this author essentially agrees. Our examination of Agamben's underpinnings seeks only to familiarise itself with, and perhaps exercise, Agamben's theoretical base. Our suggested modifications of Agamben's work, the making explicit of the connection between bare life and alienated labour and reading the history and future of biopolitics with reference to a radical critique of capitalist political economy, are designed as complementary addenda to a theory whose innovation and compelling political urgency this author is all too happy to assert. Here, it remains to outline the way in which this project will lay out its specific arguments and fulfil its stated objectives.

This investigation will open, in **Chapter One**, with a general introduction to Agamben's work in *Homo Sacer*. The aim of the chapter is to provide the reader with a brief exploration of the key categories and concepts deployed by Agamben and subjected to further analysis, modification, and criticism, as the investigation progresses. This preliminary grounding in crucial aspects of Agamben's *Homo Sacer* project is also designed to unpack Agamben's concepts from their often difficult technical wordings, and familiarise the reader with the overall tone and theoretical thrust of Agamben's endeavour. The chapter will divide its exegesis into three sections, pooling together cognate concepts and motifs from within *Homo Sacer*.

The first section, under the moniker of ‘biopolitics’, will explore; the historical origins of the eponymous figure of *homo sacer* – the ‘sacred man’ of ancient Roman Law; the key Agambenian phenomenon of ‘bare life’ and Agamben’s work on the ancient Greek distinction between forms of natural and political life; the problematic relationship of natural life to the political community – a paradoxical relationship described by Agamben as an ‘inclusive exclusion’; and a brief description of the origins of the term ‘biopolitics’ itself in the work of Michel Foucault.

The second section examines elements of Agamben’s work relating to the concept of ‘the exception’; beginning with Agamben’s appropriation of Carl Schmitt’s model of ‘sovereign power’ and the relationship of sovereign power to bare life in the form of the ‘sovereign ban’; further, it will go on to explain the meaning of ‘the exception’ itself, both as the Schmittian legal-political phenomenon and the wider-reaching Agambenian logic of exception; it will discuss the ‘birth-nation link’ which Agamben identifies as the mechanism by which bare life is incorporated into the order of the nation-state, and the subsequent collapse of that link when faced with the limit-case of the ‘refugee’; this section will also look at the instrument created to replace the failed birth-nation link as the regulator of the relationship between bare life and political order in the form of the ‘concentration camp’ and examine Agamben’s understanding of the camp as paradigmatic of the political space of modernity.

The final section of Chapter One seeks to briefly outline the ‘foundations/futures’ of Agamben’s biopolitics; beginning with a description of the ‘ontological foundations’ of the phenomena Agamben explores – foundations rooted deep within the ancient metaphysical configurations of Western thought, and thus requiring more than a simple political

restructuring if lasting change is to be achieved; and, finally, glimpsing the contours of Agamben's 'new politics', the fragmentary outline of a new mode of politics gestured towards by Agamben at the close of *Homo Sacer*. After this general introduction to Agamben's work, and a note of criticism regarding Agamben's ambiguous use of the term 'bare life' to describe two distinct phenomena within *Homo Sacer*, Chapter One closes with a brief summary and opens the way for our full investigation to follow.

The first analytical element of this project, to be examined in **Chapter Two**, involves the theoretical foundations of Agamben's concept of 'biopolitics'. Primarily, it seeks to investigate the claim that Agamben makes for his notion of biopolitics as built upon the articulation of two other thinkers – on Michel Foucault's original concept of 'biopolitics' and Hannah Arendt's treatment of the phenomenon of totalitarianism and investigation into the colonisation of modern political life by what she describes as 'collective life processes'. The Chapter aims to examine whether Agamben's work can be based upon these theorists by tracking the areas of convergence and divergence that exist between Agamben's work and the theoretical constructions of his named intellectual interlocutors.

Chapter Two opens with a section examining Agamben's relationship with Foucault, the original author of the term biopolitics. The section will begin with an overview of the work Agamben bases his appropriation upon - *The History of Sexuality*, and the lecture series published as *Society Must Be Defended*, noting Foucault's understanding of humanity's transgressed 'threshold of modernity', as a species whose very life may now depend upon its political conditions. This section will also demonstrate the way in which Foucault sees his concept of biopolitics – the increasing intervention of the political order in managing the biological lives of its citizens – developing, from the seventeenth century

onwards, in response to the growing influence of capitalist economics on the rationale of state action. It will also examine two interesting convergences between Agamben and Foucault in their common reading of the classical theory of sovereignty, and in Foucault's use of the logic of the 'inclusive exclusion' in his treatment of social contract theory and its relation to the bare life of the citizen.

The second section of this Chapter will move on to identify a number of differences between both the aims and the theories of each author; firstly, that biopolitics does not occupy Foucault, or his output, to the extent that Agamben seeks to maintain; secondly, that Agamben and Foucault are working on totally different timeframes, Foucault remains primarily a theorist of the modern age whilst Agamben seeks to provide an entire alternate history of Western politics based upon his conclusions; it will also examine the wide differences that exist between each theorist's use of the term 'biopolitics' and the significant difference in each theorist's understanding of contemporary sovereignty – for Foucault, challenged by the new development of 'biopower', yet for Agamben, a unitary centre of power which deploys Foucauldian biopower as a weapon; and, finally, it will discuss the distance that exists between Foucault's understanding of capitalist economics as the motor for the development of biopolitics and Agamben's apparent reticence to examine the role of economic forces in this context.

Chapter Two will then go on to examine the work of Hannah Arendt, and attempt to co-ordinate her work with the output of both Agamben and Foucault. Beginning with an analysis of her key work *On the Origins of Totalitarianism*, and a brief overview of the key concepts contained within her later work *The Human Condition*, this section will establish Arendt as a critical voice in our understanding of the phenomenon of totalitarianism and an

early theorist of concerns that would later be described as the biopolitical. A fourth section will then move on to examine the precise mechanics of Agamben's articulation of Foucault and Arendt, identifying the shortcomings identified by Agamben in each theorists' work and examining the way in which Agamben uses each thinker, in a relation to be described as 'mutual supplementarity', to fill in the gaps that he finds in the work of the other. This section will challenge Agamben's assertion that Arendt's *Origins...* fails to engage in biopolitical analysis by demonstrating a number of ways in which Arendt's work can clearly be read as proto-biopolitical, despite Agamben's objection.

Following that challenge, the task of the penultimate section will be the identification of areas of convergence that bring together the work of all three theorists with various combinations of the others, and grouped according to their 'historical' or 'theoretical' nature. The 'historical' convergences will explore; Agamben and Arendt's common identification of the First World War as a key historical crux whose epic dislocations generate the catastrophic developments each trace thorough the twentieth century; the same theorists' understanding of the concentration camps as the centrally important phenomenon of our times; Agamben and Arendt's shared understanding of the impossibility describing the events within the camp system as a 'crime' in the traditional sense of the term; and the critique, common to all three theorists, of a contemporary society based upon labour, production, consumption, and the bestialisation of man. The 'theoretical' convergences will focus upon; a common understanding of, to use Kathrin Braun's phrase, 'processual temporality' – an understanding of time as constituted by supra-human processes which flow through populations with no regard to the individual – an important point of reference in Foucault's 'biopower', Arendt's 'totalitarianism', and Agamben's 'biopolitics'; the second

theoretical convergence, common to Agamben and Arendt, is the criticism of Marxism as a tradition implicit in the oppressive systems each is fighting – for Arendt, predicated upon the very ‘labour’ that has reduced man to an animal and, for Agamben, reliant upon the state of exception in a way that perpetuates the existence of the sovereign power it should seek to negate; this section will then examine the common criticism of modern humanitarianism that all three thinkers see as a misguided distraction from the genuine political struggles which can promise emancipation; Arendt and Foucault will be seen to share a point of emphasis in their understandings of the theory of evolution as a prime conditioning factor for the developments they both track from the mid-nineteenth century onwards; and the final note of convergence to be examined will be Arendt and Foucault’s shared focus upon the role of capitalist economics in conditioning and forcing the pace of the developments they explore, a point of focus which, again, is conspicuously absent from Agamben’s own work.

Having established a number of points of convergence, the remaining task of Chapter Two will be to identify and investigate the areas of divergence that exist between Agamben, Arendt and Foucault. These divergences will be divided into three sub-sections; ‘methodological-perspectival’, ‘analytic’, and ‘speculative’. This investigation will argue for the existence of two ‘methodological-perspectival’ differences; firstly, it will locate each theorist at different points on a spectrum graded by their focus on specific institutions – ranging from Foucault’s renowned emphasis on the particular objects of his subject matter, through Arendt’s close focus on totalitarianism which opens out into wider theoretical and philosophical waters, to Agamben’s legal-political analysis which becomes the foundation of an epochal attempt to rewrite Western political history. The second divergence to be treated here will examine the extent to which each theorist engages in a normative political analysis,

arguing that Foucault's crypto- or non-normative analysis of institutions puts him somewhat in contradistinction to Agamben and Arendt, both of whose work constitutes a definite part of a greater political project.

The central 'analytical' divergence to be discussed will relate to the role of 'power' and the 'nation-state' in each author's work, and will demonstrate how Arendt's conception of power as a potentially positive attribute of free people acting in concert, and the nation-state as an entity founded upon consent and equality and opposed to the logic of imperialism, stands at odds to the work of Foucault and Agamben, who see both power and the nation-state in a distinctly negative light. The remaining 'analytical' differences concern Agamben and Arendt and focus upon their divergent understanding of the nature and role of the concentration camps; identified by Agamben as regulators of the relationship of bare life to political order and by Arendt as 'laboratories' attempting to create the perfect Pavlovian animal-man to be the citizen of the totalitarian state.

Finally, the 'speculative' divergence between each theorist visits their perceived alternatives; Foucault, in-keeping with his perspectival focus, offers no programmatic alternative; Arendt seeks to recapture the ancient distinctions between public and private realms and animal and human life, that have been undone by the progress of modernity; and Agamben will be seen to reject as impossible the Arendtian solution, and reassert the philosophical imperative of renegotiating human *being* itself as the first step toward an order free of sovereign power and biopolitics.

This Chapter will conclude by noting that each theorist's work can be used by Agamben for his specific task of opening up a horizon of biopolitics, and that it is the very specificity of that task that allows Agamben to articulate and appropriate Foucault and

Arendt. We will accept that Foucault's 'biopolitics' and Arendt's 'totalitarianism' do not sit comfortably together, but recognise the way in which they do form the kind of conceptual architecture Agamben requires for his *Homo Sacer* project. Chapter Two will end by raising, once again, the question of why Agamben fails to enact a properly economic analysis of the role of capitalism in the phenomena he is attempting to understand, particularly when the prime importance of capitalist relations of production is a point on which both Foucault's and Arendt's theories strongly agree.

The question with which we left the previous Chapter becomes the starting-point of **Chapter Three**, in which we seek to put Agamben's theorisation, particularly of the concept of 'bare life', in close proximity to a Marxian critique of capitalist political economy. This Chapter's overall objective is to demonstrate that Agamben's analysis of bare life stands to be enhanced by the recognition of the structural links it shares with the Marxist notion of alienated labour. Further, this Chapter will argue that both Agamben's historical narrative of the phenomenon of bare life, and his prescriptions for an alternative to escape our current biopolitical impasse, benefit from the inclusion of a critique of alienated labour which, we shall maintain, is already implicit at their centre. In order to achieve its objectives, this Chapter will be divided into three sections; the first dealing with Agamben's understanding of modern biopolitics and the conceptual intersections between his notion of 'bare life' and the concept of alienated labour; the second exploring Agamben's historical analysis of the originary exclusion of bare life from the Athenian *polis*, and tracing the relationship between this exclusion and the problematic relationship of labour-power to political community in Classical Greece; and the final section will suggest the ways in which accepting what will be referred to as the 'labour-thesis' – that Agamben's bare life maintains a constitutive

connection to human labour-power – allows the theorist to create a feasible model of material *praxis* that is lacking in Agamben's philosophical demand for a renegotiated human ontology.

Setting out from the observation that Agamben offers a tantalising glimpse of economic critique within *Homo Sacer* when he examines the call of Nazi eugenicists to begin accounting for biological life in calculations of national wealth, the first section will bring Agamben's analysis of the modern aspect of biopolitics into a firm relation with the concepts and concerns of the Marxist tradition. This section will establish four key points of intersection between the phenomenon of bare life and the concept of alienated labour, an intersection which, we will maintain, indicates a structural link between the two; the first point of convergence identifies how bare life for Agamben and commodified labour-power for Marx, reside within each individual as a separable and isolated attribute, capable of monopolisation by a hostile power; the second link to be established concerns the consequent effects of each phenomenon on its surrounding society – for Agamben, a society predicated on bare life which has degenerated into a nihilistic consumerist spectacle and for Marx, a society based on the extraction and exploitation of alienated labour – which both theorists argue shares the same effect, the reduction of man to the level of an animal; a third convergence is identified by the distinctive dialectical relationship each phenomenon shares with its governing power structure, both bare life and alienated labour are products of a power, sovereign or economic, that cannot tolerate its continued presence inside the system without provoking a fatal dialectical destabilisation; the final point of convergence between Agamben's bare life and Marx's alienated labour to be argued for here is eschatological – both theorists maintain that the only way in which a future society might heal the iniquities

of the present order is to find a form of unity in which the separable elements of each human being, their bare life or their labour-power, can no longer be isolated. In addition to these four compelling areas of convergence, this section will outline the explicit theoretical debt owed by Agamben to French Situationist figurehead Guy Debord, and in particular his notion of the 'integrated spectacle' as the *modus operandi* of a new global power, and demonstrates that Agamben is neither able, nor willing, to distance himself from the continental Marxist legacy which must necessarily form part of his schema if he is to appropriate Debord's work in pursuit of his aims.

As a vehicle for opening up the analysis of the second section, this Chapter will briefly examine a major point of critique from Paul Passavant, who argues that Agamben's work contains two contradictory understandings of the state – as primarily determined by the configuration of the economy in his earlier work, and as the determining power in all situations in his later works, among which Passavant numbers *Homo Sacer*. This point appears reinforced by Agamben's earlier use of a much more explicitly Debordian analysis and his later transition to a critique of Marxism as unable to recognise, and therefore escape from, the political quagmire of sovereign power. Agamben uses the term *arcanum imperii*, or ancient secret, to characterise the way in which the complex of sovereign power pre-dates any modern economic structure by millennia. In order to challenge Passavant's analysis, and simultaneously modify Agamben's *arcanum imperii* argument, the second section of this Chapter returns to the Athenian *polis*, finding evidence in the work of Aristotle, supported by similar findings in Arendt, that the 'bare' life originally excluded from the *polis* is excluded precisely because of its intrinsic connection with human labour-power. This section will establish that Aristotle's definition of the natural distinction between slave and

master is based upon the slave's capacity for physical labour and that, whilst couched in an argument about the availability of time to fulfil civic functions, Aristotle's *polis* is founded upon the expropriation of the labour-time of others, others whose labouring condition then excludes them for participation in the City. In doing so, this section seeks to assert that, *pace* Agamben, the *arcanum imperii*, the ancient root of sovereign power, has always been centred upon the problem of the management and expropriation of human labour-power. As a corollary of this position, we will also seek to conclude that Passavant's allegation of an about-turn ultimately fails to convince, as Agamben has, albeit unknowingly, maintained the content of his earlier insight (of the primacy of the economy in determining political conditions) whilst changing his emphasis to an examination of the entity of sovereign power.

The final section of this Chapter opens the question of Agamben's prescriptions for future political action and examines the potential connotations of our 'labour-thesis' for Agamben's political theory. It begins with an exposition of Agamben's treatment of the concept of 'constituting power' – a form of power that exists prior to, and outside of, any established political order, and remains accessible to all individuals at all times - and the work of Antonio Negri in returning the question of constituting power from the realm of political theory to a philosophical footing. This section goes on to consider Agamben's use of Aristotle to demonstrate the necessity of fundamentally restructuring our philosophical foundations, particularly the problematic relationship of potentiality and actuality, if we are to escape the paradoxes of sovereign power. After examining Agamben's model of radical non-participation, based upon his wish to sever the relationship between potential and act and embodied by the literary figure of 'Bartleby', this section finds a note of agreement with Passavant, who demonstrates the complete inability of Agamben's philosophical schema to

challenge the material existence of a sovereign power whose *sine qua non* remains an unmitigated ability to kill. This section will go on to assert that Agamben's biopolitical analysis can be materialised into a form of *praxis* if we accept the 'labour-thesis', the assertion of a fundamental continuity between bare life and labour-power. Whilst unable to offer a programmatic model of political action based upon this insight, we will venture to assert that it is Agamben's failure to recognise the role of labour-power at the very heart of sovereign power and modern biopolitics that has forced his overly-philosophical understanding of the phenomena he correctly identifies as of crucial importance to our current political condition. Finally, this section will make the argument that a *praxis* based upon our 'labour-thesis', the material challenge to the socio-economic roots of contemporary power structures, might provide the necessary precondition for the very ontological renegotiation Agamben demands. In this way, the 'labour-thesis' will be shown to function, to paraphrase Agamben's characterisation of his own relation to the work of Foucault, as a potential completion, or at least correction, of Agamben's endeavour in *Homo Sacer*.

At the close of this investigation, our **Conclusions** will briefly re-state the essential elements that have formed the core of this investigation. It will pull together the critical insights and conclusions of each Chapter to make a final case for the acceptance of our thesis; firstly, that the basis of Agamben's biopolitics in the work of Foucault and Arendt is a safe one, but begs the question of his failure to include the critique of capitalist economics that forms such an important aspect of each theorist's work; and, secondly, that Agamben's concept of 'bare life' should be read as intimately connected with the Marxian notions of 'labour-power' and 'alienated labour' – a connection which deepens our understanding of modern biopolitics, adds to Agamben's own historical account of the exclusion of life from

the Athenian *polis*, and allows us to conceive of a material *praxis* which gives Agamben's groundbreaking analysis the potential for feasible political action that it so richly deserves.

This investigation will ultimately conclude by indicating two possible areas of research to complement the preliminary analysis embarked upon here; firstly, asserting the importance of re-visiting the divergence between Agamben and Foucault over the relationship between sovereign power and biopower, a crucial question if we are to correctly understand the further relationships between sovereignty, biopower, and the anomic, 'constituting power' from which the well of future political action must be drawn; and, finally, the question of exactly what form of socio-economic contest, and what form of unity between labour and life, or natural and political life, will be sufficient to the tasks of preventing the isolation of labour-power/bare life in the future and also successfully challenging a complex of sovereign-economic power whose current hold over the lives of our populations remains as politically pernicious as it is historically ancient.

Chapter One: Key Concepts in Agamben's *Homo Sacer*

As a brief introduction to the content of Agamben's *Homo Sacer*, this chapter will focus on identifying and elaborating a number of key concepts used by Agamben within his work. The decision to structure this introduction along those lines, as opposed to a more traditional synopsis, was taken in order to ensure that the material presented here maintains fidelity to the original without crowding the reader with material extraneous to the requirements of this particular investigation. Each key concept has been selected on the basis of its direct relevance to our subsequent enquiry into the Agambenian notion of 'bare life' and its relationship to a critique of capitalist political economy. Further, each element of Agamben's schema which plays an important role in understanding his appropriation of other political theorists will be given an exploratory treatment. The ultimate objectives of this chapter are twofold; firstly, to familiarise the reader with the overall tone, and theoretical thrust, of Agamben's work, prior to our more detailed investigation; and secondly, to unpack the critical content of Agamben's concepts from their often challenging technical wordings, and to form a point of reference to which, if necessary, the reader may return in the course of this investigation to understand the precise senses in which the words and terms of the Agambenian vocabulary are being used.

The concepts selected will, for the purposes of this introduction, be split into three groups, each of which will be treated in a separate section. The groups have been built on the principle of pooling relatively cognate concepts together, although there will inevitably be a high level of cross-pollination. The first section will focus on concepts grouped under the term 'biopolitics', the second on concepts grouped together beneath the rubric of 'the exception', and finally, the remaining elements will be discussed under the moniker of 'foundations/futures'.

Each section in this chapter will be divided by sub-headings, as an aid to quick navigation, and each key concept being considered will be italicised at its first appearance in its own sub-section, for purposes of subject clarity and navigability. This chapter will conclude with a very brief summary of the concepts and the schema presented here, before the first substantial topic of this investigation is opened in Chapter Two.

1.1 Biopolitics

The natural starting point of our analysis here is with the eponymous figure of *homo sacer*. Described by Agamben as ‘an obscure figure of archaic Roman law’, *homo sacer*, or the sacred man, functioned in its ancient Roman context as a specific legal status conferred upon those found guilty of certain kinds of crime.¹ The unique attribute of *homo sacer* is that he is banished from the protection of the community, to the extent that he may be killed without his death being classed as homicide – his constant exposure to death only mitigated by the seemingly contradictory proviso that his status prevents his being killed as a sacrifice.² In this way, Agamben perceives a figure cast into an indeterminate area between life and death, set at the intersection of human and divine law. The relationship of *homo sacer* to the human and divine realms is one of a double exception, both sets of law relate to him only in the form of their suspension; whilst his being made ‘sacred’ implies a conferral to divine jurisdiction, the impunity with which he may be killed makes the death of *homo sacer* immune from notions of sacrilege, a suspension of the typical religious code; simultaneously, whilst his exposure to the constant threat of death is enforced by a human legal code, the ban on his sacrifice sets him

¹ G. Agamben, *Homo Sacer: Sovereign Power and Bare Life*; Stanford; Stanford University Press, 1998, p.8., and p.85. (Henceforth, all page references in the footnotes to this chapter will be from *Homo Sacer* unless otherwise stated, or abbreviated to *HS* when following reference to another work)

² p.72.

outside of the traditional realm of juridically sanctioned ritual punishments.³ In short, his 'life is included in the juridical order...solely in the form of its...capacity to be killed'.⁴ Of course, Agamben's interest in *homo sacer* is as a compelling metaphor for a series of phenomena he is attempting to lay bare, rather than as a historical case study in Roman law. The paradoxical structure of the double exception finds echoes in Agamben's understanding of the challenging relationship of natural and political life and in his theory of sovereignty, both of which will be discussed shortly. At the same time, the status of *homo sacer* as an exile from political society, whose only remaining attribute is the mere fact of his biological existence, is the prime catalyst for Agamben's opening analysis of the phenomenon he refers to as 'bare' life.

The concept of *bare life* forms the cornerstone of Agamben's analysis within *Homo Sacer*. At the outset of the book, Agamben relates the significance of the ancient Greek distinction between two forms of life; *zōē*, the natural, biological life that all human beings share with each other and with the animal kingdom, and *bios*, a qualified, civic, form of life that can only be lived amongst fellow members of a political community.⁵ Each form of life finds an appropriate realm in the Greek division between the *oikos*, the household, within which the necessities of natural life are taken care of, and the *polis*, the political realm, within which the foundations and conditions of political life are instituted, discussed, and redefined.⁶ Agamben observes the way in which the political realm itself is founded upon the exclusion of *zōē*, indicating the contours of a problematic relationship insofar as natural life simultaneously constitutes the condition of possibility for any kind of civic or political life.⁷

³ p.82.

⁴ p.8.

⁵ p.1-2.

⁶ p.2.

⁷ *Ibid.*

At this point, however, it is necessary to add a brief note of critique, and a clarification regarding the use of the term 'bare life'. A careful reading of *Homo Sacer* reveals that Agamben uses the term 'bare life' to refer to two distinct phenomena, the elision of which adds an unnecessary level of ambiguity to parts of the text. The first use of 'bare' life in *Homo Sacer* places it in contradistinction to *bios*/political life during Agamben's opening remarks on Michel Foucault's notion of 'biopolitics', arguing that one of the key characteristics of modernity is the inclusion of care for the biological life of its citizens within the remit of state action.⁸ In this example, therefore, 'bare' life remains synonymous with *zōē*, the most basic form of natural life. Agamben's second definition of 'bare life' is a little more complicated, and related to the conceptual structure of the 'exception', which will be discussed momentarily. In the chapter 'The Ban and the Wolf', Agamben discusses the Hobbesian 'state of nature' and its relation to the zone of indistinction that exists at the threshold between nature and society, animal and man, a zone inhabited by the legendary figure of the werewolf, and the outlaw figure of *homo sacer*.⁹ In his reading of Hobbes, Agamben discerns that 'the state of nature is not a real epoch chronologically prior to the foundation of the City' but is rather a state attained upon the dissolution of the City.¹⁰ The state of nature, and the life that inhabits such a space, must therefore be understood as internal to, and predicated upon, the structures and nature of a previously existent political association:

Far from being a prejudicial condition that is indifferent to the law of the city, the Hobbesian state of nature is the exception and the threshold that constitutes and

⁸ p.3-4.

⁹ p.105.

¹⁰ *Ibid*.

dwells within it. It is not so much a war of all against all as, more precisely, a condition in which everyone is bare life and a *homo sacer* for everyone else¹¹

In this construction, therefore, we encounter a form of life 'which is neither simple natural life nor social life but rather bare life'¹², existing as a third term beyond both *zōē* and *bios*, and a product of a definitive set of political circumstances. Whilst common ground exists between these two understandings of bare life, our biological existence being the sole remainder of our formerly civic lives when the political order is dissolved or suspended, they are by no means the same phenomenon, and Agamben here is guilty of a level of a conceptual slippage which begs clarification. In terms of this investigation, we have chosen to employ the first of Agamben's two definitions, 'bare life' as a synonym of natural *zōē*, for two reasons; firstly, that it is this understanding of bare life that Agamben shares with Foucault's understanding of 'biopolitics' and Hannah Arendt's work on the colonisation of political power by biological 'life processes', both of which form the central topic of our investigation in Chapter Two; and secondly, because we are satisfied that, throughout *Homo Sacer*, Agamben's references to 'bare life' are made more frequently in reference to the naturally existing biological life of the individual than they are to the specific legal status contained within his second definition.

Having established the definition of bare life with which this project is going to concern itself, it remains to examine the precise nature of the problematic relationship of bare life to the *polis* mentioned earlier. The term used by Agamben to characterise this relationship is the *inclusive exclusion*, a paradoxical motif which finds echoes in Agamben's understanding of sovereignty, to which we will turn shortly. In this context, Agamben picks up on the Hellenic exclusion of natural life from the political realm, and establishes that, *pace* Foucault, bare life

¹¹ p.106. (*Italics in original*)

¹² *Ibid.*

has always been at the centre of Western politics.¹³ Using Aristotle's formulation "born with regard to life [*zōē*], but existing essentially with regard to the good life [*bios*]", Agamben discerns that political life, whilst disavowing the abject nature of bare life, must simultaneously maintain *zōē* at its centre, both as the fundamental material precondition of any civic life, and also as the location in which the transition between forms of life can be made.¹⁴ Bare life enjoys what Agamben describes as the 'peculiar privilege' of being the entity 'whose exclusion founds the city of men', yet also remains concealed at its very centre.¹⁵ For Agamben, the defining aspect of modernity is not the entry of biological life into the political realm, but rather the revelation, the making explicit, of this most ancient configuration of life, politics, and the inclusive exclusion of the former in the latter.

The changing relationship between the state and the biological life of its citizens is at the heart of the concept of *biopolitics* itself. The definitions and distinctions made by Agamben to this concept, which originated with Foucault, will be explored at some length in Chapter Two, so all that is required here is a brief description. In his work *The History of Sexuality Vol. I*, Foucault observes a distinct change in the nature of human politics, from the Aristotelian animal whose political capacities form a defining *additional* aspect of our existence, to a species of such power and technological ability that our lives, individual and collective, have become dependent upon our politics.¹⁶ Further, in his lecture series published as *Society Must be Defended*, he notes the way in which the care for the biological life and health of its citizenry has increasingly become the central concern of the state.¹⁷ This aggregation of political power over life, coupled

¹³ p.6.

¹⁴ *Ibid.*, including Aristotle citation, p.7.

¹⁵ *Ibid.*

¹⁶ M. Foucault, *The History of Sexuality, Vol. I*; London; Allen Lane, 1978. p.143

¹⁷ M. Foucault, *Society Must Be Defended*; London; Allen Lane The Penguin Press, 2003. p.242.

with the increasing state involvement in the care of the collective life of its population, combine to form the traditional Foucauldian concept of biopolitics. Whilst one of Agamben's principle objectives in *Homo Sacer* is to enact a correction, 'or, at least, complet[ion]' ¹⁸, of Foucault's understanding of biopolitics, it would risk a degree of repetition to go into detail regarding the modifications Agamben makes to Foucault's thesis. Rather, the description we have given of Foucault's original notion functions as a satisfactory preparation for the more detailed analysis to follow.

1.2 The Exception

Agamben's principle objective is to map the previously obscured terrain of biopolitics, making clear the links that exist between bare life and the phenomenon of *sovereign power*, in order to facilitate a lasting escape from the latter. Early on in *Homo Sacer*, Agamben makes clear his appropriation of Carl Schmitt's model of sovereignty. For Schmitt, '[s]overeign is he who decides on the exception'¹⁹; the ability to create and impose the boundaries, both spatial and juridical, of an order, and to decide upon what exists within and what is to be cast outside of its borders, remains a crucial component of Agamben's sovereign in *Homo Sacer*. As in Schmitt, the sovereign power straddles the border of the constituted legal and political order, creating and maintaining an order of which it is not wholly a part.²⁰ Further, Agamben attributes to the sovereign power the function of 'produc[ing]...a biopolitical body' which then becomes the object of its power.²¹ As with the concept of bare life discussed previously, Agamben offers two potential readings of this process of production; firstly, in-keeping with our understanding of

¹⁸ *HS*, p.9.

¹⁹ C. Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty* (Tr. G. Schwab); Cambridge (Mass.); Massachusetts Institute of Technology Press, 1985. p.5.

²⁰ *HS*, p.15.

²¹ p.6.

bare life as a synonym for our natural lives, Agamben asserts that a society built upon *zōē*, as all societies necessarily are, involves an intrinsic politicisation of the biological life that remains at their centre.²² Secondly, and related more closely to the rendering of bare life as a specific legal-political status, we can see the way in which sovereign power ‘produces’ the biopolitical body of *homo sacer*, as the sovereign power is the sole authority capable of deciding to suspend the existing legal order and civic protections of *bios*-life and cast the individual into the zone of indistinction which marks the sovereign exception.²³ Whilst the two readings of ‘bare life’ produced a degree of confusion, both understandings of the role played by sovereign power in the production of a biopolitical body are compatible and their reasoning compelling. Finally, the notion of this body becoming the object of sovereign power stems from the sovereign’s ultimate ability to sanction the death of any individual ‘without committing homicide and without celebrating a sacrifice’.²⁴ Agamben traces this right back to the ancient Roman right of a father to put his sons to death, and argues for the logic of sovereignty following a similar rationale.²⁵ The status of the sovereign power as a power defined by its ability to kill will be picked up again in Chapter Two, as we compare Agamben’s schema with the work of Foucault.

The relationship between sovereign power and bare life is characterised by Agamben as the *sovereign ban*. As we have seen, *homo sacer* gains his status not by his expulsion from a juridical order, but rather by that order’s choosing to suspend its application to his particular case. In this way, *homo sacer* finds himself beyond the protection of the legal order by virtue of the sovereign deciding the order no longer applies to him, a relationship properly characterised

²² p.7.

²³ p.83.

²⁴ *Ibid.*

²⁵ *Ibid.*, p.87-88.

by Agamben as one of abandonment.²⁶ The importance of this distinction is that, by abandoning as opposed to expelling bare life, the sovereign can keep the object or subject of the ban within its control. The reasoning behind this is that an expulsion forces something beyond the boundaries of that which expels it; whilst the sovereign ban merely suspends itself in relation to him, and by doing so continues to apply to the subject insofar as the decision on application or non-application is inherently a sovereign decision and, as a being constantly subject to that decision, *homo sacer* is still subject to the jurisdiction of the sovereign power.²⁷ This ability to suspend its own application is granted the sovereign by means of Agamben's appropriation of Schmitt's model of sovereignty and, most importantly, his notion of the exception, which forms one of the most crucial components of Agamben's work.

It would be impossible to fully grasp Agamben's understanding of the sovereign power, and the bulk of Agamben's biopolitics, without paying special consideration to the notion of *the exception*, and the ways in which its logic underlies many of Agamben's most critical insights. For Schmitt, the exception was a declared state of emergency in which, for the preservation of a legal order, the order itself was suspended.²⁸ The sovereign power, which alone has the capacity to decide upon and declare an exception, is then free to act without any potential legal impediment whilst it deals with the threat and restores the normal order.²⁹ In this way, the sovereign may not only suspend but also violate the very laws it seeks to defend. Agamben's interest in the exception is twofold; firstly, with the Schmittian exception itself as an existing and expanding legal-political phenomenon; and secondly, with the underlying logic of the exception, the suspension of existing norms and forms of status, the dissolution and growing indistinction of

²⁶ p.28.

²⁷ p.29.

²⁸ *Political Theology*, p.7.

²⁹ *Ibid.*, p.12-13. Agamben's appropriation of this schema is to be found in *HS* Ch.1. 'The Paradox of Sovereignty' and p.15-19 in particular.

conceptual thresholds, and the paradoxical nature of the exception as the instrument by which an order applies itself precisely in the process of its own non-application. The remainder of this section will be taken up by Agamben's first concern, his historical account of the growing state of exception governing Western politics and his explanation of the causes and consequences of the destabilisation of the Western political order. Here, it remains to briefly examine how the logic of the exception applies to a number of Agamben's concepts and categories. For example, Agamben's concept of the inclusive exclusion shares the logic of the exception insofar as the exclusion of bare life³⁰, the suspension of the application of the norms of *bios*-life to natural *zōē*, has the paradoxical effect of ensconcing the excluded phenomenon at the centre of political life, thus effecting the application of politics to life precisely by the suspension of its formal application.³¹ The same logic applies to the historical figure of *homo sacer*, as discussed earlier, who finds himself in his own paradoxical status as a result of a legal order that applies to him by deciding to suspend its own application in his particular case, by allowing him to be killed, in stark contradiction to the norms and traditions of the order itself, without any juridical recognition of such an act as a homicide. A final example of how the logic of the exception concerns Agamben is his treatment of the collapse into indistinction of our contemporary concepts of life and death.³² Agamben notes that recent advances in technology are beginning to bring about cases of people who inhabit an indeterminate zone between life and death, such as the coma patient kept alive on life support.³³ The link to the logic of exception here is twofold; firstly, that a previously clear boundary has dissolved into an ambiguous hinterland; and secondly, that the zone of indistinction thus created demands a sovereign decision on life:

³⁰ Agamben emphasises the etymological root of the word 'exception' is from 'ex-capere' or a 'taken outside'. *HS*, p.18.

³¹ *HS*, p.11.

³² p.162-163.

³³ p.160-161.

today...life and death are not properly scientific concepts but rather political concepts, which as such acquire political meaning precisely only through a decision³⁴

Further, in the case of life and death, the decision is made not by the traditional legal sovereign but increasingly by doctors and scientists, and conditioned by the level of technological advancement itself.³⁵ Many of Agamben's concepts within *Homo Sacer* share elements of this motif, and the general expansion of paradox, zones of indistinction, and the dissolution or suspension of established orders in Agamben's work is directly related to his historical narrative of the decline of Western politics into emergency rule, and the growth of the permanent state of exception, to which we will now turn.

In his own notion of biopolitics, Foucault refers to the transformation of man from the Aristotelian *politikon zoon* to a species whose life is at stake in their politics as our *threshold of modernity*. Agamben appropriates Foucault's phrase, but points to two other phenomena which, he argues, constitute our own threshold. Firstly, and in-keeping with his modification of Foucault, he refers to a threshold of modernity being crossed 'upon the entry of *zōe* into the sphere of the *polis* – the politicization of bare life as such'.³⁶ Taking his cue from Walter Benjamin's observation that 'the "state of emergency" in which we live is not the exception but the rule', Agamben's second criterion of our entry into modernity is the rapid proliferation of states of exception, to the point where Western politics appears to face a general, permanent state of emergency.³⁷ In Agamben's historical analysis of the initial destabilisation of the European

³⁴ p.164.

³⁵ *Ibid.*

³⁶ p.4.

³⁷ W. Benjamin, 'Theses on the Philosophy of History', in, *Illuminations*; London; Random House, 1999. p.248.

political order, and the gradual expansion of the state(s) of exception, it is the problematic relationship of bare life to the political order of societies which again plays the crucial role.

Key to understanding Agamben's account of our modern history is the concept he refers to as the *birth-nation link*. The birth-nation link is the mechanism by which the bare lives of citizens are 'inscribed', or taken into, the state order. Agamben explains that the need for such an inscription did not exist in the classical world, when our biological existence was excluded, as animalistic *zōē*, from the political realm; nor was the relation of bare life to the political community a problem in the mediaeval and Feudal worlds, in which our biological life belonged, as with the bare life of all other animals, to God.³⁸ However, this state of affairs was disrupted by the events of the French Revolution, which removed from authority a divinely-appointed sovereign monarch and declared the people themselves to be sovereign. The dissemination of sovereign power into each and every individual 'irrevocably united' the principles of nativity and sovereignty, creating the paradoxical figure of the 'sovereign subject' and necessitating a new understanding of the relationship that existed between the individual and the state order.³⁹ When the 'Declaration of Rights of Man and Citizen' was proclaimed, it awarded men their political rights based upon the fact of their birth, and in doing so immediately tied the powers and privileges of political community to the 'bare' lives of individuals.⁴⁰ In short, with the fact of simple birth came the conferral of rights, and those rights were linked not to the state but to the *nation*, which the 'Declaration...' had proclaimed a sovereign territorial entity.⁴¹ In this way, the bare life of individuals was written into the new nation-state order inaugurated by the French revolution; birth was the condition of citizenship within the nation, the bare life of man was

³⁸ *HS*, p.127.

³⁹ p.128.

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

transformed into the *bios*-life of the citizen, and the gap that exists between the simple fact of birth and the complex nature of citizenship was obscured by a doctrine of civic rights predicated on the immediacy of the passage from birth to nation ‘such that there can be no interval between the two terms’.⁴²

The birth-nation link succeeded in regulating the relationship between life and the political-juridical order for over a century, until the European nation-state system was presented with the limit case, or ultimate exception to the rule, in the form of the *refugee*. Agamben’s understanding of the challenge posed by the refugee to the political order is based upon Hannah Arendt’s observations in *On the Origins of Totalitarianism*, an appropriation which will be examined further in Chapter Two. Agamben and Arendt both concur that the refugee presents a unique challenge to human rights discourse as they are ‘the figure...par excellence’ of such rights, they have nothing more than their bare human lives, and their rights are guaranteed by no state or political association.⁴³ Both theorists therefore find it instructive that, as the purest example of human rights, refugees are also the most right-less and oppressed of groups, leading Arendt in particular to conclude that human rights as such are essentially a fiction disguising the civic rights of a constituted political community in the garb of an abstract universalism.⁴⁴ For Agamben, the refugee also destabilises the birth-nation link, the tie that had held Western political societies together for the preceding century. As we have just seen, the birth-nation link is predicated on the notion that there is no gap between the fact of birth and the enjoyment of citizenship, yet the refugee demonstrates precisely the opposite, that man may indeed be born without immediately becoming a citizen, allowing ‘bare life...to appear for an instant in [the

⁴² *Ibid.*

⁴³ p.126.

⁴⁴ *Ibid.*

political] domain'.⁴⁵ Of course, the phenomenon of the refugee is nothing new, the truly destabilising development comes, for Agamben, at the close of the First World War when a spate of 'denationalisations' occurred in which European governments declared millions of members of minority communities within their borders to no longer be citizens of their nation.⁴⁶ The rash of denationalisations, and the general dislocations of the War, created the refugee as a mass phenomenon, a problem too huge for nations to deal with as they had dealt with refugees in the past. In forcing open the implicit gap between birth and nation, the bare life of the refugee presented the state order itself with an exception, a life inside the borders of the state yet not inscribed into the order of the state, and it is the method by which Agamben sees the state order attempt to re-inscribe this exceptional life into its order that forms the keystone of his account of the descent of the Western world into catastrophe.

When presented with the massive exception of bare life inside the borders of the nation-state, the previous method of regulating the relationship of life and politics, the birth-nation link, failed in its historical function. The response of the state order was to create a new mechanism to govern the exception of bare life, and to re-inscribe bare life into the political order, in the form of the *concentration camp*. From their inception, dated by Agamben to the Spanish War in Cuba in the last years of the nineteenth century, concentration camps have been governed not by criminal law, but by laws regarding states of siege and, ultimately, states of exception.⁴⁷ When the German National Socialist movement came to power, they suspended the Weimar constitution indefinitely, creating a sense of permanent exception which, according to Agamben, began to become confused with the rule.⁴⁸ This sense of permanent exception partially accounts

⁴⁵ p.131.

⁴⁶ p.132.

⁴⁷ p.166-167.

⁴⁸ p.168.

for the brutal apogee of the camp under Nazi rule; insofar as the camps themselves formed an attempt to create a permanently exceptional space, within the territory yet outside the legal order of the state, within which the exception of bare life, the declared *homines sacri* of the political order can be contained. Agamben finds it instructive that all those condemned to the camps within Nazi Germany had to be officially stripped of their citizenship and civic rights before being detained, reduced entirely to their bare biological existence, the quintessential declaration of *homo sacer*.⁴⁹ Inside the camps, Agamben finds a pervasive zone of indistinction in which fact, law, and life become indistinguishable, a space in which the decision on bare life is constantly demanded and thoroughly impossible.⁵⁰ As a new regulator of bare life and political order, the camp 'has now added itself to – and so broken – the old trinity composed of the state, the nation (birth), and land'.⁵¹ In addition, the camp's attempt to eradicate the destabilising failure the birth-nation link has, according to Agamben, expanded far beyond its original borders. The logic of the camp, the need to create exceptional spaces to capture the bare life which cannot be tolerated inside the state order, now works in myriad different settings in Western political spaces, from special zones in airports dealing with immigrants to the legal black hole of Guantanamo Bay, and its effects so ubiquitous as to be considered the 'paradigm of the modern' in Agamben's terminology.⁵²

1.3 Foundations/Futures

As mentioned at the opening of the previous section, Agamben's main aim is to modify our understanding of our current political situation, in order that this new understanding may

⁴⁹ p.170-171.

⁵⁰ p.173.

⁵¹ p.176.

⁵² p.174-176. Agamben does not, of course, reference Guantanamo Bay in *Homo Sacer*, but the logic is the same, and his take on the link is made clear in his *State of Exception*; Chicago; University of Chicago Press, 2005. p.3-4.

enable an eventual escape from sovereign power, and the biopolitical impasse of its creation. In doing so, Agamben traces the origins of sovereign power not to the political associations of the classical world, but rather to an originary *ontological foundation*, buried deep in human pre-history. Following the work of Antonio Negri, Agamben argues that our understanding of ‘constituting power’, the power that creates political associations or social orders in the first place, should be conceived not as a political phenomenon, but as a philosophical one.⁵³ The reason behind this argument is that constituting power – and sovereign power which, *pace* Negri, Agamben argues shares the attributes of constituting power – is a power governing “the constitution of potentiality” and, as such, is rightly conditioned by the metaphysical relationship between potentiality and actuality in Western thought.⁵⁴ Agamben’s critique of Negri is that he fails to find a theoretically satisfactory way to separate constituting power from sovereign power, a separation which forms the essential precondition of founding any legal-political order freed from grasp of sovereign power.⁵⁵ For as long as potentiality and actuality maintain themselves in any form of relation, that is, share any relational boundary, it will be impossible to escape from a sovereign power predicated upon the imposition and decision on these borders:

...only if it is possible to think the relation between potentiality and actuality differently – and even to think beyond this relation – will it be possible to think a constituting power wholly released from the sovereign ban. Until a new coherent ontology of potentiality...has replaced the ontology founded on the primacy of

⁵³ p.44.

⁵⁴ *Ibid.*, (Quote is Negri, *Il Potere Costituente*, Cited in *HS*, p.44.)

⁵⁵ p.43.

actuality and its relation to potentiality, a political theory freed from the aporias of sovereignty remains unthinkable.⁵⁶

The task, then, if we are to escape the depredations of sovereign power is not simply to restructure our politics, but to re-negotiate the nature of human ontology, of our very way of being, by dissolving the conceptual borders which form the breeding ground of the sovereign exception and positing an essential non-relationality which evades all attempts to call forth a sovereign decision.⁵⁷ Whilst this aspect of Agamben's analysis is subject to further exposition and substantial criticism in Chapter Three, this brief glimpse of the ontological foundation of sovereign power should be sufficient to paint a picture of the task Agamben sees before us if we are to escape ever greater biopolitical disaster.

Agamben often describes the potential of future action to found a political order freed from sovereign power as the *new politics*. Whilst *Homo Sacer* is designed primarily to reveal the true contours of the present problem, rather than attempt a programmatic exposition of any radical alternative, Agamben does include a number of gestures toward what this new politics may look like. Firstly, we have already seen the importance of the new politics taking place on a profoundly new ontological footing. We have also seen that, for Agamben, the problematic relationship of bare life to the political order is a critical aspect of all historical political settlements. Agamben recognises that the new politics will be unable to return to any separation of *zōe* and *bios* that may have been known in previous epochs, as '[t]here is no return from the camps', a paradigm of modernity whose sheer dislocating force has rendered it impossible to trace our way back to a time of clearer distinctions.⁵⁸ Rather, in the political order to come, the

⁵⁶ p.44.

⁵⁷ p.47.

⁵⁸ p.187-188.

relationship between bare life and *bios*-life must become one of virtual indistinguishability, for as long as bare life remains as an element that can be identified and isolated within the individual, there remains the potential for sovereign power to capture it and hold it as an object of its power.⁵⁹ In Agamben's words, the new politics must struggle toward 'a *bios* that is only its own *zōē*', a new 'form-of-life' based upon the new human ontology, capable of rendering the operation of the sovereign ban redundant and our millennia-long struggle with the phenomenon biopolitics a thing of the past.⁶⁰

The aim of this introductory chapter has been to briefly explore some of the key themes and motifs of Agamben's *Homo Sacer*. In addition to uncovering the historical figure of *homo sacer*, it provided readings of key elements of Agamben's *biopolitics*; the phenomenon of 'bare life', including Agamben's oscillation between two distinct readings of the term and our adoption of 'bare life' as synonym of natural *zōē*; the notion of the 'inclusive exclusion' as a description of the problematic relationship of biological life to the constituted state; and 'biopolitics' itself, as a Foucauldian term for the gradual intervention of the state into the biological life of its citizens. Further, we sought to provide a glimpse of Agamben's understanding of *the exception*; Agamben's appropriation of Schmitt's monolithic 'sovereign power' whose power of decision, and ability to kill with impunity, continues to dominate our model of politics; of the 'sovereign ban' as a description of the way in which the sovereign power can decide to suspend its application to a subject, and thereby abandon him to an indeterminate area on the borderlands of fact and law; and of 'the exception' itself, both as an existing historical phenomenon, and as a form of logic governing a number of Agamben's key

⁵⁹ p.188.

⁶⁰ *Ibid.*

categories. We encountered Agamben's 'threshold of modernity' as a situation in which the exception had grown beyond its bounds and begun seeping out into a state of general emergency, catalysed by the failure of the 'birth-nation link' to successfully incorporate the lives of its residents into the state order when faced with the limit-case of the 'refugee', who gives the lie to Western human rights discourse. We also saw Agamben's account of the state order's reaction to this failure, its attempt to contain this exceptional bare life within a space of exception made permanent within a territory, the 'concentration camp', and the diffusion of the logic of the camp to the point of its becoming 'the paradigm of the modern. Finally, a brief look at the *foundations/futures* of Agamben's analysis gave us sight of; the ancient and complex nature of the 'ontological foundations' of sovereign power and biopolitics, rooted as they are in a tradition of Western thought stretching back into deep pre-history; and, finally, the necessity, therefore, of conceiving a 'new politics' on the basis of a renegotiated human ontology, and an amalgamation, or perhaps reconciliation, of *zōē* and *bios*, such that the isolation of bare life will henceforth become an impossibility.

The remaining chapters intend to use these concepts as a foundation for a detailed investigation into the relationship between Agamben and his named intellectual interlocutors, and also between Agamben's concept of bare life and a Marxian critique of capitalist political economy. Many of the concepts covered here will be explained in further detail and many of them subject to modification or criticism as this investigation progresses. Having established some of the key categories of Agamben's thought, our next chapter intends to take one specific element of *Homo Sacer*, Agamben's claim to have built his own concept of 'biopolitics' upon an appropriation and articulation of the works of Michel Foucault and Hannah Arendt, and subject his claim to his more detailed scrutiny.

Chapter Two: Inheritance: Biopolitics in the Work of Foucault and Arendt

Our first general objective in the course of this investigation is to explore the theoretical foundations of Agamben's biopolitics. In order to achieve this objective, this Chapter sets out to outline the way in which Agamben attempts to appropriate and articulate the work of Michel Foucault and Hannah Arendt in the construction of his own distinctive concept of 'biopolitics'. This Chapter will be subdivided into six sections, over the course of which the precise nature of the interaction of Foucauldian 'biopolitics', Arendt's concerns with totalitarianism and the rise to prominence of collective 'life processes' in society will be established, and their points of intersection and contradiction, with each other and with Agamben, will be identified and discussed. The first section will set out from a description of the interaction of Agamben and Foucault, the original author of the term 'biopolitics', and will set out the nature of Foucault's project and the themes and concerns of Foucault's that facilitated Agamben's attempted articulation. Having set out the elements of Foucault's schema most conducive to Agamben's biopolitics, this Chapter will move on to its second section, which will identify a number of points at which the theories of Foucault and Agamben diverge and seek to establish whether these divergences pose enough of a challenge to prejudice Agamben's attempt at founding his concept of biopolitics on the work of the former. Our intention here is to demonstrate that Agamben's use of Foucault is a permissible one, despite a number of differences in the form and scope of their arguments.

The third section of this Chapter will introduce the reader to the work of Agamben's second pole, political philosopher Hannah Arendt. It will begin by outlining her account of the historical development of the phenomenon of totalitarianism and identifying elements of her

work *On the Origins of Totalitarianism* that are of most importance to Agamben's appropriation of her work. It will also establish a number of key concepts from her later work *The Human Condition*, which also informs Agamben's biopolitics to a large extent. Whilst the focus of the third section is on a brief exposition of Arendt's work, section four examines the precise mechanics of Agamben's articulation of Foucault and Arendt – positing the term 'mutual supplementarity' to describe the ways in which Agamben uses each theorist to balance, and counteract, the elements of each theory least conducive to his own work. The fifth section moves on to explore the theoretical convergences present in each author with various combinations of the others, grouped into 'historical' and 'theoretical' convergences depending upon their precise construction. Our aim here is to provide an overview of the manifold intersections that govern Agamben's articulation, and our own attempt to fully grasp the conceptual co-ordinates of Agamben's own theorisation. The final section moves on to identify and discuss the points of divergence, dissonance, and contradiction that exist between the works of each theorist. It will establish three areas of divergence; 'methodological-perspectival', 'analytic', and 'speculative', and examine the nature and implications of these disagreements. Ultimately, this Chapter aims to have provided the reader with a schematic by which to read the Agambenian appropriation of Foucault and Arendt, and to have established the solidity of Agamben's theoretical foundations. It will also indicate the way in which most of the divergences identified can be resolved, or not, without detriment to Agamben's overall project, whilst also noting any disagreements substantial enough to warrant further research beyond the bounds of this particular investigation.

2.1 Mapping Biopolitics: Agamben and Foucault

Homo Sacer's use of Michel Foucault as a starting-point for an investigation into the relationship between sovereign power and human life is itself indicative of the increasingly political tenor of Agamben's thought in the 1990s. Andrew Norris, a key voice in Agamben scholarship, has noted how the analysis in *Homo Sacer* returns to, and expands upon, many of the concerns and motifs present in Agamben's 1993 work *Language and Death*; a philosophical investigation into negativity, language and the voice.¹ Interestingly, the latter work contains no references to any of *Homo Sacer*'s key intellectual influences²; rather than Foucault, Arendt, Schmitt, and Benjamin, Agamben co-ordinates his exegesis predominantly between Heidegger and Hegel, with contributions from Schelling, Benveniste, and Aquinas.³ Agamben's shift in emphasis, his explicitly political tack from the mid-1990s, may best be seen as an intervention into contemporary political events. Agamben himself describes the creation of *Homo Sacer* as a reaction to 'the bloody mystification of a new planetary order' and 'problems...which the author [Agamben] had not, in the beginning, foreseen'.⁴

The priority accorded to Foucault's analysis in *Homo Sacer* is testified to in his rapid appearance in the text. Preceded only by mentions of Plato and Aristotle, it is with Foucault's engagement with Aristotle's famous definition of man as the 'political animal' that the conceptual work of *Homo Sacer* truly begins.⁵ Foucault's 'biopolitical threshold of modernity'; the new coincidence of a politicised 'bare life' (in the re-creation of the individual as a statistical part of a regulated and medicated population) and the systematic production of 'docile bodies'

¹ A. Norris, 'Giorgio Agamben and the Politics of the Living Dead', in, *Diacritics*, Vol. 30, No. 4 (Winter, 2000), p.43.

² *Ibid.* (Excepting Heidegger, whose part in *Homo Sacer* is relatively peripheral when compared to Foucault, Arendt, et al.)

³ See, for example, comparative number of Index entries in, G. Agamben, *Language and Death: The Place of Negativity* (Tr. K. Pinkus and M. Hardt); Minneapolis; University of Minnesota Press, 1991; p. 111-112.

⁴ *Homo Sacer* (Hereafter, *HS*), p.12.

⁵ *Ibid.*, p.3.

(as a result of the ever-increasing efficiency and brutality of sovereign power's disciplinary structures), provides an immediate reference point for the contemporary application of Agamben's *homo sacer* concept.⁶ However, whilst Agamben establishes Foucault's analysis of a 'bare life' whose politicisation is indeed indicative of a distinctly modern state of affairs⁷, the latter's treatment of 'biopolitics' is consistently read through the former's 'recognition that the biopolitical structure of power has [*pace* Foucault] archaic roots'.⁸ Before exploring the consequent differences between these two seminal expositions on the theory of biopolitics, it remains to outline the lines of complementary intersection that govern Agamben's attempted use of Foucault in the creation of *Homo Sacer*.

It is within the final chapter of his *History of Sexuality (Vol. I.)*, that Foucault stakes out the ground of a contemporary biopolitics by placing the current relationship of human life and political power into a stark juxtaposition with Aristotle's canonical conception of man as *politikon zōon*:

...what might be called society's "threshold of modernity" has been reached when the life of the species is wagered on its own political strategies. For millennia, man remained what he was for Aristotle: a living animal with *the additional capacity for a political existence*; modern man is an animal whose politics places his existence as a living being into question.⁹

⁶ E. Vogt, 'S/Citing the Camp', in, A. Norris (ed.), *Politics, Metaphysics, and Death: Essay on Giorgio Agamben's Homo Sacer*, Durham, N.C.; Duke University Press, 2005; p.77. See also, *HS*, p.111.

⁷ *HS*, P.4.; Norris, p.39.

⁸ K. Nikolopoulou, 'Untitled Homo Sacer Review', in, *SubStance*, Vol. 29, No. 3, Issue 93 (Pierre Bourdieu Special Edition, 2000), P.131.), p.129.

⁹ M. Foucault, *The History of Sexuality, Vol. I.*; London; Allen Lane, 1978; p.143 (My emphasis)

The transformation of man from a being in possession of an ‘additional capacity’ for politics, to a species whose very survival can be placed into jeopardy through their politics is one which, for Foucault, has ‘considerable consequences’ when attempting to map the relationships between history, life, science, and power, it is a development which throws into uncertainty ‘the whole space of [our] existence’.¹⁰

Foucault’s cognizance of the deficiencies of traditional modes of thought in the face of biopolitical modernity is essential to understanding Agamben’s re-examination of the entire history of the Western tradition; bringing to light the operations that have governed its unfolding, and led it into the very zones of indistinction and ambiguity that Foucault sees plaguing attempts to conceptualise ‘biopolitics’ in a traditional frame¹¹, and Agamben sees as constitutive of the exploded ‘exception’, leitmotif of the emerging planetary order.¹² An equally significant function of Foucault’s theorisation here is that it explicitly opens up a path back to Aristotle and the ancient world, providing Agamben not only with the vital motif of ‘biopolitics’, but also with the ability to transport the Foucauldian components of his analysis back to the very founding of the Western political (and metaphysical) traditions he seeks to expose. The Foucault-Aristotle link has a double significance to Agamben’s historico-philosophical project; contributing a substantive concept (‘biopolitics’), and providing further support for the retroactive location of Agamben’s analysis back into deep political history.

Foucault’s analysis finds the dawn of biopolitics in a dramatic transformation of power beginning in the seventeenth century¹³, in which the biological life of individuals is taken, for the first time, into the remit of state power – and thereby opened up as a realm of political

¹⁰ *Ibid.*, p.143-144.

¹¹ *Ibid.*

¹² See, G. Agamben, *State of Exception*; Chicago; The University of Chicago Press, 2005. p.86-87.

¹³ M. Foucault, *Society Must Be Defended*; London; Allen Lane The Penguin Press, 2003. p.242.

intervention. Beginning with new forms of *discipline*, which treat the individual as a *body* to drilled, exercised and made efficient, this evolution of power reached a further level of development in the transition to technologies of *regulation*, whose object was the *population* as a whole, and sought to map and care for their general health.¹⁴ At this point, we witness the birth of Foucauldian ‘biopolitics’:

What does this new technology of power, this biopolitics, this biopower that is beginning to establish itself, involve? ...a set of processes such as the ratio of births to deaths, the rate of reproduction, the fertility of a population and so on.¹⁵

This extension of state power also fundamentally changes its foundation in the classical theory of sovereignty, whose former *modus operandi* of wielding the threat of death over its subjects, typified by Foucault in the phrase ‘*take life or let live*’¹⁶, finds itself replaced by the biopolitical compunction to care for, and extend as far as possible, the life of its citizens, to ‘*make live or let die*’.¹⁷

Foucault’s theorisation of the emergence of biopolitics also pays a great deal of attention to the role of capitalism (whose gradual emergence between the fifteenth and eighteenth centuries certainly appears to dovetail the chronology of Foucault’s analysis) in this sea-change of power. In his collection of lectures *Society Must Be Defended*, Foucault traces disciplinary technologies to an effort to harness the full ‘productive forces’ of individual bodies; he locates the regulatory focus on treating the common, low-level, recurrent diseases (‘endemics’) in a concern to eliminate ailments which ‘sapped the population’s strength, shortened the working

¹⁴ *Ibid.*

¹⁵ *Ibid.*, p.243.

¹⁶ *History of Sexuality...*, p. 138.

¹⁷ *Society Must Be Defended*, p.241. ‘Take life or let live’ has the same formulation in both works, the biopolitical injunction in *The History...* is formulated as ‘to *foster* life or *disallow* it’ (p.138.).

week, wasted energy, and cost money'; he also demonstrates how both the disciplinary and regulatory systems of the new order could only have been achieved through the growth of 'system[s] of surveillance, hierarchies, inspections, book-keeping and reports'.¹⁸ It is certainly fair to conclude that Foucault's biopolitics is intimately bound up with a study of capitalism, and processes akin to Weber's 'rationalisation', as Agamben briefly acknowledges in the introduction to *Homo Sacer*.¹⁹

A significant point of convergence between Agamben and Foucault exists in their common reading of the classical theory of sovereignty, as both recognise that the traditional sovereign's right over life and death is, primarily, a power focused upon death.²⁰ The sovereign's asymmetric power over death leads Foucault, in *Society Must Be Defended*, to an intriguing moment of analysis:

...to say that the sovereign has a right of life and death means that he can, basically, either have people put to death or let them live, or in any case that life and death are not natural or immediate phenomena which are primal and radical, and which fall outside the field of power. If we take the argument a little further...it means that in terms of the relationship with the sovereign, the subject is, by rights, neither alive nor dead.²¹

This passage forms a double conjunction with Agamben's analysis in *Homo Sacer*; firstly, it prefigures Agamben's position that sovereign power's control over 'bare life' is responsible for

¹⁸ *Ibid.*, p.242-244. See also, *History of Sexuality*, p.140-141.

¹⁹ *HS*, p.3.

²⁰ *Ibid.*, p.88-89. ('There is no clearer way to say that the first foundation of political life is a life that may be killed, which is politicized through its very capacity to be killed.'), and *Society...*, p.240 ('the right of life and death is always exercised in an unbalanced way: the balance is always tipped in favour of death').

²¹ Foucault, *Society...*, p. 240.

life and death themselves entering into a 'zone of indistinction', they are captured within the 'field of [sovereign] power', at which point they cease being solely natural or anomic/autonomous phenomena, but become subject to definition and adjudication by sovereign decision.

The second intersection of Agamben with the above passage is the coincidence of a subject that is 'neither alive nor dead' in the eyes of the sovereign.²² Foucault's subject here is neither alive nor dead because the power of the sovereign to inflict death perpetually hangs over the subject; even (or especially) when *not* exercised, its suspended presence suspends the status of the subject himself – he remains a pure neutrality in his relation to the sovereign.²³ Of course, *homo sacer* himself is presented as neither alive nor dead as the process of making 'sacred' is revealed as one of 'setting apart', or abandoning, the subject. The entire legal and social order is suspended in relation to *homo sacer*, hence his seemingly paradoxical ability to be killed without the commission of homicide and the further prohibition on his use as a sacrifice.²⁴

The second point of interest to be considered here is a structural similarity surrounding Foucault's intentionally brief, and explicitly curtailed, treatment of sovereign power and social contract theorists. Whilst one of Agamben's political objectives is to do away with social contract theories of society, which he sees as responsible for 'condemn[ing] democracy to impotence every time it had to confront the problem of sovereign power' and preventing modern democracy's ability to conceive of a politics freed from the state²⁵; a further passage from Foucault's *Society...* again opens up a potentially fascinating conceptual parallel. Investigating

²² This coincidence of Foucauldian subject and *homo sacer* has previously been noted by Paul Patton, 'Agamben and Foucault on Biopower and Biopolitics', in, *Giorgio Agamben: Sovereignty and Life*, M. Carlaco and S. DeCaroli (eds.); Stanford; Stanford University Press, 2007. p.213-214.

²³ Foucault, *Society...*, Loc. Cit.

²⁴ *HS*, p.8., and p.73-74.

²⁵ *Ibid.*, p.109.

seventeenth and eighteenth century juridical thought concerning the foundations of a social contract, Foucault elaborates on why a people would choose to 'delegate absolute power over them to a sovereign':

They do so because they are forced to by some threat or need. They therefore do so in order to protect their lives. It is in order to live that they constitute a sovereign. To the extent that this is the case, can life actually become one of the rights of the sovereign? ... Mustn't life remain outside the contract to the extent that it was the first, initial, and foundational reason for the contract itself?²⁶

It is possible to discern within this passage shades of one of Agamben's most important theoretical motifs: the *inclusive exclusion*. Here, Foucault is questioning the inclusion of life within a contract based on life; more specifically, he is questioning whether life itself should be *excluded* from the contract because it is the very object of the contract. It is common knowledge that even that most sovereign-centric of social-contractarians, Thomas Hobbes, excluded an absolute right over life from his 'mortal god', the *Leviathan*.²⁷ In Agamben's analysis, it is 'bare life' that is excluded from the City, yet, as both the foundation upon which the City is built, and the ultimate object of the sovereign power which resides there, remains included (via its exclusion) at the secret heart of the legal and political order.²⁸

²⁶ *Society...*, p.241.

²⁷ Hobbes steadfastly maintains the right to resist any violence to be inflicted upon your person, even if it is to be inflicted by the sovereign; see, T. Hobbes, *Leviathan* (Oakeshott ed.); Oxford; Basil Blackwell, 1946; p.86. ('Not all Rights are Alienable') and p.202 ('Right to Punish Whence Derived').

²⁸ *HS*, p.110-111 .

2.2: Points of Divergence: Agamben and Foucault

Despite the lines of convergence we sketched here, elements of Agamben's appropriation of Foucault remain problematic. Agamben is quite clear that his use of Foucault is intended as a 'completion' or 'correction' of the latter's work²⁹, and Agamben sketches out some theoretical lines that diverge sharply from the shape, and intent, of Foucauldian biopolitics. Foucault's theorisation remains an essential foundation of Agamben's re-interpretation of Western political history, and so any successful challenge to his modified reading of Foucault threatens to destabilise the entire biopolitical edifice built upon it.

Scattered throughout *Homo Sacer*, Agamben makes reference to Foucault's death (in the early 1980s) as preventing the further development of his research into biopolitics.³⁰ However, Paul Patton presents evidence that implies Agamben may be slightly disingenuous in this interpretation of events, and locates Foucault's interest in biopolitics to a selection of lectures in the late 1970s, before he began involving himself much more deeply within the concept of 'governmentality'.³¹ Patton's suggestion that 'the concept of biopower does not play a major role in Foucault's work' is supported by Foucault's own statements of intent in the 'biopolitical' works so often quoted. Firstly, the purpose of his 17 March 1976 lecture in *Society...* (the only one to feature 'biopolitics') was not to expose the insidious grip of biopower upon the population but to 'raise the problem of war' and to account for the development of 'State racism'³², he refers to his excursus into biopolitics as a 'long digression' before returning 'to the problem [he] was trying to raise'.³³ Foucault's analysis of biopolitics in the *History of Sexuality* is similarly thin on the ground; extending to ten of the 159 pages, in the first half of the final chapter,

²⁹ *Ibid.*, p.9.

³⁰ *Ibid.*, p.4, p.119.

³¹ Patton, 'Agamben and Foucault...', in, Carlaco and DeCaroli, p.206-208.

³² Foucault, *Society...*, p.239.

³³ *Ibid.*, p.254.

immediately succeeded by the words '[t]his is the background that enables us to understand the importance assumed by sex as a political issue'.³⁴ Relative, therefore, to its significance in Foucault's own works, it certainly appears that much of the literature surrounding Foucault's 'biopolitics' gives it a disproportionately high profile.

However, the fact that biopolitics appears to take the form of a side-issue, or theoretical excursion, in Foucault's works, never the main topic of discussion and not 'one of [his] meticulously grounded notions'³⁵, does no damage to Agamben's ability to use what was there. The lines of convergence sketched earlier identified; a concrete concept (the politicisation of biology), a route back to Aristotle, a common conception of classical sovereignty, a subject neither alive nor dead (subject to the sovereign's unmediated decision), and a prototype exposition of the inclusive exclusion that characterises the relationship between life and the City. Whilst the importance of biopolitics to Foucault, and his intention to continue developing the theme, may have been oversold by Agamben, the instruments furnished by the former's fragmentary biopolitical analysis are more than sufficient for Agamben's appropriation.

A second potential divergence centres upon the timeframes within which each theorist's 'biopolitics' works. *Homo Sacer* itself begins in ancient Greece indicating, from the first pages onwards, that Agamben's concern stretches back to the birth of politics as such.³⁶ Foucault, meanwhile, locates his 'biopolitics' firmly in the modern era; setting up his analysis of our current situation in explicit juxtaposition to the 'classical age' of the West.³⁷ We also encounter two distinct conceptions of 'modernity'; Foucault's biopolitics are set in motion by the twin pressures of demographic expansion and industrialisation in the seventeenth and eighteenth

³⁴ Foucault, *The History...*, p.145.

³⁵ P. Fitzpatrick, 'Bare Sovereignty', in, Norris (ed.), *Politics, Metaphysics, and Death...*, p.56.

³⁶ *HS*, p.1.; Also, Vogt, 'S/Citing the Camp', in Norris (ed.), p.77.

³⁷ *History of Sexuality...*, p.36.

centuries³⁸, whilst Agamben's 'modernity' coincides with the post-First World War explosion of 'states of exception' and the exceptional pressures of mass denationalisations in shattering the traditional birth-nation link.³⁹ At best, Agamben's analysis of modernity could be stretched back to 1789; the French Revolution's replacement of the absolute monarch with the 'sovereign subject'⁴⁰, and the first articulation of 'state of siege' principles with emergency provisions for the suspension of the constitution, whose gradual convergence created the 'state of exception' which is now expanding to engulf the world.⁴¹ There can be no doubt that both theorists have an entirely different time-frame in mind, the remaining question is whether Agamben's construction of 'biopolitics' on such a vastly different historical scale is prejudicial to his ability to appropriate the concept.

In this respect, it is Foucault's own treatment of the 'neither alive nor dead' subject of classical sovereignty that problematises his own chronology. Whilst Foucault seeks to situate biopolitics outside of traditional sovereignty (a point we will return to momentarily), his own treatment of classical sovereignty creates a theoretical equivalent of *homo sacer*:

The life of the subject in the terms of the classical theory of sovereignty, as Foucault defines it, is structurally identical to the bare life of the *homo sacer*: it is biological existence doubled by its exclusive inclusion [sic] within the political sphere.⁴²

³⁸ *Society...*, p.249.

³⁹ *HS*, p.37-38, p.131-132.

⁴⁰ *Ibid.*, p.128.

⁴¹ *State of Exception*, p.4-5.

⁴² Patton, 'Agamben and Foucault...', p.214. The 'Sic' refers to the fact that the relationship of bare life/biological existence to the *Polis*/political sphere is formulated by Agamben as an 'inclusive exclusion', see *HS*, p.7.

This aspect of Foucault's own theorisation simultaneously creates a *sacer*-esque subject and opens up the space to backdate him, alongside his sovereign, to the birth of classical sovereignty in antiquity; a movement which allows Agamben to perform the same operation without detriment to his later work.

The third difficulty in articulating each theory is a problem of terminology itself; both theorists maintain a different interpretation of 'biopolitics'. In-keeping with Foucault's reputation as a theorist of the 'micropolitical', concerned with the operation and distribution of power across 'horizontal' social axes, we find the term 'biopolitics' to be used in a very wide focus.⁴³ Foucault's concern is with the biopolitics of population, and the way in which administering populations grew to become a problem of state power.⁴⁴ Foucault himself adumbrates the vital cornerstones of his conception of biopolitics as 'mechanisms with a certain number of functions...includ[ing] forecasts, statistical estimates, and overall measures' of reproduction, death rates, public health concerns and so on.⁴⁵ Followers of Foucault have comfortably extended his analysis into concepts of 'risk' and statistical analyses.⁴⁶ Agamben, meanwhile, operates a much more 'vertical' conception of power, pulled into a far tighter focus.⁴⁷ Hussain and Ptacek remark that 'with the central focus on the conditions of living and dying and on the threshold figure of bare life, [Agamben's] biopolitics takes on a more narrow (even literal) and sinister guise'.⁴⁸ Agamben's biopolitics remains fixated upon sovereign power, bare life, and the concentration camp as the governing paradigm of the modern; the camp is seen to have a much greater significance than the traditional Foucauldian subjects of the clinic, prison,

⁴³ Nikolopoulou, 'Untitled Homo Sacer Review', p.130.

⁴⁴ *Society...*, p.245.

⁴⁵ *Ibid.*, p.246.

⁴⁶ N. Hussain and M. Ptacek, 'Thresholds: Sovereignty and the Sacred', in, *Law & Society Review*, Vol. 34., No. 2 (2000), p.512-513., p.508.

⁴⁷ Nikolopoulou, *Loc. Cit.*

⁴⁸ Hussain and Ptacek, *Loc. Cit.*

etc., as only the concentration camp is founded upon the pure 'state of exception', the emerging *nomos* of the new planetary order.⁴⁹

The differences in interpretation of the term 'biopolitics' may very well make for some ambiguity in the attempt to put the theories together, but, given Agamben and Foucault's differing conceptions of political power ('vertical' vs. 'horizontal'), and the differences in their aims and scope discussed earlier – it should come as no surprise that the two terms are not quite congruent. We would also maintain that each theorisation is equally valid in their use of the moniker 'biopolitics' if for different reasons; for Foucault, as a marker of distinction between anatomo-politics (focus on individual bodies; discipline) and bio-politics (focus on population; regulation); and, for Agamben, given the absolute centrality of bare biological existence as a political, philosophical, and, ultimately, ontological phenomenon. Therefore, despite the mutual exclusivity of each interpretation, once we are beyond the very basic notion of a politicised biology, the divergence in meaning of the two does not undercut the conceptual ground of either.

The penultimate challenge to an Agamben-Foucault articulation is generated by their differing conceptions of the status of sovereignty in the biopolitical age. Foucault's analysis situates biopolitics/biopower outside of the realm of sovereign power; its growth was stimulated by the growing inability of classical sovereignty to maintain control of the political and economic body of a society entering modernity.⁵⁰ Growing alongside sovereign power, Foucault perceives a 'transformation in the sense of a "supplanting" of older juridical models of power with new politico-discursive constructions; namely, biopolitics'.⁵¹ In fact, Foucault thinks a biopolitics that is locked into a struggle with sovereign power, they have 'permeated' each other, and are now engaged in combat to discover whether the sovereign impulse towards death can be

⁴⁹ *HS*, p.174-176.

⁵⁰ *Society...*, p.249.

⁵¹ Hussain and Ptacek, p.498.

replaced by the biopolitical compunction towards life.⁵² In Foucault's analysis, biopolitics is already emerging as the likely victor of this confrontation, although he maintains that the sovereign power over death is never exhausted by biopolitics' ascendance.⁵³ Of course, Agamben's view of events is dramatically opposed to any schema which under-privileges the key role of sovereign power in the 'production of a biopolitical body'.⁵⁴ Sovereign power looms large over Agamben's biopolitics as arbiter of the final decision on life and death, and as a quagmire-like confluence of power which drags the victim further down with each move they make to escape:

It is almost as if, starting from a certain point, every decisive political event were double-sided: the spaces, the liberties, and the rights won by individuals in their conflicts with central powers always simultaneously prepared a tacit but increasing inscription of the individuals' lives within the state order, thus offering a new and more dreadful foundation for the very sovereign power from which they wanted to liberate themselves.⁵⁵

Whilst Foucault posits a counter-power to sovereignty in the form of biopolitics, Agamben subordinates biopolitics to yet another function of, to quote Vogt, 'a persistent and illimitable *sovereign power*'.⁵⁶

Again, this is a divergence which cannot be easily resolved and any resolution on this ground may prove impossible. This controversy does, however, open up two very important questions for further research. Firstly, we must seek to establish whether Foucault can be

⁵² *Society...*, p.253-254.

⁵³ Fitzpatrick, p.57.

⁵⁴ *HS*, p.6.

⁵⁵ *HS*, p.121.

⁵⁶ Vogt, p.77-78. (*Italics in original*).

charged with making a theoretical false-step, or outright error, by positing biopower outside of the structure of sovereign power. However, if this is not the case, we will have to investigate the equally interesting proposition that Agamben has taken a properly anomic locus of power, a base for a potential challenge to the sovereign power he seeks to defeat, and has gone about its forced re-inscription into the very sovereign/juridical order he opposes.

The final divergence to be treated here, and, for our purposes, the most instructive controversy between the two, surrounds their differential treatments of economics, and the effects of capitalism in generating ‘biopolitics’. The delicate inter-relationship of Foucault’s analysis of biopolitics and capitalism has been laid out previously, it will suffice to recall that the two share an almost symbiotic historical development and Foucault identifies biopolitical mechanisms as essential contributors to the continuing development of the capitalist economy.⁵⁷ The relationship between Agamben’s biopolitics and the capitalist economy is perhaps the major omission from *Homo Sacer*; the only treatment it receives is in relation to the Nazi regime’s aim of synthesising biology and economy, and accounting for the biological commodities of their citizens when establishing their national wealth.⁵⁸

Agamben’s omission here might reflect his philosophical orientation, however, given the crucial importance of capitalism to Foucault’s analysis, it seems bizarre that it should be so neglected in Agamben’s treatment. This particular challenge, although ‘lacuna’ may be more apt, is not capable of an easy resolution, and the effect of capitalist economics upon the phenomenon Agamben refers to as ‘biopolitics’ forms the subject-matter of our investigation in Chapter Three.

⁵⁷ *History of Sexuality...*, p.141.

⁵⁸ *HS*, p.144-145.

To quickly recap, Agamben's use of Foucault as the starting-point for his analysis of 'biopolitics' is a complicated, and ultimately successful, operation. Foucault provides Agamben with a crucial treatment of politicised biology from which to begin; furnishes him with a conceptual link back to Aristotle, from whom Agamben's critique commences; shared a conception of sovereignty as predicated on the power of death; traced the history of a subject 'neither alive nor dead' in relation to that ancient sovereign power; and used a crude form of inclusive exclusion argument to critique social contract theory. These common grounds provided Agamben with enough material to embark on his re-conception of Western history, under the label of 'biopolitics', despite Foucault's own involvement with biopolitical discourse remaining tangential at best. Of the five potential challenges to the operation of this articulation; we found two to be substantive enough to threaten his project and require further treatment; the divisions between Foucault and Agamben on the (non)opposition of biopolitics and sovereign power – leading to the tantalising alternatives of a Foucauldian diagnostic slip or Agamben's mistaken inscription of a free power into an oppressive order; and Agamben's suspicious reticence on the role of capitalist economics in the foundation of modern biopolitics, despite Foucault's explicit treatment of their historical synchronicity.

2.3 Contours of Catastrophe: Hannah Arendt

Whilst Agamben's use of Foucault's 'biopolitics' relies upon an intensive excavation of a fragmentary element of the latter's work, his engagement with Hannah Arendt involves the co-ordination and analysis of two substantial pieces, *The Origins of Totalitarianism* and *The Human Condition*. After briefly discussing Arendt's account of the historical motors behind the rise of modern totalitarianism and examining the key concepts involved in her later philosophical work,

this section will move on to examine in detail the ways in which Agamben seeks to deploy, and in some cases correct, elements of Arendt's theorisation in relation to Foucault's work and Agamben's concept of biopolitics. The discussion will then progress to an analysis of a number of specific convergences between various combinations of Agamben, Arendt and Foucault, broadly grouped into 'historical' and 'theoretical' convergences, before sketching the divergent aspects of their theories, grouped into 'methodological-perspectival', 'analytical', and 'speculative' differences between each.

*The Origins of Totalitarianism*⁵⁹ (hereafter, *Origins...*), Arendt's first major work, founded her reputation as an incisive and highly original theorist, whose attempt to unpick the 'catastrophic experiences' of totalitarianism underwrote the majority of her *oeuvre* from the late 1940s until her death.⁶⁰ In tracking a number of distinctive historical developments, which crystallised into the specific conditions that gave rise to totalitarian movements in Germany and Russia, Arendt offers an intricate and complex account of totalitarianism, which will be summarised here. This summary will begin by separating Arendt's account into two 'streams'; a 'material stream', examining the role of modern economic development in catalysing 19th century bourgeois imperialism, and an 'ideological stream', charting the evolution of race-thinking from aristocratic reaction in pre-revolutionary France, to the solidly *racist* foundations of Western imperialism and the pan-Germanic and pan-Slav movements of the late nineteenth century. Of particular interest, when viewed in the context of Foucault, Agamben, and the question of 'biopolitics', will be my argument that both 'streams' share a common historical root in the rise of capitalist economics in the early-modern period. These two 'streams' will then converge at the critical juncture of the First World War and its aftermath, before offering a final

⁵⁹ H. Arendt, *The Origins of Totalitarianism*; London; George Allen & Unwin, 1967.

⁶⁰ M. Canovan, 'Arendt's Theory of Totalitarianism: A Reassessment', in, D. Villa (ed.), *The Cambridge Companion to Hannah Arendt*; Cambridge; Cambridge University Press, 2000. P.25.

summary of Arendt's examination of the establishment of the Nazi and Stalinist regimes. Finally, it will remain to examine three key Arendtian motifs present in *Origins...*; namely, the paradoxical nature of 'human rights', the distinctive notion of 'ideology' used by Arendt in her exploration of totalitarian power, and the role of concentration camps as 'laboratories' aimed at the annihilation of human nature itself.

The 'material' element of Arendt's account of the rise of totalitarianism begins with the destabilisation of previously entrenched property relations by the advent of the capitalist system, in which wealth becomes ever more mobile, fluid, and geared toward the endless generation of further wealth⁶¹, and the rise to economic pre-eminence of the bourgeoisie.⁶² One result of the release of this endless dynamic of wealth generation is the double-generation of *superfluity*; the over-accumulation of monies generated by increased domestic productivity and profits formed *superfluous capital*⁶³, whilst the section of the labouring classes rendered idle by the expropriation of previously worked land, the 'human debris...[of]...industrial growth', became *superfluous people*⁶⁴, both of which formed potential obstacles to the process of unending economic expansion.⁶⁵ The bourgeois drive to competition and expansion worked to provide an overseas outlet for both superfluous men and money, as investment opportunities in far-flung corners of the globe opened the floodgates for investments, emigration, and continuing economic expansion.⁶⁶ In Arendt's analysis, it was at this point in their development that the bourgeoisie

⁶¹ M. Canovan, *Hannah Arendt: A Reinterpretation of her Political Thought*, Cambridge; Cambridge University Press, 1992. p.29.

⁶² Arendt, *Origins...*, p.123-124.

⁶³ *Ibid.*, p.134.

⁶⁴ *Ibid.*, p.150.

⁶⁵ Canovan cites Arendt as placing the initial dislocation here to the expropriation of monastic properties during the Reformation, transforming a large amount of stable property into fluid wealth, which could then be deployed in the services of creating further wealth, thus letting loose the process which culminates in the bourgeois pathology of infinite expansion. This analysis, and particularly its specific (and convincing) chronology, is fascinating. See, Canovan, 'Hannah Arendt: ...', p.82-83.

⁶⁶ *Origins...*, p.138-139.

chose to expand upon their established economic pre-eminence, and use their financial power to take over the machinery of the state. The impetus behind this move was that overseas investments were so inherently risk-laden, that only the material power of an established state would be sufficient to guarantee the substantial investments being made across the world.⁶⁷ In material terms, therefore, Arendt sees the origins of nineteenth century imperialism in the already established economic imperatives of bourgeois capitalism:

The reason for [imperialism's] surprising originality...is simply that this concept is not really political at all, but has its origin in the realm of business speculation, where expansion meant the permanent broadening of industrial production and economic transactions characteristic of the nineteenth century.⁶⁸

Therefore imperialism, the result of the bourgeois hijack of the nation-state and the application of their particular values of ruthless competition and unceasing expansion to the public realm, became a dynamic political fact of the late nineteenth century. In order to fully understand Arendt's analysis of totalitarianism, imperialism must be read in relation to the development of another phenomenon, whose simultaneous development, and ultimate convergence, with imperialism would culminate in the genocidal disasters of the twentieth century totalitarian dictatorships.

The 'ideological' stream of Arendt's narrative, the evolution of 'race-thinking' into *racism*, a distinction of some importance to Arendt⁶⁹, also appears to be traceable to the advent of capitalist relations of production and the concomitant rise of the bourgeoisie at the expense of the feudal aristocracy. Arendt traces the origin of modern race-thinking to the Comte de

⁶⁷ *Ibid.*, p.136.

⁶⁸ *Ibid.*, p.125.

⁶⁹ *Ibid.*, p.183.

Boulanivilliers who, in the face of the upstart bourgeois class (under the protection of the French monarch) developed a theory of the French aristocracy being descended from an international 'race' of aristocrats who had, in times past, conquered and enslaved the 'Gaulish' general population of France.⁷⁰ With the advent of the French Revolution, this notion of racial difference was used as a political instrument for the attempt of dispossessed French nobles to forge alliances with the aristocracies of Germany and Great Britain, against the 'barbarian' hordes of each respective population.⁷¹ It was in Germany, according to Arendt, that race-thinking mutated from a political weapon of aristocratic reaction into an instrument for national unity and liberation.⁷² The German experience of a fragmented array of feudal principalities required an organising theme to underpin the development of a national-consciousness, and this principle was provided by the development of a Germanic race-thinking which, in contrast to the French model, placed an intense emphasis on notions of tribal loyalties, organicism, nationhood, and blood – although Arendt makes very clear that, whilst these elements of race-thinking did indeed carry over to become synonymous with later *racism*, at this point they operated under a notion of the 'equality of peoples', governing principle of the nation-state, and were therefore elements of a legitimate theory of national unity.⁷³ The next step in the development of race-thinking into racism came about with the confluence of race-thinking with two important new nineteenth century phenomena. Firstly, the emphasis upon blood and tribal loyalties began to take a more sinister aspect with the explosion of Darwinism across many areas of nineteenth century thought, including imperial politics, a development also noticed by Foucault.⁷⁴ The final development of race-thinking into racism occurred at the moment that Western imperialists were

⁷⁰ *Ibid.*, p.162-163.

⁷¹ *Ibid.*

⁷² *Ibid.*, p.165.

⁷³ *Ibid.*, p.166-167.

⁷⁴ *Ibid.*, p.178-179; and, Foucault, *Society Must Be Defended*, p.257.

faced with seemingly uncivilised populations in the African interior, which prompted a practical application of the Darwinian struggle in the forms of massacres.⁷⁵

Also of interest here is the development of the pan-German and pan-Slav movements from the imperialist and racist milieu of the nineteenth century, which developed a 'continental imperialism' combining a racist *Weltanschauung* with a demand for land-based expansion and the discriminatory treatment of racial populations located not overseas (as in the British and French imperial examples) but as constituent populations inside the European continent itself.⁷⁶ The rapid development of these movements from the 1880s onwards provided perhaps the bleakest omen of future developments in Europe. The ultimate collision of the 'material' and 'ideological' streams in the imperialism of the early twentieth century led to what forms an unmistakable focal point in Arendt's *Origins...*, the disintegration of the European political order in the aftermath of the First World War.

It is difficult to over-estimate the sheer destructiveness of the First World War upon Europe in Arendt's historical analysis:

The first World War exploded the European comity of nations beyond repair, something which no other war had ever done. Inflation destroyed the whole class of small property owners beyond hope for recovery or new formation, something which no monetary crisis had ever done so radically before...[u]nemployment reached fabulous proportions...[and]...[c]ivil wars...were not only bloodier and more cruel than all their predecessors; they were followed by migrations of groups who...were welcomed nowhere and could be assimilated nowhere.⁷⁷

⁷⁵ *Origins...*, p.185-186.

⁷⁶ *Ibid.*, p.224.

⁷⁷ *Ibid.*, p.267.

The importance of the destruction of the 'comity of nations' centred upon Arendt's perception that national sovereignty relies on the recognition and implicit co-operation of surrounding sovereign entities, this 'spirit of unorganized solidarity' between sovereign nations had imploded by the time governments began forcing denationalised populations across shared borders.⁷⁸ The rash of denationalisations of populations across Europe in the wake of the war created a tide of 'stateless' peoples, forced out of all the communities to which they belonged, and stripped of all civic (i.e. state-protected) rights, these refugees presented a new and disturbing phenomenon in European history. In addition to the formally stateless, the post-war peace settlements created a number of nations whose official ethnic 'minorities' often totalled between 30 and 50 percent of the overall population and put further pressures upon the fragile nation-state system built from the ruins of the great multinational empires of Central and Eastern Europe.⁷⁹ As questions of nationality and race became central preoccupations of all European countries, Arendt maintains, 'nation' had finally won out over the concept of 'state', paving the way for the racist German nationalism of the Nazis.⁸⁰ The combination of atomised and dislocated masses, further buffeted by the privations of the Great Depression, marshalled by a pervasive and self-abnegating ideology (to be discussed shortly) finally produced the exact coincidence of conditions necessary to produce successful totalitarian movements in Germany and Russia. Arendt's *Origins...* goes on to give an impressive account of the structures and dynamics of totalitarian movements in power. Although elements of this analysis may be dealt with subsequently, our primary concern here is to recount Arendt's exegesis of the conditions which created the totalitarian movements,

⁷⁸ *Ibid.*, p.278.

⁷⁹ *Ibid.*, p.271-274.

⁸⁰ *Ibid.*, p.275.

and to examine three particular elements of her theorisation of great importance to Agamben's own appropriation.

The first of Arendt's key motifs to be discussed, and arguably one of her most famous, concerns the paradoxical nature of 'human rights', revealed when the universalist rights doctrine actually comes into contact with its ultimate bearer, the stateless refugee. Despite the liberal rhetoric of 'inalienable' and 'natural' rights, Arendt sketches the way in which 'the moment human beings lacked their own government and had to fall back upon their minimum rights, no authority was willing to protect them and no institution was willing to guarantee them'.⁸¹ Advocated only by well-meaning yet marginal figures on the periphery of politics and with declarations worded like the manifestos of animal welfare charities, Arendt notes that contemporary human rights discourse is dismissed as intensively by the victims of oppression and abuse as they are by the abusing parties.⁸² The hollowness of 'human rights' discourse, demonstrated by its collapse into paradox at the very moment it met its purest bearer, did not simply serve to discredit the liberal attempt to ground fundamental political rights outside of the context of the nation-state, the abject failure of 'human rights' to offer substantive protections also allowed totalitarian regimes to present their absolute disregard for all conceptions of individual right as a reflection of a deeper truth in the ideological arena.⁸³

The second key analytical element of Arendt's *Origins...* is her distinctive definition of ideology, and the specific function of ideology within totalitarian movements. Setting out with an elegant etymological analysis of the word 'ideology', Arendt uses the scientific emphasis of the suffix '-ology' to demonstrate that ideology itself, as a 'science' of ideas, is more concerned with the coherent application and logical consistency of a given premise, than it is with the actual

⁸¹ *Ibid.*, p.291-292.

⁸² *Ibid.*, p.292-293.

⁸³ *Ibid.*, p.269.

content.⁸⁴ This shift onto the formal construction of ideologies allows Arendt to pull Nazism and Stalinism into the proximity required of her thesis, despite their appearance as polar opposites. A further important distinction in the definition of an ideology is its scope and purpose, according to Arendt:

...an ideology differs from a simple opinion in that it claims to possess either the key to history, or the solutions for all the “riddles of the universe”, or the intimate knowledge of the hidden universal laws which are supposed to rule nature and man.⁸⁵

These laws, however, are anything but static. Totalitarian ideology, and totalitarianism in general, also embodies a need for perpetual motion closely related to the one Arendt first observed in the bourgeois compulsion to unlimited expansion. In this case, however, the reason behind the totalitarian drive toward endless movement is to forestall any possibility of the movement itself stabilising into a definite (state-) forms as such movements ‘remain in power only so long as they keep moving and set everything around them in motion’.⁸⁶

The remaining element of Arendt’s analysis to be raised here is her understanding of the role of concentration camps within totalitarian systems. We have seen that, for Arendt, totalitarian ideology predicates itself upon the logical consistency with which it advances from its central premise, whether ‘survival of the fittest’ or ‘class-war’, disregarding and often destroying those elements of the existing social reality that do not conform to its predictions. We have also seen how the central premises of both Nazism and Stalinism are based upon a law of movement in which an inhuman force, ‘nature’ and ‘history’ respectively, plays out its internal

⁸⁴ *Ibid.*, p.468-469.

⁸⁵ *Ibid.*, p.159.

⁸⁶ *Ibid.*, p.306.

logic unto the very end, 'rac[ing] freely through mankind', and using human beings as fodder for its progress.⁸⁷ When these two observations are brought together, it becomes clear why Arendt considers the ability of each and every human being to create something absolutely new and unpredictable to be the greatest possible threat to the totalitarian imperative. In other words, as long as each and every human being born on the Earth maintains the capacity to embark upon a new beginning, whose ends cannot be foreseen in advance, then every human being creates a potential 'spanner-in-the-works', a stubborn refusal to conform to the arbitrary presuppositions, of the totalitarian world-project. It is in order to combat the threat of human *spontaneity*, therefore, that Arendt describes a concentration camp system designed to dominate the individual so totally that it becomes possible to destroy every hint of individuality. The unprecedented *raison d'être* of the camp is to reduce human beings to simple 'bundle[s] of reactions', Pavlovian animals, practically devoid of sentience.⁸⁸ In short, Arendt sees the role of concentration camps as laboratories, experimenting in the extermination of human nature.⁸⁹

These three analytical moments; the 'human rights' paradox, the definition of totalitarian 'ideology', and the role of concentration camps in totalitarian systems will be returned to when Arendt's work is placed in relation to Agamben and Foucault later in this Chapter. In terms of explication, all that remains is to identify and elaborate upon the key concepts contained within Arendt's philosophical work *The Human Condition*. Unlike *Origins...* which required a detailed analysis of the development of her theory, the focus in *The Human Condition* can be limited to certain key notions, which maintain a direct bearing upon Agamben's deployment of Arendt in his own theory of 'biopolitics'.

⁸⁷ *Ibid.*, p.465.

⁸⁸ *Ibid.*, p.438.

⁸⁹ *Ibid.*, p.459.

*The Human Condition*⁹⁰, published almost a decade after *Origins...* seeks to grapple with deep philosophical concerns surrounding what it is, and what it means to be, human, and the vicissitudes of the central categories and characteristics of human experience. This shift in orientation has been enough for some, such as Stephen Whitefield, to see Arendt as embarking upon an entirely new project, relegating her concerns with totalitarianism into the background and engaging primarily in traditional philosophical enquiry.⁹¹ However, Margaret Canovan convincingly locates the missing link between the two works in Arendt's concerns with totalitarian elements present in Marxist thought. The reason for her concern was that, whilst she considered totalitarianism itself to be unprecedented in history, she recognised that the discovery of totalitarian elements in Marx would implicate the entire Western philosophical tradition in the catastrophe of the twentieth century. Arendt's concerns led her to begin reconsidering the entire philosophical canon of the West, resulting in a new set of questions, concepts and categories, on a more fundamental philosophical level.⁹² The first fruit of these new speculations was *The Human Condition*, which, *pace* Whitefield, remains thoroughly consistent with her previous work and concerns.

Of most interest to this particular project are four key concepts and distinctions developed in *The Human Condition*; Arendt's distinction between *zōē* and *bios*; her own particular construction of the concept of 'labour', including her notions of *Homo Faber* and *Animal Laborans*; her theory of mass society and the 'rise of the social'; and, finally, her distinction between the 'public' and 'private' realms. Each of these elements of Arendt's theory play a key role in Agamben's attempt to appropriate Arendt's work to his own conception of

⁹⁰ H. Arendt, *The Human Condition*; Chicago, Chicago University Press, 1958.

⁹¹ S. Whitefield, *Into the Dark: Hannah Arendt and Totalitarianism*; Philadelphia, Temple University Press, 1980. p.134.

⁹² Canovan, *Hannah Arendt...*, p.67.

'biopolitics', and also in his attempt to deploy Arendt against some apparent oversights within the Foucauldian biopolitical schema.

We have already seen the importance of the distinction between *zōē*, the natural, animal life of the human being, and *bios*, the qualified, political life of the individual in the political community, to both Aristotle, who first wrote on this distinction, and Agamben, who sees it as the foundational biopolitical fracture of Western civilisation. This is a distinction shared by Arendt, who notes that both Plato and Aristotle refused to class as truly human a fact of physical existence which man shares with all the creatures of the animal kingdom.⁹³ Further, she notes the crucial linkage between *bios* and language, insofar as it is *bios* that forms the stuff of biographies, events that can be told as stories.⁹⁴ Alongside Plato and Aristotle, Arendt awards priority the artificial and constructed elements of human life, a priority which runs through her entire corpus and conditions much of her critique of modern society.

The second element of Arendt's work to be discussed here is her distinctive concept of 'labour'. Here we find an excellent example of how Arendt's concern with totalitarianism evolved, via her investigation into Marx and the philosophical tradition, into an innovative re-conception of a fundamental philosophical category. Arendt sees in the Marxist concept of labour a conflation of two distinct phenomena, which she labels 'labour' and 'work'.⁹⁵ 'Labour' spans all activities based upon the material reproduction of biological life, physical subsistence, and is, as such, determined by base necessity. Labour itself is also an isolating activity, even in groups working on the same task, because the satisfaction of a body's physical needs keeps the individual 'imprisoned' within the horizons of their own bodily existence and its unique

⁹³ *The Human Condition*, p.24.

⁹⁴ *Ibid.*, p.97.

⁹⁵ Canovan, *Hannah Arendt...*, p.97.

'metabolism with nature'.⁹⁶ The blind subjection of man to the realm of necessity involved in labouring is the germ of the corruption Arendt detects in Marx's own construction, Canovan notes her heavy criticism of Marxism's imperative towards:

...a society entirely geared to *the labour that is necessary to serve biological life*, in which human individuality would be submerged in a collective life process, and human freedom sacrificed to that process's inexorable advance.⁹⁷

This emphasis on 'collective life processes' and Marx's assault on individual freedom is drawn from the same ground as Arendt's concurrence with the Hellenic dismissal of *zōē* as insufficiently human; in the same way as physical life is shared by all members of the animal kingdom, labour, in the Arendtian sense, is interchangeable – one person engaged in a labouring activity can be exchanged for another with no substantial difference to the outcome of the activity itself.⁹⁸ Further, the products of labour are designed for the purposes of rapid consumption, and make no lasting alteration or addition to the human world. The fact that 'labour' spans those activities which are biologically determined, atomistic, and geared toward short-term consumption, leads Arendt to distinguish 'labour' from the superior concept of 'work', which Arendt describes as the crafting of durable objects designed to add an element of stability to the artificial human world.⁹⁹ The mistake of Marx in combining the two into his own theory of 'labour', and attempting to liberate this 'labour' and found a utopia upon its central premise, is a key part of Arendt's train of thought tracing the mutation of Marx's 'socialized mankind' (or 'mass society of labourers') into the Stalinist conversion of human beings into

⁹⁶ *The Human Condition*, p.115.

⁹⁷ Canovan, Loc Cit.

⁹⁸ *Ibid.*, p.123.

⁹⁹ *The Human Condition*, p.137.

mere labouring animals through the totalitarian assault on spontaneous human action.¹⁰⁰ As a result, modern society is the society of the *Animal Laborans*, a creature labouring under the burden of blind biological necessity, 'imprisoned in the privacy of his own body', and bound to the endless repetition and futility of true 'labour'.¹⁰¹

The evolution of the *Animal Laborans* occurred alongside a process of societal change, termed by Arendt 'the rise of the social', which created the modern mass societies that form the object of her studies in both *The Origins...* and *The Human Condition*. The 'social' is, for Arendt, a pervasive force set in contradistinction to the 'political', instead of focussing upon matters related to the *polis*, the 'social' orients itself more toward the conditions and concerns of the *oikos*, in Arendt's own words:

Since the rise of society, since the admission of household and housekeeping activities to the public realm, an irresistible tendency to grow, to devour the older realms of the political and private...has been one of the outstanding characteristics of the new realm.¹⁰²

The colonisation of the public realm by the forces of the 'social' creates a new economy of values in which, according to Norris, the venerated public-political sphere becomes 'overrun by concerns more appropriate to the private realm, such as household management and gossip'.¹⁰³ This usurpation of the public space coincided with the birth of modern 'mass societies' which, as we have already seen, Arendt attributes to industrial capitalism's double production of superfluous men and money. Mass societies' tendency towards social atomisation compounds

¹⁰⁰ *Ibid.*, p.118.

¹⁰¹ *Ibid.*, p.118-119.

¹⁰² *The Human Condition*, p.45.

¹⁰³ Norris, 'The Politics of the Living Dead...', p.38.

the general disintegration of populations into an amorphous mass of isolated and lonely individuals, whose virtually solipsistic political situation erodes the possibilities for collective political action.¹⁰⁴

Arendt's critique of modern mass society is founded upon her strict definition and delineation of 'public' and 'private', and her conceptions of the activities appropriate to each. The properly 'public' realm, the *polis*, is the home of political activity, in which each citizen meets the other upon strict condition of political equality.¹⁰⁵ The 'private' realm, the *oikos* or household, was the place of biological subsistence, the proper location for the activity of 'making a living', in which there was no fundamental rule of equality as nature and blind necessity do not know the artificial human principle of equality. For Arendt, the *polis* therefore remains 'the sphere of freedom', and the compelling biological necessities of the household, whose pre-political nature allows for the practice of violence and institutions such as slavery, remains justified as the condition of possibility of political freedom in the public realm.¹⁰⁶ The most important point, for Arendt, was the inviolability of this boundary, in which '[n]o activity that served only the purpose of making a living, of sustaining only the life process, was permitted to enter the political realm'.¹⁰⁷ The consequence of the 'rise of the social' is that concerns proper to the private sphere have been allowed to become central to our political lives and, as a result, the principles governing the private sphere begin to colonise the public sphere to which they are antithetic, as Dana Villa makes clear:

...the more we think of the political realm as concerned with matters of subsistence and material reproduction, the more likely we are to accept hierarchy

¹⁰⁴ Whitefield, *Into the Dark...*, p.91.

¹⁰⁵ *The Human Condition*, p.32.

¹⁰⁶ *Ibid.*, p.30-31.

¹⁰⁷ *Ibid.*, p.37.

in the place of civic equality; the more likely we are to see *rule* by elites...as the quintessential political activity. Arendt's point is that, strictly speaking, ruling has nothing to do with *genuine* politics, since it destroys civic equality – the equality of rights and participation...that is the hallmark of *political* relations and a democratic public realm.¹⁰⁸

Arendt perceives a political realm under attack from the forces of the 'social', infringing upon our civic rights and transplanting the blind dictates of nature and necessity into the egalitarian institutional space created by mankind during the course of its separation from nature. As we will see momentarily, Arendt's proposed solution is for a return to older conceptions of 'public' and 'private', in an attempt to redress the democratic imbalance released by the elevation of the 'social' to the pinnacle of modern political concerns.

Having established the key elements of Arendt's work, as they relate to our present enquiry, it remains to discuss Arendt's role in the creation of Agamben's own sense of 'biopolitics'. To achieve this objective, the remaining three parts of this chapter will attempt, firstly, to establish exactly how the mutual supplementarity of Foucault and Arendt works in Agamben's schema, secondly, to identify the important points of convergence between the theorists' works, and finally, to explore points of divergence and assess their impact upon Agamben's stated aim of using Foucault and Arendt as a starting-point for his own biopolitical investigation.

2.4 Foucault, Arendt, and 'Mutual Supplementarity'

Agamben's objective in *Homo Sacer* is to bring together the Foucauldian and Arendtian analyses with the two, related, aims; Agamben explicitly aims to demonstrate that Arendt and

¹⁰⁸ D. Villa, 'Introduction: The Development of Arendt's Political Thought', in, D. Villa (ed.), *The Cambridge Companion to Hannah Arendt*, Cambridge; Cambridge University Press, 2000. p.10.

Foucault are attempting to map the same phenomenon from radically different perspectives, thus proving the difficulty of the conceptual terrain that Agamben seeks to lay bare.¹⁰⁹ Secondly, it will be argued that Agamben also deploys Foucault and Arendt *against* one another in such a way that elements of each theory which militate against Agamben's particular interpretations can be undermined or undone. By playing areas of mutual contradiction in each theory against the other, Agamben can argue for exactly the kind of aporias, oversights, and ambiguities he requires in order to prepare the ground for his own distinctive use of each.

There are three key ways in which Agamben uses Arendt to supplement Foucault's theory of biopolitics. The first centres upon the Arendtian focus on totalitarianism in general, and upon the overwhelming significance of concentration camps to totalitarian systems. Agamben notes that Foucault's analysis failed to make the transition from the schools, hospitals and prisons of Western societies to the concentration camps of totalitarian states, 'the exemplary place of modern biopolitics'.¹¹⁰ By moving Foucault into a relation with Arendt, Agamben hopes to reveal totalitarianism as the ultimate horizon of all biopolitics.¹¹¹

A second important factor in assessing their co-ordination is the distinctive 'model of power' conceived and used by each theorist. In the earlier section on Foucault, we noted Nikolopoulou's distinction between the 'horizontal' model of power favoured by Foucault, and Agamben's 'vertical' orientation.¹¹² This analysis is supported by Amy Allen's investigation into the Foucauldian and Arendtian conceptions of power; she notes Foucault's interest in the 'capillary' aspects of power, power at its lowest levels, the inter-personal interstices at the

¹⁰⁹ *Homo Sacer*, p.4., and p.120.

¹¹⁰ *Ibid.*, p.119.

¹¹¹ Nikolopoulou, 'Untitled HS Review', p.130.

¹¹² See p.47-48, and Nikolopoulou, *Loc. Cit.*

periphery of organised mass-society.¹¹³ She also notes Foucault's criticism of the way in which the focus on the more 'traditional' conceptions of power, centralised, juridical models, have essentially obscured the nature and significance of power relations at this most intimate of levels.¹¹⁴ It is easy to see, therefore, that the use of Arendt, with her focus on totalitarian institutions and the depredations of higher economic, social, and political powers upon the individuals below, closely complements Agamben's own 'vertical' construction of power relations in society.

The third dimension to Agamben's supplement is less explicit, but nonetheless significant. In her assessment of the nature and role of 'temporality' in the work of Foucault and Arendt, Kathrin Braun locates the point at which the Foucauldian and Arendtian treatments of time and process, for the most part complementary, necessarily diverge. As Arendt's thought moves beyond the fact of totalitarianism's subjugation of individuality to supra-human processes and attempts to unravel the 'appeal' of totalitarianism in terms of the loneliness and isolation of modern individuals, she enters into a speculative arena which exceeds Foucault's strictly analytical horizon.¹¹⁵ Foucault's insistence upon remaining rooted in the analysis of existing institutions, his penchant for tracing the evolution of certain questions as opposed to positing potential answers¹¹⁶, leaves him at odds with the more 'transcendent' ambitions of Agamben's philosophical project. Arendt's own concern to move beyond the phenomenon at hand toward greater questions, with normative implications, further complements Agamben's aims and mitigates the otherwise glaring dissonance which exists between the theoretical horizons of

¹¹³ A. Allen, 'Power, Subjectivity, and Agency: Between Arendt and Foucault', in, *International Journal of Philosophical Studies*, Vol. 10, No. 2. (2002), p.132-133.

¹¹⁴ *Ibid.*

¹¹⁵ K. Braun, 'Biopolitics and Temporality in Arendt and Foucault', in, *Time & Society*, Vol. 16., No. 1. (2007); p.12.

¹¹⁶ *Ibid.*

Agambenian biopolitics and its Foucauldian namesake. Whilst they may disagree upon the nature of any solution to contemporary political problems, both Arendt and Agamben share a strong impetus toward the construction of a viable political-philosophical alternative, Arendt in her bid to rescue the public realm from being swamped by 'hostile social and political forces'¹¹⁷ and Agamben in his attempts to use the concept of *homo sacer* and his analysis of biopolitics as a signpost on a journey towards the construction of an entirely 'new politics'.¹¹⁸

Agamben's use of Arendt to compensate for potential oversights and lacunae within the Foucauldian schema is not, however, one-directional. Agamben also uses Foucault as a supplement to Arendt's thought in two key areas. The first shortcoming Agamben perceives within Arendt's texts is her failure to establish a clear link between sovereign power and the human body.¹¹⁹ We have already seen Foucault's account of the intimate relation between sovereign power and the human body in his analysis of the historical development of biopolitics from disciplinary and regulative techniques imposed by authorities upon their subjects from the sixteenth century.¹²⁰ For Agamben, the 'original activity' of sovereign power is the 'production of a biopolitical body'¹²¹, a relationship which becomes infinitely more pervasive when the concept of popular sovereignty succeeded, via the French Revolution, in taking the very object of sovereign power, 'bare' life, and 'disseminat[ing] it into *every individual body*, making it what is at stake in political conflict'.¹²² The body-sovereignty nexus is of paramount importance to Agamben's theorisation and, whilst Arendt's concerns with biology and power remain in very

¹¹⁷ D. Villa, Introduction: 'The Development of Arendt's Political Thought', p.15.

¹¹⁸ *Homo Sacer*, p.10-11 and p.187.

¹¹⁹ Hussain and Ptacek, 'Thresholds...', p.508.

¹²⁰ See p.39-40.

¹²¹ *Homo Sacer*, p.6.

¹²² *Ibid.*, p.124. (Emphasis added).

close proximity to this theme, it is only with the co-ordination of her works with Foucault that Agamben can bring her analysis to bear on this central connection.

The second, closely related, element of Foucault used by Agamben to supplement Arendt, is the Foucauldian notion of biopolitics as the process whereby ‘power...takes life under its care’.¹²³ Agamben notes that the centrality of bare life to sovereign power dictates that political structures are now based only upon the criterion of which structure provides the best organisation, management, and care, of its subjects’ biological lives.¹²⁴ This is the reason for the collapse into indistinction of previously stable political labels such as ‘left’ and ‘right’, it is also the motor behind the ease of transition from democratic to totalitarian states as, in Agamben’s analysis, they share the same essential *raison d’être*, although their instruments and solutions remain distinct.¹²⁵ The development of the ‘care for population’ discourse, and its institutional counterparts across Europe in the nineteenth century, is a noticeable gap in Arendt’s account which Agamben compensates for in his use of Foucault’s historical analysis.¹²⁶

Before moving on to sketch the areas of convergence and divergence between all three theorists, it remains to address the question of the extent to which Arendt’s *Origins...* and *The Human Condition* actually engage in what could be termed ‘biopolitical’ (in either Foucauldian or Agambenian senses) analysis. As we have seen, the heavy biological emphasis of Arendt’s concept of ‘labour’, and her historical account of the political degeneration of the West once ‘the new social realm transformed all modern communities into societies of laborers’¹²⁷, certainly indicate that *The Human Condition* contains essentially biopolitical themes. Braun’s description

¹²³ Foucault, *Society...*, p.253.

¹²⁴ *Ibid.*, p.122.

¹²⁵ *Ibid.*

¹²⁶ Hussain and Ptacek, *Loc. Cit.*

¹²⁷ *The Human Condition*, p.46.

of Arendt as a ‘theorist of biopolitics *avant la lettre*’¹²⁸ concurs with Agamben’s praise for Arendt as a theorist who clearly perceived ‘the process that brings...biological life as such – gradually to occupy the very centre of the political scene of modernity’.¹²⁹

Of some interest, however, is Agamben’s subsequent critique of Arendt’s failure to bring a biopolitical perspective to bear on totalitarian states and their concentration camp systems in her earlier *Origins...* work, ‘in which a biopolitical perspective is altogether lacking’.¹³⁰ Yet Braun notes Arendt’s *Origins...* is deeply concerned with ‘how totalitarianism reduces persons to mere specimens’ via the ‘political zōeification of humans’¹³¹, whilst Hussain and Ptacek challenge Agamben’s position by establishing the inherently biopolitical nature of Arendt’s treatment of the worthlessness of bare human life in her exploration of the paradox of human rights discourse.¹³² In addition to these substantial examples, *Origins...* also explicitly argues for Nazism as attempting to ‘change man into a beast’¹³³, and the camps as laboratories for the creation of ‘Pavlovian’ creatures, devoid of sentience, mere ‘bundles of reactions’ where once there were autonomous human beings.¹³⁴ Each of these examples demonstrate an awareness of themes which would, rightly, later be termed biopolitical. Whilst Arendt may not have been operating a biopolitical analysis in the strictly Foucauldian or Agambenian senses, Agamben’s reluctance to acknowledge *any* biopolitical motifs within *Origins...* remains somewhat puzzling, and clearly open to challenge.

¹²⁸ Braun, ‘Biopolitics and Temporality...’, p.7.

¹²⁹ *Homo Sacer*, p.3.

¹³⁰ *Ibid.*, p.4.

¹³¹ Braun, ‘Biopolitics and Temporality...’, p.6. and p.13-14.

¹³² Hussain and Ptacek, ‘Thresholds...’, p.507.

¹³³ *The Origins...*, p.179.

¹³⁴ *Ibid.*, p.438.

2.5 Mapping Biopolitics II: Lines of Convergence

In addition to the various intersections surrounding the concept of biopolitics, there are a number of other nodal points at which the theories of Agamben, Foucault and Arendt converge. These points have been broadly grouped into two categories; 'historical' convergences and 'theoretical' convergences.

The first of four key 'historical' convergences is located within Agamben's and Arendt's treatment of the First World War as the pivotal destructive and disruptive locus of modernity. For both theorists, the Great War figures as a historical focal point, whose aftermath sets in motion the forces which ultimately led to concentration camps, genocide, and the totalitarian and biopolitical disasters of the twentieth century. For Arendt, the 'explosion' of 1914-1918 laid bare the 'hidden framework' of European civilisation, and set in motion a 'chain reaction' which led to the all-out assault upon European civilisation that characterised the totalitarian movements.¹³⁵ In addition, the mass denationalisations which occurred in the aftermath of the First World War, and their generation of the 'stateless' as both quantitatively and qualitatively new phenomena, exposing the paradox of human rights and providing unwitting ideological support to totalitarian rhetoric of the irrelevance of human rights discourse, marks the 1914-1918 conflict as the crucial destabilising factor in Arendt's account of the descent of Europe into barbarism. In Agamben's treatment, the Great War generates a series of unprecedented geopolitical dislocations which expose the difference between 'birth' and 'nation' (or, 'man' and 'citizen'), concealed at the heart of the European conception of citizenship since 1789.¹³⁶ Mass denationalisations and racist totalitarian regimes were founded, according to Agamben, as attempted solutions to the biopolitical problem stemming from the failure of the birth-nation link

¹³⁵ *The Origins...*, p.267.

¹³⁶ *Homo Sacer*, p.129.

to successfully regulate the relations of life, territory, and sovereign power.¹³⁷ These two accounts converge on three distinct levels; firstly, they share the notion of the war as destroying a stable and crucial component of pre-war civilisation, for Arendt, the European ‘comity of nations’, for Agamben, the regulatory link between birth and nation. Secondly, both agree that the effects of the war involved an exposing of a previously hidden condition, for Arendt, the ‘hidden framework’ of European civilisation, the implicitly mutual nature of inter-state sovereignty and the ambiguities of minority- and human rights, for Agamben, the secret birth-nation link embedded in the French Revolution’s position of popular sovereignty. Finally, both see the significance of the post-war denationalisations in provoking the geo- and bio-political crises which led to totalitarianism, concentration camps, and genocide.

The second of the ‘historical’ convergences, briefly mentioned previously, is the agreement between Agamben and Arendt on the central importance of concentration camps to twentieth century totalitarian regimes. In addition to compensating for Foucault’s lack of emphasis upon the camp systems, Arendt’s position of the camps as ‘the true central institution of totalitarian organizational power’¹³⁸, awards the camps a level of ubiquity and gravity equal to that of Agamben’s creation of the camps as the ‘hidden paradigm of the political space of modernity’.¹³⁹ Whilst, for Arendt, the camp is the crucial front for the totalitarian assault upon human nature, for Agamben, the essence of the camp has now disseminated itself into myriad modern settings and disguises, which remain to be identified and fought.¹⁴⁰ For both theorists, therefore, the camps do not simply exist as the most important

¹³⁷ *Ibid.*, p.129-130.

¹³⁸ *The Origins...*, p.438.

¹³⁹ *Homo Sacer*, p.123.

¹⁴⁰ *Loc Cit.*, and p.174.

institution of a particular power system, they also form living embodiments of the ongoing processes of disintegration which both theorists' works are designed as interventions against.

A third area of convergence between Agamben and Arendt centres upon the relationship of the concentration camps to the concept of 'crime'. Arendt forcefully makes her case for the futility of attempting to register the camps on any criminal scale:

...in their effort to prove that everything is possible, totalitarian regimes have discovered without knowing it that there are crimes which men can neither punish nor forgive. When the impossible became possible it became the unpunishable, unforgivable absolute evil which could no longer be understood and explained by the evil motives of self-interest, greed, resentment...and cowardice; and which therefore anger could not revenge, love could not endure, friendship could not forgive.¹⁴¹

In addition to existing beyond 'crime', Arendt sees conditions within the camp as existing so far beyond any sense of reality that victims themselves begin to doubt their own experiences once liberated, and that to attempt to even imagine the camps without having experienced them would be futile.¹⁴² The hermetically-sealed life of the camps was essential to the totalitarian assault on reality, which formed a key weapon in its attempt to destroy whatever residual traces of humanity existed within its victims after they had been stripped of all judicial and moral trappings, and condemned to the 'Hell' of the camps.¹⁴³

This sense of the camps as unprecedented, anomalous, of existing beyond common conceptions of both criminality and reality, also finds voice in Agamben's discussion of the

¹⁴¹ *The Origins*, p.459.

¹⁴² *Ibid.*, p.444.

¹⁴³ *Ibid.*, p.445, and p.447-451 (Killing of 'Juridical' and 'Moral' persons in victims)

concentration camp system. The juridical elements of Agamben's analyses of the camps within *Homo Sacer* were designed precisely because the events inside the German extermination camps were so far beyond any concept of crime that other theorists' accounts have failed to situate them within their proper juridico-political contexts, an omission which Agamben believes occludes the potential for meaningful study.¹⁴⁴ Agamben's legal analysis leads him to conclude that the key to understanding the camps is the correct understanding of their legal status, which itself depends upon our correct understanding of the nature of the 'state of exception'.¹⁴⁵ Unlike the state of exception envisaged within Article 48 of the Weimar constitution, or even the *Ausnahmezustand* as imagined by Schmitt, the Nazi 'exception' that governed the camps rested not upon any external stimuli or threat to the system, but existed as a self-imposed exception which the camp system attempts to make permanent within a demarcated physical space.¹⁴⁶ In his analysis of the legal structure of the camps, Agamben fleshes out an instrumental account of the isolation and unreality that Arendt detects within the camps, reflecting upon her notion of the camps as the place where 'everything is possible', Agamben declares:

Only because the camps constitute a place of exception...in which not only is law completely suspended but fact and law are completely confused – is everything in the camps truly possible. If this particular juridical-political structure of the camps...is not understood, the incredible things that happened there remain completely unintelligible.¹⁴⁷

¹⁴⁴ *Homo Sacer*, p.166.

¹⁴⁵ *Ibid.*, p.168.

¹⁴⁶ *Ibid.*

¹⁴⁷ *Ibid.*, p.170.

Whilst their approaches and emphases may differ, it is clear that both Agamben and Arendt conceive of the ambiguous criminality, and sense of legal and moral unreality, of the camps as defining characteristics of these institutions' existence.

The fourth and final of the 'historical' convergences between Agamben and Arendt concerns a common critique of modern society as predicated upon labour, in the Arendtian sense, and in this concern, it will be shown, both theorists also converge with the concerns and critique of Foucault. We have already seen Arendt's criticism of a modern society which has levelled down all activities to the base common denominator of biological subsistence, and which calls itself a consumers' society, oblivious to the fact that, as consumption is simply the second stage in the production process imposed upon us by the dictates of natural necessity, the consumers' society is in fact nothing more than a synonym for a labourers' society.¹⁴⁸ Whilst Agamben's *homo sacer* is not as dependent upon the concept of labour as the Arendtian *Animal Laborans*, the similarity in perspective is clear in Agamben's disdain for the 'perfect senselessness' of 'the society of mass hedonism and consumerism' within which the Western *homines sacri* are caught.¹⁴⁹ In his otherwise problematic review of *Homo Sacer*, James Burtchaell makes the point that the analysis of modern society as predicated upon economic production/consumption is common to Agamben, Foucault, and Arendt.¹⁵⁰ Although it is important not to overstate this element of convergence, given the overwhelming priority assigned to economic production in the political organisation of Western societies and the awareness of this fact across a swathe of

¹⁴⁸ *The Human Condition*, p.126.

¹⁴⁹ *Homo Sacer*, p.11.

¹⁵⁰ J. Burtchaell, 'Unpersons' (*HS Review*), in, *The Review of Politics*, Vol. 62., No. 3. (Summer 2000), p.626. (I have described the review as problematic given the author's fixation upon the historical figure of *homo sacer*, his relative lack of discussion of Agamben's treatments of sovereignty and the sacred, and his fixation upon Nazism and the camps at the expense of Agamben's investigations into the more contemporary manifestations of biopolitical power. Nevertheless, his discussion of Arendt and Foucault's influence upon Agamben's biopolitics is well made).

modern political thought, it is nonetheless, another point at which we can locate a conceptual intersection between Agamben and his two cited biopolitical forebears.

In addition to commonalities contained within each theorist's historical schema, it is possible to sketch lines of 'theoretical' convergence between Agamben, Arendt, and Foucault. The first such convergence to be discussed relates to a critique of a certain understanding of time, described by Kathrin Braun as 'processual temporality'. In her work *Biopolitics and Temporality in Arendt and Foucault*, Braun discerns that the central targets of each theorists' critique, totalitarian ideology and biopower respectively, maintain an understanding of time as a medium for the flow of unending, supra-human processes.¹⁵¹ As well as flowing through time, both Arendt and Foucault note the way in which these processes run *through* individual human beings, who become fodder for the inhuman forces of History and Nature in Arendt's analysis, or a simple statistical subset of the all-important *population* at the centre of Foucault's biopolitical paradigm.¹⁵² These processes are endless, Arendt is correct in her analysis of totalitarian ideologies which, based upon laws of perpetual motion, must always find a new target; Nazism's 'Nature' could not exist if it did not constantly find a new weakest group to eliminate in its quest for evolutionary perfection, Stalinist 'History' could not eliminate one class without creating the next in line for liquidation.¹⁵³ As she maintained, the importance of the process is matched by the superfluity of human beings that is both its inherent objective and its inevitable result.¹⁵⁴ Echoes of this assertion are also found in Agambenian biopolitics, and his notion of an endless process of elimination attempting, unsuccessfully, to finally heal the originary biopolitical

¹⁵¹ Braun, 'Biopolitics and Temporality...', p.5.

¹⁵² *Ibid.*, p.11-12.

¹⁵³ *The Origins...*, p.464.

¹⁵⁴ *The Origins...*, p.457., and Canovan, *Hannah Arendt...*, p.60.

fracture of Western politics.¹⁵⁵ In Agamben, it is the attempt to negate the biopolitical fracture which exists between the 'People' (capitalised, representing political community, *bios*) and the 'people' (uncapitalised, the poor and excluded, unrepresented, *zōē*), that led to the genocidal excesses of the twentieth century, as Nazism 'darkly and futilely' attempted to destroy the biopolitical divide by destroying every group that could not be integrated into the *bios* of the German *Volk*.¹⁵⁶ Concurring with Arendt and Foucault on the endlessness of such processes, Agamben points out that every attempt to destroy the biopolitical divide has only succeeded in reproducing it with the resulting creation of new 'excluded' groups and classes.¹⁵⁷

A second point of theoretical convergence shared by Agamben and Arendt is an indictment of Marxism as complicit in the development of biopolitics and totalitarianism respectively. For Arendt, Marx's objective of a 'socialized mankind' is corrupted from within by his failure to distinguish between 'work' and 'labour', and ultimately leads to the universalisation of the *Animal Laborans* and a society 'consist[ing] of worldless specimens of the species mankind'.¹⁵⁸ The reduction of man to a 'worldless specimen' is, on Canovan's reading of Arendt, the logical result of Marxism's 'anti-humanist materialism',¹⁵⁹ a philosophical orientation conducive to totalitarian excesses if placed at the heart of an ideology. Whilst this line of attack works to cement a relationship between Marx and the, totalitarian and biopolitical, mass society of labourers perceived within *The Human Condition*, Arendt offers a further, and decidedly more nuanced, piece of analysis in her earlier *Origins...* work. In her examination of the status of 'Nature' and History' to Nazism and Stalinism respectively, Arendt excavates an important theoretical convergence between the, more overtly, biopolitical concept of Nature and

¹⁵⁵ *Homo Sacer*, p.179.

¹⁵⁶ *Ibid.*, and p.176-180 (People/people distinction in Western politics)

¹⁵⁷ *Ibid.*, p.179-180.

¹⁵⁸ *The Human Condition*, p.118.

¹⁵⁹ Canovan, *Hannah Arendt...*, p.40.

the somewhat reified concept of History, in the form of class struggle, which occupies a central location in the Marxist canon:

Marx's class struggle...as the driving force of history is only the outward expression of the development of productive forces which in turn have their origin in the "labor-power" of men. *Labor, according to Marx, is not a historical but a natural-biological force* – released through man's "metabolism with nature" by which he conserves his individual life and reproduces the species.¹⁶⁰

Arendt's analysis here primarily disrupts the apparent antipathy of History and Nature, adding a further layer to her own position on the convergence of Nazism and Stalinism beneath the 'totalitarian' banner, but also identifies a biopolitical critique of the Marxian concept of labour and argues for its complicity the disaster of modernity. This is a remarkably similar form of argument to Agamben's double attack upon Marxism in *Homo Sacer*. The first element of Agamben's attack is to argue for Marxism's failure to recognise the fundamental biopolitical structures of Western politics, and that this failure of recognition has led to Marxism predicating its revolutionary theory upon theories of the State, and the 'state of exception', which themselves form the ultimate infrastructure of modern biopolitics and against which 'revolutions of our century have been shipwrecked'.¹⁶¹ Agamben's second attack upon Marxism is that the central concept of 'class-conflict' is simply another exercise in healing the People/people biopolitical fracture, whose attempted solutions have always degenerated into civil wars and exterminations.¹⁶² For both Agamben and Arendt, therefore, Marxism is afflicted with a central theoretical flaw, and for both theorists that flaw is one of failing to recognise essential conceptual

¹⁶⁰ *The Origins...*, p.463-464.

¹⁶¹ *Homo Sacer*, p.12.

¹⁶² *Ibid.*, p.178.

structures – the dual-structure of labour for Arendt, and the sovereign power/state of exception structure of modernity for Agamben.

Agamben and Arendt share a further connection in their frustration with the modern tendency towards non-, and even anti-political humanitarianism. In her discussion of the paradoxical nature of human rights, Arendt identifies a central problem of human rights discourse as its lack of concrete political support. Those publicising and pressing for the adoption of declarations of rights in the interwar years were ‘marginal figures...jurists without political experience...philanthropists...[and] professional idealists’, their calls were ignored by the politicians, statesmen, and political parties whose support would have been necessary to give such declarations teeth.¹⁶³ The reason for this apparent neglect is the fact that, for the majority of nineteenth and early twentieth century political parties, the ‘Rights of Man’ were treated as inherently civil rights, i.e. rights guaranteed by membership of a political community.¹⁶⁴ As the concept of universal human rights began to separate the rights of man *qua* human being from the rights of man *qua* citizen, a lacuna opened up into which the waves of twentieth century stateless would fall. The formation of this gap between ‘man’ and ‘citizen’, between ‘human’ and ‘civic’ rights, is, for Agamben, the beginning of the divorce of humanitarianism from politics.¹⁶⁵ Whilst its protestations of political neutrality are feted as ethically superior, Agamben sees in humanitarianism’s focus upon lives without politics, or upon *zōē* without *bios*, an indication of a ‘secret solidarity’ between Western humanitarian and charity organisations and state power.¹⁶⁶ The isolation of a ‘sacred life’, which becomes the object of humanitarian organisations’ interventions, repeats the isolation of ‘bare’ life, the originary product and target of sovereign

¹⁶³ *The Origins...*, p.292-293.

¹⁶⁴ *Ibid.*, p.293.

¹⁶⁵ *Homo Sacer*, p.133.

¹⁶⁶ *Ibid.*

power, and therefore fails to overcome the biopolitical structure of the sovereign state order(s) they appear to set themselves against.¹⁶⁷

An important convergence between Arendt and Foucault is contained within their analyses of the impact of the theory of evolution upon nineteenth century paradigms of thought and action. For Foucault, it was the form rather than the content of evolutionary theory, which he labelled *evolutionism*, that quickly gained a hold upon European political thought in the nineteenth century.¹⁶⁸ As Western political elites began to view developments through a prism of hierarchies, fights for survival, and the extinction of those unfit or unable to adapt, the traditional care-of-life 'biopower' of the seventeenth and eighteenth centuries evolved into the 'evolutionary racism' that generated murderous imperial colonisations and the Nazi and Stalinist atrocities.¹⁶⁹ Further, Foucault draws the historical link between evolutionism, 'colonizing genocide', and the birth of modern racism.¹⁷⁰ Each of these points finds an echo in Arendt's treatment of the birth of modern imperialism and racism in the nineteenth century. For Arendt too, the theory of evolution proved a catalyst in the development of race-thinking into *racism*, the murderous tendencies of which materialised in the 'scramble for Africa'¹⁷¹, at which point:

...[i]mperialism would have necessitated the invention of racism as the only possible "explanation" and excuse for its deeds, even if no race-thinking had ever existed in the civilized world¹⁷²

¹⁶⁷ *Ibid.*, p.134.

¹⁶⁸ Foucault, *Society Must Be Defended*, p.256.

¹⁶⁹ *Ibid.*, p.257 and, Braun, 'Biopolitics and Temporality...', p.14.

¹⁷⁰ Foucault, *Loc. Cit.*

¹⁷¹ Canovan, *Hannah Arendt*, p.37.

¹⁷² *The Origins...*, p.183-184.

Arendt also noted that way in which Darwinian theory provided the basis for the development of biological eugenics, a further element of the potent historical cocktail eventually distilled by circumstance into the Nazi judeocide.¹⁷³ For both theorists, therefore, it is possible to identify the dawn of political evolutionism as a paradigm-shifting event, which changed both the theoretical and practical outlook of Western political elites and led to the lethal imperial expansions of the latter nineteenth century. Both theorists also highlight the significance of these developments for the eventual emergence of eugenicist politics in twentieth century totalitarianism.

The final theoretical convergence, again between Arendt and Foucault, centres upon a common recognition of the central importance of capitalist economics in shaping the phenomena they seek to explain. As we have seen, Foucault accounts for the birth of biopolitics from the techniques of 'biopower', both disciplinary and regulative, which developed alongside capitalism and whose care-of-life perspective attempted to alleviate a wide variety of health-related impediments to each individual's economic productivity. For Arendt, it was the birth of capitalism, and its transformation of previously stable property into volatile and fluid wealth, that bore primary responsibility for the chain of events leading from the double-production of superfluity, via late nineteenth century imperialism, to totalitarian rule in Germany and Russia. The primacy of capitalist economics in the creation of the *Animal Laborans* and our modern 'society of laborers' - a public space transformed into a collective *oikos*, whose political leaders campaign on their suitability as national housekeepers - further embeds the complicity of capitalism into Arendt's narrative of the vertiginous decline of Western civilisation. Further, Dana Villa notes how the role of such housekeeping, in terms of caring for and maximising the

¹⁷³ *Ibid.*, p.178-179.

potential of the household's resources, provides a direct conceptual bridge between Arendt's *oikos* and Foucault's biopower, once population itself is accepted as a resource.¹⁷⁴ Again, this line of argument is not explicitly treated by Agamben, although his relationship to the Arendtian and Foucauldian critiques of capitalism, to be discussed in the next Chapter, constitutes one of the central questions of this investigation.

2.6 Points of Divergence II: Agamben, Arendt, and Foucault

Before making some preliminary concluding remarks on this section, it remains to examine significant points of divergence between the theorists, in order to fully grasp their inter-relation. The divergences to be argued for here will be grouped into three broad categories; 'methodological-perspectival', 'analytic', and 'speculative'.

The first methodological-perspectival divergence exists between all three theorists, and centres upon the objects of their study. Placed upon a register based on their focus upon specific institutions and events, Foucault retains a strict focus upon the tangible objects of his studies. We mentioned earlier that Braun discerns the separation that occurs between Foucault and Arendt when she leaves the firm ground of institutional analysis and begins to speculate upon intangibles such as the 'appeal' of totalitarianism to the modern individual.¹⁷⁵ Foucault's studies on biopower have remained focussed upon institutions such as prisons and clinics and resist any expansion onto unstable/unreliable, theoretical ground, perhaps a factor in explaining his reticence to engage fully in a biopolitical analysis of the concentration camp system. At a mid-point on this particular spectrum, though marginally closer to Foucault than Agamben, comes Arendt's analysis of totalitarianism. As noted, her work contains a certain transcendent element

¹⁷⁴ D. Villa, 'Postmodernism and the Public Sphere', in *The American Political Science Review*, Vol. 86, No. 3. (Sept, 2003), p.718.

¹⁷⁵ Braun, 'Biopolitics and Temporality...', p.12.

and massive normative implications, yet the groundwork for her analysis is firmly historical. In assessing the birth of racism, and rise of totalitarianism and the camps, Arendt is careful to consistently emphasise the sheer historical contingency of these developments.¹⁷⁶ Richard Bernstein laments how '[o]ne of the greatest sources of misunderstanding of Arendt results from the misreading of her as proposing explanatory theories...[with]...universal scope'.¹⁷⁷ Her attack upon the universalist claims of ideologies, in the distinctive Arendtian sense, is sufficient to support Bernstein's point.¹⁷⁸ Finally, toward the other end of this spectrum, Agamben's entire project in *Homo Sacer* proposes an alternative narrative of the totality of Western political history from the age of the ancient Greeks. Whilst he engages in some accomplished and detailed analysis of the specific institutions of the camps¹⁷⁹, his analysis of the institutions in *Homo Sacer* is neither self-contained, along Foucauldian lines, or part of an investigation into a contingent component of a particular historical moment, as in Arendt. Agamben proposes the camps as the unrecognised 'paradigm' of the contemporary age, ties them to a historical narrative of millennia-long biopolitical undercurrents, and seeks to expose this process in order to find a 'new politics' based upon 'a field of research beyond the terrain defined by the intersection of politics and philosophy, medico-biological sciences and jurisprudence'.¹⁸⁰ Without endorsing any particular theorist's approach here, it is clear that each occupies a distinctive methodological-perspectival position, and that clear blue water exists between all on the possible extent of study beyond the definite events and institutions involved.

¹⁷⁶ On constellation distilling 'race-thinking' into 'racism'; p.178-184. On constellation creating camps; *The Origins...*, p.447.

¹⁷⁷ R. Bernstein, 'Are Arendt's Reflections on Evil Still Relevant?', in, *The Review of Politics*, Vol. 70., No. 1 (2008); p.65.

¹⁷⁸ See above, p.58-60.

¹⁷⁹ *Homo Sacer*, p.166-171., in particular.

¹⁸⁰ *Homo Sacer*; p.166 (Camp as 'hidden matrix' of modern politics), and p.189.

The second, and closely related, methodological-perspectival divergence concerns the question of normativity in each theorist's work. In this case, the divergence is between Foucault, whose work does not emphasise the position of norms beyond the strict analysis of phenomena, and the work of Arendt and Agamben, both of which seek to open up a normative horizon beyond the objects of their study. Using their approaches towards politics to highlight this distinction, in the case Foucault and Arendt, Braun maintains that:

Whereas...Foucault takes a non-normative view, simply stating the substitution of one unappealing understanding of politics for another, Arendt takes a decisively normative perspective, mourning the loss of the public sphere and referring to an emphatic idea of politics as an activity that forms an end in itself.¹⁸¹

Agamben is also engaged in an explicitly normative project, insofar as he makes it clear that his intention is to 'find solid ground on which to oppose the demands of sovereign power'.¹⁸² Although the details of their alternatives differ widely, both Agamben and Arendt explicitly aim their work toward achieving a definite political end, and such explicit commitment to an alternative political project marks a tangible note of dissent between their efforts and the more detached timbre of Foucault.

The first of the 'analytical' divergences to be discussed here looks at differences in regard for both the concept of power and for the nation-state; in particular, it will be Arendt's positive regard for both power and the nation-state which will distinguish her analysis from those of Foucault and Agamben. Whilst power, for Foucault, remains at all times something to be

¹⁸¹ Braun, 'Biopolitics and Temporality...', p.10.

¹⁸² *Homo Sacer*, p.187.

suspicious of¹⁸³, and for Agamben, remains an object to be fought, Arendt's definition of power is different. For Arendt, power is inherently linked to action, and is in fact constituted as the potential for collective action. As such, any group of people seeking to act in the public sphere have, and use, power, power for Arendt is therefore key to reclaiming the political sphere from the depredations of the social.¹⁸⁴ Of course, Arendt recognises that power plays a role in the oppression of individuals, but she certainly does not conceive of it as synonymous with oppression, as is arguably the case for both Agamben and Foucault. Secondly, Arendt's treatment of the nation-state sets her further apart from both other theorists. Despite not giving an extensive treatment of the nation-state in his 'biopolitical' works, it is reasonable to extrapolate that, for Foucault, the nation-state forms the current centre of biopolitical power, which has taken control of human biology into its remit and keeps the individual as a relatively expendable component of its greatest resource, the population.¹⁸⁵ For Agamben, the nation-state is the geographical unit associated with the birth of popular sovereignty during the French Revolution, and its descent into crisis following the First World War is the trigger for the development of the concentration camps as new regulators of the birth-nation link.¹⁸⁶ In both cases, the approach to the nation-state is one of ambivalence, if not hostility. For Arendt, however, the nation-state is viewed as a positive institution for two reasons; firstly, she sees the nation-state as founded upon consent, a consent which is inimicable to the bourgeois lust for endless imperial expansion.¹⁸⁷ Secondly, Arendt sees the foundation of the nation-state as being the assertion of political equality between all citizens in the public sphere, an important principle

¹⁸³ Braun, 'Biopolitics and Temporality...', p.6.

¹⁸⁴ Allen, 'Power, Subjectivity, and Agency...', p.137-138.

¹⁸⁵ Foucault, *Society...*, p.239-241.

¹⁸⁶ *Homo Sacer*, p.129-133 (French Rev. and birth-nation link), and p.174-176 (Birth-nation crisis and camps as regulator).

¹⁸⁷ *The Origins...*, p.125.

which is under threat in modern states.¹⁸⁸ In fact, Arendt's analysis discerns an inner-tension between the 'nation' and the 'state' and argues that it was the success of the 'nation' over the 'state' that destroyed the nation-state¹⁸⁹, and opened up the route toward racism and genocide in its naturalistic and ethnically discriminatory *Weltanschauung*. Arendt's positive regard for the nation-state puts some distance between her conceptions and those of her biopolitical successors.

The remaining areas of 'analytical' divergence to be discussed centre upon the place of the camps within each theorist's work and therefore excludes Foucault, who made little mention of the camps in his 'biopolitical' works. The crucial difference between Agamben and Arendt surrounds the role of the camps within the totalitarian systems. Arendt famously characterises the concentration camp as a 'laboratory' in which the totalitarian belief that 'everything is possible' is put to the test. The test itself is an experiment in total domination which, whilst it can only ever be truly effective in a totally dominated world, can at least be approximated in the hermetically sealed environs of the camp.¹⁹⁰ The purpose of the camp was the creation of something 'not quite human' from the human fodder that enter, the perfect citizen of the new totalitarian empires, denuded of spontaneity, plurality, and space for independent thought and action, the role of the camps was to perfect the assault upon human nature fundamental to totalitarian ideology.¹⁹¹ For Agamben, Arendt's emphasis on totalitarian domination inverts the correct order of events; only because politics had already been 'transformed into biopolitics was it possible for politics to be constituted as totalitarian politics to a degree hitherto unknown'.¹⁹² In addition to seeing domination as the condition of possibility of the camps, Agamben maintains the position of the camps as 'regulators' of the birth-nation link, sprung up in the wake of that

¹⁸⁸ *Ibid.*, p.290.

¹⁸⁹ *Ibid.*, p.275.

¹⁹⁰ *The Origins...*, p.456.

¹⁹¹ Bernstein, 'Are Arendt's Reflections on Evil...', p.69.

¹⁹² *Homo Sacer*, p.120

link's destabilisation in the aftermath of post-World War One denationalisations. Both theorists, therefore, offer a different account for the central role of the camps within the totalitarian systems, and the chances of arguing for an articulation of the two are badly damaged by Agamben's attack upon the 'hypocritical' nature of asking 'how crimes of such atrocity could be committed against human beings' when the legal instruments which had stripped them of their rights and created the camps system had already ensured that 'everything was possible'.¹⁹³

The final, 'speculative', divergence concerns the question of alternatives or solutions to the phenomena in each theorist's work, and sketches a division between Arendt's solution, its dismissal by Agamben, and Agamben's own considered solution. Foucault's lack of concrete alternatives to biopolitical modernity, whilst theoretically consistent with his refusal to transcend the concrete phenomenal into areas of speculation, renders him divergent from both at the outset. For Arendt, the ultimate goal remains a reassertion of the traditional public sphere against its colonisation by 'the social' and the concomitant decline of Western civilisation into a society of labouring animals. Key to this objective is to assert our capacity for collective political 'action', which is itself dependent upon the theorist's ability to 'recover key distinctions...which have been lost or obscured'¹⁹⁴, such as the 'public-private' distinction discussed previously. Attempts to engage in such action are aided by Arendt's distinctive conception of temporality; living in the gap 'between past and future', in what Kathrin Braun describes as the 'temporality of the interval'¹⁹⁵, human beings are able to introduce spontaneity, innovation and instability into a historical order, aware of and yet partially unchained from the long ties of tradition.¹⁹⁶ It is this unlimited human potential for novelty, the fact that 'freedom...is identical with the fact that men

¹⁹³ *Ibid.*, p.171.

¹⁹⁴ Villa, 'Introduction: The Development of Arendt's Political Thought', p.12.

¹⁹⁵ Braun, 'Biopolitics and Temporality...', p.5.

¹⁹⁶ Canovan, *Hannah Arendt*, p.68-69.

are being born and that therefore each of them *is* a new beginning...[and] begins...the world anew'¹⁹⁷, that forms the core of the Arendtian concept of 'natality', and her hope that the confluence of novelty with theory, shaped into 'action', may yet uncouple civilisation from its increasingly catastrophic trajectory.

For Agamben, these ancient conceptual distinctions, such as between *zōe* and *bios*, have become so obscured as to be lost to political memory, and their restoration, *pace* Arendt, rendered impossible.¹⁹⁸ Agamben, therefore, insists upon the necessity of a forward motion, in Hussain and Ptacek's terms 'a working through of the indistinction between *bios* and *zōe*'.¹⁹⁹ This alternative relies upon a philosophical revolution, in which ancient ontological linkages, potentiality-actuality and *zōe-bios* amongst others, are severed in an attempt to negate the very existence of the conceptual borders upon which sovereign power, the power of decision, thrives.²⁰⁰ The breaking of relational boundaries, according to Agamben, form a first step in the creation of a 'new politics', an alternative in which 'bare life' becomes impossible to isolate from the political life, 'a *bios* that is only its own *zōe*', thus preventing its appropriation as the ultimate object of sovereign power.²⁰¹ Agamben's project does little to elucidate the actual mechanics or structures of potential alternatives, he remains committed only to sketching the terrain of the problem to be overcome, in the hope that the accurate mapping of such terrain will work as signpost toward the conceptual ground upon which we can begin to theorise our future.

To briefly recap, Hannah Arendt's political thought remains an expansive, nuanced, and relevant body of work whose concerns have only increased in prescience over the course of the

¹⁹⁷ *The Origins...*, p.466.

¹⁹⁸ *Homo Sacer*, p.187-188.

¹⁹⁹ Hussain and Ptacek, 'Thresholds...', p.508.

²⁰⁰ *Homo Sacer*, p.44-47.

²⁰¹ *Ibid.*, p.188.

three decades since her death. Painting an intricate picture of the historical collisions and constellations that created the phenomenon of twentieth century totalitarianism, and expanding upon those roots to create a reflection on the deeper philosophical foundations of modern 'mass' societies, Arendt's contributions continue to inspire thinkers from a variety of disciplines and shades of political theory. For Agamben, Arendt is a key pole in his attempt to map a new conception of 'biopolitics', complementing, and occasionally correcting, the work of Foucault. Agamben balances each theorist against the other in an attempt to forge a reading of both that leads naturally onto the terrain of *Homo Sacer*. Agamben uses Arendt's focus upon totalitarian systems, and concentration camps in particular, to counter Foucault's omission of the camps from his surveys of the institutional manifestations of 'biopower', a crucial step toward Agamben's own position that the camps represent the biopolitical 'paradigm' of modernity. In addition, her use of a 'vertical model' of power counteracts Foucault's interest in the 'capillary' level of power providing support for Agamben's own juridical-institutional, and therefore highly centralised, concern with sovereign power and its hold on human life. Finally, by going beyond the discrete phenomena at the centre of her study, Arendt introduces a transcendent element to her analysis that complements Agamben's own orientation toward constructing a political alternative.

Agamben's use of Arendt, to dull some of the edges of Foucault's analysis prior to his own appropriation, also worked in reverse. Foucault provided two key supplements to Arendt's theorisation which allowed for a closer fit to Agamben's final use. Firstly, Agamben sees in Foucauldian biopolitics an identification of the pivotal link between sovereign power and the human body, which is missing in Arendt. Secondly, Arendt's vast historical panoramas missed the tangible development of a 'care-of-life' perspective in nineteenth century European states.

This perspective, documented by Foucault in both of his 'biopolitical' works, had a huge role in the development of totalitarian eugenics and other forms of twentieth century biopolitics, and is a crucial element in understanding Agamben's own account of the developments leading to the holocaust.

On the question of Arendt's own 'biopolitical' credentials, accepted by Agamben in relation to *The Human Condition* yet challenged as 'lacking' in *The Origins of Totalitarianism*, we found enough evidence to concur with Braun's description of Arendt as a biopolitical theorist 'avant la lettre'. In addition to her work on biological necessity, *animal laborans*, and the 'rise of the social' in the former work; her positions on the reduction of individuals to a level of 'Pavlovian' specimens in the camps, and her analysis of the futility of human rights discourse when confronted by the individual who is only his own *zōē*, i.e. the stateless, demonstrate a profound concern with themes which can rightly be described as 'biopolitical' throughout her earlier *Origins...* work. Agamben's failure to recognise this dimension of *The Origins...* remains open to question.

To investigate the success of Agamben's interpretation, this chapter moved on to sketch a number of convergences and divergences between the three theorists, in each case attempting to assess the plausibility of Agamben's attempted co-ordination. The convergences were divided into 'historical' and 'theoretical'. The first three 'historical' convergences knitted Agamben and Arendt's analyses together. Firstly, both shared a conception of the First World War as a catastrophic focal point in modern history. Both theorists see 1914 as the year in which an 'explosion' took place that destroyed the previous order of European civilisation and set in motion a train of destructive processes which are continuing in the contemporary age. Secondly, both agreed upon the centrality of the concentration camp to totalitarian systems, treating the

camp as the keystone institution of the Nazi and Stalinist regimes. Finally, both Agamben and Arendt recognised the events within the camps as being beyond any normal concept of 'crime', and noticed a key component of the camp systems being the sense of manufactured unreality that places the experience of the camps outside of any previous register of human knowledge. The final of the 'historical' convergences united all three theorists in a critique of modern society as being predicated upon mass organisation and 'labour' in the Arendtian sense. Although a critique of capitalist production relations is not exactly a unique attribute in twentieth century political theory, it provides an important intersection between all three theorists, and opens the way for the more substantial analysis of Agamben's relation to Marxian economic critique in Chapter Three.

In terms of 'theoretical' convergence, we found all three theorists operating a critique of, in Braun's terms, 'processual temporality'. Arendt criticises totalitarian ideology on the grounds of its sacrifice of individuals to the supra-human processes of 'nature' and 'history'; for Foucault, 'biopower' itself is established in the attempt to map and take control of phenomena, such as disease, which move *through* individuals, who form an irrelevant subset of the *population*; finally, Agamben's 'biopolitics' is also a supra-human process which works its way through millennia without any end in sight, as each purifying purge of the collective body only creates a new layer of imperfection requiring elimination. Secondly, Agamben and Arendt share an indictment of Marxism; for the former, Marxism fails to ultimately grasp the reality of biopolitics and continues to build its emancipatory projects upon the very sovereign structures, such as the state of exception, that guarantee their continued failure; for the latter, Marx's pivotal mistake of conflating the distinct phenomena of 'labour' and 'work' within his concept of 'labour' has doomed Marxism's emancipatory project to the creation of a mass labouring society

based upon blind necessity and unable to achieve true political freedom. Agamben also joins in Arendt's critique of humanitarianism divorced from politics; where she sees the sheer lack of effect of marginal figures, promoting human rights with the same *gravitas* and meaningful political support as fringe groups promoting animal welfare, Agamben sees a hidden complicity between the sovereign power responsible for the degradation of human beings to the state of 'bare' life, and hypocritical Western humanitarian organisations, whose efforts are predicated upon, and bound to maintain, their targets' status as mere 'bare' life. Finally, there are two 'theoretical' convergences shared between Arendt and Foucault. The first centres on their acknowledgement of Darwin's theory of evolution as a vital political catalyst in the development of the nineteenth century. Arendt sees evolutionism as providing the key for the transformation of race-thinking into *racism* and providing justification for imperial atrocities in Africa in the latter part of the nineteenth century. Foucault sees evolutionism as the ingredient that allowed the care-of-life biopower of the preceding two centuries to turn into the bloody racisms of the twentieth century. The final convergence between the two centred upon a common acknowledgment of capitalist economic as the framework and prime mover of the historical developments they chose to map, Agamben's apparent lack of such a perspective being the main concern of this project's final chapter.

The divergences that exist between the different theorisations were divided into 'methodological-perspectival', 'analytic', and 'speculative'. In the first category were two distinctions; firstly, in the objects of their study, we found a different level of transcendent analysis in each theorist. On one end of the scale, Foucault's work remained rooted to the excavation of questions or the focussed study of a particular institution; Arendt's work, whilst emphasising historical contingency and institutional study, also contained elements beyond the

initial objects of her analysis, moving into the ethereal realms of the 'appeal' of totalitarianism to the lonely, and attempts to undo the damage wrought by the 'rise of the social'; finally, at the other end of the scale, Agamben uses his institutional analysis to exhume a vast underground flow of 'biopolitics' that has conditioned Western politics for millennia, and attempts to pave the way for an entire renegotiation of human ontology. The point of stressing the divergence here is not to assert a value judgement as to which approach is best, but simply to point out that all three theorists are working within distinctly different theoretical horizons. Secondly, Arendt and Agamben's use of political theory toward a normative end, a political alternative to a failed modernity, puts clear blue water between themselves and Foucault who, at best, appears as a 'crypto-normative' theorist who did not seek to posit any concrete political agendas through his work.

The first of the 'analytical' divergences set Arendt apart from Agamben and Foucault in her positive regards for the nation-state, which she saw as founded upon a principle of equality and inimicable to imperialist expansion, and power itself, which she saw as constituted through collective political action and therefore able to enact positive change. Secondly, Agamben and Arendt diverge, and Foucault evades, on the question of the role of concentration camps in totalitarian political systems. For Arendt, a 'laboratory' set up to test whether 'everything is possible' and to destroy human nature; for Agamben, an institution designed to inscribe life into the territorial order once the First World War had finally destroyed the traditional regulator of the birth-nation link.

Finally, the 'speculative' divergence involves all three theorists. Foucault, of course, did not posit any positive political solution to the phenomena he chose to study in his 'biopolitical' works, choosing instead to focus on opening up areas for mapping which had previously been

uncharted. Arendt's proposal involved a rediscovery of the old political distinctions, particularly of 'public' and 'private', which had served the ancient democracies well enough until the economy made its transition into the political sphere and effaced the previous boundaries. Agamben critiques Arendt's proposal, arguing that the boundaries have been so long obscured that they are no longer accessible to our collective memory. Rather, Agamben argues, we must move through the current biopolitical morass and attempt to reconceive a politics freed from the tyranny of the sovereign decision, by creating an entirely new ontological horizon within which a new political subject will be able to operate.

The success of Agamben's use of Arendt and Foucault as a launch pad for his own biopolitics will not be established by the strength of their convergences, but by the extent and significance of the divergences that exist between them. It is clear that neither Foucault nor Arendt alone would be a sufficient foundation for Agamben's analysis, and his delicate counterbalancing of each theorist allows him to take the concept of 'biopolitics' and marry it to a study of totalitarianism, sovereign power, and modern mass societies. Whilst their disagreements over the roles of concentration camps within totalitarian societies, and their widely divergent views on power and the nation-state, make for some uneasiness in the articulation, these elements alone are not substantial enough to undermine the fundamental similarity of perspective shared between Agamben and Arendt, taking place, as they do, outside of the 'biopolitical' paradigm we are seeking to explore. The dissonance that exists between all three on the possibility, and nature, of a political solution also fails to dent the concurrence of their analyses on the specific issues of biology, politics, and power. Whilst Arendt would certainly dispute Agamben's rejection of her distinctions and his contention of modern historical amnesia, and Foucault would see Agambenian 'biopolitics' as extended beyond its own tangible

theoretical base, it is the role of each in allowing Agamben to construct his analysis of the problem, not the solution to that problem, that is important. On that account, Agamben's use remains valid, although, as with every appropriation of one thinker by another, somewhat stretched.

In sum, Agamben's use of Arendt and Foucault benefits from its specificity, their purpose is to open a route by which Agamben can access the biopolitical terrain upon which he seeks to build his own theory. Foucauldian biopower and Arendtian totalitarianism do not sit comfortably together, but are proximate enough for Agamben to achieve their necessary articulation. One compelling question, however, remains. Agamben's apparent reticence in discussing the role of capitalist economics in his biopolitical schema, despite its explicit and repeated importance to the analyses of *both* of the theorists Agamben bases his biopolitics upon, becomes an ever more conspicuous absence from his scheme. Establishing some form of relation between Agamben's biopolitics and the economic structures and developments of Western history has become a paramount concern if we are to successfully evaluate the construction, application, and potential development of Agamben's concept of biopolitics. It is to these particular concerns, the next chapter will turn.

Chapter Three: *Homo Sacer's Spectre of Marx*

The previous chapter attempted to map the grounds upon which Agamben brings Foucault and Arendt together in order to create the foundation of his own biopolitics. We have noticed both the theoretical confluences between each theorist and, of equal significance, the way in which areas of dissonance between Foucault and Arendt are played off against each other by Agamben in order to achieve their articulation on his own terms.

It is therefore relatively surprising to note Agamben's apparent omission of one level of critique common to both of his predecessors. We have already seen how Foucault's historical account of the rise of biopolitics implicates the rise of capitalist economics at the very inception of the phenomenon, its 'care of life' perspective essentially veiling an 'extension of labour' imperative.¹ Similarly, we have found Arendt's account of the historical currents which led to totalitarianism intricately bound up with capitalist development. From the origins of superfluous monies in the destruction of the feudal monastic order in Tudor England and superfluous people as casualties of the industrial division of labour, to the 'perpetual competition and expansion' mindset that fuelled nineteenth century imperialisms and the bourgeois hijack of the imperial state as insurer against commercial losses in the colonies, Arendt distinguishes herself in her nuanced treatment of the interaction of the economic logic of capitalism and the political and social developments that form the core object of her study.² Given that Agamben's aim is to create a topography of biopolitics based upon the twin poles of Foucauldian biopolitics and

¹ See p.40-41.

² See p.53.

Arendtian totalitarianism³, the presence of a critique of capitalism in each respective work makes the absence of an explicit treatment of capitalism within *Homo Sacer* all the more puzzling.

The aim of this final chapter is to establish the points at which Agamben's concept of biopolitics will benefit from a renewed emphasis upon the critique of capitalist economic relations, and the consideration of the question of labour as a central aspect of both Agamben's historical analysis and prescriptions for future action. This investigation will be divided into three sections; firstly, this chapter will investigate Agamben's diagnosis of specifically modern biopolitics, suggesting a structural connection between his theorisation of 'bare life' and the Marxian notions of alienation, whilst also linking Agamben firmly into the Marxist tradition via his close relation to Guy Debord and his notion of the 'society of the spectacle' as the apogee of the commodity relation. Having argued for the inclusion of economic critique into Agamben's modern biopolitics, this chapter will then follow Agamben's narrative back to Aristotle and demonstrate that the exclusion of 'bare life' from the *polis* is as much a question of the problematic nature of labour as it is simply an exclusion of animalistic *zōē* from the *bios* of ancient Athenian democracy. This section will argue that Agamben's oversight of labour as a constitutive element of the excluded life at the heart of his study, and capitalism as a determining force in modern biopolitics, weakens his overall project and significantly hinders his ability to create a compelling theory of political action. The final section of this chapter will suggest how the inclusion of labour and capitalism as objects of analysis, can supplement Agamben's call for a renegotiation of human ontology with a material focus that will ultimately provide Agamben with a feasible framework for concrete political action and, perhaps, fulfil a necessary precondition for the philosophical transvaluation at the heart of his project.

³ *Homo Sacer* (hereafter, *HS*), p.3-4.

3.1 Labour and Life I: Agamben, Marx, and Modern Biopolitics

The question of Agamben's reticence in opening up his theory of modern biopolitics to an explicit analysis of its relationship to the dominant mode of production is deepened by his brief treatment of the work of Hans Reiter and other Nazi eugenicists toward the end of the book. At the opening of the chapter 'Politics, or Giving Form to the Life of a People', Agamben documents how many in the National Socialist science establishment began to explicitly account for the biological lives of their citizens in terms of their monetary value to the state.⁴ Using concepts such as 'living wealth' and calling for a 'budget to take account of the living value of people', Reiter and others took up 'a logical synthesis of biology and economy' as their objective.⁵ However, the explicit economisation and commodification⁶ of human life in the thought of the world's 'first radically biopolitical state'⁷ is not then explored in any detail by Agamben, despite its obvious importance to the foundations and application of National Socialist biopolitics. The recommendations delivered by Reiter and others within these articles gain a deeper currency when we consider how Agamben himself considers the assumption of powers previously available only to the juridical sovereign by members of the state's medical-scientific establishment as a defining characteristic of the biopolitical age.⁸ Therefore, when a rising force of biopolitical authority, in the most extreme example of a biopolitical state, explicitly acknowledges the economic context within which their conception of biological life is to be framed, it would not be unreasonable to assume such a development would lead into a substantial

⁴ *Ibid.*, P.144-145.

⁵ *Ibid.*, (Quotations are from Reiter, writing in O. Verschuer (ed.), *Etat et Sante...*, Cited in *Homo Sacer*, p.145.)

⁶ In these articles, each human life is treated as a possession of the state. Further, their worth, calculated in dollar terms, seems to pay no attention to individual attributes, but rather places monetary value on their biological existence in such a way as draws a direct parallel with the Marxian view of the commodity as ultimately defined by its abstract value as an interchangeable unit of economic exchange.

⁷ *HS*, p.143.

⁸ *Ibid.*, p.122, and p.159. See also, Norris, 'Giorgio Agamben and the Politics of the Living Dead', p.52.

new line of enquiry. Unfortunately, Agamben eschews the opportunity to further explore the relationship of Nazism and biopolitics with their respective economic contexts, a move which would have drawn his analysis of totalitarianism into much tighter step with Foucault's understanding of Nazism as the 'paroxysmal development' of modern biopower.⁹

This particular line of enquiry, tracing the economic contours of Agambenian biopolitics, also throws up a striking structural parallel between the notion of 'bare' life in its modern setting and the Marxist conception of alienated labour. It is possible to discern four points of intersection between both theories that may indicate a potentially unobserved connection, and should at least demonstrate the importance of considering labour as a factor in the constitution of *homo sacer*. Firstly, we have already seen that, for Agamben, 'bare' life exists within each and every individual¹⁰, and that it is produced, isolated, and held as an object of sovereign power.¹¹ For Marx, it is the workers' labour, or rather their abstract and interchangeable labour-power¹², which becomes virtually a separate entity, a commodity they must sell for an equivalent monetary price¹³, and therefore a part of themselves which, to use Agamben's description of 'bare' life, man 'separates and opposes [to] himself'¹⁴ in order to survive. Further, Agamben's identification of 'bare' life as a product of the governing sovereign power is echoed in the Marxist position that capitalist production relations themselves are responsible for the production of 'man as a *commodity*, the *commodity-man*'.¹⁵ In both cases, therefore, we see the phenomenon of a governing framework of power producing an internal division within each and

⁹ Foucault, *Society Must Be Defended*, p.259.

¹⁰ *Homo Sacer*, p.124, and p.140.

¹¹ *Ibid.*, p.6. (production), and p.9.

¹² K. Marx, *Capital: A New Abridgement* (D. McLellan, ed.); Oxford; Oxford University Press, 1999. p.20.

¹³ K. Marx, *Grundrisse* (Tr. M Nicolaus); London; Penguin Books, 1993. p.281-282.

¹⁴ *HS*, p.8.

¹⁵ K. Marx, *The Economic and Philosophic Manuscripts of 1844* (Tr. M. Milligan); New York; Prometheus Books, 1988. p.86. (Italics in original)

every one of its subjects, before isolating one element resulting from this division and holding it as an object of its continuing control.

The second point of intersection between bare life and alienated labour centres around the effect each has had on the societies built upon their foundations. For Agamben, modern society has predicated itself upon the ‘liberation of *zōē*’, making biological life its leading value.¹⁶ However, the result of this ‘liberation’, in the West at least, has been to reduce the population to the animalistic nihilism of mass consumption and hedonistic excess, a situation of ‘unprecedented ruin’.¹⁷ The decadence Agamben sees at the heart of the modern democratic project also finds an analogy in Marx’s observation that the alienation of man from his own higher capacities, insofar as his labour is expropriated and his product denied him, leads the worker to find freedom only in the most base of human activities:

As a result [of the alienation of labour], therefore, man (the worker) no longer feels himself to be freely active in any but his animal functions – eating, drinking, procreating, or at most in his dwelling and in dressing up, etc.; and in his human functions he no longer feels himself to be anything but an animal.¹⁸

Therefore, beyond the production and capture of an integral part of every man, we also see the governing powers in Agamben and Marx, the sovereign exception and the capitalist mode of production respectively, set man’s political development on a trajectory which results in the bestialisation of man and the valorisation of his most animal traits.

¹⁶ *HS*, p.9-10.

¹⁷ *Ibid.*

¹⁸ *Economic and Philosophic Manuscripts...*, p.74.



The third structural convergence that takes place between these two phenomena centres upon the way in which both bare life and alienated labour enter into a dialectical relation with the powers that produce them, and become the central threat to their respective powers. To begin this comparison with Marx, whose position is most famously distilled into *Capital*'s Chapter 32; the logic of capitalism leads to a centralisation of economic resources in the hands of a dwindling number of bourgeoisie, the corollary of which is the ever-increasing socialisation of labour, which produces an organised, unified proletariat, whose expropriation of the capitalist expropriators socialises both property and production, allowing for the end of the coerced alienation of man from his own labour.¹⁹ For Agamben, the product of sovereign power, bare life, is also the bacillus responsible for infecting and fatally undermining the birth-nation link, which had functioned for millennia as the locus of sovereign power.²⁰ Bare life is an 'exception' which sovereign power attempts to contain, yet every attempt to contain and eradicate the problem only reproduces it anew and leads us still further into universalised emergency.²¹ This has been recognised by Jenny Edkins in her essay *Whatever Politics*, which points to bare life as 'the constitutive outside of sovereignty', arguing for its problematic nature as 'the excess that threatens to disclose the paradoxical instability and impossibility of sovereignty in its claim to be a form of governance or administration of life'.²² In both examples, then, we see a common thread in the process whereby the unfolding logic of the dominant power leads to its creation of an entity which simultaneously destabilises the very order that called it into being.

The final point at which Agamben's bare life and Marx's alienated labour show signs of a distinct structural similarity is in terms of the eschatological prescriptions each author

¹⁹ *Capital*, p.378-380.

²⁰ *HS*, p.131-133.

²¹ *Ibid.*, p.174-176.

²² J. Edkins, 'Whatever Politics', in M. Carlaro and S. DeCaroli (eds.), *Giorgio Agamben: Sovereignty and Life*, p.86.

extrapolates from their respective conditions. For Agamben, his prescription for emancipation from sovereign power centres upon the creation of a '*bios* that is only its own *zōē*'²³, a life in which it is impossible to isolate anything corresponding to a 'bare' life, in order to prevent the formation of any sovereign power, which holds bare life hostage to its constant decision. This new 'form-of-life', an inseparable unity of a life previously subjected to internal fracture, is an image again reminiscent of the Marxian endpoint of the abolition of alienated labour. The final expropriation of the capitalists' property and means of production allows man to re-connect with his *species-being* as free producers, working toward his own, and his society's, full development through 'free, conscious activity', and the non-alienated production that forms 'his active species life'.²⁴ The important convergence here is that, in both theories, the key to success is a form of unity which does not permit the introduction of caesurae, and the isolation, alienation, or colonisation of any part of an individual's life in the interests of a hostile system of power.

These four convergences between the Agambenian notion of bare life and the Marxian notion of alienated labour are certainly not designed to reduce one to the other, or even to posit any strict equivalence. The fact that such similarities exist undoubtedly add to the call for the deeper consideration of the relation of labour to the problem of bare life in Agamben's biopolitics; whilst neither concept exhausts itself in the other, it would be equally erroneous to conceive of the two as entirely unrelated. In fact, the only theoretical step necessary to positing a more substantial relationship here would be to argue that the powers responsible for the production of these phenomena are convergent, or coextensive, an argument which was taken up by Agamben himself in the early 1990s.

²³ *HS*, p.188.

²⁴ *Economic and Philosophic Manuscripts*, p.76-77.

Whilst positing a structural proximity between Agambenian ‘bare’ life and Marxian alienated labour remains a speculative gesture towards a modified understanding of the condition of *homines sacri* in the Western world, the proximity of early Agamben to the continental legacy of Marx is much clearer cut. In the essay ‘Notes on Politics’, Agamben notes an ongoing transition in the post-Cold War world typified by the expansion of the ‘integrated spectacle’ as the dominant condition of government(s).²⁵ Agamben takes the term ‘integrated spectacle’ directly from Guy Debord’s 1988 work *Comments on the Society of the Spectacle*.²⁶ The *Comments* revisit and reassess aspects of Debord’s *Society of the Spectacle*, published two decades previously. The eponymous ‘spectacle’ is described by Debord as the ‘result and the goal of the dominant mode of production’²⁷; it stands for the totality of economic and social relations in a society in which the apogee of commodity fetishism, the ultimate eclipse of all use-values by abstract exchange-value²⁸, has not only colonised social life, but has rendered humanity incapable of seeing anything beyond the commodity itself and the unreal world of images and representation generated around it.²⁹ People are reduced to role of alienated spectators, incessantly exposed to ‘the ruling order’s non-stop discourse about itself, its never-ending monologue of self-praise’ which is transmitted across a media newly concentrated into the hands of a ruling elite, and working to sustain and strengthen the grip of the commodity economy as a whole.³⁰

In the 1967 work, Debord makes the distinction between two forms of contemporary spectacle, the *concentrated* and the *diffuse*. The relative lack of commodities in countries of the

²⁵ G. Agamben, ‘Notes on Politics’, in, G. Agamben, *Means Without End: Notes on Politics* (Tr. V. Binetti and C. Casarino); Minneapolis; University of Minnesota Press, 2000. p.109.

²⁶ G. Debord, *Comments on the Society of the Spectacle* (tr. M. Imrie); London; Verso, 1988.

²⁷ G. Debord, *Society of the Spectacle* (tr. K. Knab); London; Rebel Press, 2004. p.8

²⁸ *Ibid.*, p.23

²⁹ *Ibid.*, p.21.

³⁰ *Ibid.*, P.13.

Second and Third World leads to a concentration of production and consumption in the domestic bureaucratic elites, the enforcement of the system by permanent police-state terror, and a fixation on a dictatorial leader as the ‘master of everyone else’s nonconsumption’.³¹ In the affluent West, meanwhile, the material abundance of commodities leads to an order in which individual commodities vie with each other for consumption within the ‘unified spectacle’ of a society of ‘total commodity production’, the apex of modern capitalism.³² Debord’s major innovation in his *Comments* was to diagnose the development of a third form, the *integrated spectacle*, which combines elements of each, predicated upon the general historical victory of the *diffuse*³³, though each form had noticeably evolved:

As regards concentration, the controlling centre has now become occult: never to be occupied by a known leader, or clear ideology. And on the diffuse side, the spectacle has never before put its mark to such a degree on almost the full range of socially produced behaviour and objects³⁴

It would be impossible for Agamben to appropriate the Debordian notion of the ‘integrated spectacle’ as an element of his political analysis without taking on the myriad Marxist presuppositions with which it is suffused, and Agamben attempts no such thing. In an essay on Debord’s 1988 work, he describes the author’s output as ‘the clearest and most severe analysis of the miseries and slavery that by now has extended its dominion over the whole planet’³⁵, asserts the centrality of the commodity fetish in the work of Marx, and criticises influential structuralist

³¹ *Ibid.*, p.31-32.

³² *Ibid.*, p.32.

³³ *Ibid.*, p.8.

³⁴ *Ibid.*, p.9.

³⁵ Agamben, ‘Marginal Notes on *Commentaries on the Society of the Spectacle*’, in *Means Without End...*, p.73.

Marxist Louis Althusser's injunction to disregard the opening of *Capital* as demonstrating the contagion of scientific Marxism with residual traces of Hegelian philosophy.³⁶ Later in the same collection of essays, Agamben argues that the collapse of communism around the globe has hastened the expansion of the 'integrated spectacle' as the dominant, and universalising, trajectory of contemporary power.³⁷ Regardless of their prior political structures, Agamben sees the whole gamut of state forms across the globe succumbing to the imperatives of 'spectacular capitalism' and undergoing radical change.³⁸ This transformation, equivalent to the upheaval in antediluvian social and political structures during the first industrial revolution, has so transformed the traditional categories of political theory (sovereignty, people, democracy, etc.), that they have become unusable without radical re-conception.³⁹ Echoing Debord's analysis of a 'spectacular' reality that has divorced itself from its material bases in society and colonised every manner of institution, cultural tradition, and mode of communication, whilst maintaining the facade of their former appearance as a mask, Agamben describes contemporary politics as a 'devastating experiment that disarticulates and empties institutions and beliefs, ideologies and religions, identities and communities all throughout the world'.⁴⁰ It is clear that, in the early Agamben, Debord's analysis, and its Marxist underpinnings, were central to his understanding of contemporary political phenomena, and for theorising potential courses of action. The shift between the Agamben of *Means Without End* to the Agamben of *Homo Sacer*, excoriating Marxist political theory for its failure to recognise the essential structure of sovereign power and thereby working unknowingly to perpetuate it⁴¹, appears to be a dramatic departure.

³⁶ *Ibid.*, p.74-76.

³⁷ 'Notes on Politics', p.109.

³⁸ *Ibid.*

³⁹ *Ibid.*, p.109-110.

⁴⁰ *Ibid.*, p.110.

⁴¹ *HS*, p.12.

The apparent divergence between Agamben's works is a central point in Paul Passavant's essay *The Contradictory States of Giorgio Agamben*.⁴² Passavant's critique is twofold; firstly, he argues that Agamben employs two contradictory theories of state in his earlier and later works, and secondly, that Agamben's prescriptions for resistance and radical political action are rendered inoperable by the transition from his earlier state theory to his later formulation. According to Passavant, Agamben's use of Debord and Marx in tracing the deepening integration of state and economy, and his assertion of exchange value's attainment of 'absolute and irresponsible sovereignty over life in its entirety'⁴³, demonstrate the *determining* power of the economy over the state in Agamben's earlier works. Passavant goes so far as to declare that, in Agamben's early theory of the state, it is the economy which is ultimately sovereign.⁴⁴ In fact, the state itself is being eroded and weakened by the expansion of the spectacle, which is forcing an unprecedented uniformity of experience around the world⁴⁵, a development upon which Agamben builds a theory of action based upon an emergent worldwide class of 'global petty bourgeoisie' whose common experience of spectacle provides the basis of their transition to a new form of political community.⁴⁶ Passavant therefore detects an about-turn in Agamben's state theory when faced with his later works, such as *Homo Sacer* and *State of Exception*, in which Agamben accords the state not only supremacy over the economy, but also the power to define and to produce discrete forms of life itself.⁴⁷ Here, the state figures as the *determining* actor, and Agamben criticises the economic fixation of modern Marxist and anarchist thought for their all too hasty marginalisation of the '*arcantum imperii*', the ancient secrets of sovereign

⁴² P. Passavant, 'The Contradictory State of Giorgio Agamben', in, *Political Theory*, Vol. 35., No. 2. (April 2007); pp.147-174.

⁴³ Agamben, 'Marginal Notes on...', cited in, Passavant, p.150.

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*, p.151.

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*, p.153.

power and the entity of the state, both of which pre-date capitalist relations of production by millennia.⁴⁸

Whilst correctly identifying a change of emphasis, however, Passavant's charge overlooks an important piece of this particular puzzle, as does Agamben in his '*arcanum imperii*' critique of Marxism. At the heart of both Agamben's concept of the state, and his theory of biopolitics, rests the Aristotelian distinction between two forms of life, *zōē* and *bios*, and the exclusion of 'bare' life from the political realm at the foundation of the *polis*. In order to fully explore Passavant's challenge, and foundations on which Agamben builds his *arcanum imperii* argument, it is necessary to transport our own analysis back to the Classical Age.

3.2 Labour and Life II: Agamben, Aristotle, and the Birth of the City

According to Agamben, 'bare' life is excluded from the *polis*, and yet, as both the condition of possibility of the *polis* and as the 'life [that] had to transform itself into good life' through politics, remains implicated at its centre.⁴⁹ The grounds upon which biological life was excluded from the public realm in ancient Athenian democracy is therefore of great importance to our understanding of the link between sovereign power and 'bare' life at its inception. In *The Human Condition*, the work cited by Agamben in his discussion of the foundations of his biopolitics⁵⁰, Hannah Arendt argues that, for Plato and Aristotle, any form of life shared in common with other animals 'could not be fundamentally human'.⁵¹ This point of analysis is echoed by Agamben in the essay 'Form-of-Life', where he argues for the Greek distinction between:

⁴⁸ *Ibid.*, also; *HS*, p. 12.

⁴⁹ *Homo Sacer*, p.7.

⁵⁰ *Ibid.*, p.3-4.

⁵¹ H. Arendt, *The Human Condition*, p.24.

...*zōe*, which expressed the fact of living common to all living beings (animals, humans, or gods), and *bios*, which signified the form or manner of living peculiar to a single individual or group.⁵²

Yet neither Arendt nor Aristotle exclude 'bare' life from the political arena solely on the basis of its animalistic simplicity or its commonality with other species, and Agamben is only partially correct when he attributes to Arendt the argument that the 'primacy of natural life over political action' is responsible for the political decline of modernity.⁵³ In fact, Arendt's account of both the original confinement of *zōe* to the *oikos*, and the proto-biopolitics of *The Human Condition*, become clearer when we remember that, for Arendt, 'bare' or 'natural' life is also inherently tied to that most problematic of human activities, *labour*.

In her chapter on 'The *Polis* and the Household', Arendt makes clear that it is labour, and not the simple fact of natural life, that forms the basis for the exclusion of *zōe* from the *polis*:

No *activity* that served only the purpose of making a living, of sustaining only the life process, was permitted to enter the political realm⁵⁴

Labour, the activity of 'making a living', is confined to the *oikos* as a result of its coercive and unequal nature; labour is dictated by blind, biological necessity⁵⁵, is typified by the relentless

⁵² Agamben, 'Form-of-Life', in *Means Without End*, p.3.

⁵³ *HS*, p.4.

⁵⁴ *The Human Condition*, p.37. (My italics)

⁵⁵ *Ibid.*, p.83-84.

repetition of futile tasks⁵⁶, prevents individuals from engaging in meaningful, and fully human, activities⁵⁷, and is geared only toward the destructive consumption of matter.⁵⁸ Those who laboured under their master's command in the household had to be excluded from the public realm, lest the necessary iniquity of servitude undermine the essential equality which formed the *sine qua non* of political community.⁵⁹ Arendt's critique of modernity is precisely that, having escaped its banishment to the household and invaded the public sphere, the principle characteristics of labour, necessity, futility, the 'eternal recurrence'⁶⁰ of 'making a living', have colonised the political realm and destroyed the traditional foundations of the *polis*, the condition of free and equal citizens speaking and acting 'amongst one's peers' in the public realm.⁶¹ Arendt's reading of the ancient banishment of 'bare' life from the political centre is, at its heart, a question of the problematic nature of labour, and Agamben's rendering of her critique in his narrative of the origins of biopolitics, would be more complete if this were taken into account.

Taking a distinctly Agambenian track, and returning to Aristotle himself, it is also possible to discern the elementary importance of the question of labour at the foundation of the Athenian *polis*. In the introduction to *Homo Sacer*, Agamben uses Aristotle's *The Politics* to counterpose natural *zōē* and the politically qualified *bios* that takes inherent priority.⁶² In addition to the theoretical exclusions of 'bare' life found by Agamben and Arendt, the Athenian *polis* was famously marked by the physical exclusions of women, children, foreigners, and slaves. Each of these exclusions is described by Aristotle in *The Politics*; women, children and slaves find themselves excluded on the grounds of their nonexistent, or merely inadequate,

⁵⁶ *Ibid.*, p.98.

⁵⁷ *Ibid.*, p.84.

⁵⁸ *Ibid.*, p.100.

⁵⁹ *Ibid.*, p.32.

⁶⁰ *Ibid.*, p.46.

⁶¹ *Ibid.*, p.41.

⁶² *HS*, p.2.

capacity for rational deliberation⁶³, whilst the foreign-born fall afoul of the ‘practical’ requirement of citizen descent on both sides of any individual’s ancestry.⁶⁴ In attempting to sketch further the problematic nature of labour, discerned by Arendt, the case of the slave’s exclusion from the *polis* proves doubly instructive. Firstly, early on in *The Politics*, Aristotle finds his distinction between master and slave, ruler and ruled, on the material, and arguably biopolitical, criterion of the latter’s physical capacity for labour:

For the element that can use its intelligence to look ahead is by nature ruler and by nature master, whilst that which has the bodily strength to do the actual work is by nature a slave, one of those ruled.⁶⁵

It is true that, in Aristotle’s argument, slavery is not linked to the process of economic production *per se*⁶⁶, its purpose is rather to ‘minister to action’ and facilitate the good life of his master.⁶⁷ However, in his chapter introduction to ‘The Slave as a Tool’, Trevor Saunders challenges Aristotle’s ‘bias in favour of a “gentlemanly life”’ and presents the historical counterfactual that slaves were, in fact, a central element of economic production ‘in factories and mines and on farms’.⁶⁸ Therefore, it is possible to recognise the presence of labour, or rather physical labour-power, as a defining characteristic of the excluded slave whilst, at the same time, locating the slave within the system of economic production that forms the material condition of possibility of the *polis* itself.

⁶³ Aristotle, *The Politics* (Tr. T. A Sinclair, revised by T. J. Saunders); London; Penguin Classics, 1992. Book 1, Ch.13; p.95.

⁶⁴ *Ibid*, Book 3, Ch. 2; p.171-172.

⁶⁵ *Ibid*, Book 1, Ch. 2; p.57.

⁶⁶ Arendt also advances this line of argument in *The Human Condition*, p.84.

⁶⁷ *The Politics*, Book 1, Ch. 4; p.65. Here we see an example of the distinction between ‘labour’ and ‘action’, of such importance to Arendt.

⁶⁸ *Ibid.*, p.64.

The second echo of labour's difficult relationship to the political realm is found in the chapter 'Ought Workers to be Citizens?', in which Aristotle dismisses the argument that those engaged in labour can be included in the *polis* as citizens because the nature of their work is such that they would not have the time necessary to fulfil the civic duties of the citizen:

But the best state will not make the mechanic a citizen. But even if he is to be a citizen, then at any rate what we have called the virtue of a citizen cannot be ascribed to everyone, nor yet to free men alone, but *simply to those who are in fact relieved of necessary tasks*.⁶⁹

Whilst Aristotle makes his point with reference to free time, it should be clear that such free time is necessarily bought by the expropriation of the labour of others. Aristotle's position that it is 'impossible, while living the life of a mechanic or hireling, to occupy oneself as virtue demands'⁷⁰ is a corollary of the fact that the citizens of the Athenian *polis* enjoyed the freedom to occupy themselves 'as virtue demands' precisely insofar as they enjoyed the fruits of their mechanics' labour, of their slaves' 'minister[ing] to action' in the name of their master's comfort.

In the same way in which bare *zōē* forms the condition of possibility of man's *bios* and yet remains excluded from it, the expropriated labour of the slave provides the material condition of possibility of the *polis* itself, in terms of quarried marble and paved roads amongst other things, and of the citizens within, of the food they eat, the clothes they wear and the houses in which they live, yet goes on to form the very criterion by which the participation of the worker in

⁶⁹ *Ibid.*, Book 3, Ch. 5.; p.184. (My italics)

⁷⁰ *Ibid.*

the *polis* itself is disallowed. This compelling structural parallel is no coincidence. The management of the problem of labour, and the management of the expropriation of labour, have always been central concerns to the foundation and constitution of the *polis*. The aim of this argument is not to reduce the nature of Athenian citizenship to a crude economic foundation but rather, in the spirit of this entire project, to suggest that recognising the significance of the problem of labour to the foundation of the *polis* deepens our understanding of the issue, opens up an alternative answer to Agamben's *arcanum imperii* argument, and perhaps offers a new trajectory of escape from our current biopolitical impasse.

By arguing for the centrality of the problem of labour to the original constitution of the Athenian *polis*, we achieve more than a simple vindication of a materialist historical analysis. One further consequence is that Agamben's references to the *arcanum imperii* of sovereign power become more complicated. In order to grasp the full nature and implications of this challenge, it is essential to understand the two main functions Agamben's *arcanum imperii* motif appears designed to fulfil. Firstly, it works to distance Agamben from what he sees as the fatal misdirection at the heart of Marxist and anarchist critiques of power, and their revolutionary strategies. By locating the nexus of sovereign power deep within the metaphysical conditions of Western politics, Agamben can argue for a division which precedes the conflict of opposing social classes and, by virtue of his more accurate analysis, avoids the associated theory of the state which Agamben describes as the 'reef on which the revolutions of our century have been shipwrecked.'⁷¹ Secondly, Agamben's argument also allows him to open up a deep chronology, locating the headwaters of modern biopolitics within the ontological conditions of pre-historic humanity. This retrospective location forms the basis upon which Agamben makes the

⁷¹ *HS*, p.12.

transition, as discussed by Passavant, from his earlier economic determinism to a position in which the sovereign state gains a determining power over all within its boundaries. However, our previous excursus into the problem of labour at the foundation of the *polis* indicates that, *pace* both Passavant *and* Agamben, the distinction between each period of the latter's work may have been overstated.

To the extent to which Agamben locates a determining cleavage in the *zōē/bios* distinction, he does find a division both more basic and, given that its fault line runs through each individual human being, a more pernicious division than Marx's class distinction or Schmitt's friend-enemy divide. However, the alienation of man from his own labour, the *sine qua non* of the worker and therefore the basis of the class division of which Agamben speaks, is equally fundamental and pernicious. When Agamben argues for the biopolitical fracture preceding any class divide, he neglects not only the fact that the alienation of labour does so too, but also the fact that, if we are to follow Aristotle and Arendt, as he does in order to fully construct his analysis, then we are compelled to posit the connection of labour to 'bare' life, to which it is inseparably attached and, as a result, equally inadmissible to the *polis*. Whilst Agamben's chronology allows him to criticise Marxist analysis for casting aside the ancient secrets of the state too easily in relation to modern economic developments, he fails to mention that both theories share a common premise in the form of the problematic relationship of labour to the concepts of freedom and political community. Finally, in order to maintain the full autonomy of an ancient sovereign power when faced with the modern mode of economic production, Agamben would have to provide a distinctive account of the ability of an established power structure to resist encroachment, assimilation, or usurpation by another. Yet this very process forms a central component of his earlier theory of the state. Further, similar motifs can

be found within the work of each of Agamben's theoretical forebears; in Foucault's theory of biopower's encroachment onto the territory of sovereignty⁷²; in Arendt's theorisation of the penetration of 'the social' into the pre-existing public realm⁷³; in Debord's notion of the 'spectacle' as a system that disguises the fact that it has 'only just arrived'⁷⁴; and not least in Agamben's own later theory of growing assumption of sovereign power by the scientific-medical establishment. In short, there are substantial impediments to Agamben's deployment of the *arcanum imperii* argument as a critique of Marxism, and these also form the grounds for positing a deeper continuity between the early and later projects of Agamben, despite his assertions to the contrary. It now remains for us to draw the implications of the re-integration of the Marxian analyses of the problem of labour for Agamben's understanding of possible political action.

3.3 Potentiality, Power, and *Praxis*: Re-reading Agamben's 'New Politics'

Agamben's discussion of political action in *Homo Sacer* begins with an engagement with the notion of 'constituting power', the primary, anomic force which creates a legal-political order – as distinct from the 'constituted power' which, in Benjaminian parlance, struggles to preserve it.⁷⁵ It is from Antonio Negri's notion of constituting power as an ontological, rather than political, phenomenon that Agamben takes his cue to return to 'first philosophy':

The strength of Negri's book [*Il Potere Costituente*] lies...in the final perspective it opens insofar as it shows how constituting power, when conceived in all its radicality ceases to be a strictly political concept and necessarily presents itself as

⁷² Foucault, *Society...*, p.241.

⁷³ Arendt, *The Human Condition*, p.46-47.

⁷⁴ Debord, *Comments...*, p.10.

⁷⁵ *HS*, p.39-41.

a category of ontology...[this] unresolved dialectic between constituting power and constituted power opens the way for a new articulation of the relation between potentiality and actuality⁷⁶

Following this philosophical track, Agamben returns to Aristotle's treatment of the relationship of potentiality and actuality to find a formula for escape. Following Aristotle, Agamben acknowledges potentiality as both a force *to be* and simultaneously a force *not to be*, and challenges the pre-existing ontological priority of the actual over the potential which has formed the foundation of Western metaphysics.⁷⁷ In doing so, Agamben is seeking to disrupt the conceptual boundaries between the material and the (im)potential, in such a way as to posit each as completely separate, and thus abolish the relational border which necessarily calls forth a sovereign decision upon its content.⁷⁸ Agamben finds a model for the resulting concept of political action in the form of Herbert Melville's eponymous 'Bartleby', whose ultimate passivity and resistance to the sovereign decision, embodied in his repeated mantra of 'I would prefer not to' in answer to every demand made of him, retains the full power of his potentiality precisely in his suspension of deciding upon or enacting any possible application of it.⁷⁹ Taken alongside his call for a new human ontology, Agamben's use of Bartleby and his radical refusal to perpetuate the sovereign decision, presents us with a distinctively philosophical model of resistance. However, whilst undoubtedly a seamless piece of thought, we must at this point question whether Agamben's notion of the emancipatory potential of first philosophy risks condemning his innovative biopolitical analysis to an insurmountable practical impotence.

⁷⁶ *Ibid.*, p.43-44.

⁷⁷ *Ibid.*, p.45-46.

⁷⁸ *Ibid.*, P.47.

⁷⁹ *Ibid.*, p.48.

In his wide-ranging pluralist critique of Agamben, William Connolly argues that the former's theories only serve to create a 'historical impasse', and that, devoid of any concrete proposal to overcome the logic of sovereignty, Agamben leaves the reader trapped in 'a paradox that [Agamben] cannot imagine how to transcend'.⁸⁰ Connolly also notes the way in which Agamben's theoretical elegance is bought at the expense of a much messier, material reality.⁸¹ Agamben's deployment of Bartleby as an instructive case is also swiftly disassembled upon its application to the realities of sovereign power by Paul Passavant, who notes the simplicity with which Agamben's sovereign can 'decid[e] to kill or otherwise incapacitate the recalcitrant Bartleby'.⁸² Whilst acknowledging the potential effectiveness of the Bartleby model in a Foucauldian system of dispersive/'decentred' power structures, Passavant correctly notes the incongruity between Agamben's description of the architecture of contemporary sovereign power and his plainly inadequate model for political action.⁸³

One way to account for the difficulties encountered by Agamben in his search for a means of resistance to power is to challenge the necessity of its philosophical base. When faced with the abject existence of the bare life he describes, Agamben is forced to trace the roots of his phenomenon back into a primordial metaphysical riddle. Yet the aim of this Chapter has been to describe precisely the way in which Agambenian bare life is not so 'bare' at all, it is actually inextricably linked with the capacity and materiality of *labour*, and, if we accept the (re)integration of labour into the concept of bare life, it becomes possible to discern a potential form of political action commensurable with the concept of *praxis*. This very transition echoes in microcosm the transformation of abstract philosophy into concrete social theory which formed

⁸⁰ W. Connolly, 'The Complexity of Sovereignty', in J. Edkins, V. Pin-Fat and M. Shapiro (eds.), *Sacred Lives: Power in Global Politics*; New York; Routledge, 2004. p.26-27.

⁸¹ *Ibid.*, p.29-30.

⁸² Passavant, *The Contradictory State...*, p.159.

⁸³ *Ibid.*, p.159-160.

the goal of Marx's re-orientation of the Hegelian dialectic.⁸⁴ In the spirit of Marx's eighth 'thesis on Feuerbach', that the 'mysteries which mislead theory to mysticism find their rational solution in human practice'⁸⁵, we are seeking to contend that Agamben's ontologisation of the condition of bare life results from his failure to grasp its inherent connection to the social problem of labour. That, as opposed to a philosophical mystification, which necessarily follows its own momentum and delivers him over to an equally mystified theoretical solution, Agamben's analysis could benefit from the recognition that bare life is tied to a material, socio-economic phenomenon and, as such, can also be followed to a material solution.

In fact, it is possible to conceive of a material and economic contestation, and revolutionary transformation in our current relations of production, as the necessary prerequisite to Agamben's philosophical revolution. One need not be a Marxian materialist to acknowledge that the organisation of the economy forms the primary determinant of the individual's everyday life, of his relationship with his own labour, the product of his labour, and his relationships with others. Further, one need not be a brutal cynic to imagine that, of the six billion souls inhabiting the earth, only a small proportion may be able to conceive of a state of ontological non-relationality as the precondition for an escape from sovereign power. However, if this 'labour thesis' linking bare life to alienated and expropriated labour were to be accepted, then it is also possible to accept the corollary that a change in the conditions of labour can also equal a change in the conditions of life, both bare and qualified. Ultimately, the reorganisation of the economy would itself constitute a reorganisation of social relations, and the reorganisation of the ways in which we interact with each other and with our own nature, with our own *being* and the being of

⁸⁴ The best analysis of this transition, and its crucial components, that I have yet come across is Marcuse's in, H. Marcuse, *Reason and Revolution* (2nd ed.); London; Routledge, 2000., p.258-262.

⁸⁵ K. Marx, 'Theses on Feuerbach', in, *Marx/Engels Selected Works in One Volume*; Moscow; Progress Publishers, 1968. p.30.

others, would constitute nothing less than the very ontological transvaluation Agamben is striving towards.

To conclude, this chapter has attempted to advance the thesis that Agamben's biopolitics is amenable to, and benefits from, the introduction of a Marxian critique of alienated labour and capitalist relations of production into his concept of 'bare life', his analysis of specifically modern biopolitics, and his prescriptions for future political action. The roots of this enquiry were traced to two distinct observations; firstly, that a critique of capitalist political economy is common to Foucault's theory of biopolitics and Arendt's analysis of totalitarianism, the two key theories upon which Agamben founds his understanding of biopolitics in *Homo Sacer*, and secondly that, within *Homo Sacer*, Agamben's exploration of the Nazi concept of 'living wealth' offered a tantalising glimpse of how the 'radically biopolitical' Nazi state approached the question of the life under its care. Hans Reiter et al.'s objective of synthesising the biological lives of their populations and the capitalist political economy within which they operated indicated the grounds upon which an investigation into the interpenetration of life and economy could have been staged, though Agamben chose not to pursue these leads further in this particular work. Taking our co-ordinates from these observations, we set out to establish the grounds upon which a Marxian modification of Agamben's biopolitics, a materialist supplement rather than a wholesale revision, could be built.

Following on from Agamben's brief look at the Nazi eugenicist gesture toward the integration of life and capital, this chapter examined the structural proximity of Agamben's 'bare life' to Marx's alienated labour. This section identified four key structural similarities shared by the phenomena of bare life and alienated labour; the intra-individual nature of the fractures

produced and controlled by each respective system, the resulting animalisation of man and society observed by each theorist as a result of these divisions, the dialectical relationship and threat each entity poses to the system of power that created it, and the importance of removing and preventing such fractures from again isolating an inherent aspect of human life for the purposes of power in both theorists' eschatological prescriptions. On the basis of these four convergences, we speculated that there may be a constitutive relationship between bare life and alienated labour, not on the basis of an economistic reduction, but rather on the basis that labour-power itself forms a distinct (though not determining) part of the constitution of the phenomenon of bare life. In further investigating the relationship between Agamben and Marx, we examined Agamben's appropriation of Guy Debord. Debord's notion of the 'spectacle' was based upon a fundamentally Marxist economic critique, and we concluded that Agamben's use of the concept of 'spectacle', which continues into *Homo Sacer*, could not be separated from the Marxist foundations which underpin the concept. Further, and in answer to both Agamben's critique of Marxism for failing to grasp the ancient nature of sovereignty and the state form in its theory of revolution and Passavant's critique that Agamben himself performs an about-turn in his state theory in the transition to *Homo Sacer*, this chapter took the Agambenian step of returning to an investigation into the role of labour at the foundation of the *arcanum imperii* of the state, the ancient Athenian *polis*.

Examining Arendt's treatment of the foundation of the *polis* in *The Human Condition*, we found her account of the exclusion of *zōē* from the political realm to be based not upon the mere fact of natural life, as indicated by Agamben, but rather on the basis that *zōē*, natural life, is inseparably attached to the problematic activity of labour. Arendt refuses the entry of labour into *polis* because the compulsion, futility, and inherent inequality that characterise the labour process

cannot be accepted into political society without cross-contaminating the public sphere with forces hostile to its founding principles of equality and freedom of speech and action. This finding was echoed by our examination of Aristotle, whose arguments for the exclusion of slaves and workers from citizenship were found to be based upon the biopolitical criterion of physical labour-power and an assertion of the citizens' greater available time for civic duties, time which we found to form a corollary to the expropriated labour-time of the excluded slave. For these reasons, we concluded that, *pace* Agamben, the centrality of the problem of labour to the foundation of the *polis* has remained a crucial component at the heart of the state for millennia. For Agamben to argue that Marxist analysis has marginalised the *arcanum imperii* of the state form in its fixation upon the modern conditions of labour and economy is doubly unreasonable; firstly, because his own sources indicate that the question of labour constitutes a significant part of the ancient construction of the state, and secondly because all of his theoretical forebears, and Agamben himself, have posited the usurpation of older power structures by new imperatives as a central part of their theories, and Agamben does not refute his earlier position that the sovereign power has been penetrated and potentially dislodged by the development of modern economic power.

Finally, having argued for the recognition of modern bare life as a socio-economic phenomenon via its articulation with the concept of alienated labour, and the further recognition that the bare life Agamben finds excluded from the *polis* is itself intricately bound up with the problematic nature of labour, this chapter set out to draw the materialist implications of this double-inclusion for Agamben's own prescriptions of possible political action. Beginning with Agamben's encounter with Negri, we found his prescription for the ontological renegotiation of our dominant conception of being to be overly abstract and potentially useless as a challenge to a

material sovereign power with an unlimited capacity to kill. We argued that, by missing the material connection to the phenomenon of labour, Agamben's philosophical momentum carried him over to an answer that mystified the origins of the problem it sought to solve. We argued that, with the integration of this 'labour-thesis' into Agamben's concept of bare life, an avenue for material and economic *praxis* is opened which allows for the translation of Agamben's biopolitical analysis into concrete notions of political action which, by changing the very nature and networks of human inter-relation conditioned by our organisation and experience of economic life, might also form the first feasible precondition for the achievement of Agamben's greater objective of a foundational re-negotiation of human being.

Life and Labour: On the Foundations of Agamben's Biopolitics

Conclusions

This investigation began by acknowledging the conceptual innovations and timely intervention of Giorgio Agamben's work in *Homo Sacer*. From the beginning it established its two objectives; firstly, to examine the theoretical grounds upon which Agamben builds his theory of biopolitics, and to discuss whether his articulation and appropriation of Michel Foucault and Hannah Arendt is ultimately successful; and secondly, to argue that a constitutive connection exists between Agamben's notion of 'bare life' and the Marxian concept of 'alienated labour', and to explore the implications that this 'labour-thesis' would have for Agamben's historical analysis and his prescriptions for future political action.

Our investigation opened, in **Chapter One**, with a brief overview of Agamben's *Homo Sacer*, designed to identify the key concepts and categories used by Agamben in the creation of his political theory. The first of three sections discussed concepts grouped together under the term 'biopolitics', these included; a portrait of the historical figure of *homo sacer* – the banished outlaw of Ancient Rome; a description of 'bare life', the politically unqualified biological life of the individual; the 'inclusive exclusion' – the paradoxical relationship of natural life to the political community founded upon it; and the term 'biopolitics' as originally coined by Foucault, as a term for the increasing intervention of the state into the care of the biological lives of its citizens. It found that Agamben uses the term 'bare life' to indicate two distinct phenomena within *Homo Sacer*; as a synonym for natural, biological life, and as a description of a specific legal-political status of a life toward which the political order has suspended its own relation. Whilst noting the ambiguity of Agamben's elision, this project decided to use the term under the

first definition, bare life as synonymous with natural *zōē*, as this is the definition Agamben appears to use more frequently within his work. Nonetheless, we must also conclude that Agamben's conceptual slippage here calls for his own clarification if 'bare life' is to function as a coherent, single term for either of the phenomena he is attempting to theorise.

The second section of Chapter One examined a number of cognate concepts grouped beneath the umbrella-term 'the exception', outlining; Agamben's use of the Schmittian model of 'sovereign power' and its archetypal political relation, the 'sovereign ban'; the way the 'exception' itself functions – both as a legal-political state of emergency *a la* Schmitt, and as the more expansive logic of exception argued for by Agamben; this section provided a description of the 'birth-nation link', an instrument by which Agamben sees bare life incorporated into the political order of the nation-state, and the fatal destabilisation of this link when presented with the limit-case of the 'refugee' – the living embodiment of the fact that birth does not immediately confer civic rights; the final part of this section examined the phenomenon Agamben sees as attempting to replace the malfunctioning birth-nation link in regulating the bare life of the individual into the state order, the 'concentration camp', which he sees as an attempt to make permanent an exceptional space to contain the lives of an order's *homines sacri*, and whose logic he identifies as expanding well beyond its previous limits, to the extent that the 'camp' becomes, for Agamben, the 'paradigm of the modern'.

The final part of our overview sought to uncover Agamben's understanding of the *foundations/futures* of the developments he traces. It began by describing Agamben's account of the 'ontological foundations' of sovereign power and biopolitics, locating the source of our current political dilemmas in the ancient configurations of Western metaphysics – a location which, Agamben concludes, necessitates an equally profound response. This response came in

Agamben's gestures towards a 'new politics', which we saw to be made up of two primary motifs; firstly, that the ontological nature of the problem requires a restructuring of our entire way of being, particularly through a re-thinking of the relation of potentiality and actuality, in order to evade the kind of relations that instantly call forth a sovereign decision; and secondly, that the element of human existence known as 'bare life' must find a way of uniting with political life, in Agamben's words 'a *bios* that is only its own *zōē*', in such a way that bare life can never again be isolated and held hostage by the complex of sovereign power that currently dominates it.

With the exception of our note on Agamben's dual use of the term 'bare life', this entire Chapter was a description of concepts which would go on to become important during our investigation proper and so, besides the summary presented here, contains no further theoretical conclusions. The substantial analytical work of this project began with **Chapter Two**, which sought to fulfil our first overall objective; to verify Agamben's claim that his own concept of biopolitics can be safely built upon an articulation of Michel Foucault's understanding of 'biopolitics' and Hannah Arendt's analysis of 'totalitarianism'.

This Chapter began with an examination of the relationship between Agamben and Foucault, the original author of the term 'biopolitics'. Our first concern was to establish the points of Foucault's analysis most critical to Agamben's appropriation, identifying Foucault's notion of a transgressed 'threshold of modernity', the point at which humanity ceased to be the *politikon zoon* of Aristotelian theory and became a species whose collective existence had come to depend upon the structures and outcomes of our politics; and, further, his insight into how the phenomenon of 'biopolitics' was historically conditioned by the logic of the market economy – as the state intervened to care for the lives of its citizens precisely to extract higher quantities and

quality of productive labour. This section also noted two interesting points of convergence between Agamben and Foucault; the first involved their common reading of the classical theory of sovereignty, in which the sovereign is characterised by its ability to put its citizens to death and specifically the way in which this permanently suspended death sentence leaves each individual 'neither alive nor dead' in their relation to the sovereign – and subject to its unmediated decision. The second interesting confluence came with Foucault's analysis of the reasons for the exclusion of physical life from the social contract, which we demonstrated to share the same logic as Agamben's 'inclusive exclusion' of bare life from the Athenian *polis*.

Having established key elements of Agamben's appropriation of Foucault, the second section of this Chapter went on to sketch a number of divergences which may have threatened to destabilise the Agambenian project. The fact that biopolitics played a minor role in Foucault's later work was discussed, but we concluded that this fact of itself does not damage Agamben's attempted use of what was there. A second divergence was identified in the relative historical scope of each theory, noting the dissimilarity between Foucault's modern emphasis and Agamben's vastly wider sweep. In this case, we concluded that Foucault's concerns with the classical theory of sovereignty and his own starting point with the Aristotelian concept of the 'political animal' both mitigate the extent to which we can argue Agamben's deeper reading of history is incongruent with Foucault's own work. A third difference was found between Foucault's idea of 'biopower' as a separate development, and fundamental challenge, to sovereign power and Agamben's unitary understanding of the complex of sovereignty. This issue was not clearly resolved, and remains to be raised at the end of these conclusions as one recommended extension of this particular area of study. The final note of conflict to be found centred upon the role of capitalist economics in each theorist's analysis – of prime importance to

Foucault, yet barely mentioned by Agamben – which went on to form the starting-point for our analysis in the next Chapter.

The next section of Chapter Two was taken up with an introduction to the work of Hannah Arendt, looking at her historical account of the development of totalitarianism, and a number of key concepts from *On the Origins of Totalitarianism* and *The Human Condition*. We established the pertinence of Arendt's analysis to Agamben's project, and challenged his assertion that Arendt's *Origins...* lacked a properly biopolitical analysis by demonstrating that her understanding of the phenomena of the refugee, the camps, and the totalitarian system, all contained elements which are biopolitical in their construction. Agamben's objections remain curious and beg further clarification before they can be so easily asserted. The fourth section established the precise workings of Agamben's articulation of Foucault with Arendt, a relationship we described as one of 'mutual supplementarity'. Firstly, we found three ways in which Agamben uses Arendt to compensate for shortcomings in Foucault; firstly, using her focus on totalitarianism to bring a biopolitical analysis to bear on the concentration camp system; secondly, sharing her 'vertical' model of power in a way that mitigated Foucault's emphasis on dispersive power structures inimicable to Agamben's schema; and, thirdly, using her transcendent perspective as a complement to his own. We also found two ways in which Foucault is deployed as a counter to Arendt; firstly, by making clear a link between sovereign power and the human body and, secondly, by sketching a history of increasing state intervention in the biological care of its citizens from the seventeenth century – a phenomenon for which Arendt conspicuously fails to account, despite its noticeable development, its wide implications, and her own comprehensive approach to history. From these particular articulations, we concluded that Agamben uses this 'mutual supplementarity' as a method for simultaneously

constructing the parameters of his biopolitics and using parts of each theorist to counter or negate the elements of the other that might problematise his own appropriation.

The next section moved on to discuss the areas of convergence that exist between all three theorists, or combinations of the three, which were grouped into 'historical' and 'theoretical' convergences. This section identified four key historical convergences; firstly, the emphasis Agamben and Arendt share on the seismic effect of the First World War in destabilising the European political order; secondly, the same theorists' mutual recognition of the concentration camp as the pivotal institutions of their analyses, leading on to the third convergence in which Arendt and Agamben posit the nature of the camps as far beyond any traditional concept of 'crime'. The final historical convergence, shared by all three writers, was a deep-rooted criticism of a modern society dominated by the logics of production and consumption and resulting in the bestialisation of those populations within.

The first of five theoretical convergences related to the identification of a dominant 'processual temporality' in the way that Foucault's 'biopolitics', Arendt's 'totalitarianism', and Agamben's 'biopolitics', all constitute supra-human forces working their way *through* populations with no regard to individual life. Secondly, Agamben and Arendt shared in an indictment of Marxism as a tradition which, despite its noble objective, results only in the perpetuation of oppression – via its conflation of 'labour' and 'work' in Arendt and in its reliance on the imposition of a sovereign exception in Agamben. Whilst all three theorists agreed on a critique of modern humanitarianism as an ill-equipped mystification unable to bring about change, the remaining two theoretical sections were shared by Arendt and Foucault alone; firstly, in their recognition of the catalysing effect of the theory of evolution upon the phenomena they

seek to study; and, finally, in their recognition of the crucial importance of capitalist relations of production in the constitution of the developments they so assiduously trace.

Each of these historical and theoretical convergences further solidify Agamben's claim to have found two complementary poles upon which to found his own biopolitics. Yet, this section also identified a number of divergences that required further analysis. These divergences were themselves grouped into three categories; 'methodological-perspectival', 'analytic', and 'speculative'. Our analysis of methodological-perspectival differences identified two related points of dissonance in each theorist's schema; firstly that Foucault holds himself to a strict analysis of events and institutions whilst Agamben, and to a lesser extent Arendt, use specific case-studies as starting-points for much wider moral and philosophical discussions; and, secondly, that Agamben and Arendt's clearly normative intentions in the crafting of their theories are not shared by Foucault. In relation to these points, we conclude that the differing horizons offered by each theorist in their work does not impair Agamben's ability to bring them together, as the perspectival divergence does not undermine the particular content of Foucauldian biopolitics on which his analyses are based.

The first 'analytic' divergence singled out for discussion was Arendt's positive treatment of the concepts of power and the nation-state, which stands in contradistinction to the Foucauldian suspicion of power relations and Agamben's identification of the nation-state as the locus of sovereign power in the modern world. The second point of disagreement consisted of a selection of differences between Agamben and Arendt's descriptions of the nature and role of concentration camps; for Agamben, an emergency regulator of life and order, working in the face of the failure of the birth-nation link to fulfil its historical objective of incorporating the lives of its residents into a coherent political order, and for Arendt, laboratories for the production of a

new kind of human being, desensitised and devoid of the human spontaneity that threatens to interrupt the flow of Nature or History through totalitarian populations. In relation to the first of these divergences, we conclude that Agamben's theorisation is safe. Whilst it is true that a disagreement exists, the role of power and the nation-state in Arendt's work is not one of Agamben's concerns in the construction of biopolitics, rather it only gains its cogency in terms of prescribed alternatives – over which Agamben and Arendt seriously disagree in any case. The second element of conflict, different understandings of the nature of the camp system, is a serious point of divergence. We conclude that reading the camps in a different light is a result of the differing intentions and foci of each author and the contradictions present in their works is, again, insufficient to challenge the overall basis of their articulation – which, in this case, is to bring an analysis of totalitarian practices into tighter step with Foucault's treatment of the relationship of human biology to political power. It also should be noted that both theorists essentially agree that the camps' *raison d'être* is the management and production of distinctive human biologies and, in this way, still share an essential common thread of biopolitical analysis, a similarity which gestures towards a deeper theoretical reconciliation.

The remaining 'speculative' divergence returned again to the consideration of the potential planes of action to emerge from each theorist's work. Whilst Foucault offers no programmatic alternative to complement his biopolitical analysis, Arendt seeks to use her work to indicate the necessity of returning to the Classical distinctions between public and private realms, and between natural and political life. Developing far beyond both of them, however, is Agamben's call for a renegotiation of the human ontology, positing a new way of *being* as the only answer to the continuing hold of sovereign power over bare life. This divergence is clearly the most dramatic, and one for which no reconciliation can be found. It is our considered

conclusion in this case that, while any reconciliation is impossible, it is also unnecessary. Again, this aspect of each thinker's work considers the future alternatives to the phenomena they study, and does not prejudice Agamben's ability to build a biopolitics which then continues on to reach such radically different conclusions.

In terms of an overall conclusion to the investigation in Chapter Two, we are satisfied that Agamben's biopolitics rests safely upon the foundations he claims for it. Whilst the work of Foucault and Arendt may not sit comfortably together, and whilst all three theorisations break into discordant analyses in a number of areas, the strong thematic convergences we have outlined and the specificity with which Agamben tailors his appropriation of each of his intellectual forebears, mitigate the limited nature of most areas of divergence. One question that remains, however, is Agamben's failure to enact an analysis of capitalist economic relations in his theory of biopolitics, particularly when the same economic critique forms such a central platform of both Foucault's and Arendt's cited works.

Gaining a more complete understanding of the relationship between Agamben's biopolitics and a radical critique of capitalist political economy is the central concern of **Chapter Three**. This Chapter considered our second general objective; to posit a constitutive connection between Agamben's concept of 'bare life' and the phenomenon of 'alienated labour' familiar to Marxian theory. In addition to establishing the link between these two phenomena, in both the ancient and modern aspects of Agamben's work, this Chapter also aimed to demonstrate the way in which the acceptance of this 'labour-thesis' creates an avenue for political action which Agamben's philosophical emphasis is unable to provide. In order to achieve its objectives, this Chapter was divided into three sections; the first examining the lack of economic analysis in *Homo Sacer* and Agamben's links to the Marxist tradition; the second sought to establish a

thread of continuity with Agamben's account of the *polis* by exploring the relationship of political life to the problem of labour in Aristotle's *The Politics*; and, the third, to outline the way in which the 'labour-thesis' itself opens up forms of *praxis* unavailable to Agamben's call for a renegotiated human ontology.

The first section opened with a description of the fleeting treatment Agamben awards to the work of Nazi eugenicists Hans Reiter et al. and argued that their calls for a 'synthesis' of biology and economics should have served as the starting-point for Agamben's wider analysis of the relationship of this most biopolitical state to the capitalist market economy into which its scientists urged the integration of the biological lives of their citizens. From this tantalising glimpse of the avenue Agamben could have taken in *Homo Sacer*, this Chapter turned to its fundamental concern with establishing the link between bare life and alienated labour. It found four key areas of intersection between the two phenomena; firstly, we observed the way in which both bare life and alienated labour are located *inside* every individual, as a separable element that finds itself produced, isolated, and held as an object by a hostile power; we also noted how, for both Agamben and Marx, the consequences of establishing a society based upon their respective phenomena have been to reduce human beings to the level of animals. The third point of convergence between each theory centred on the dialectical relationships bare life and alienated labour share with their governing powers insofar as both phenomena are simultaneously the primary products of each power structure and yet cannot be tolerated within that structure without risking a systematic destabilisation. The final point of agreement to be argued for was eschatological, as both Agamben and Marx posit a new form of unity between our internal divisions – bare life and political life, and alienated labour and *species-being*, respectively – as the only possible solutions for the iniquities of the present order. Having made arguments for the

deep structural links between bare life and alienated labour, this section closed with an analysis of Agamben's acknowledged debt to Guy Debord and his notion of the 'integrated spectacle', observing that Agamben's continued use of the Debordian 'spectacle' in *Homo Sacer* is impossible without Agamben's continued acceptance of the Marxist architecture of Debord's work. On the basis of the arguments made in this section, we conclude that there is a compelling structural relationship between Agamben's 'bare life' and the phenomenon of alienated labour. We further conclude that bare life is, therefore, not as completely 'bare' as Agamben maintains – as labour-power itself can only be divorced from biological existence in the most of extreme of circumstances, such as the inert condition of the *Musselman*, the inhabitant of the camps reduced to absolute non-action by their plight.

The second section began by dismissing Paul Passavant's critique of Agamben's 'contradictory' theories of state. Whilst Passavant saw a contradiction in Agamben's early emphasis on the economic determination of the state and his later model of sovereignty as the determining factor in all situations, a notion reinforced by Agamben's position in *Homo Sacer* that Marxism has failed to understand the *arcanum imperii*, the ancient secrets of sovereign power that pre-date current economic configurations by millennia, this section found reason to challenge both. In order to do so, it took the Agambenian tack of returning to the work of Aristotle and the Athenian *polis* to examine the bases of the originary exclusion of bare life from the political community at the very foundation of the City. Reading Aristotle, with support from Arendt, we found that the original exclusion of bare life from the *polis* was based on the problematic nature of labour, to which it was inherently tied. Further, we found that Aristotle based his distinction between master and slave, or citizen and excluded life, partly on the latter's physical capacity for labour and that the free time that Aristotle classes as essential for the

fulfilment of civic duties in his definition of who may be a citizen is itself based upon the expropriated labour-time of others, who are then excluded from citizenship on that basis. Therefore, we cannot but conclude that, *pace* Agamben, the management and expropriation of labour-power has been at the heart of the political order, and therefore an intrinsic element of his *arcanum imperii*, from the age of antiquity. This conclusion simultaneously vindicates Marx's analysis of the centrality of labour to our political conditions, and indicates that Agamben has perhaps unknowingly, and *pace* Passavant, maintained the content of his earlier theory of the state whilst shifting the emphasis from 'spectacular' capitalism to the entity of sovereign power, whose *arcanum imperii* may simply consist of a millennia-long process of reification.

The final section of this chapter started from a brief description of Agamben's analysis of Antonio Negri, which paid particular attention to his concept of 'constituting power'. We saw how, for Agamben, Negri's main innovation was to remove the notion of 'constituting power' from political theory and return it to the realm of 'first philosophy'. This section moved on to note how Agamben appropriated Aristotle's work on the relation of potentiality and actuality to base his theory of sovereignty on this primary metaphysical ground, and how this led Agamben to call for a relationship of non-relationality and radical non-action, *a la* Bartleby, as the key to evading the depredations of sovereign power. In agreement with Passavant, we concluded that Agamben's 'Bartleby' model of political action lacked any feasibility in the face of his own understanding of the material reach of the sovereign. It was at this point, that we ventured to suggest the 'labour-thesis' as a theoretical corrective; the fundamental continuity and constitutive connection between bare life and alienated labour, we argued, ultimately opens Agamben's analysis to avenues of concrete political and socio-economic contestation that his current philosophical determination does not permit. We also speculated that it was Agamben's original

oversight of this connection that may have spurred his retreat into the realm of ‘first philosophy’ and that, ultimately, a radical restructuring of our relation to the economy, and our relation to each other via the economy, might be the first practical step toward the very ontological renegotiation Agamben sees as vital to our escape from catastrophe. Our conclusions for this section are twofold; that Agamben’s current model for political action is not capable of satisfying a materialist demand for political change; and, second, the adoption of the ‘labour-thesis’ opens a terrain of feasible action that remains entirely consistent with Agamben’s concerns and work in *Homo Sacer*.

This investigation set out to fulfil two objectives; firstly, to examine the grounds upon which Agamben built his concept of biopolitics, and to establish whether his appropriation and articulation of Michel Foucault and Hannah Arendt succeeds; and, secondly, to argue for the recognition that Agamben’s concept of bare life shares a distinct structural proximity to the Marxian notion of alienated labour, a proximity we sought to argue indicates a constitutive connection between each phenomenon. In relation to the first, we found that Agamben’s appropriation was problematic in places, but structurally sound. We found that Foucault and Arendt did work in a relation of ‘mutual complementarity’ to open up the terrain upon which Agamben based his project, yet we noticed his surprising reticence on the role of capitalist economics – on whose ultimate significance both Foucault and Arendt strongly agreed. In relation to the second objective, we have outlined a number of compelling intersections between bare life and alienated labour, suggesting a fundamental affinity in their conceptual structures. We have also shown how expropriated labour has resided as a problem in Western politics throughout recorded time, and have shown how a Marxian reading of bare life as connected with alienated labour fits entirely with Agamben’s historical analysis from the *polis* to the present

day. Finally, we asserted that the 'labour-thesis' materialises Agamben's call for action in a way that is conducive to a reconceived notion of *praxis* and, ultimately, may function to realise his greater call for a new understanding, and even re-founding, of human *being* itself.

The final task that remains is to indicate two potential areas of further research, pressing questions which, having appeared during the course of this inquiry, we have had neither the space nor the time to give ample consideration. Towards the end of our section on Foucault, we noted his divergence with Agamben on the issue of the relation of 'biopower' to sovereignty. For Foucault, 'biopower' is a separate phenomenon, working under a different logic, and is a challenge to sovereign power; in Agamben, the new biopolitical developments are another facet of a unitary sovereign power whose mode of domination is evolving over time. This disagreement may be one of fundamental importance, particularly as it implies two possible solutions of equal consequence; firstly, that Foucault has posited biopower beyond sovereignty as a result of an investigative false-step or mystification; or that Agamben, when faced with a power outside of the sovereign order, has, perhaps unknowingly, performed an inscription of this autonomous power into the very sovereign order he wants to escape, and to which it may pose a radical threat. This question also opens out into the wider phenomenon of 'constituting power' as sovereign power, and biopower if it is indeed a separate entity, must have been drawn from this infinite well of political action - as must all future political forces generated by the collective action of free people. Understanding the contours of this relation is, therefore, a task of great importance to any political theorist concerned with evading or breaking the hold of established legal-political structures of power.

The final question with which we seek to end this investigation is what precise forms our posited unity of labour and bare life may yield. We have offered no programmatic solution here,

both because this investigation has limited time and space, and because the practical conclusions of a theoretical position, to which thinkers should be obliged to assign a high priority, are always far more nuanced and painstaking than the proposition on which they are based. To unpick the densely embroidered relationship of power – sovereign, economic, social, and political – to life – bare, qualified, human, and animal – and to find the essential nodal points at which the gilded cage of our current biopolitical configuration has its weakest links, remains a task whose sheer scale and complexity is rivalled only by the gravity of our current situation(s) and the absolute political urgency their swift resolution.

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