Thought of the outside

Foucault contra Agamben

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> It is gladly believed that a culture is more attached to its values than to its forms, that these can easily be modified, abandoned, taken up again; that only meaning is deeply rooted. This is to misunderstand … that people cling more to ways of seeing, saying, doing, and thinking, than to what they see, what they think, say or do… In the twentieth century things have taken an unusual turn: the 'formal' itself, reflexive work on the system of forms, has become an issue. And a remarkable object of moral hostilities, of aesthetic debates and political clashes.
>
> Michel Foucault

If Giorgio Agamben expressly situates his work on biopolitics in relation to Michel Foucault's, it is on a somewhat ambiguous footing. 'The Foucauldian thesis', he famously states in *Homo Sacer*, 'will then have to be corrected, or at least completed.'[1] More recently in *The Signature of All Things*, Agamben claims a methodological filiation: 'these observations appear to be investigations on the method of Michel Foucault, a scholar from whom I have learned a great deal in recent years.'[2] 'Archaeological vigilance' brings him to interpret the affinities, and perhaps even the signatures among their respective genealogical inquiries on life, the body, and their politicization.[3] Yet critics argue that Agamben's interpretations of Foucault's biopolitics amount to radical transformations; that his analyses take place on ontological, epistemological, historical and political planes that fundamentally alter those of his precursor. Arguing from a juridico-institutional, linguistic and transhistorical perspective, through what Paul Patton terms 'conceptual fundamentalism',[4] it seems that Agamben would be guilty of turning Foucault on his head, apparently without noticing.[5] I would like to return to the crux of this argument and suggest that Agamben is indeed following lines of analysis drawn by Foucault, but by the *early* Foucault, the one before May '68, the *Groupe d'Information sur les Prisons* and *Discipline and Punish* – paradoxically, the Foucault who, by his own admission, did not have the concepts or the means to deal with power, bio- or otherwise.[6]

While any of the several displacements executed by Agamben's texts could serve the purposes of my argument (from life to bare life, from discourse to language, from the population to the human), I will focus on the concept of the *margin* (and its many variations as limit, limit-point, threshold) as it is tactically deployed or renounced by both philosophers. For some decades, the margin has been front and centre in debates across the humanities and the social sciences; outlining its function in the apprehension of biopolitics by Foucault and Agamben will make the critical divergences and political implications of their forms of thought more visible. I begin by drawing the conceptual similarities and methodological differences in both writers' explorations of language and thought from the outside, to show how Agamben's work prolongs Foucault's early writings on aesthetics (and the aesthetics of madness). Sections two and three outline the forms of thought deployed respectively by Agamben and Foucault in their analyses of the problematic of life and its biopolitical management, to further specify the politics of their methods and propose a Foucauldian critique of Agamben's theoretical and methodological choices. Section four opens the discussion to the politics of identification, subjectification, and forms of resistance and elaboration of self within biopolitical regimes, arguing that while Foucault's writings and interventions work to develop multiple lines of possible resistance, Agamben's promise of a coming community remains at best an inspiring utopia, at worst the means to avoid facing actual, historical forces of power and knowledge relations.

Language

When Foucault was writing his histories of madness and of the emergence of the clinic, when he was developing his archaeology of the human sciences, meticulously drawing the networks of relations and limits enabling the enunciation of true statements for various *epistemes*, he was also exploring the possibility of what he termed 'thought from the outside' (*la pensée du dehors*) in a series of reflections on texts by Sade and Hölderlin, Mallarmé and Roussel, as well as contemporary ones by Blanchot, Bataille, Klossowski and Artaud – as though the patient tracking of epistemological normalizations in his major books demanded the discovery of *a way out*, and it was literature's task to imagine it. Literature is what must be thought today, Foucault insists (even in *The Order of Things*[7]), because it exposes the 'brute being of language' (*le langage en son être brut*) as pure exteriority,[8] and thus allows an experience of the outside. Surrounded by empty space, by the desert, the 'solitary sovereignty of "I speak"' signals the inexistence of the subject or perhaps its dissolution in the infinite outpourings of language, which always remains at the threshold of positivities.[9] Literature constitutes a form of thought in which critical reflection and fiction become indistinguishable.[10] In Blanchot's writing, Foucault finds language at the limits, at the thresholds or extremities where it must constantly contest itself: 'when language arrives at its own edge, what it finds is not a positivity that contradicts it but rather the emptiness in which it will erase itself.'[11]

Such marginalized texts matter because their transgressive gestures also throw new light on reasonable practices: Foucault not only analyses how '*les fous de littérature*' make meaning, but also engages their procedures, delights in them (speaking of his relation to Roussel's texts, for example, as his secret house, 'a love story that lasted a few summers. No one knew about it'[12]). Foucault claims that Roussel's machinery (to write from random utterances that must be taken apart and redeployed), and its deliberately posthumous revelation in *How I Wrote Certain of My Books*, display the exquisite proximity of language and death;[13] just

> when words open out onto the things they say … there, symmetrical with the threshold of meaning, is a secret threshold, curiously open, and impassable, impassable precisely in being an immense opening, as if … the gesture creating this fluid, uncertain space were one of definitive immobilization … Here, death and language are isomorphic.[14]

The anonymous exteriority of this language promises nothing: it disseminates a formless, disquieting anxiety oriented not towards the most reticent of secrets, but towards the coming apart and transmutation of the most visible forms: each word is both animated and ruined, filled and emptied by the possibility that there might be a second – this one or that one, or neither one nor the other, but a third, or nothing.[15]

Adopting, adapting these procedures, Foucault redeploys the statements he finds in Roussel's infamous posthumous text, reiterating them in great series of direct or slightly modified quotations in his *Raymond Roussel*[16] – his book thus enfolding and resignifying the other's random reformulations, in language formations that mark the death of the one who writes.[17] In Jean-Pierre Brisset's mad search for the origin of language at a time when such quests had been banned from learning and exiled to delirium, Foucault discerns a method that shows how 'what one discovers, in the first state of language, is not a treasure, however rich, of words; it is a multiplicity of utterances' – findings not unlike those resulting from Foucault's own (highly reasonable) archaeological investigations.[18] For Brisset, he argues, the origin of language is language itself in sonorous play, 'falling there, outside itself, in the ultimate dust that is its beginning'.[19] The literal dust encountered by Brisset (who traced the origins of human language in frog play in the mud) marks the limits of Foucault's dusty work in the archives. In *Ceci n'est pas une pipe*, Foucault stages little classroom dramas to simulate the spatio-linguistic contradictions and tensions he sees in Magritte's work:

> 'It's a pipe, it's a pipe' cry the pupils jumping up and down while the master, more and more quietly, but always with the same obstinacy, murmurs as no one will listen to him from then on: 'and yet this is not a pipe'… And then, on its visibly unstable beveled legs, the easel must topple, the frame must dislocate itself, the picture must roll to the floor, its letters must disperse, the 'pipe' can now 'break' [i.e. 'die' in French]: the commonplace – banal work or daily lesson – has disappeared.[20]

Foucault's explorations of the thought of the outside thus perform its principles: neither fiction nor critique, but interminable mediation and meditation, these early writings transgress the limits of commentary, philosophy, history and archaeology to enact the liminal, untimely experiences offered up by the language of literature and art – in effect, positioning his books within the exterior fold of their unthought.

The resonances with Agamben's work are both obvious and numerous: Agamben's constant return to language as both essential and propinquitous to death, to concepts of the limit, margin and threshold,

to the dissolution of differences and of identity, to the desubjectification of the 'I' who speaks, prolong and variegate Foucault's explorations of the language and thought of the outside. *The Coming Community*, for example, both probes and performs this form of thought.[21] Fabricated from fragments, proffered in fragments, the book remains inoperative (*désœuvré*), still between the possibility of actualization, and its indefinite suspension. Each section is 'animated and ruined, filled and emptied by the possibility that there might be a second – this one or that one, or neither one nor the other, but a third, or nothing'.[22] The opening section describes the form of being – 'whatever' being – that calls for the coming community: a singularity without identity, valuable and lovable, as such. Echoing Foucault's texts on literature, Agamben's book posits that 'a singularity plus an empty space can only be a pure exteriority, a pure exposure. *Whatever* [the 'figure of pure singularity']*, in this sense, is the event of an outside*. What is thought in the architranscendental *quodlibet* is, therefore, what is most difficult to think: the absolutely non-thing experience of a pure exteriority.'[23] The collection effectively materializes 'means without ends', gesture immobilized in a potentiality to be, or not be. It promises its reader nothing, yet constructs a web of relations among religious, philosophical, literary, political, juridical and other texts. The paratactic method spatializes thought; adjacency, reiteration and serialization out of time enable the set of disparate reflections to *become* through 'inessential commonality' (from the Scholastics to Saint Thomas and Duns Scotus, to Benjamin, the Talmud and Hölderlin, Walser, Kafka and Spinoza and Kant etc.).[24] By its own constitution, by 'taking place', the text gestures to the coming community as 'the communication of singularities in the attribute of extension, [which] does not unite them in essence, but scatters them in existence'.[25] In *Means without Ends*, Agamben insists that thought is the power that can produce a form-of-life beyond the reach of state sovereignty because of its inherent irreducibility to bare life: 'I call *thought* the nexus that constitutes the forms of life in an inseparable context as form-of-life … And it is this thought, this form-of-life, that … must become the guiding concept and the unitary center of the coming politics.'[26]

If both writers thus agree on the vital importance of forms of thought, their methods of discerning and performing 'outside thought' diverge significantly. Foucault engages a series of marginalized texts by 'mad' authors to apprehend and refashion experiences of exteriority through literary practices. His analyses (that are also meditations on, simulations of, *mises en abyme*) make visible the various machineries and machinations that produce such texts and their precarious juggling of sense, madness, exteriority, experience, death. It is as though these early essays worked to fold Foucault's books back onto themselves, combining (or transforming) the archaeological gaze with a form of alert listening to speech from the margin that confronts institutional truths, destroys the sovereign subject, disassembles objects, and transgresses rules of normative knowledge and writing. Agamben's *Coming Community* operates differently, from a limitless web of intertextual references to various moments of truth: his meditations on quotations bring to life forms of thought in order to reactivate and disseminate them in new relations of knowledge and power on a transhistorical and transcultural plane. Scenes of contemporary life – French advertisements for Dim stockings and the 1989 Tiananmen Square uprising – shimmer and play to launch new lines of flight. The series of short texts summons the reader to fill in the blanks, to draw out potentialities – or not. The whole composition seems to bring forth affinities randomly, and yet there are moments when the politics of selection become jarringly apparent.

Witness the near-middle section, 'Without Classes', which begins with the following startling observation: 'If we had once again to conceive of the fortunes of humanity in terms of class, then today we would have to say that there are no longer social classes, but just a single planetary petty bourgeoisie, in which all the old social classes are dissolved.'[27] One has to wonder how many millions must disappear from view, simply not matter at all, for such a statement to make sense. There then follows a long, third-person diatribe against this class that has 'inherited the world', and knows 'only the improper and the inauthentic'.[28] Poor them, such fools: 'the fact is that the senselessness of their existence runs up against a final absurdity, against which all advertising runs aground: death itself.'[29] Agamben does discern some grounds for political movement, however: 'Selecting in the new planetary humanity those characteristics that allow for its survival, removing the thin diaphragm that separates bad mediatized advertising from the perfect exteriority that communicates only itself – this is the political task of our generation.'[30] One has to wonder about this final injunction 'to select characteristics that allow for [humanity's] survival', and the identification of that (ominously unspecified) operation as 'the political task of our generation': without being overly difficult or dramatic, what kind of selection are 'we' talking about? The (eerily eugenic) vocabulary, the (contemptuous

and eschatological) tone, and the (vaguely biological/temporal) community in this passage resonate with the biopolitics that form-of-life producing thought was ostensibly there to pre-empt. It's time to look more closely at life on the margin.

Ontology

The form of writing adopted in *Homo Sacer: Sovereign Power and Bare Life* at first seems more demonstrative than performative: a preface indicates the immediately political stakes of the investigations to follow, and the three parts of the book all end with a 'Threshold' section articulating each part to the next, and finally to contemporary politics. Yet every component of this sequence adopts the fragmentary, paratactic form of reasoning characteristic of *The Coming Community*. Drawn against 'the bloody mystification of a new planetary order', Agamben's overall argument radically reconceives Foucault's work on biopolitics in order to correct two errors, one temporal, the other conceptual.[31] Positing that biopolitics is as old as politics itself, rather than a specifically modern phenomenon (as argued by his predecessor), Agamben also discerns a 'blind spot' in Foucault's analyses, and 'more generally [in] the entire Western reflection on power': the inability to locate where techniques of individualization intersect with the totalizing procedures of government.[32] I will consider Agamben's solutions in turn.

To draw the 'logical and topographical structure of sovereignty' on a transhistorical plane, Agamben first elaborates a linguistic and juridical–institutional argument.[33] He begins with the ancient Greek distinction between *zoē*, 'the simple fact of living common to all living beings', and *bios*, 'the form or way of living proper to an individual or a group'.[34] Sovereign power rests on the ability, and threat, of reducing an individual's *bios* to *zoē*; for Agamben, banning the individual from the city and thus reducing his life to bare life constitutes the originary inclusionary exclusion: 'the fundamental categorical pair of Western politics is not that of friend/enemy but that of bare life/political existence, *zoē*/*bios*, exclusion/inclusion.'[35] Turning to Aristotle's reflections on voice (*phonē*) and language (*logos*) in relation to the *polis* (other living beings have voice, but only the human being has language, and through language makes a city), Agamben traces the following homology: 'The living being has *logos* by taking away and conserving its own voice in it, even as it dwells in the *polis* by letting its own bare life be excluded, as an exception, within it. Politics therefore appears as the truly fundamental structure of Western metaphysics insofar as it occupies the threshold on which the relation between the living being and the *logos* is realized.'[36] Indeed Agamben states that 'In the "politicization" of bare life – the metaphysical task *par excellence* – the humanity of living man is decided. In assuming this task, modernity does nothing other than declare its own faithfulness to the essential structure of the metaphysical tradition.'[37]

This argument drawn from conceptual and linguistic binaries leads Agamben to a juridical argument based on the figure of *Homo sacer* in archaic Roman law, the one who is banned from the community for transgressing its norms (not necessarily its laws)[38] and who can be killed with impunity but cannot be sacrificed. *Homo sacer* comes to stand for all those whose political life is reduced to bare life, and this structure of exception (or limit or threshold) is fundamental to Western democracies: Agamben maintains that the ostensibly inclusive concept of the *People* always already presupposes a *people*, 'the poor, the disinherited, and the excluded. One term thus names both the constitutive political subject and the class that is, de facto, if not de jure, excluded from politics.'[39] 'In the concept "people" we can *easily recognize*', Agamben continues, 'the categorical pairs that we have seen to define the original political structure: bare life (people) and political existence (People), exclusion and inclusion, *zoē* and *bios*. The "people" thus always already carries the fundamental biopolitical fracture within itself.'[40] The structural, metaphysical and transhistorical nature of the argument authorizes Agamben to draw homologies that shocked many and propelled him to international fame: brain-dead patients who survive on machines, inmates who await execution, refugees held at airport zones of detention, and prisoners in Nazi concentration camps are all, always already, reiterations of the paradigmatic *Homo sacer*. By the same confounding logic, Marx is to the working classes as the Nazis are to the Jews, as in both cases the purpose is to eliminate the people from the People.[41] The following volume in the series, entitled *State of Exception*, gives a history of this paradigm of government that 'defines law's threshold or limit concept',[42] from the 1679 writ of *habeas corpus* in England to the French Revolution, down to the USA Patriot Act of 2001: present biopolitics can only and ever repeat the originary structure of inclusive exclusion – history as the constant reiteration of the *easily recognizable* Same. The problem with this kind of quasi-ontological and quasi-metaphysical structuralism is that rather important distinctions get lost in the wash: Marx's concept of class conflict is not equivalent to the Nazi 'final solution', and a heuristic model that

does not discern such disparity should be rethought, if not relinquished.

It would be difficult for Agamben to do so, however, as he insists that the paradigms he uncovers are ontological, rather than the result of cognitive operations: 'The intelligibility in question in the paradigm has an ontological character. It refers not to the cognitive relation between subject and object but to being.' Just as for Heidegger Being 'destines' history, for Agamben 'the paradigm *determines* the very possibility of producing in the midst of the chronological archive – which in itself is inert – the *plans de clivage* … that alone make it legible.… There is, then, a paradigmatic ontology.'[43] But, one could ask, how would the paradigm of *Homo sacer* function if the lives of women and slaves in ancient Rome were factored into the model? How would it be altered in relation to contemporary politics if women, the working classes, and racialized and ethnic minorities were considered? Writing on 'Biopolitics and Human Rights', for example, Agamben claims that the contradiction between 'man' (as bare life) and the citizen came to a lasting crisis after World War I, but he never mentions the previous decades of working-class, feminist, African-American and Jewish struggles for the rights of citizenship.[44] Women do occasionally come into view in Agamben's writings on biopolitics: Hannah Arendt and a few other critics are discussed, but 'man' is the protagonist in all his texts, while women briefly cross the stage in mythical dress, as duplicitous temptresses[45] or murderous Gorgon.[46] Ewa Płonowska Ziarek[47] generously argues that taking the historical struggles of slaves and women into account could complete Agamben's theory of *Homo sacer* by offering models of resistance, but this ostensible 'completion' contradicts the *telos* and ethics of Agamben's entire œuvre, as he ceaselessly insists on the need to relinquish all ameliorative practices (and their usual calls for human rights and humanitarian intervention) to develop instead other modes of 'whatever being' (being-*such*, a singularity unleashed from community identification but tied to desire), outside of juridical notions of guilt and responsibility.[48] For Agamben, the only way out of the contemporary 'global civil war' is through thought from the outside; thought that ignores the transcendental structures of Western metaphysics, thought that is pure language without subject or identity, without objects or positivities, immanently drawing forms-of-life that would be 'always and above all power' for the coming community of whatever being.[49] This work Agamben places in Foucault's lineage: 'There is no great theoretical difference between my work and Foucault's; it is merely a question of the length of the historical shadow.'[50]

But Foucault's historical shadows are formed differently, for the philosopher always insists on drawing out the historicity of thought events: it might very well be that a system of thought carries universal forms, 'but the setting in motion of such universal forms is itself historical'.[51] Moreover, critique 'does not fix impassable frontiers and does not describe closed systems; it makes visible singularities that can be transformed.'[52] One of the singularities Foucault famously brings to light is the birth and timely death of Man, in *The Order of Things*. Seeking an originary metaphysical structure foundational to Western metaphysics and politics, and discussing the 'humanity of living man'[53] cannot be enfolded into Foucault's genealogical work in any theoretically coherent manner – it is therefore all the more surprising to read Agamben comfortably finding a home for his work there.

History

In a 1976 interview – that is, after *Discipline and Punish* and while developing his further studies of governmentality, midstream in his critique of the nature and functioning of biopolitics – Foucault summarily dismissed his previous attempts to discern the thought and language of the outside:

> The margin is a myth. The language of the outside is a dream that we never cease to return to. The 'mad' are placed in the outside of creativity or monstrosity. And nevertheless, they are part of the network, they are formed and they function in the apparatuses of power.[54]

It is when Foucault articulates domains of knowledge to the exercise of power that he abandons his search for a form of language that would transgress the limits of thought, and pursues instead a more modest project of critique that would allow alterations of power–knowledge relations by showing their contingent, historical constitution. Refusing to begin with obvious, universal categories such as Power, Humanity, Thought and Language, Foucault shifts his focus to specific power–knowledge matrices operating throughout the social fabric, for power exists in its exercise, in relations that come from below as much as directives that come from above. Historical investigations based on these methodological precautions eventually generate a new conceptualization of experience, now reframed as the correlation, in a culture, of domains of knowledge, types of normativity, and modes of relations to the self.[55] Whereas Agamben uses the concept of *paradigm* to define forms of thought and government reiterated across centuries and cultures, Foucault develops the concept of *dispositif* to apprehend historical assemblages of discourses, institutions, laws, architecture and behaviours that are in perpetual flux, as aptly described by Jeffrey Bussolini: 'against the backdrop of a constantly shifting, shimmering field of dynamic change in the interaction of forces (and matter – matter probably made up of the forces on this account), Foucault gives accounts of particular arrangements of forces at particular times.'[56] Foucault estimates that 'historical analysis is a way to avoid regarding theory as sacred'[57] and considers that the Panopticon, for example, 'describes in the utopian form of a general system, particular mechanisms which really exist'.[58] In other words, Foucault's critique of power relations takes the form of immanent, historical, discursive analyses (as power and knowledge are articulated in discourse).

One would never suspect, reading Agamben, that biopolitics is more of a descriptor than a unitary category for Foucault. The term 'biopolitics' serves to interconnect two distinct modes of power exerted on the body: discipline and governmentality. Discipline targets individual bodies, in a fine-grained relation geared to produce adequate behaviours according to norms. Whether exercised in the military quadrangle, in the classroom or on the factory floor, disciplinary techniques strive to increase the body's strengths and to mould it to the requirements of production. Workers' bodies are trained to meet the demands of the assembly line; soldiers are trained to march and manipulate new weapons; students are trained not only to speak, read and write properly, but also to love their country, ignore much, and applaud even more (like everybody else). Governmentality emerges with the concept of the population and its need for management. Fostering every aspect of the life of the one and the many, multifarious security measures are deployed to ensure health, education, employment, leisure, happiness. These two modes of biopower are articulated through sex (as it constitutes both a behaviour to monitor and the *sine qua non* condition of the population's existence) and through norms, as the means to foster and adjudicate behaviour according to the politics of truth. If discipline produces docile, self-invigilating bodies, governmentality generates not just regulations but freedoms and sites of resistance, not just identities but ambitions and desires. The articulation of totalizing and individualizing techniques that Agamben finds missing in Foucault can thus be located precisely both in discipline and in governmentality, since their relations of power produce individuals as their vehicle and effect.[59]

These two modes for the exercise of power Foucault *opposes* to sovereignty, which operates by extraction: taxes, raw materials, crops, men for military campaigns. The sovereign rules over a territory rather than a population; its subjects of law are paradoxically, Foucault maintains, neither alive nor dead, but rather neutral in their relation to the Sovereign, who can let them live, or give them death.[60] Conversely, governmental technologies work to give life or let die; and, as amply demonstrated in our age of genocides, the reverse side of biopolitics is thanato-politics (government by death and fear of death), the life of the population being purified and strengthened by the annihilation of its enemies.[61] Importantly, however, Foucault insists that sovereignty, discipline and governmentality, the three modern modes of power, are always inextricably linked, with one becoming dominant at different epochs: sovereignty and its juridico-legal system from the Middle Ages to the seventeenth and eighteenth

centuries; discipline and its technologies of surveillance and punishment in the eighteenth and nineteenth centuries; governmentality and its security mechanisms in the twentieth century. Thus new relations of power become dominant depending on demographic, economic and technological developments: panoptic forms of discipline across various power–knowledge matrices with the growth of industrial capitalism; multifarious security measures taken by dictatorships and liberal democracies alike with transnational capitalism and the age of information. Foucault maintains that in contemporary welfare states the juridico-penal system is intensified rather than dismissed, that disciplinary technologies are everywhere in action, but that security measures fostering the life of the population have become the dominant force in this complex assemblage.

Nazi concentration camps instantiate all three modes of modern power, rather than a single, generalized form of 'biopolitics', as Agamben would have it. Sovereign power is exercised through juridico-legal measures targeting Jews (stripped of their citizenship by the Nuremberg Laws) and by the power to give death at leisure, with impunity; as argued by Foucault, the Nazi state in effect disseminated the sovereign right to kill (Jews) to all citizens, through such processes as denunciation.[62] Disciplinary techniques direct the everyday lives of both the prisoners working unto death and their executioners. Governmental technologies are dominant, however, both through the use of laws as tactics (the many measures taken to restrict Jewish lives, push them into ghettos, and then finally into camps) and with the recourse to genocidal racism as means for the purification of the German, Aryan people. But the camps instantiate thanato-politics, government by death and fear of death, rather than biopolitics. The Nazi camp constitutes a singular historical *dispositif* of legal, political, administrative, scientific, technological, architectural and discursive components, which, although marshalling the usual modes for the exercise of power, transforms their objective (from government to annihilation) and generates relations of total domination rather than power, which for Foucault must rest on the possibility of resistance and freedom.

Agamben on the contrary posits that the camp constitutes the biopolitical *paradigm* of modern rule, for 'when life and politics – originally divided, and linked together by means of the no-man's land of the state of exception that is inhabited by bare life – begin to become one, all life becomes sacred and all politics becomes the exception';[63] in the zone of indistinction thus created, '*homo sacer* is virtually confused with the citizen'.[64] Mika Ojakangas objects to this notion of confusion or indistinction, for he rightly maintains that the goal of biopolitics as analysed by Foucault is not to reduce but to foster and multiply life, in all of its facets. If Agamben is right in claiming that sovereign power rests on the ability to reduce any life to bare life or to give death, in 'the case of bio-power, however, this does not hold true. In order to function properly, bio-power cannot reduce life to the level of bare life, because bare life is life that can *only* be taken away or allowed to persist.... Bio-power needs a notion of life that corresponds to its aims.'[65] Moreover, as Johanna Oksala reminds us, Foucault's investigations demonstrate that

> biopower is not political power in the traditional sense because it is not reducible to the power of a democratically elected sovereign body, whether individual or collective. It penetrates such political power, but it is essentially the power of life's experts, interpreters and administrators. The key problem with biopower is thus not the foundational violence of the sovereign, but the depoliticised violence of expert knowledge.[66]

Thus for Ojakangas, 'instead of *homo sacer*, the paradigmatic figure of the bio-political society can be seen, for example, in the middle-class Swedish social-democrat.'[67]

In his lectures on *The Birth of Biopolitics*, Foucault positions his work specifically against a then contemporary 'commonplace of critique' of the state, characterized by two main themes (that are largely applicable to Agamben's works): first, the theme that the state possesses an endogenous tendency to expand until its reach encompasses the totality of civil society; second, the theme that different types of state (the welfare state, the bureaucratic state, the totalitarian state, the fascist state) possess a kind of genetic affiliation – that all are branches from the same tree. This critique of the state, argues Foucault, is inflationist for three reasons. It increasingly posits the interchangeability of analyses, a process that eliminates all specificity: 'for example, an analysis of social security and the administrative apparatus on which it rests ends up, via some slippages and thanks to some plays on words, to the analysis of concentration camps. And, in the move from social security to concentration camps the requisite specificity of analysis is diluted.'[68] Second, this inflationist anti-state critique allows what Foucault terms a 'disqualification by the worst', in that whatever the real functioning of the object of analysis may be, because of the affiliation among all forms of state rule, one can always accuse the best of being

equivalent to the worst.[69] To use an example from Agamben's text, one can take the case of a person kept alive with machines (Karen Quinlan) and argue that this life, which is reduced to 'pure *zoē* … which is no longer life, but rather death in motion', is just another form of *Homo sacer*, ultimately figured in the 'living dead' of the concentration camps.[70] Third, this critique allows the elision of actual conditions: one can 'avoid paying the price of reality and actuality', when one need only suspect or denounce the workings of an all-invasive, phantasmical state to avoid dealing with specific processes.[71] Thus Agamben can correlate Guantánamo Bay prisoners to Nazi concentration camp prisoners, even though the juridico-legal, political, tactical and material conditions of their detention are vastly dissimilar, simply by invoking the power of sovereign exception. Foucault finally accuses this anti-state critique of blindness towards its own methods and historical beginnings, which he situates specifically within 'the neo-liberal choices being developed' between 1930 and 1945, especially in the German school of ordoliberalism.[72]

But Agamben's establishment of 'the Camp as the "Nomos" of the Modern' is hardly new, as it repeats the damnable ease with which Heidegger had equated industrial agriculture and systematic genocide as equivalent manifestations of Modern *techne*: 'Agriculture is now a motorized food industry, essentially the same as the manufacture of corpses in gas chambers and extermination camps.'[73] For both (as Richard Polt argues is the case for Heidegger), 'Nazism proved to be just another product of modern metaphysics, along with all other current forms of political organization.'[74] Indeed Heidegger's disdain for all Western forms of government is echoed in Agamben's claim that

> all societies and all cultures today (it does not matter whether they are democratic or totalitarian, conservative or progressive) have entered into a legitimation crisis in which law (we mean by this term the entire text of tradition in its regulative form, whether the Jewish Torah or the Islamic Sharia, Christian dogma or the profane *nomos*) is in force as the pure 'Nothing of Revelation'.[75]

Apparently, large distinctions lose all meaning from such lofty philosophical perspectives.

Intellectuals

It is as though Agamben and Foucault, facing the crossroads of bio- and thanato-politics, took two exactly opposite paths: in order to invent forms-of-life that rise above all power and transgress the categories that inevitably lead to death, Agamben adopts transhistorical, metaphysical forms of thought, while Foucault, in order to locate sites of possible transformation, opts for a critique determined to expose the fragility, contingency, and aleatory nature of historical power-knowledge matrices. The differences can perhaps best be summarized as those existing between the universal and the specific intellectual.[76]

Agamben consistently adopts a universalizing perspective – and, as is usually the case with this form of thought, slaves, women, working classes, racialized and ethnic minorities disappear from his metaphysics of power. The dangers of a universalizing gaze are perhaps most starkly evidenced in his studies of one particular instantiation of *Homo sacer*, the '*Muselmann*'. This term was used in Nazi concentration camps to refer to those prisoners who had been so broken by their treatment that they had stopped communicating or indeed reacting. A rather summary and dubious account of the word is given by Agamben, who notes that these men who crouched on the ground in utter abjection were called *Muselmänner* because they supposedly resembled Muslims at prayer.[77] Although Agamben explains that different names were used to designate them in other camps (the living dead, donkeys, cretins, cripples, camels),[78] and although he castigates the use of the word 'holocaust' as 'an irresponsible historiographical blindness'[79] and categorically claims that to use it 'cannot but sound like a jest' that 'continues a semantic heredity that is from its inception anti-Semitic. This is why we will never use it.'[80] Agamben easily adopts the word *Muselmann* throughout his texts – noting, however, 'it is certain that, with a kind of ferocious irony, the Jews knew that they would not die at Auschwitz as Jews.'[81] The recklessness with which the text uses the word 'Muslim' over and over to designate abject life (while refusing to use the word 'Holocaust') is compounded by several other startling meditations on the relative humanity of '*Muselmänner*': first wondering whether these 'living dead' (to use Levi's term) could still be considered human; then repeatedly claiming their inhumanity; finally concluding that they had entered a zone of indistinction between the human and the inhuman – 'the Jew is transformed into a *Muselmann* and the human into a non-human';[82] the '*Muselmann*' is 'the non-human who obstinately appears as human: he is the human that cannot be told apart from the inhuman.'[83] The SS, however, are spared this treatment by Agamben: 'This is why they [the executioners] remained "humans"; they did not experience the inhuman.'[84] Agamben's blindness to the political force of such statements is quite astonishing; echoes of

racist and eugenic discourses haunt such philosophical inquiries (as they did in meditations on the planetary petty bourgeoisie, *supra*). A genealogy of the racist usage of the word Muslim in Europe would not have been difficult to trace;[85] neither would accusations of islamophobia be unexpected, in view of such casual use of the term.[86] It is worth noticing, moreover, that Agamben's second book in the *Homo Sacer* series, entitled *State of Exception*, never once mentions its decades-long use in Arab countries (many of which have been rocked by the uprisings of the 'Arab Spring'). Once again, the patriarchal, Eurocentric, universalizing gaze forcludes and obliterates what might contest its premises.

Ironically, Agamben's discussion of the (in)humanity of '*Muselmänner'*, the remnants of Auschwitz, is instrumental for his elaboration of a new ethics, which would preclude juridical forms and eschew traditional categories of subjectivity, identity and responsibility. His complex argument reiterates the tactics employed in *Homo Sacer*, when politics, 'the truly fundamental structure of Western metaphysics', is situated at 'the threshold on which the relation between the living being and the *logos* is realized' (*supra*): by correlating the work of Émile Benveniste on 'shifters'[87] to Primo Levi's understanding of 'the drowned', Agamben articulates linguistic and political forms of desubjectification to then posit that the '*Muselmann*' stands (or crouches) at the threshold between the human and the inhuman. This silent witness, by his very stillness and endurance, acts as apostrophe to the ethical reader, who then must testify, and thus present 'an interminable opposition to the reduction of human life to survival'.[88] Once again, the similarities with Heidegger are striking. Just as the former member of the Nazi Party saw the annihilation of beings as one more symptom of the abandonment of Being, Agamben describes the camps as biopolitical experiments on 'the operators of Being'.[89] After cogently presenting Agamben's argument, Catherine Mills demonstrates its limits and silences. The double argument about desubjectification elides the intersubjective nature of both language and ethics: 'given these silences within Agamben's argument, it appears that his text ultimately betrays that which he is attempting to establish: the unassumable yet unavoidable responsibility of ethics.'[90]

Foucault insists that the role of the specific intellectual is not to proclaim programmes of action or provide solutions from the privileged position of the university or the college, but rather to trace the fault lines and vulnerabilities of established relations of knowledge and power, all in an effort to signal possible means of transformation. His critiques are always historically specific. The web of concepts useful to Agamben (language, the human, man, the limit, the margin, bare life) have literally stopped making sense in Foucault's work on biopolitics, which focuses instead on a series of techniques that must be made visible to the reader. Foucault insists that his books aim to provide an experience rather than a system; he maintains that texts must reveal their method of construction to the reader, so that they may be freely used by others. For each book opens a field of virtual work, for which it remains responsible.[91]

Agamben notes with regret that an untimely death prevented Foucault from pursuing his work on biopolitics, but this is not the case.[92] He continued this work in his courses at the Collège de France on liberalism, the hermeneutics of the subject, and *parrhesia*, as well as by his studies in the care and elaboration of self as a practice of freedom in the second and third volumes of the *History of Sexuality*, in what would be a final turn to aesthetics and ethics. For the later Foucault, attempts to transform one's self through forms of knowledge compose 'something rather close to the aesthetic experience' (and thus return Foucault to his early work on literature and art) while one's relation to one's self in action constitutes an ethic.[93] For the self is an entirely discursive entity, produced in practice for Foucault; ascesis is 'the work that one performs on oneself in order to transform oneself or make the self appear which, happily, one never attains.'[94] Translation is tricky here. If in English 'self' can refer back to every pronoun, in French it can only be used in reference to the third, apersonal pronoun 'on', which refers generally to public opinion and grammatically excludes the 'I' who speaks.[95] The expression *souci de soi* (literally 'concern for the self') therefore does not point to an individual's care for his or her person (as in 'take care of yourself') but rather to a materialist and discursive project aimed at *actualizing* potentialities that can counter subject positions as determined by past and present relations of knowledge and power. This project works to counter biopolitical forces encouraging the ongoing production and transformation of one's identity as a form of enterprise.[96] Addressing the *Société française de philosophie* in May 1978, Foucault defined critique as virtue in general, an obstinate resistance to forms of government, 'the means to a future or a truth that it will not know and will not be'.[97] Care for the self works to draw lines of flight, alternative possibilities of becoming that Foucault explored and explained variously. In the 1981 *Le Gai Pied* interview, 'Friendship

as a Way of Life', for example, he describes how the slantwise perspective of homosexual lives can allow the development, multiplication and modulation of new interpersonal relationships, for 'homosexuality is not a form of desire but something desirable', and 'it's up to us to advance into a homosexual ascesis that would make us work on ourselves and invent – I do not say discover – a manner of being that is still improbable.'[98] In the text of a news conference held the same year to address the problems of refugees then known as 'the boat people', Foucault outlined the possibility of new alliances springing not from nationality or ethnicity or identity, but rather from the simple fact that 'we are all members of the community of the governed, and thereby obliged to show mutual solidarity': this 'international citizenry' must recognize that 'the suffering of men must never be a silent residue of policy. It grounds an absolute right to stand up and speak to those who hold power.' In 1981 Foucault and Pierre Bourdieu initiated a protest movement of intellectuals and members of the CFDT union against the French government's inaction towards the Solidarnosc movement in Poland and Foucault became the treasurer of the Committee of the Exiled of Solidarnosc (Independent Self-Governing Trade Union – Solidarity) in France; in 1982 he participated in a convoy of materials to Poland, with Simone Signoret and Bernard Kouchner, among others.[99] Multiple, polymorphic and transversal, Foucault's historically and materially specific practices of the self might well constitute more promising strategies of resistance to biopolitical forces than Agamben's promise of a coming community of whatever being.

Notes

1. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. D. Heller-Roazen, Stanford University Press, Stanford, 1998, p. 9.
2. Giorgio Agamben, *The Signature of All Things: On Method*, trans. Luca D'Isanto with Kevin Attell, Zone Books, New York, 2009, p. 7.
3. Ibid., p. 8.
4. Paul Patton, 'Agamben and Foucault on Biopower and Biopolitics', in M. Calarco and S. DeCaroli, eds, *Giorgio Agamben: Sovereignty and Life*, Stanford University Press, Stanford, 2007, p. 218.
5. Mika Ojakangas, 'Impossible Dialogue on Bio-Power: Agamben and Foucault', *Foucault Studies* 2, 2005, pp. 5–28. Ojakangas states that 'Foucault's bio-power has nothing to do with that kind [Agamben's] of bare life. In fact, to the same extent that bio-power is the antithesis of sovereign power, its concept of life is the antithesis of bare life' (p. 11). See also Catherine Mills, *The Philosophy of Agamben*, Acumen Publishing, Durham, 2008.
6. Michel Foucault, 'Truth and Power', in *Essential Works of Foucault 1954–1984*, Vol. 3: *Power*, ed. J.D. Faubion, The New Press, New York, 2000, p. 117.
7. Michel Foucault, *The Order of Things: An Archaeology of The Human Sciences*, Vintage, New York, 1994, p. 44.
8. Michel Foucault, 'The Thought of the Outside', in *Essential Works of Foucault 1954–1984*, Vol. 2: *Aesthetics, Method, and Epistemology*, ed. J.D. Faubion, The New Press, New York, 1998, p. 148.
9. Ibid., pp. 148, 150.
10. Ibid., p. 154.
11. Ibid., p. 152; translation modified.
12. Michel Foucault, 'An Interview with Michel Foucault', in Michel Foucault, *Death and the Labyrinth: The World of Raymond Roussel*, trans. C. Ruas, Continuum, London, 1986, p. 187; translation modified.
13. Michel Foucault, 'Speaking and Seeing in Raymond Roussel', in *Essential Works of Foucault 1954–1984*, Vol. 2, ed. Faubion, p. 30.
14. Ibid., pp. 26–7.
15. Foucault, *Death and the Labyrinth*, p. 13; translation modified.
16. Frances Fortier, *Les stratégies textuelles de Michel Foucault: un enjeu de véridiction*, Nuit Blanche, Cap-Saint-Ignace, Quebec, 1997, p. 123.
17. Such relations among language, writing and death are theorized by Roland Barthes a few years later, in his famous essay entitled 'The Death of the Author' (1968).
18. Michel Foucault, *Sept propos sur le septième ange*, fata morgana, Cognac, 1999, p. 21; my translation.
19. Ibid., p. 13.
20. Michel Foucault, *Ceci n'est pas une pipe*, fata morgana, Montpellier, 1986, pp. 37–8; my translation.
21. Giorgio Agamben, *The Coming Community*, trans. M. Hardt, University of Minnesota Press, Minneapolis, 1993.
22. Foucault, *Death and the Labyrinth*, p. 13; translation modified.
23. Agamben, *The Coming Community*, p. 67.
24. Ibid., p. 18.
25. Ibid., p. 19.
26. Giorgio Agamben, *Means without Ends*, trans. V. Binetti and C. Casarino, University of Minnesota Press, Minneapolis, 2000, pp. 9, 11.
27. Agamben, *The Coming Community*, p. 63.
28. Ibid.
29. Ibid., p. 64.
30. Ibid., p. 65.
31. Agamben, *Homo Sacer*, p. 12.
32. Ibid., p. 6.
33. Ibid., p. 67.
34. Ibid., p. 1.
35. Ibid., p. 8.
36. Ibid.
37. Ibid.
38. Steven DeCaroli, 'Boundary Stones: Giorgio Agamben and the Field of Sovereignty', in Calarco and DeCaroli, eds, *Giorgio Agamben*, pp. 56–7.
39. Agamben, *Homo Sacer*, p. 176.
40. Ibid., pp. 177–8; my emphasis.
41. Ibid.
42. Giorgio Agamben, *The State of Exception*, trans. Kevin Attell, University of Chicago Press, Chicago, 2005, p. 4.
43. Agamben, *The Signature*, p. 32; my emphasis.
44. Agamben, *Homo Sacer*, pp. 128–9.
45. Ibid., p. 107.
46. Giorgio Agamben, *Remnants of Auschwitz: The Witness and the Archive*, trans. Daniel Heller-Roazen, Zone

Books, New York, 2002, pp. 53–4.
47. Ewa Płonowska Ziarek, 'Bare Life on Strike: Notes on the Biopolitics of Race and Gender', *South Atlantic Quarterly*, vol. 107, no. 1, 2008, pp. 89–105.
48. Agamben, *The Coming Community*, pp. 1–2.
49. Agamben, *Means without Ends*, p. 4.
50. Leland De la Durantaye, *Giorgio Agamben: A Critical Introduction*, Stanford University Press, Stanford, 2009, p. 246.
51. Michel Foucault, 'Préface à *L'Histoire de la sexualité*', in *Dits et Écrits: 1954–1988*, Vol. IV, ed. D. Defert and F. Ewals, Gallimard, Paris, 1994, p. 580; my translation.
52. Ibid.
53. Agamben, *Homo Sacer*, p. 8.
54. Michel Foucault, 'L'extension sociale de la norme', in *Dits et Écrits. 1954–1988*, Vol. III, ed. D. Defert and F. Ewals, Gallimard, Paris, 1994, p. 77; my translation.
55. Michel Foucault, 'Preface to *The History of Sexuality, Vol. II*', trans. W. Smock, in *Essential Works of Foucault 1954–1984*. Vol. 1: *Ethics: Subjectivity and Truth*, ed. P. Rabinow, The New Press, New York, 1997, p. 200.
56. Jeffrey Bussolini, 'What is a Dispositive?', in *Foucault Studies* 10, 2010, p. 92.
57. Foucault, 'L'extension sociale de la norme', p. 77; my translation.
58. Michel Foucault, 'The Eye of Power', in Colin Gordon, ed., *Power/Knowledge: Selected Interviews and Other Writings 1972–1977*, Pantheon Books, New York, 1980, p. 164.
59. Michel Foucault, *'Society Must Be Defended': Lectures at the Collège de France 1975–1976*, trans. D. Macey, Picador, New York, 2003, pp. 29–30.
60. Ibid., pp. 240–41.
61. Michel Foucault, 'The Political Technology of Individuals', in L.H. Martin, H. Gutman and P.H. Hutton, eds, *Technologies of the Self*, University of Massachusetts Press, Boston MA, 1988, p. 160.
62. Foucault, *'Society Must Be Defended'*, p. 259.
63. Agamben, *Homo Sacer*, p. 148.
64. Ibid., p. 171.
65. Ojakangas, 'Impossible Dialogue on Bio-Power', p. 14.
66. Johanna Oksala, 'Violence and the Biopolitics of Modernity', *Foucault Studies* 10, 2010, p. 38.
67. Ojakangas, 'Impossible Dialogue on Bio-Power', p. 27.
68. Michel Foucault, *The Birth of Biopolitics: Lectures at the Collège de France, 1978–1979*, trans. G. Burchell, Picador, New York, 2010, pp. 187–8.
69. Ibid., p. 188.
70. Agamben, *Homo Sacer*, p. 186.
71. Foucault, *The Birth of Biopolitics*, p. 188.
72. Ibid., p. 189.
73. Martin Heidegger, 'Das Ge-Stell', in *Bremer und Freiburger Vorträger. Gesamtausgabe*, Vol. 79, Vittorio Klostermann, Frankfurt am Main, 1994, p. 27; cited in Richard Polt, *Heidegger: An Introduction*, Routledge, London and New York, 1999, p. 172.
74. Polt, *Heidegger*, p. 157.
75. Agamben, *Homo Sacer*, p. 51.
76. Foucault, 'Truth and Power', pp. 126–30.
77. Dominick LaCapra, 'Approaching Limit Events: Siting Agamben', in Calarco and DeCaroli, eds, *Giorgio Agamben: Sovereignty and Life*, p. 267 n. 11.
78. Agamben, *Remnants of Auschwitz*, p. 44.
79. Agamben, *Homo Sacer*, p. 114.
80. Agamben, *Remnants of Auschwitz*, p. 31.
81. Ibid., p. 45.
82. Ibid., pp. 52, 120.
83. Ibid., p. 82.
84. Ibid., p. 78.
85. Gil Anidjar, 'The Jew, the Arab: An Interview with Gil Anidjar', conducted by N. Shaikh, *Asia Society: Policy and Politics*, 2003; http://asiasociety.org/policy-politics/strategic-challenges/us-asia/jew-arab-interview-gil-anidjar; accessed 17 January 2011.
86. S. Parvez Manzoor, 'Turning Jews into Muslims: The Untold Saga of the *Muselmänner*, *islam21* 28, 2001, pp. 8–12; www.algonet.se/~pmanzoor/Muselmann.htm; accessed 17 January 2011.
87. Émile Benveniste, *Problèmes de linguistique générale*, Gallimard, Paris, 1966. Shifters are words whose referent is entirely dependent on the context of enunciation: 'I' 'you' 'here' 'there' are primary examples.
88. Catherine Mills, 'An Ethics of Bare Life: Agamben on Witnessing', *borderlands*, vol. 2, no. 1, 2003, p. 17; www.borderlandsejournal.adelaide.edu.au/vol2no1_2003/mills_agamben.html; accessed 20 January 2011.
89. Agamben, *Remnants of Auschwitz*, p. 146.
90. Ibid., p. 24.
91. Michel Foucault, 'A propos des faiseurs d'histoire', in *Dits et Écrits*, Vol. IV, ed. Defert and Ewals, p. 414; my translation.
92. Agamben, *Homo Sacer*, p. 4.
93. Michel Foucault, 'Michel Foucault, an Interview by Stephen Riggins', in *Essential Works of Foucault,* Vol. I, p. 148.
94. Michel Foucault, 'Friendship as a Way of Life', in *Essential Works* Vol. I, p. 137.
95. In English 'self' can relate to any pronoun, to indicate reflexivity; or it can indicate unity of kind or uniformity; or as a prefix, it can indicate the subject or object of the action (as in self-appraisal). The phrase 'care of the self' can thus have connotations of reflexive attention to a uniform, or at least personal entity. In French *soi* is a third-person reflexive pronoun, used for both genders, and usually referring to an indeterminate subject, such as no one, or *on*. It is thus a pre-eminently discursive pronoun, indicating position rather than person, passing perspective rather than singularity. It is also used to indicate things that go without saying (*cela va de soi*), or, conversely, to indicate discursive doubt, as in 'so-called' (*soi-disant*).
96. In 'Self as Enterprise: Dilemmas of Control and Resistance in Foucault's *The Birth of Biopolitics*' (*Theory, Culture & Society*, vol. 26, no. 6, 2009, pp. 55–77). Lois McNay considers that Foucault's elaboration of self is structurally dangerously close to the 'self as enterprise', or *Homo economicus* fostered by neoliberalism. This argument, however, does not take into consideration the radically different site, subject and ethos of the elaboration of self as evoked by Foucault.
97. Michel Foucault, 'What is Critique?', in *The Politics of Truth*, ed. Sylvère Lotringer and Lysa Hochroth, Semiotext(e), New York, 1997;. first published in *Bulletin de la Société française de la philosophie* vol. 84, no. 2, 1990, pp. 35–63.
98. Foucault, 'Friendship as a Way of Life', pp. 136, 137.
99. A chronology of Foucault's various engagements can be found at http://portail-michel-foucault.org.