**M.Phil Second Semester, Political Science**

**Course : Advance Areas in Political Theory**

**Topic : Giorgio Agamben : His Political Ideas**

Giorgio Agamben (1942 -) is one of the leading figures in philosophy and political theory. His unique readings of literature, literary theory, continental philosophy, political thought, religious studies, and art have made him one of the most innovative thinkers of our time. Born in Rome in 1942, Agamben completed studies in Law and Philosophy with a doctoral thesis on the political thought of Simone Weil, and participated in Martin Heidegger’s seminars on Hegel and Heraclitus as a post- doctoral scholar. Agamben then began teaching and over the course of the next four decades taught at the University of Mzcerata, the University of Verona, the College Internationale de Paris, the New School in New York, and the European Graduate School where he holds the Baruch Spinoza Chair. He caused a controversy when he refused to the “biopolitical tattoing” requested by the Immigration Department for entry to the USA innthe wake of the 9/11attacks.

**Political Ideas**

The most influential dimension of Agamben’s work in recent years has been his contributions to political theory. Undoubtedly *Homo Sacer : Sovereign Power and Bare Life* is Agamben’s best-known work. It is in this book that Agamben develops his analysis of the condition of ‘biopolitics’, first identified by Michel Foucault in the first volume of his *History of Sexuality* series and associated texts. Foucault argued that modern power was characterized by a fundamentally different rationality than that of sovereign power. Whereas sovereign power was characterized by a right over life and death, summarized by Foucault in the dictum of “killing or letting live”, modern power is characterized by a productive relation to life, encapsulated in the dictum of “fostering life or disallowing it”. For Foucault, the “threshold of modernity” was reached with the transition from sovereign power to biopower, in which the “new political subject” of the population became the target of a regime of power that operates through governance of the vicissitudes of biological life itself.

**Homo Sacer and Bare Life**

Agamben is explicitly engaged with Foucault’s thesis on biopower in *HomoSacer.* The reduction of life to ‘biopolitics’ is one of the main threads in Agamben’s work, in his critical conception of a *homo sacer.,* reduced to ‘bare life’, and thus deprived of any rights.

Agamben’s concept of the ‘homo sacer’ rests on a crucial distinction in Greek philosophy between “bare life” (**zoe ),** and “a particular mode of life” or “qualified life” ( **bios ).** The importance of this distinction in Aristotle is that it allows for the relegation of the natural life to the domain of the household (oikos ), while also allowing for the specificity of the good life characteristic of participation in the *Polis.* For Agamben, this indicates the fact that western politics is founded upon that which it excludes from politics – the natural life that is simultaneously set outside the domain of the political, but nevertheless implicated in *bios politikos.* The question arises, then, of life itself or natural life is politicized : the answer is through abandonment to an unconditional power of death, i.e. the power of sovereignty. It is in this abandonment of natural life to sovereign violence that, Agamben argues, “bare life” makes its appearance.

In one of his major works, *Homo Sacer : Sovereign Power and Bare Life* ( 1995 ), Agamben analyzes an obscure figure of Roman Law that poses fundamental question about the nature of law and power in general. Under the laws of the Roman empire, a man who committed a certain kind of crime was banned from society and all of his rights as a citizen were revoked. He thus became a “**homo sacer**”( sacred man). In consequence, he could be killed by anybody, while his life on the other hand, was deemed “sacred’, so he could not be sacrificed in a ritual ceremony.

Although Roman Law no longer applied to someone deemed a ‘Homo Sacer’, they remained “under the spell” of law. Agamben explains the latter idea as “human life………. Included in the form of its exclusion ( that is of its capacity to be killed )”. ‘Homo Sacer’ was therefore ‘excluded’ from law itself, while being ‘included’ at the same time. The sovereign- ( a king, emperor, or president ) – stands, on the one hand*, within* law ( so he can be condemned,e.g. for treason as a natural person), and outside the law ( since as a body politic he has power to suspend law for an indefinite time ). Agamben draws on Carl Schmitt’s definition of the Sovereign as the one who has the power to decide the the ‘state of exception’ ( or *Justicium* ), where law is indefinitely ‘suspended” without being abrogated. He argues that in case of Homo Sacer, the state of emergency is the inclusion of life and necessity in the juridical order solely in the form of its exclusion. Agamben opines that laws have always assumed the authority to define “bare life” – **zoe** as opposed to **bios**, that is ‘qualified life’ – by making this exclusive operation, while at the same timegaining power over it by making it the subjedt of political control. The power of law to actively separate “political” beings (citizens ) from ‘bare life” ( bodies ) has carried on from Antiquity to Mdernity – from, literaqlly, Aristotle to *Auschwitz,* argues Agamben.

**State of Exception**

In his book entitled *State of Exception* published in 2005, Agamben investigates the increase of power by governments, which they employ in supposed times of crisis. Within a state of emergency, Agamben refers to the states of exception, where constitutional rights can be diminished, superseded, and rejected in the process of claiming this extension of power by a government. The ‘state of exception’ invests one person or government with the power and voice of authority over others extended well beyond where the law has existed in the past. Agamben refers to a continued ‘state of exception’ in Nazi Germany under Hitler’s rule. He states, “ the entire ***Third Reich*** can be considered a state of exception that lasted twelve years. In this sense, modern totalitarianism can be defined as the establishment, by means of the state of exception, of a legal civil war that allows for the physical elimination not only of political adversaries, but of entire categories of citizens who for some reason cannot be integrated into the political system”.

The political power over others acquired through the state of exception, places one government – or one form or branch of government – as all powerful, operating outside the laws. During such times of extension of power, certain forms of knowledge shall be privileged and accepted as true and certain voices shall be heard as valued, while of course, many others are not. This oppressive distinction holds great importance in relation to the production of knowledge. The process of both acquiring knowledge, and suppressing certain knowledge, is a violent act in a time of crisis. Agamben addresses how a prolonged state of exception operates to deprive individuals of their citizenship. Speaking about the military order issued by President George. W. Bush on 13 November 2001, Agamben writes, “ what is new about President Bush’s order is that it radically erases any legal status of the individual, thus producing a legally unnamable and unclassifiable being. Not only do the Talibans captured in Afghanistan not enjoy the status of POWs ( prisoner of war ) as defined by the Geneva Convention, they do not even have the status of people charged with a crime according to American Laws”. Many of the individuals captured in Afghan war were taken to be held at ‘Guantanamo Bay’ without trial. These individuals were termed as “enemy combatants”. Until 7July 2006 these individuals have been treated outside the Geneva Convention by the US Administration.

**The Camps**

Agamben argues that the difference between dictatorship and democracy is thin indeed, as ‘rule by decree’ became more and more common, starting from World War I. indefinite suspension of law is what characterizes the state of exception. Thus Agamben connects Greek political philosophy through to the ‘concentration camps’ of 20th century fascism, and even further, to ‘detainment camps in different parts of the world, or immigration detention centres, where asylum seekers have been imprisoned. In these kinds of camps, entire zones of ‘exception’ are being formed : the state of exception becomes a status under which certain categories of people live, a *capture* of life by right. Sovereign law makes it possible to create entire areas in which the application of law itself is held suspended.

**Conclusion**

Giorgio Agamben is particularly critical of the USA’s response to 11 September 2001, and its instrumentalization as a permanent condition that legitimizes a “state of exception” as the dominant paradigm for governing in contemporary politics. Agamben’s criticisms target a broader scope than the US “war on terror”. He argues in *State of Exception (2005)* that ‘rule by decree’ has become common since World War I in all modern states, and has been since then, generalized and abused. Agamben points out a general tendency of modernity for “anthropometric identification” – the invention of ‘juridical photography’ for example. The procedure was originally reserved for criminals. But today’s society is tending toward a generalization of this procedure to all citizens, placing the population under permanent suspicion and surveillance; “the political body thus has become a criminal body”. To conclude, Agamben’s political ideas open up a larger philosophical critique of the concept of **Sovereignty** itself, which, he argues, is intrinsically related to the **“state of exception”.**

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