

**Giorgio Agamben.** *The Ominibus Homo Sacer*. Trans. Daniel Heller-Roazzen, Kevin Attell, Nicholas Heron, Adam Kotsko, and Lorenzo Chiesa. Stanford University Press 2017. 1336 pp. \$90.00 USD (Hardcover ISBN 9781503603059).

To begin with, Giorgio Agamben's *The Omnibus Homo Sacer* (TOHS) poses a puzzling question for the critical reader: Do the nine volumes of the *Homo Sacer* series constitute a clearly-structured theoretical system, like, for example, G.W.F. Hegel's *Encyclopedia of the Philosophical Sciences*? Or were these diverse chapters simply haphazardly cobbled together to make up this omnibus collection, like, say, the disparate texts of Jacques Derrida's *Margins of Philosophy*, which are unified only by their deconstructive method? The sheer encyclopedic scope and nearly biblical weight of Agamben's TOHS (1336 pages!) certainly creates the presumption that a clearly-structured theoretical system lies behind it, although this presumption is belied by the bewildering diversity of subjects covered by Agamben's magnum opus: from Weimar German political theology to Holy Roman Catholic liturgy, from the Franciscan monasteries to the Nazi concentration camps. And to add to the reader's befuddlement, the current arrangement in which the *Homo Sacer* volumes appear, in sequentially numbered sections (I, II.1, II.2 etc.), does not correspond to their publication order, which perhaps suggests that the striking appearance of an overarching structure may have been belatedly imposed by the author, in the attempt to make TOHS appear as a canonical masterwork of western European political theology.

Superficially, the discrete texts of the *Homo Sacer* series appear to fall into two distinct groups. The first group, composed of the first three chapters of TOHS—*Homo Sacer: Sovereign Power and Bare Life*, *State of Exception*, and *Stasis: Civil War as a Political Paradigm*—is concerned with what Michel Foucault calls 'the sovereign-and-law paradigm,' which describes how sovereign power constitutes biological individuals as political subjects through (in Agamben's terms) 'the exclusive inclusion of bare life (Aristotle's *zoe*) in politically-qualified life (*bios*),' thereby describing 'the threshold of politicization' in the Greek *polis* or the western state. But in the 'state of exception' which is endemic, Agamben argues, to the sacrosanct rule of law in the western state, this threshold of politicization also exposes its subjects to sovereign violence, and reduces them, once again, to the 'bare life' of the *homo sacer*—the 'sacred man' of Archaic Roman religion, who has been designated as a sacrificial victim, but not sacrificed, and who can be killed with impunity under Roman law. The dehumanizing effect of sovereign violence on its *homines sacri* becomes evident in the Nazi concentration camps, which constitute, Agamben argues, 'the juridical-political *nomos*' of western modernity. The fourth chapter—*The Sacrament of Language: An Archeology of the Oath*—also belongs to this first group, since it describes how sovereign power binds its subjects to the rule of law through the sacrosanct oath which is the aboriginal social contract, while threatening them with sovereign violence should they break that sacrosanct oath, which then becomes a sacred curse. This first group of texts then reaches a stunning climax with *Remnants of Auschwitz: The Witness and the Archive* (the seventh chapter), which describes the worst-case scenario of the sovereign-and-law-paradigm: the Nazi death camp, in which biological human beings are reduced to *homines sacri*, existing beyond life and death as the *Musselmanner* ('Muslims') of Primo Levi's Auschwitz.

The second group is composed of the fourth and fifth chapters of TOHS—*The Kingdom and the Glory: For a Theological Genealogy of Economy and Government* and *Opus Dei: An Archeology of Duty*—which are concerned with what Foucault calls 'the biopolitical (or governmentality) paradigm,' whereby sovereign power exercises its monopoly on violence more indirectly on the 'bare lives' of its subjects, through the bureaucratic administration of biological human beings in a superficially democratic political-economic system. The sovereign-and-law paradigm, by Foucault's

thinking, pertains most directly to the 17<sup>th</sup> and 18<sup>th</sup> century western absolutist state, in which the sovereign ruler (the emperor or king) is identified with the mystical body of the state, and exercises his monopoly on violence above and beyond the rule of law, while the biopolitical paradigm applies to the 19<sup>th</sup> and 20<sup>th</sup> century western democratic states, in which sovereign power is identified with the corporate body of the people or nation, and is exercised largely within the rule of law, through the bureaucratic administration of political-economy. Against Foucault, however, Agamben argues that this biopolitical paradigm derives from Aristotle's description of the Greek *polis*-economy (*oikonomia*) as an extension of the administration of the patriarchal household (*oikos*), which was applied by the Patristic Fathers of the Catholic Church to describe 'the economy of salvation,' by which the Christian God carries out the government of men, as an 'invisible hand' that moves the divine economy. In *Opus Dei*, Agamben argues that the Catholic liturgical hierarchy describes the paradigm of capitalistic administration, in which bureaucratic officials carry out their public duties like priests performing the sacraments, without identifying with their priestly offices. This second group reaches its climax with *The Highest Poverty: Monastic Rules and Forms-of-Life* (the eighth chapter), which describes the Franciscan monastery as a dystopian/utopian community, wherein the friars and monks claim no property rights in their worldly goods except their 'use,' and their 'forms-of-life' strictly coincide with the monastic rules which regulate the divine economy.

At this point, I should probably acknowledge that my grouping of these texts clearly differs from Agamben's own, since he places *Homo Sacer* by itself in Part I of TOHS, *The Kingdom and the Glory* and *Opus Dei* with *State of Exception* and *Stasis* in Part II, *Remnants of Auschwitz* by itself in Part III, and *The Highest Poverty* with *The Use of Bodies* in Part IV. But by placing the disparate texts in these two groupings, I am emphasizing that TOHS is structured by the co-existence of the two political-theological paradigms—the sovereign-and-law paradigm and the biopolitical paradigm—which, taken together, constitute what Agamben calls the 'twin poles' of 'the political machine' of the western state. But Agamben does not clearly distinguish between these two paradigms, instead seeing them as co-existing in a crypto-dialectical, bipolar relationship, in which they are constantly conflated each other, and in which sovereign power and un-civil anarchy, sovereign violence and the rule of law, and the sovereign ruler and the *homo sacer* become virtually impossible to tell apart. And it is this crypto-deconstructive method which poses the greatest problem for the reader of TOHS. To take a striking example of this deconstructive methodology: In *Homo Sacer*, Agamben begins with Sextus Pompeius Festus' definition of the *homo sacer* as a specific individual who has been selected as a sacrificial victim, and has therefore been 'made sacred,' but has not been sacrificed, and has therefore also been cursed, and can be killed by anyone without risk of prosecution for homicide. Agamben goes on to argue that '[s]overeign violence opens a zone of indistinction between law and nature, outside and inside, violence and law' (55), which is also 'a zone of indistinction between sacrifice and homicide' (70), in which 'the life of the exile ... borders on the life of the *homo sacer*, who may be killed but not sacrificed.' Agamben then claims that 'if in our age all citizens can be said ... to appear virtually as *homines sacri*, this is ... because the relation of ban [i.e., the sacred curse] has constituted the essential structure of sovereign power from the beginning' (93). In other words, Agamben argues: in the western state, we are all (virtually?) *homines sacri*, and, therefore, we are all accursed to suffer sovereign violence. But doesn't it make a difference whether sacred violence is *actually* exercised? And whether the *homo sacer* is sacrificed or not?

Well, now. It is clear enough that Agamben is struggling to answer the basic questions of the *Homo Sacer* series: What is sovereign power? And what is sacred violence? Who (or what) is the *homo sacer*? And what makes the *homo sacer* sacred? And if sovereign violence somehow 'makes' the *homo sacer* sacred, by a sacrificial sacralization (a *sacratio*), how can the *un*-sacrificial killing of a sacrosanct individual constitute a 'making sacred' (a *con-secratio*), and not a 'making *un*-sacred'

(an *ex-secratio*) of the *homo sacer*? Despite his pithy discussion of ‘the paradox of sovereignty,’ Agamben doesn’t quite answer these perplexing questions. But once Agamben has collapsed these binary opposites into each other, has he not created ‘a zone of indistinction’ in which sovereign power and sacred violence, the sacrosanct rule of law and profane anarchy, the sacrificial victim and the sacred man, are simply different names for the same thing? And every accursed thing blurs into everything else? Has Agamben’s theoretical system not come to resemble Hegel’s description of Schelling’s conception of absolute knowledge, as ‘the night in which all cows are black’? In which even the clearest distinction between a sacred bovine and an un-holy cow, like that between the *homo sacer* and the *homo mortuus*, is finally blacked out? And if, as Seneca said: *Homo sacra res homini* (‘Man’s life is sacred to man’), are we, all *homines sacri*, necessarily also all accursed?

And on the other hand, Agamben’s theoretical concepts sometimes appear so confoundingly cryptic as to be simply opaque to the critical reader. In the final chapter of TOHS, *The Use of Bodies*, for example, Agamben’s discussion of Aristotle’s description of the despotic master/slave relationship in the Greek household (*oikos*), by which the sovereign master is empowered to ‘use’ the body of his slave as an ‘ensouled tool’ or ‘animate instrument’ (*ktema ti empsychon*), to indulge in sadomasochistic fantasies, to obtain sexual favors, or simply to make the slave work, is a brilliant exegesis of Aristotle’s *Politics*. But when, in ‘A Life Inseparable from its Form,’ Agamben attempts to describe the trendy *avant garde* lifestyles of the blissfully artistic individuals (think: Guy Debord) who inhabit what he elsewhere calls ‘the coming community’—a future anarchist utopia which is his counterpart to the Franciscan monastery---as a permanent situationist fantasy, in which their ‘bare lives’ will coincide, ‘without remainder,’ with their ‘forms-of-life,’ it is difficult to discern exactly what he means by these vaguely-formulated concepts. And in ‘Epilogue: Toward a Theory of Destituent Potential,’ when Agamben describes the ‘destituent potential’ of these situationist performance-artists to exercise political power, simply by their ‘inoperativity’ (that is, by their striking potential *not to work?*), Agamben’s theoretical concepts are defined by their sheer negativity, making them empty concepts, which can be interpreted willy-nilly, or simply discarded by the critical reviewer. But, then, isn’t that also true of *all* deconstructive concepts, whose theoretical function is defined by their ability to displace the previous metaphysical concepts, after which they are discarded by the deconstructionist? And if the critical work of the *Homo Sacer* series has been to deconstruct ‘the political machine’ of the western state by collapsing the two paradigms into each other, then perhaps the *Homo Sacer* series has accomplished its great masterwork by finally deconstructing itself, and thereby rendering its own theoretical system inoperative?

In the ‘Prefatory Note’ to the *Use of Bodies*, Agamben chides those un-critical readers, who, like the current reviewer, ‘should know that they should not expect ... a conclusion’ to the *Homo Sacer* series. ‘In a philosophical inquiry,’ Agamben goes on, ‘not only can the *pars destruens* not be separated from the *pars construens*, but the latter coincides ... with the former,’ until, having ‘cleared the field of all possible errors,’ it has ‘exhausted its *raison d’être*,’ and dissolves into practice. Which perhaps simply means that TOHS is a self-deconstructing text that finally turns against itself and demolishes itself, in a classic gesture of deconstructionist panache. And so, Agamben adds, TOHS, ‘like every work of poetry and of thought, cannot be concluded but only abandoned (and perhaps continued by others)’ (1019), suggesting to the critical reader that she or he might still take up where the great master has left off, to carry on the great work of deconstructing western European political theology which has been so stunningly begun, if not finally completed, by Giorgio Agamben’s *The Omnibus Homo Sacer*.

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