1. Aristotle

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Homo Sacer, Giorgio Agamben's transformative twenty-year project in political ontology, is framed at its very outset in terms of Aristotelian philosophy – read, as we will see, from a strongly medieval, Heideggerian and Arendtian perspective. As a *locus classicus* of the juxtaposition of the two Greek terms for life, *zōē* ('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'), Agamben (*HS* 1–2) cites a passage in Aristotle's *Politics* that notes that there is a certain 'natural delight (*euēmeria*) and sweetness' in the 'mere fact of being alive itself' (*to zēn auto monon*), which makes human beings hold on to it for its own sake, provided that the mode of life (*bios*) that this being-alive amounts to is not fraught with excessive difficulty.[1]

The complicated interlacing of *zōē* and *bios* defines the fundamental parameters of Agamben's magnum opus. We will use them here as the starting point for a brief discussion of Agamben's engagement, throughout the *Homo Sacer* series, with the Aristotelian foundations of Western political thought and its basic strategy of 'dividing the factical experience and pushing down to the origin – that is, excluding – one half of it in order then to rearticulate it to the other by including it as foundation' (*UB* 265).

This strategy is particularly visible in the two Aristotelian conceptual divisions whose political consequences *Homo Sacer* never ceases to address: that between 'bare' and politically qualified life and that between potential and act, *dynamis* and *energeia*. We will see that Agamben's concept of 'form-of-life' (*forma-di-vita*), introduced in *Homo Sacer* (*HS* 188), is designed to deconstruct or 'deactivate' both of these interlocking oppositions.

BEING-ALIVE SAID IN MANY WAYS: *zēn / eu zēn*

We should, however, begin our discussion with a caveat. Contrary to what Agamben seems to suggest (*HS* 11), *zōē* and *bios* are in no way contrasted in the passage cited above. Characterizing their relationship as an 'opposition' (*HS* 66), as a 'fundamental categorial pair of Western politics' (*HS* 8), or as a 'classical distinction' (*HS* 187), gives rise to certain interpretive and philological objections, such as those put forward by J. G. Finlayson.[2] Finlayson shows that Agamben starts out from Hannah Arendt's somewhat simplifying account of the 'specifically human life' as the narrated and biographical '*bios* as distinguished from mere *zōē*'.[3] Such a distinction does occasionally appear in late antiquity, but in Aristotle and in other classical texts, *zōē* and *bios* are not opposed in this way.[4] They simply differ in sense: whereas *zōē* is the simple fact and process of being-alive, *bios* is the 'mode of life' enacted by a living being in and through this process. What is essential to *bios* is temporal extension: while *zōē* is what is going on at every given instant of being alive, *bios* is the characteristic life-project that this being alive amounts to over an extended period of time, or the entire biographical 'span of life' reaching all the way from birth to death and fully visible only in retrospect.[5] The reason for the fact, noted by Agamben (*HS* 2), that the verb *bioō* is in classical texts almost never found in the present tense, is that it does not have a primarily presential

sense of an ongoing process, but rather the perfective sense of 'having passed or constituted one's life in a certain manner (over a span of time)'.[6] This sense of completeness and limitation inherent in *bios* also explains why Aristotle does not ascribe a *bios* to the 'continuous and everlasting being-alive' (*zōē synechēs kai aidios*) of the metaphysical divinity.[7]

It follows that *bios* is neither an alternative to *zōē* nor something over and above it. By virtue of the fact of being alive, one cannot fail, over time, to realize some kind of *bios*.[8] A political mode of life, *bios politikos,* is one such possible life-project, as is the life of contemplation (*bios theōrētikos*), but even the life of enjoyment (*bios apolaustikos*), which Aristotle disdainfully regards as a mode of life 'fit for cattle', constitutes a *bios*.[9] Even though the *bioi* that primarily interest the philosophers are those of free human beings, they by no means limit *bios* to humans: animals and even plants implement their particular *bioi*.[10] Moreover, as Agamben is well aware (*UB* 200–6), even though Aristotle may be the first to use *zōē* as an abstract term for that which separates animate from inanimate things, in *De anima* he explicitly denies that there is such a thing as generic being alive that would be shared in a univocal sense by plants, animals and human beings.[11] Being-alive (*zēn*) is 'said in many ways (*pleonachōs*)' and the soul (*psychè*), the animating principle of vital functions, is analogous to a polygon in that, just as there is no abstract polygon apart from determinate types such as triangles and squares, no generic soul exists apart from the three basic types: the vegetative (*threptikon*) vitality of plants, consisting merely in the intake of nutrition and organic growth; the sensory and mobile vitality of nonhuman animals; and the discursive-rational vitality of humans.[12]

To be sure, vegetative life is the most elementary form of *zēn* in that it is capable of separate existence in plants and is 'contained' in the more complex levels, since animals and humans are also capable of nourishment and growth, but as only

potentially (*dynamei*), not actually, separable.[13] No separate layer of 'bare life' can be extracted intact from the human soul. For beings endowed with a human soul, life is always already irreducibly human: in it, the 'inferior' vital functions have always already been qualitatively transformed in their seamless fusion with the discursive being alive of humans. Nonetheless, differentiating vitality into its different component faculties is possible conceptually (*logō*), and Agamben will insist (*UB* 202–6) that precisely this conceptual, potential divisibility is the basis for the political 'exclusive inclusion' of that which is in reality inseparable, of 'bare' life.[14] This political exclusion begins with Aristotle's own exclusion of vegetative life from human virtue (*aretē*), discursive reason (*logos*) and flourishing (*eudaimonia*), and culminates in the modern techniques for actually sustaining 'bare' vital functions through resuscitation or for producing 'bare life' in the figure of the *Muselmann* of Nazi camps (*RA* 41–86; *UB* 204).[15]

In the case of Aristotle, the *zōē/bios* distinction thus boils down to that between two kinds of *zōē*, between mere survival and 'living well' (*eu zēn*). It is initially for the sake of the former, Aristotle maintains, that human beings form more and more complex communities and finally come to live in a politically structured community. However, even when material survival has been secured by the economic, military and judicial framework of the *polis*, the political community persists as a teleological project, since it further allows humans to pursue a life of fulfilment and flourishing as human beings.[16] The *polis* 'comes to be [*ginomenē*] for the sake of living [*zēn*] but is [*ousa*] for the sake of living well [*eu zēn*]'.[17] The latter cannot consist in any sense of being alive that is not unique to free human beings: there can be no *polis* of slaves or non-human animals, whose life is subject to the external compulsion of commands and instincts and deprived of the rational self-determination and self-sufficiency (*autarkeia*) that constitutes 'accomplished' being-alive (*zōē teleia*).[18] Such complete *zōē* is one that

constitutes a temporally extended span of life (*bios teleios*) consisting in the accomplishment of the 'work' or function (*ergon*) proper to the human being: the activity or 'being-at-work' (*energeia*) of the human soul (*psychè*) in terms of the supreme virtues or excellences (*aretai*) of its properly human – that is, discursive (*meta logou*) – aspects.[19] Aristotle stresses the importance of the actual use or employment (*chrēsis*) of virtue, as opposed to merely having virtue as a potential (*dynamis*), as a habit/disposition (*hexis*) or possession (*ktēsis*).[20] On the other hand, as 'habits', virtues – unlike natural or innate capacities, in which the potential precedes the activity – are only acquired through a prior exercise (*energein*) in the form of instruction (*didaskalia*) or habituation (*ethos*).[21]

THE INCAPACITY OF CAPACITY: *dynamis/energeia*

From these considerations, we see to what extent the Aristotelian hierarchy of life is pervaded by the dialectic of potential and act. In *Homo Sacer*, Agamben notes that reconsidering the problem of constituent and constituted power and their subjugation to the concept of sovereign power

> opens the way for a new articulation of the relation between potential [*potenza*] and act [*atto*]. […] Until a new and coherent ontology of potential […] has replaced the ontology founded on the primacy of act and its relation to potential, a political theory freed from the aporias of sovereignty remains unthinkable. (*HS* 44; translation modified)

This task of a new ontology of potentiality, emancipated from the primacy of act, frames Agamben's discussion of *dynamis* and *energeia*; among his precursors in this

project he mentions Spinoza, Schelling, Nietzsche and Heidegger (*HS* 44, 48). Indeed, his reading of the Aristotelian *dynamis* is decisively influenced by Heidegger's 1931 lecture course on Aristotle's *Metaphysics,* Book Theta (see *PO* 201).[22] The reappropriation of *dynamis* in Heideggerian fundamental ontology, for which 'higher than actuality [*Wirklichkeit*] stands *possibility* [*Möglichkeit*]', is clearly an orienting template for Agamben's attempt to think power and life beyond the classical Aristotelian hierarchies.[23]

Aristotle's distinction between potential and act is motivated by his quest to conceptually grasp movement, change and transition, *kinēsis* and *metabolē. Kinēsis* is the principal context for understanding potential and act, and the primary sense of *dynamis* is to be a principle (*archē*) of transition in another entity, or in the same entity *qua* other: the doctor is capable of treating herself, but only to the extent that she is also a patient.[24] Every transition thus involves two capacities, the capacity to produce (*poiein*) a process and the capacity to undergo (*paschein*) it. This distinction is the key to Aristotle's statement – a focal point of Agamben's attention (*CC* 34; *HS* 45–6; *PO* 181–3, 201, 215, 245; *OD* 94–5; *UB* 59, 276) – that since 'to the extent that something is constituted as one [*sympephyken*], it does not itself undergo [*paschei*; any transition produced] by itself', every capacity (*dynamis*) is, by consequence, also 'an incapacity [*adynamia*] of the same [activity] and in the same respect'.[25] This seemingly paradoxical statement is clarified by Aristotle's remark, in *De anima*, that the faculty of sensory perception is incapable of perceiving itself without access to a separate sensory object, just as the combustible is incapable of igniting itself without access to heat: the capacity to produce or to undergo a process is incapable of carrying out the process by itself.[26] The two corresponding *dynameis* must come into contact before *energeia* is initiated. However, as opposed to purely mechanical capacities, this contact alone is not sufficient in the

case of the discursive capacities of rational beings, oriented to conceptually determinate ends – a desire (*orexis*) or preference (*proairesis*) to act for the end, rather than not, is also required.[27]

'Capable [*dynaton*] is that which, whenever the activity [*energeia*] to which it is said to have the capacity [*dynamin*] becomes present [*hyparxē*] in it, will not be incapable [*adynaton*] in any respect.'[28] Heidegger and Agamben (*HS* 45–6; *PO* 183, 264) both emphasise that in spite of its seeming triviality – what is capable of something is not incapable of it – this articulation is highly significant when we understand it in light of the incapacity inherent in *dynamis*.[29] Until the conditions for the commencement of the activity are met, a potential always retains an impotential that is only surrendered in the process of actualisation – either once and for all, as in an action (*praxis*) such as contemplating that is at once its own end and complete (*entelecheia*), or gradually, as in an 'incomplete' *energeia* or *kinēsis,* a process such as construction that is a production (*poiēsis*) of an end external to the process itself.[30] Capacity-for-*x* is the point of departure for the process in which its inherent incapacity-for-*x* is expelled by the coming-to-be of *x* itself.

Agamben stresses (*CC* 35; *HS* 46; *PO* 184; *UB* 267) that this is well captured in a passage of *De anima* that notes that undergoing a process through which an inherent potential is actualised is not really an alteration (*alloiōsis*) so much as a 'preservation' (*sōtēria*) of what is potentially (*dynamei*) by what is completely (*entelecheia*). Rather than an alteration, this is an 'increase [*epidosis*] to itself [*eis hauto*] and to completeness [*entelecheian*]'.[31] However, contrary to what Agamben suggests, what is 'preserved' in the transition from potentiality to actuality is clearly not potentiality as such – Aristotle makes it clear that the move is 'from a potential being [*ek dynamei ontos*] to completeness'[32] – but rather the being that is potentially, such as the house under

construction, whose identity or 'selfhood' as a house is preserved and intensified in the transition.[33] Being in act (*energeia on*) is determined by the extent to which it has cast off the incapacity and the negative capacity inherent in potential being.[34] Actual being is prior to potential being in terms of the substantial beingness (*ousia*) of the entity in question: a finished house is more of a house than one still being built or one that is merely being planned, in the sense of 'less incapable of being a house'.[35] In Aristotle's ontological hierarchy, the most accomplished manifestation of being is necessary and everlasting actuality, which has shed all potentiality and, with it, all incompleteness, transience and contingency, all impotential and potential-not-to-be.[36]

Even though Agamben claims that 'it is never clear […] whether Book Theta of the *Metaphysics* in fact gives primacy to act or to potential' (*HS* 47; translation modified), the ontological primacy of *energeia* in Aristotle thus seems beyond dispute, even though it can only be determined in opposition to *dynamis* as the 'other' way of being, as the 'not incapable'.[37] Agamben is thinking in the direction of the later Aristotelian tradition, of the scholastic distinction between God's absolute power (*potentia absoluta*) and his ordained power (*potentia ordinata*), which provides the theological background for Abbé Sieyès's distinction between constituent and constituted power (*PO* 253–5; *KG* 104–8; *UB* 266–7).[38] Whereas God's omnipotence was conceived by the scholastics as the absolutely sovereign source of all normativity, and the created order of nature as ultimately contingent in the sense that it is based on the divine will alone and dictated by no other necessity, the fact that God has willed the existing order commits and ordains divine power not to conflict with the initial decision of the creator. God's absolute or constituent potential thus becomes the ontological source of all inherently contingent, created actuality – and, at the same time, a merely retrospective legitimation of the existing order, subordinated to what actually exists in the sense that it has

suspended its capacity for negating the actual and manifests it only in 'states of exception'. In this context, potential and act are indeed 'only two aspects of the process of the sovereign autoconstitution of being [*essere*]' in which act presupposes itself as a potential that is merely a suspended act, and, on the other hand, act is only a 'preservation' of what already potentially was (*UB* 267; translation modified).

It is this medieval model of divine power that underlies the theological paradigm of divine 'economy' or 'administration' of the world, studied in *The Kingdom and the Glory* (*KG* 53–108), as well as the theological transformation of the *ergon* of human *energeia* into divinely operated liturgical 'offices' or 'duties', studied in *Opus Dei* (*OD* 42–64, 89–129), both of which Agamben shows to profoundly inform the modern concept of government.[39] It is in this framework that we should understand the task of an 'ontology of potentiality' that the *Homo Sacer* project assigns to itself, that of thinking a potential without any relation to being in act (*HS* 47), a purely 'destituent' (*destituente*) potential set free from the logic of sovereignty and constitution (*UB* 268). Agamben's abiding fascination with Melville's 'Bartleby, the Scrivener' (1853) should be situated in this context. Bartleby is the clerk who refuses to actualise his *ergon,* his function, office, or duty, simply because he 'prefers not to', thus withholding the *proairesis* or preference determined by Aristotle to be prerequisite for the actualisation of a rational capacity, which is always also a 'capacity not to'. In stubbornly vindicating this negative aspect of his *dynamis*, in refusing to ordain his constituent power into any constituted power and thereby rendering it de-constituent or destituent, Bartleby is 'the strongest objection against the principle of sovereignty' (*HS* 48; cf. *CC* 34–6; *PO* 243–71).[40]

USE, HABIT AND FORM-OF-LIFE: *chrēsis* AND *hexis*

We find Agamben's hitherto most sustained attempt to articulate an ontology of destituent potential in the concluding volume of the *Homo Sacer* series, *The Use of Bodies*. Here, Agamben's strategy is to deconstruct both the *zōē/bios* (or, rather, *zēn/eu zēn*) and the *dynamis/energeia* distinctions, and to flesh out his concept of 'form-of-life' with the help of the concept of use (*uso*). Already in *The Highest Poverty*, Agamben suggests that, had it been properly articulated, the Franciscan notion of non-appropriative use 'could have been configured as a *tertium* with respect to law and life, potential and act' (*HP* 141). This suggestion is reiterated more forcefully in *The Use of Bodies*:

> [W]hat if use […] implied, with respect to potential, a relationship other than *energeia*? […] *What if use in fact implied an ontology irreducible to the Aristotelian duality of potential and act that, through its historical translations, still governs Western culture?* (UB 48, original italics)

The Use of Bodies sets out from the Aristotelian concept of use or employment (*chrēsis*), which, Agamben notes, Aristotle tends to use as a synonym of act, *energeia*: to use a capacity is to put a potential into work, to make it serve its function or purpose (*ergon*; *UB* 5–7). Thus, in the case of capacities whose employment constitutes an activity (*praxis*) that is its own end, such as seeing, the employment itself is the ultimate *ergon*, but in the case of production (*poiēsis*), the employment of one's capacity is an instrumental process towards the *ergon* (*UB* 12–13).[41] From this perspective, Agamben shows (*UB* 3–23), Aristotle's account of the work (*ergon*) of the slave as the 'use of the body' (*hē tou sōmatos chrēsis*) is an interesting anomaly.[42] While Aristotle regards hypothetical 'natural' slaves as human beings, they are clearly a limiting case or, as

Agamben would have it, a 'threshold': they belong to the community (*koinōnein*) of human *logos* insofar as they are able to 'perceive' or 'grasp' discursive reason (they understand commands and their rationale), but just as they do not belong to themselves but to another, they do not possess (*echein*) reason as an independent faculty at their disposal, lacking rational deliberation and initiative.[43] Thus, the 'work' of slaves *qua* slaves cannot be that of human beings in general – the free activity of the discursive faculties of the soul – but consists simply in making use of their bodies as animate instruments and in being used to uphold the autarchy of their master's 'way of life' (*bios*) by liberating it from the necessities of survival.[44] As an instrument of the master's *bios,* the activity of the slave is thus, Agamben notes (*UB* 18–21), a very peculiar 'work' or 'function', in that it is neither *praxis* nor *poiēsis,* neither an end in itself or a process towards an end. It is a sheer routine of toil and labour, devoid of intrinsic purposiveness. The work (*ergon*) through which slaves constitute themselves as slaves thus lies beyond the teleological matrix of the *dynamis/energeia* distinction; it represents a 'paradigm of another human activity […] for which we lack names' (*UB* 78).

Through studies of the polysemy of the Greek verb *chrēsthai* and the Latin *uti* as well as their medial and passive voices, of the affinity between 'use' and 'care', of the Heideggerian understanding of the use of the world, and of the Stoic concept of 'use of oneself', Agamben delineates a Foucauldian understanding of use as a 'constitution of the self' in relation to what is other than the self: '*The self is nothing other than use-of-oneself* [*uso di sé*]' (*UB* 54, original italics). This brings him back to the Aristotelian concept of habit (*hexis*), the capacity acquired through usage and exercise, custom and habituation, in a word, through self-constitution. What is at stake is to rescue this concept from the Aristotelian template of potential and act: to think being-in-use (*essere-in-uso*) as distinct from being-in-act, as 'habitual use' (*uso abituale*) that is always already in use, habitually,

and does not presuppose a potential that must at a certain point pass into the act. Habitual use is 'a potential that is never separate from act, which never needs to be put to work' (*UB* 58).

The negative aspect of the conceptual task proposed to us by Agamben is that of ceasing to think habit as a potential put into use and exercised through a sovereign act of the will or decision – that is, ceasing to think habit (literally, 'having', *hexis*) as something 'had' by a subject, which, as Aristotle himself notes, would amount to an infinite regression of the having of having (*UB* 58–65, 276–7).[45] The positive aspect of the task is to think habit *as* use, as usage or custom (*ethos*), that is, as a manner of constituting oneself as a subject by habitually making use of oneself and the world in a certain way: as a form-of-life. '*Use, as habit, is a form-of-life and not the knowledge or faculty of a subject*' (*UB* 62). Only by thus 'deactivating' the traditional split of habitual use into potential (habit) and act (use) will we be able to come to terms with the aporetic nature of Aristotle's account of *hexis* as, on the one hand, a disposition (*diathesis*) for acting in a certain way that is, in itself, only constituted through previous activity and exercise (*OD* 92–9).[46]

This Foucault-inspired ontology of habit, of identities constituted through usage and practice and constantly retaining the 'destituent' capacity to undo themselves, captures the sense of the Apostle Paul's experience of a messianic time in which ordained powers, norms and identities have been 'rendered inoperative' (*katargein*) by the advent of the messiah and in which what remains is to make use (*chrēsai*) of them for radically new purposes (*UB* 56–7, 273–4).[47] This ontology extends itself towards the Heidegger-inspired 'modal' ontology, delineated in the second part of *The Use of Bodies*, that no longer sees identities in terms of Aristotelian stable and determinate substances (*ousiai*) but as 'hypostases', as ceaseless (re)configurations of a dynamic and self-

constituent process (*UB* 111–91). We are thus offered an 'inoperative' (*argon*) model of human life without any single preordained function or work – a possibility considered and immediately abandoned by Aristotle in the *Nicomachean Ethics* (*UB* 5) – a life that 'lives only in use-of-itself, lives only (its) livability' (*UB* 63).[48] Agamben's name for the self-constituting, self-destituting and self-reconfiguring process of inoperative living is form-of-life, that is,

> a life […] in which singular modes, acts, and processes of living are never simply *facts* but always and above all *possibilities* of life, always and above all potential. And potential, insofar as it is nothing other than the essence or nature of each being, can be suspended and contemplated but never absolutely divided from the act. The habit of a potential is the habitual use of it and the form-of-life of this use. The form of human living is never prescribed by a specific biological vocation nor assigned by any necessity whatsoever, but even though it is customary, repeated, and socially obligatory, it always preserves its character as a real possibility. (*UB* 207–8)

We see that the *Homo Sacer* project has thus rewound to its point of departure, *zōē* and *bios*. In asserting their inseparability as form-of-life, a life that is never 'bare' or pre-political but always constitutes and reconstitutes itself into some form or mode of life or other and is thus always already qualified and political, the conclusion of the project also, in a sense, retrieves the 'originary' concept of *bios*, which, as we have seen, is by no means an opposite of *zōē* or separable from it, but rather simply the form invariably assumed over time by the process of being alive.

ABBREVIATIONS

CC   *La comunità che viene*. Turin: Einaudi, 1990. Translated by Michael Hardt as *The Coming Community*. Minneapolis, MN: University of Minnesota Press, 1993.

HP   *Altissima povertà: regole monastiche e forma di vita*. Vicenza: Neri Pozza, 2011. Translated by Adam Kotsko as *The Highest Poverty: Monastic Rules and Form-of-Life*. Stanford, CA: Stanford University Press, 2013.

HS   *Homo sacer: il potere sovrano e la nuda vita*. Turin: Einaudi, 1995. Translated by Daniel Heller-Roazen as *Homo Sacer: Sovereign Power and Bare Life*. Stanford, CA: Stanford University Press, 1998.

KG   *Il Regno e la Gloria: per una genealogia teologica dell'economia e del governo*. Vicenza: Neri Pozza, 2007. Translated by Lorenzo Chiesa (with Matteo Mandarini) as *The Kingdom and the Glory: For a Theological Genealogy of Economy and Government*. Stanford, CA: Stanford University Press, 2011.

OD   *Opus Dei: archeologia dell'ufficio*. Turin: Bollati Boringhieri, 2012. Translated by Adam Kotsko as *Opus Dei: An Archaeology of Duty*. Stanford, CA: Stanford University Press, 2015.

PO   *La potenza del pensiero: saggi e conferenze*. Vicenza: Neri Pozza, 2005. Translated by Daniel Heller-Roazen as *Potentialities: Collected Essays in Philosophy*. Stanford, CA: Stanford University Press, 1999.

RA   *Quel che resta di Auschwitz: l'archivio e il testimone*. Turin: Bollati Boringhieri, 1998. Translated by Daniel Heller-Roazen as *Remnants of Auschwitz: The Witness and the Archive*. New York: Zone Books, 1999.

UB   *L'uso dei corpi*. Vicenza: Neri Pozza, 2014. Translated by Adam Kotsko as *The Use of Bodies*. Stanford, CA: Stanford University Press, 2016.

NOTES

1 Aristotle, *Politics* (*Politica*), ed. W. D. Ross (Oxford: Clarendon Press, 1957), 3.6.1278b23–30.

2 James Gordon Finlayson, '"Bare Life" and Politics in Agamben's Reading of Aristotle', *The Review of Politics* 72.1 (2010): 97–126.

3 Finlayson, '"Bare Life" and Politics', p. 102; Hannah Arendt, *The Human Condition*, 2nd edn (Chicago: University of Chicago Press, 1998), p. 97.

4 In a fragment from a third-century treatise, Porphyry of Tyre notes that the Stoics understand *bios* exclusively as discursive-rational life (*logikē zōē*), while Plato uses the term also for the life of non-discursive animals; Porphyry, *On What Is in Our Power*, cited in Joannes Stobaeus, *Anthologium,* vol. 2, ed. Kurt Wachsmuth (Berlin: Weidmann, 1884), 2.8.39. A work on synonyms attributed to the fourth-century scholar Ammonius Grammaticus (possibly an epitome of a first-century work by Philo of Byblos) defines *bios* as limited to humans and *zōē* as applying even to irrational animals, and mistakenly attributes to Aristotle the definition of *bios* as discursive *zōē*; Ammonius, *Ammonii qui dicitur liber de adfinium vocabulorum differentia*, ed. Klaus Nickau (Leipzig: Teubner, 1966), pp. 100–2.

5 This sense is particularly tangible in Heraclitus' pun on the words *bíos* 'life' and *biós* 'bow': 'The name of the bow [*toxou*] is *bios*, but its work [*ergon*] is death.' Heraclitus, DK 22 B 48; Heinrich Diels and Walter Kranz, *Die Fragmente der Vorsokratiker,* vol. 1 (Berlin: Weidmann, 6th edn, 1951).

6 This is illustrated by a passage in Plato's *Laches*, where Nicias points out that anyone facing Socrates in discussion cannot avoid giving an account of 'the manner in which he is now living [*zē*] and of the manner in which he has passed his life hitherto [*bion bebiōken*]';

Plato, *Laches*, in *Platonis opera,* vol. 3, ed. John Burnet (Oxford: Clarendon Press, 1903), 187e10–188a2.

7 Aristotle, *Metaphysics*, vol. 2, ed. W. D. Ross (Oxford: Clarendon Press, 1924), 12.7.1072b28–30. Cf. Hans Hübner, 'Leben II', in Joachim Ritter and Karlfried Gründer (eds), *Historisches Wörterbuch der Philosophie*, vol. 5 (Basel: Schwabe, 1980), pp. 56–9.

8 In Plotinus' *Enneads* we find an attempt to define time (*chronos*) as 'the being-alive [*zōēn*] of a soul in movement, changing from one mode of life [*bion*] to another'; Plotinus, *Enneads* (*Enneades*), in *Plotini opera,* vol. 1, ed. Paul Henry and Hans-Rudolf Schwyzer (Leiden: Brill, 1951), 3.7.11.43–5.

9 Aristotle, *Nicomachean Ethics* (*Ethica Nicomachea*), ed. Ingram Bywater (Oxford: Clarendon Press, 1894), 1.5.1095b14–22.

10 See Plato, *Laws* (*Leges*), in *Platonis opera,* vol. 5, ed. John Burnet (Oxford: Clarendon Press, 1907), 5.733d2–e6. Cf. Aristotle, *On the Generation of Animals* (*De generatione animalium*), ed. Hendrik Joan Drossaart Lulofs (Oxford: Clarendon Press, 1965), 2.3.736b13.

11 Aristotle, *On the Soul* (*De anima*), ed. David Ross (Oxford: Clarendon Press, 1956), 2.2.413a20–b32, 2.3.414b20–415a13.

12 Aristotle, *On the Soul* 2.2.413a22–5, 2.3.414b25–8.

13 Aristotle, *On the Soul* 2.3.414b28–32.

14 Aristotle, *On the Soul* 2.2.413b29–32.

15 Aristotle, *Nicomachean Ethics* 1.7.1097b33–1098a1, 1.13.1102a32–b12, 29–30.

16 Aristotle, *Politics* 1.1.1252b27–1253a1.

17 Aristotle, *Politics* 1.2.1252b29–30.

18 Aristotle, *Politics* 3.9.1280a31–b5, 29–35; *Nicomachean Ethics* 1.7.1097b6–16.

19 Aristotle, *Nicomachean Ethics* 1.7.1098a7–20.

20 Aristotle, *Nicomachean Ethics* 1.8.1098b21–1099a7.

21 Aristotle, *Nicomachean Ethics* 2.1.1103a14–b25.

[22] Martin Heidegger, *Gesamtausgabe,* vol. 33: *Aristoteles, Metaphysik Θ 1-3: Von Wesen und Wirklichkeit der Kraft* [1931], ed. Heinrich Hüni (Frankfurt am Main: Klostermann, 2nd edn, 1990); *Aristotle's Metaphysics Θ 1-3: On the Essence and Actuality of Force*, trans. Walter Brogan and Peter Warnek (Bloomington, IN: Indiana University Press, 1995).

[23] Martin Heidegger, *Sein und Zeit* [1927] (Tübingen: Niemeyer, 18th edn, 2001), p. 38, cf. p. 262; *Being and Time*, trans. Joan Stambaugh, rev. Dennis J. Schmidt (Albany: SUNY Press, 2010), p. 36, cf. p. 251.

[24] Aristotle, *Metaphysics* 9.1.1045b35–1046a2, 10–11.

[25] Aristotle, *Metaphysics* 9.1.1046a28–30. Both Heidegger and Agamben reject the emendation, adopted in William of Moerbeke's thirteenth-century Latin translation of the *Metaphysics* but not found in the best manuscripts, of the word *adynamia* to a dative form, which would alter the passage to say 'every capacity corresponds to an incapacity of the same' – although, as Agamben (*OD* 94–5) notes, this does not greatly affect its sense. See Heidegger, *Gesamtausgabe*, vol. 33, p. 110; *Aristotle's Metaphysics Θ 1-3*, p. 93. However, Agamben does not specify how he precisely understands *adynamia* in this context. For a critique of Agamben's interpretation of *dynamis*, see Johannes Fritsche, 'Agamben on Aristotle, Hegel, Kant, and National Socialism', *Constellations* 19.3 (2012): 437–41.

[26] Aristotle, *On the Soul* 2.5.417a2–9.

[27] Aristotle, *Metaphysics* 9.5.1047b35–1048a24, 9.8.1050b30–4.

[28] Aristotle, *Metaphysics* 9.3.1047a24–6.

[29] Heidegger, *Gesamtausgabe,* vol. 33, pp. 219–22; *Aristotle's Metaphysics Θ 1–3*, pp. 188–91.

[30] Aristotle, *Metaphysics* 9.6.1048b18–36; *Physics*, ed. W. D. Ross (Oxford: Clarendon Press, 1936), 3.1.201a10–b15, 3.2.201b31–2.

[31] Aristotle, *On the Soul* 2.5.417b2–7.

[32] Aristotle, *On the Soul* 2.5.417b10.

[33] In this context, *epidosis* does not seem to signify a 'giving oneself', in Agamben's sense of potentiality 'giving itself' over to actuality, but rather simply a 'giving in addition', an increase in the being of the entity in question in the sense of the transformation of potentiality into actuality. Cf. Fritsche, 'Agamben on Aristotle', pp. 439–41.

[34] Aristotle, *Metaphysics* 9.6.1048a30–b36.

[35] Aristotle, *Metaphysics* 9.8.1050a4–b6.

[36] Aristotle, *Metaphysics* 9.8.1050b6–1051a3.

[37] Aristotle, *Metaphysics* 9.6.1048a30–b9.

[38] Cf. David Bleeden, 'One Paradigm, Two Potentialities: Freedom, Sovereignty and Foucault in Agamben's Reading of Aristotle's *dynamis*', *Foucault Studies* 10 (2010): 68–84. On the distinction between absolute and ordained power, see William J. Courtenay, 'Potentia absoluta/ordinata', in Joachim Ritter and Karlfried Gründer (eds), *Historisches Wörterbuch der Philosophie,* vol. 7 (Basel: Schwabe & Co, 1989), pp. 1157–62.

[39] Cf. Daniel McLoughlin, 'On Political and Economic Theology: Agamben, Peterson, and Aristotle', *Angelaki* 20.4 (2015): 53–69.

[40] Cf. Jessica Whyte, '"I Would Prefer Not To": Giorgio Agamben, Bartleby and the Potentiality of the Law', *Law and Critique* 20.3 (2009): 309–24.

[41] Aristotle, *Metaphysics* 9.8.1050a21–b2.

[42] Aristotle, *Politics* 1.5.1254b16–20.

[43] Aristotle, *Politics* 1.4.1254a14–17, 1.5.1254b20–4, 1.13.1260a12.

[44] Aristotle, *Politics* 1.4.1253b32–3, 1254a7–8, 1.5.1254b24–6.

[45] Aristotle, *Metaphysics* 5.20.1022b8–10.

[46] Aristotle, *Metaphysics* 5.20.1022b10–14; *Nicomachean Ethics* 2.1.1103b21–5, 2.2.1104a27–b3, 2.5.1105b25–8.

[47] 1 Cor. 7:21, 15:24, Rom. 7:6; *Novum Testamentum Graece*, 27th edn, ed. Barbara Aland et al. (Stuttgart: Deutsche Bibelgesellschaft, 1993).

[48] Aristotle, *Nicomachean Ethics* 1.7.1097b28–33.