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LIVING A LA MODE: FORM-OF-LIFE AND DEMOCRATIC BIOPOLITICS IN GIORGIO AGAMBEN'S *USE OF BODIES*

Introduction: Homo Sacer at an End

Giorgio Agamben's *The Use of Bodies* is the final volume (IV, 2) in the *Homo Sacer* series that began with the 1995 publication of *Homo Sacer: Sovereign Power and Bare Life*. While many readers of Agamben expected this volume to offer a resolution to the problems and aporias of Western metaphysics and politics traced in the preceding volumes, in the prefatory note to the book Agamben dampens these expectations, arguing for the need to abandon the 'commonplace' according to which every work should have a conclusion.[1] Instead, he claims that every investigation 'cannot be concluded but only abandoned (and perhaps continued by others)'.[2] While this might be a somewhat underwhelming beginning to the final volume, in this article we shall argue that the *Use of Bodies* does in an important sense conclude the *Homo Sacer* project. Yet, in full accordance with Agamben's own meditations on endings (of history, politics, metaphysics) in Western culture, this conclusion cannot be viewed in terms of an accomplishment or even conceptualization of some definitive final state. To the 'eschatological' image of the end as completion and accomplishment Agamben has consistently opposed the messianic figure of the end as suspension, standstill or inoperativity.[3] The *Use of Bodies* is indeed a conclusion of the *Homo Sacer* series, insofar as it ventures to render inoperative a wide range of 'apparatuses' of Western ontology, politics and ethics that have produced *homo sacer* and, in Agamben's controversial argument, made us all virtual *homines sacri*.[4] In its very design the *Use of Bodies* therefore exemplifies the messianic disposition of which Agamben has become perhaps the best known exponent in today's political philosophy.[5]

Of course, preceding volumes in the series were driven by the same desire, expressed in a more or less oblique or allusive manner. The *Use of Bodies* differs from these volumes in the synthetic character of its argument, which brings together the diverse strands of Agamben's reasoning over the last two decades to a powerful culmination. Just as all things past reappear simultaneously and are 'recapitulated' in the messianic present,[6] in the *Use of Bodies* we reencounter the themes

familiar to us from Agamben's work since the late 1970s: the logic of presupposition, anthropogenesis, relationality, biopolitics, constituent power, form-of-life, demand, use, etc. While many of these themes were earlier treated in isolation or with only tenuous connections between them, they now all come together in a powerful crescendo, in which the logic at work in one domain is reflected in a plurality of others, until everything begins to exemplify everything else in a reciprocal paradigmatic relation: being is structured like a language, which exhibits the same logic as law, which functions in the same manner as anthropogenesis, and so on. Perhaps, the best way to read this book is therefore to go back and forth between chapters to appreciate how the same argument is developed in what appear at first glance to be completely different areas.

What is this argument? For Agamben, a variety of apparatuses of Western culture, from the most abstract (ontology, ethics) to the more concrete (law, government), are all structured in the same logic that he terms 'presuppositional'. In this logic a phenomenon (life, power, speech, existence) is split into two parts, the former of these presupposed as a foundation for the latter yet at the same time excluded from it. This *negative foundation* becomes essential for the constitution of the positive part: 'The city is founded on the division of life into bare life and politically qualified life, the human is defined by the exclusion-inclusion of the animal, the law by the exception of anomie, governance through the exclusion of inoperativity and its capture in the form of glory.'[7] Every reader of Agamben is familiar with at least one version of this argument and its logical yet still uncanny consequence. Since every one of these apparatuses is *bipolar*, its terms functioning only in relation to one another, then any solution that privileges either one of them, let alone seeks a better articulation of the two, will inevitably end up reproducing the apparatus in question.

This logic is particularly important in the political realm: contrary to the revolutionary-democratic tradition in continental political thought, which opposes the *constituted* power of the state in favour of the *constituent* power of the people, the proletariat, the multitude, etc., Agamben's argument succinctly explains what the 20th century politics has provided painful evidence for: 'a power that has only been knocked down with a constituent violence will resurge in another form, in the unceasing, unwinnable desolate dialectic between constituent power and constituted power, between the violence that puts the juridical in place and violence that preserves it.'[8] By the same token, affirming the animal over the human, anomie against law, existence against essence, potentiality over actuality does not really take us out of the apparatus in question, but only serves to re-set it into motion, since what we thereby affirm only exists negatively, as the presupposition

that makes its apparent opposite possible. There is no position from which to access the human animal, pure anomie or bare life other than from the apparatuses that constitute them by negating them. It is therefore not enough to take the side of the subjugated in this bipolar machine – what matters is putting an end to its operation. The only conclusion to the *Homo Sacer* series could be the deactivation of the apparatus that keeps producing *homo sacer* as such.

This article ventures to take stock of this deactivation in a reading of the *Use of Bodies* in the light of the problems identified and promises made in the earlier volumes of the series. In the first section we shall trace the way Agamben abandons the presuppositional logic of relation governing the many apparatuses of Western culture for a different logic that he discusses under the rubrics of *use, mode* and *form-of-life*. In the second section we shall address the ethico-political implications of this suspension, focusing in particular on the increasing significance of the problematic of lifestyle in Agamben's late work. In the third section we shall probe the question of what political form is most adequate for the praxis of form-of-life that Agamben proposes and argue that it is best grasped as a *biopolitical democracy*, constituted by the free circulation of forms of life in the mode that retains and manifests their 'destituent power'. Contrasting Agamben's solution with Alain Badiou's view of politics as a truth procedure, we shall demonstrate the way Agamben's relative indifference to the *content* of forms of life and his focus on the *manner* in which such forms are taken up in singular existences resonates with Claude Lefort's understanding of democracy. In the concluding section, we shall reflect on the viability of this vision of democracy, focusing on Agamben's own example of Plato's Nocturnal Council as a mode of 'destituent power'.

The Non-Relational: Use, Mode, Form-of-Life

While the idea of inoperativity has been central to Agamben's work from the late 1980s and has been advanced repeatedly in the *Homo Sacer* books,[9] the *Use of Bodies* is perhaps his first book fully devoted to this complex and controversial idea, which is central to the argument in all three sections of the book. In the first section, Agamben returns to the concept of *use*, previously discussed in *Time that Remains, Profanations, The Highest Poverty* and other texts.[10] He interprets use as 'constitutively inoperative praxis',[11] which cannot be assimilated to any of the familiar categories of

activity: labour, poiesis or even praxis. Not producing any work, use renders inoperative the Aristotelian opposition of potential and act, exposing in its act only its own potential. Furthermore, to use something is not to enter into a subject-object relationship with a thing, but to constitute *oneself* as using something, to act on oneself insofar as one is in relation to something else: 'human being and world are, in use, in a relationship of absolute and reciprocal immanence; in the using of something, it is the very being of the one using that is first of all at stake.'[12] Every use is always also the use of oneself, in which subject and object are 'indeterminated'.[13]

In the second section Agamben undertakes a similar operation on the Aristotelian and Platonist apparatuses of ontology, rendering inoperative their constitutive opposition of existence and essence and developing a modal ontology or an 'ontology of style', which overcomes the separation between them. In this ontology, strongly indebted to Spinoza, 'singularity bears witness to itself in being and being expresses itself in the singular body.'[14] Rejecting both the Aristotelian presupposition of existence as the condition of essence and the (neo)Platonist presupposition of essence as the condition of singular existence, Agamben offers the image of 'mode as a vortex in the flux of being. It has no substance other than that of the one being, but, with respect to the latter, it has a figure, a manner and a movement that belong to it on its own. The modes are eddies in the boundless field of the substance that, by sinking and whirling into itself, disseminates and expresses itself in singularities.'[15]

The third section returns to the enigmatic concept of form-of-life that has raised questions since the first volume of *Homo Sacer*, redeeming the promise of theorizing biopolitics in an affirmative key, as a '*bios* that is only its own *zoe*'[16]. Whereas the logic of biopolitical sovereignty included unqualified life (*zoe*) into a political form (*bios*) as a negative foundation in the form of 'bare life' exposed to violence, in the form-of-life *bios* is nothing other than the perpetual modification of *zoe* itself. Since forms of life emerge and proliferate in the very activity of living there is no need for the violence of founding exclusion that produced the figure of *homo sacer*. Life does not have a form that it must attain by sacrificing living itself, it always already *is* a form that it takes up by living. Finally, the epilogue sums up the logic of these three exercises on use, mode and form-of-life in terms of the notion of 'destituent potential', or, in an earlier translation, 'destituent power'[17] that, in contrast to constituent power, does not exhaust itself in what it constitutes but rather unworks, makes destitute every work of constitution in its very act.

This brief summary of the argumentative strategy of *The Use of Bodies* demonstrates once again that, contrary to frequent misunderstandings, Agamben's notion of inoperativity should not be read in literal terms of inactivity or inertia but rather as a specific kind of action. Use as 'inoperative praxis' does not simply oppose the potential to the actual but rather brings in and exposes the potential within every act of actualization, unworking it in every moment of the work.[18] The ontological apparatus is not rendered inoperative in the sense of the abandonment of the entire problematic of ontology but rather in the sense of the indetermination between its constitutive terms, which leads ontology out of the aporias of presupposition of either substance or subject into the expanse of singular existences all expressing and modifying the same substance. A form-of-life is similarly not a passive *zoe* that resists or withdraws from every positive determination of *bios*, but rather a perpetual generation of *bios* in and by *zoe* itself. Finally, destituent power does not refer to bringing about actual states of destitution in any domain but rather consists in the reactivation of the potentiality of a practice precisely by deactivating its actual prescribed function.

Yet, the key question is what happens to the terms of the oppositions that have been rendered inoperative in this manner: *zoe*/*bios*, existence/essence, potential/act, praxis/poiesis, etc. It is here that *The Use of Bodies* offers perhaps the most significant advance on the previous volumes of the series, complicating or even correcting some earlier formulations and making others rather more intelligible. Agamben emphasizes that what follows the neutralization of the opposition should not be viewed as a simple *identity* of its terms. 'A *bios* that is only its own *zoe*' does not mean, perhaps contrary to what classical logic would suggest, that *bios* is now *identical* to *zoe* (essence to existence, act to potential, and so on). Instead, it means that *bios* is no longer *in relation* to *zoe*, because it is nothing but a certain mode of *zoe itself*. Agamben's detailed discussion of the theme of non-relation in *The Use of Bodies* helps clarify some of the most frustratingly enigmatic passages in the first volume of *Homo Sacer* about 'thinking ontology and politics beyond every figure of relation'.[19] Since this insistence on non-relation remains somewhat counter-intuitive in the philosophy and social sciences dominated by various types of nominalism and constructivism, in which identity is viewed as a relational 'social construct', it is important to specify exactly what Agamben means by relation and what he wishes to oppose to it:

> We can define relation as that which constitutes its elements by at the same time presupposing them as unrelated. In this way, relation ceases to be one category among others and acquires a special ontological rank. Both in the Aristotelian potential-act,

essence-existence apparatus, and in Trinitarian theology, relation inheres in being according to a constitutive ambiguity: being precedes relation and exists beyond it, but it is always already constituted through relation and included in it as its presupposition.[20]

In the manner that recalls his well-known concept of inclusive exclusion, Agamben defines relation as a simultaneously 'attractive and repulsive' operation, in which two terms (essence and existence, life and law, being and language, etc.) are brought together by making the former both prior to and the condition of the latter. It is a variant of the presuppositional logic that establishes a fictitious passage from the presupposition to the entity (potential to act, anomie to law, animal to human), in which the former term is appropriated as negative foundation. Agamben reconstitutes this idea of relation by addressing Augustine's attempts to reconcile the Trinity in itself as divine substance and the singular persons that comprise it. Augustine's thesis was that 'every essence that is called something by way of relationship is also something besides the relationship'.[21] Thus, a master is defined as such by virtue of its relation to the slave, but *prior to* this relation it must also be a man. By the same token, 'being-God, the Trinity in itself is the essential presupposition of the singular divine persons.'[22] The identity constituted relationally presupposes something like a non-relational substrate which we have no access to prior to the relation in question: 'The relativity and the singularity of the persons have been captured in the unitary essence-potential of God, in such a way that they are both excluded and included within it.'[23]

What happens when this logic is rendered inoperative? If relation always proceeds by separating and presupposing the non-relational as primary, something that the subject constitutes itself by mastering, then the renunciation of mastery in favour of use brings forth a new type of non-presuppositional intimacy that Agamben describes with reference to Giorgio Colli's notion of 'contact'. In contact, two points are separated by a void: there is, in a strict sense, nothing between them. In their very proximity, these elements do not enter into a relation, neither one presupposes or represents the other, excludes it or founds itself on it.[24] This being in common without representation clearly resonates with Agamben's earlier theorization of community of whatever singularities, and, more generally, with the affirmation of non-representative politics in contemporary continental thought.[25] Yet, what is important at this stage is less the immediately political aspects of this 'void of representation' than the general form of non-relation, which in *The Use of Bodies* replaces the philosophical oppositions of subject-object, existence-essence, *bios-zoe*

and others. 'Contact is not a point of tangency nor a *quid* or a substance in which two elements communicate: it is defined only by an absence of representation, only by a caesura.'[26] The two terms simply expose the void in the place where their bond used to be. In this manner, 'what has been divided from itself and captured in the exception now appears in its free and intact form.'[27]

Instead of the subject-object relation we now have the use of bodies, in which the subject suffers its own activity of use, constituting oneself as affected by whatever is used and its own use of it: 'subject and object are thus deactivated and rendered inoperative, and, in their place, there follows use as a new figure of human praxis.'[28] Instead of the ontological apparatuses, in which either existence is presupposed as in search of its own essence that it must recover in history or essence is presupposed as something that only acquires existence through the hypostases that emanate from it,[29] we end up with the modal ontology in which substance is wholly contained in its modifications, in which essence exists (itself) in myriad modes, in which being is its manners of being. Finally, instead of the biopolitical apparatus, in which life was fractured into the unqualified *zoe*, presupposed and negated in the name of the attainment of the political life of *bios*, we end up with a life that generates its forms in its own living and which forms itself to enjoy its own living, a life that is inseparable from the form it takes. 'It is generated in living and for that reason does not have any priority, either substantial or transcendental, with respect to living. It is only a manner of being and living, which does not in any way determine the living thing, just as it is in no way determined by [the living thing] and is nonetheless inseparable from it.'[30] Life forms itself in myriad modes: this is why it does not coincide with any of its specific forms, since it is present in all of them.

The projected effect of this non-relational approach is addressed in Agamben's poignant intermezzo on Heidegger, which focuses on the relation between animality, *Dasein* and being. Reprising his earlier reading of Heidegger in *The Open*,[31] Agamben suggests that despite Heidegger's affirmation of possibility as the constitutive aspect of Dasein, his Dasein nonetheless remained stuck with or riveted to its being-there, its thrownness which it had to assume as a task. In contrast to this grave pathos of being-consigned, which Agamben relied on earlier to theorize shame as the structure of subjectivity,[32] Agamben's own modal ontology of form-of-life recalls the para-existential ontology developed by Heidegger's student, Oskar Becker. Against the unwarranted privileging of being-thrown in Heidegger, Becker affirmed the light and adventurous experience of 'being-carried' (*Getragensein*): thrown as Dasein might be, it does not land irrevocably in some determinate 'there' but is carried away in the very throw itself.[33] Similarly, Agamben's form-of-life renounces the gravity

of all tasks or vocations: no life has to be in a certain form and no form must be actualized in life. In form-of-life life is simply carried (away) by a form, always tentatively and usually transiently, retaining in its every activity its potential not-to and thereby rendering inoperative every operation it lends itself to. Being-carried is the ontological condition of the 'happy life' that Agamben has been concerned with since his earliest works.[34] In the following section we shall address the ethico-political implications of this ontological standpoint.

Form-of-Life: Ontology as Ethics

As we have seen, in the late phase of his work Agamben takes up the same theme of the practices of the self that Michel Foucault turned to in the early 1980s' work on the practices of self in the Antiquity. Just as Foucault's 'Greek turn' came as a surprise after decades of focus on the European modernity, this new focus of Agamben's work at first glance appears unexpected: having gained notoriety with hyperbolic claims about states of exception and concentration camps in the early volumes of the *Homo Sacer* series, Agamben has now isolated an almost proverbially banal site of lifestyle, from dating and diet to sadomasochism and shopping, and ultimately including all the acts involving 'nutrition, digestion, urination, defecation, sleep, sexuality' that we tend to file under the 'private' domain, thereby precluding any understanding of their political significance.[35]

> It is as if each of us obscurely felt that precisely the opacity of our clandestine life held within it a genuinely political element, as such shareable par excellence – and yet, if one attempts to share it, it stubbornly eludes capture and leaves behind it only a ridiculous and incommunicable remainder. [We] must change our life, carry the political into the everyday – and nevertheless, in the everyday, the political can only make shipwreck.[36]

A different, common and political use of the everyday and the intimate is not as such a new theme in Agamben's thought,[37] yet this is the first time that private or even 'clandestine' life becomes the main site of his affirmative politics, all but eclipsing the more familiar sites of states of exception or, for that matter, states in general. Yet, this makes grasping Agamben's political intent even more complicated. His somewhat notorious examples in *Profanations* of unconventional pornography,

the cat playing with a ball of wool and, mercifully briefly, a new use of feces did little to convince Agamben's critics that he had anything substantial to offer to political thought or practice.[38] By the same token, his meditations about the constitution of forms of life in the free use of the body in the acts of 'nutrition, digestion, urination, defecation, sleep, sexuality' only seem to add to the enigmatic character of his affirmative vision that contrasts with the crystal clear, if somewhat hyperbolic character of his critical diagnosis.[39] An uncharitable reading of the *Use of Bodies* would find Agamben's solutions at least underwhelming, if not outright ridiculous: having started with the grand themes of the indistinction of democracy and totalitarianism and the concentration camp as the endpoint of Western modernity, Agamben ends up with obscure meditations on lifestyle, the pettiest of all things, which can only be related to the political by conceptual sleight of hand.

We may recall that the reception of Foucault's late work on ethics was similarly problematic and its connections with Foucault's more familiar philosophical problematics of truth and power are only now beginning to be properly investigated after the complete publication of the lecture courses at the College de France. In fact, Agamben's own intermezzo on Foucault in the *Use of Bodies* goes further than most commentary in illuminating the ontological significance of the practices of self-constitution and the aesthetics of existence. In Agamben's reading, Foucault's overwhelmingly detailed study of Greek and early Roman sexual regimen, mnemonic exercises, techniques of the examination of conscience and truth-telling may have obscured for his readers the ontological question that all those inquiries were meant to elucidate: what is the subject that *is* only the care of its own *self*, whose sole consistency is its own self-fashioning? Similarly, Agamben's own inquiry into forms of life attempts to show that lifestyle, habits and taste, which Foucault analyzed under the rubric of 'aesthetics of existence', are far too important matters to be abandoned to aesthetics.

For Agamben, modern art, which, at least from Romanticism onwards, could be credited with problematizing the relationship between the work of art and the life of the artist, could nonetheless not resolve this relation in satisfactory way, its attempt to dissolve the work of art in life itself leading to the transformation of vital praxis itself into a work. 'The truth that contemporary art never manages to bring to expression is inoperativity, which it seeks at all costs to make into a work. [A] living being can never be defined by its work, but only by its inoperativity, which is to say, by the mode in which it maintains itself in relation with a pure potential in a work and constitutes itself as form-of-life, in which what is in question is no longer life or work but happiness.'[40] For this reason, the theme of lifestyle or aesthetics of existence loses every connotation of sovereign creativity and

rather denotes an experience available to all without exception: 'anyone who practices a poiesis and an activity are anonymous living beings who, by always rendering inoperative the works of language, of vision, of bodies, seek to have an experience of themselves and to constitute their life as form-of-life.'[41] Thus, rather than treat lifestyle in aesthetic terms, Agamben proposes to reinscribe it in terms of ontology and ethics that, moreover, are found to coincide in it. Just as Agamben's Spinozan 'modal ontology' approaches being as nothing other than its modifications, so his ethics has its entire content in the manifold tastes, habits, manners or styles that comprise the subject's forms of life:

> It is necessary to decisively subtract tastes from the aesthetic dimension and rediscover their ontological character, in order to find in them something like a new ethical territory. It is not a matter of attributes or properties of a subject who judges, but of the mode in which each person, in losing himself as subject, constitutes himself as form-of-life. The secret of taste is what form of life must solve, has always already solved and displayed. If every body is affected by its form-of-life as by a clinamen or a taste, the ethical subject is that subject that constitutes itself in relation to this clinamen, the subject who bears witness to its tastes, takes responsibility for the mode in which it is affected by its inclinations. Modal ontology, the ontology of the how, coincides with an ethics.[42]

Again, this is not a new theme since Agamben has dealt with the ontological status of habits as early as *Language and Death* and discussed manner and taste as key concepts of politics and ethics in *The Coming Community*.[43] What is novel is the centrality these questions assume at the end of the *Homo Sacer* project. If the analysis of sovereignty and biopolitics in the first volumes critically targeted the confluence of ontology and politics, whereby e.g. the logic of sovereignty corresponded to the Aristotelian doctrine of potentiality, and the inclusive exclusion of bare life in the state of exception corresponded to the relationship between existence and essence in ontology,[44] the final volume is concluded by articulating ontology and ethics in an affirmative vision of form-of-life:

> Just as in ethics character expresses the irreducible being-thus of an individual, so also in ontology what is in question in mode is the 'as' of being, the mode in which substance is its modifications. The mode in which something is, the being-thus of an entity is a category that belongs irreducibly to ontology and to ethics (which can also

be expressed by saying that in mode they coincide). In this sense, the claim of a modal ontology should be terminologically integrated in the sense that, understood correctly, a modal ontology is no longer an ontology but an ethics (on the condition that we add that the ethics of modes is no longer an ethics but an ontology).[45]

It is this articulation of ontology and ethics that inserts the hyphens into the syntagm 'form of life', transforming something utterly trivial into a highly specific experience that nonetheless remains available to all: 'All living beings are in a form of life, but not all are a form-of-life.'[46] Agamben repeatedly emphasizes that it is not a matter of offering some specific, new, hitherto unheard of practice as an *alternative* to the existing or predominant forms: where would it come from and what good would it do? 'It is not a matter of thinking a better of more authentic form of life, a superior principle, or an elsewhere that suddenly arrives at forms of life and factical vocations to revoke them and render them inoperative. Inoperativity is not another work that suddenly arrives and works to deactivate and depose them: it coincides completely and constitutively with their destitution, with living a life.'[47] Instead, it is a matter of adopting a different perspective on something entirely familiar and banal - quite simply, our habits, hobbies, tastes, manners, quirks, etc. To constitute a form-of-life out of a form of life we must not abandon any of them for some great unknown, but rather live these very familiar forms *otherwise* than we have tended to.

As we have seen, what defines form-of-life is the inseparability of life from its form. The worst thing that can happen to a form-of-life is therefore the separation of its terms, whereby bare life becomes the foundation for a form that is thereby simultaneously linked to it in a fictitious relation and separated from it as essence or identity, in whose name bare life may be negated or sacrificed. In this manner, the contingent mode, style or manner of existence, in which the subject carries itself and is carried away, is converted into a fundamental identity or principle, which begins to define, determine and ultimately subjugate the subject, either as a presupposition to be actualized or as essence to be attained.[48] What we have first appropriated as something we *have*, our definitive or innermost property, becomes something we *have to be* in order to give our lives a proper form. In *The Coming Community* Agamben referred to this process as 'entering the deficit of existence' and bluntly termed it 'evil', indeed the 'only evil' admissible in his ethics.[49] In *The Use of Bodies* the theme of evil is replaced by the theme of *idiocy*, the 'idiocy of the private' that transforms our form-of-life into an attribute of our identity or an aspect of our human capital.[50] Agamben uses the term in the context of his discussion of personal ads in a French newspaper, in which those looking for a

life companion vainly try to communicate their form of life in terms of a list of identity predicates and/or possessions: blond hair, good sense of humour, fondness for opera, fly fishing or fox hunting. While Agamben's disdain for the ads in question is evident, what he opposes is not the banality of the forms themselves, which are indeed the sole resource for his affirmative project, but rather the overall setting, in which those forms are deployed. It is not even a matter of the specifically 'private' appropriation of form-of-life as 'jealous possession', as if its public appropriation would be any better. The problem is rather that in the constitution of a form-of-life we are dealing with something that is not appropriable at all but is only ever usable, as Agamben has previously argued with regard to the Franciscans in *The Highest Poverty* (2013, 123-141).[51]

Agamben's examples of the inappropriable include body, language and landscape: in all three cases we are dealing with something both intimately ours and yet manifestly inappropriable, alien or external. In the experiences of nausea, bodily need or facial tics, we experience our bodies in their most pressing reality and yet as entirely outside our grasp, impossible to control or dominate. Language becomes 'ours' only through protracted learning and continues to manifest its exteriority throughout our lifetime in various types of language and speech disorders of both receptive and expressive kind, impairing comprehension and production of speech, be it stuttering, dyslexia or paraphasia. Finally, landscape is neither an external geographical fact nor the internal product of the mind, but the world that is contemplated as such, as wholly inappropriable.[52] In all these examples, we are no longer dealing with a subject's relation to an object of its appropriation, but with being held in a paradoxical non-relation or contact with an 'inappropriable zone of non-consciousness', at once intimate and unmasterable.[53] Any attempt to master it, to transform the unity of subjectivation and desubjectivation in the use of the inappropriable into the defining identity of the possessing subject produces at best the retreat into the 'idiocy of the private', the lifestyle market, in which individuals cultivate their habits and hobbies, idiosyncrasies and eccentricities as marketable properties and skills. At worst, it results in the total domination of the intimate sphere, which we are tempted to call the 'idiocy of the public', characteristic of the totalitarian regimes of the previous century at their most paroxysmal stage. 'Against this attempt to appropriate the inappropriable to oneself, by means of right or force, in order to constitute it as an *arcanum* of sovereignty, it is necessary to remember that intimacy can preserve its political meaning only on condition that it remains inappropriable.'[54] In the following section we shall address this 'political meaning' by analyzing the relation of Agamben's lifestyle politics to democracy.

Form-of-Life and the Democratic *Mise-en-forme*

What is Agamben's alternative to the unpalatable dualism of the market of private lifestyles and the tyranny of the public lifestyle? To these attempts to appropriate the inappropriable he opposes a collective and political project, in which a community constitutes itself by using a plurality of freely circulating forms of life, none of which can attain domination over others or become appropriated in an exclusive manner. 'What is common is never a property but only the inappropriable.'[55] While Agamben does not mention the term in the book, we would like to venture that the political meaning of the concept of form-of-life consists in the reconstruction of democracy in terms of affirmative biopolitics. In the first volume of *Homo Sacer* Agamben somewhat notoriously argued for the increasing indistinction between modern democracy and totalitarianism as a result of their shared biopolitical character.[56] In subsequent works he maintained that line of reasoning in a somewhat tempered form, demonstrating how contemporary Western democracies have inherited and in some cases even exacerbated the aporias of sovereignty, biopolitics and government.[57] Insofar as most theories of democracy in the continental tradition associate it with constituent power, Agamben's above-discussed critique of the relational logic that links the constitutive to the constituted element also holds true for the notion of democracy, permitting him to subsume it under the overall Western ontopolitical tradition.[58] Nonetheless, if the negative and violent tendencies in modern democracies arise from their sovereign-biopolitical character, which separated and subjected *zoe* as the negative foundation of *bios*, it follows that the inseparability of the two in a non-relational form-of-life will also have positive implications for democracy. While the earlier critical studies probed the implications of Western democracies being biopolitical, in the final volume the shift of perspective permits posing a different question of how biopolitics itself might be rendered democratic. For this reason, in this article we shall follow Johan van der Walt's recent argument in approaching Agamben's thought as a rather more constructive form of engagement with democracy.[59] While critical literature on biopolitics tends to view its concrete particularism as radically heterogeneous to the abstract universalism presupposed by democracy,[60] the affirmative version of biopolitics in Agamben's theory of form-of-life permits us to explore important affinities between form-of-life and what Claude Lefort famously termed the democratic *mise-en-forme*, the

fundamental shaping of the symbolic order of society that constitutes modern democracy.[61] Agamben's skepticism or outright hostility to the policies of some contemporary Western democracies may then say more about the fidelity of these democracies to this *mise-en-forme* than it does about Agamben's 'anti-democraticism'.

In Claude Lefort's influential reading, modern democracy is conditioned by the dissolution of the theologico-political paradigm of monarchy, which articulated and embodied power, knowledge and morality in the figure of the sovereign. With the disappearance of this figure in the aftermath of the French Revolution and the European revolutions of the 19th century, the locus of power in society becomes empty, since it can no longer be embodied either by the transcendent figure of God or King or an immanent entity such as the 'people'. The attempts to fill this void by appeals to popular sovereignty exercised by universal suffrage are doomed from the outset, since the very exercise of such sovereignty in the electoral process dissolves the people in question into a plurality of statistical categories. Elected officials could not possibly represent the people, since the unity of the latter has irrevocably dissolved in the scission into percentages that led to the election of these officials. Any occupant of the place of power in a democracy does so only as a matter of contingency, its claim to power being founded on nothing but a statistical majority. Whereas totalitarian regimes ventured to fill the empty place of power by ideological indoctrination, single-party domination and charismatic leadership, which sought to endow society with a 'body' once more, rearticulating power, truth and ethics into a new representation of unity, democracy maintains the space of power as open and unfigurable.

This ontological void at the heart of democracy has profound epistemic and ethical implications, introducing a 'fundamental indeterminacy as to the basis of power, law and knowledge, and as to the basis of the relations between self and other, at every level of social life'.[62] As a result of this 'dissolution of the markers of certainty' society itself appears 'disembodied', lacking anything like a positive figure defined by its nature, essence, task or vocation: 'The being of the social vanishes, [or rather] presents itself in the shape of an endless series of questions.'[63] Nonetheless, this indeterminacy is not a defect that destroys or paralyzes democracy but is its very substance: a democratic society *is* nothing but the endless series of questions or acts of self-questioning, its '[existence] indicated only by incessant work of its enunciation'.[64] The sole condition of legitimacy of power in a democracy is therefore the continuation of the 'debate as to what is legitimate'.[65] In

Simon Critchley's summation of the argument, 'legitimate communities are those, which have themselves in question.'[66]

This approach to democracy provides the appropriate *mise-en-forme* for Agamben's politics of lifestyle. While Agamben's works so far have been quite reticent about the systemic preconditions of the practices he affirms, his theory of form-of-life and its destituent power shares Lefort's ontological principle of radical contingency at the heart of democracy and its epistemic and ethical implications. The empty locus of power and the indeterminacy of the social entail that there can be no form of life *proper* to democracy, no *bios* that individuals and communities would be mobilized to actualize, putting their *zoe* to work. All forms of life are equally contingent and none can legitimately claim to occupy the empty place of power. What is proper to democracy is only form-of-life, which, as we have seen, is not any particular and specific form but the *use* of any form whatsoever that frees in it the inoperativity immanent to it, that lets it put itself in question in its very activity. Precisely as form-of-life, forms of life are all equal to one other, which makes illegitimate any restriction of their free circulation. Just as in Lefort's democracy various ideological forces may temporarily occupy the place of power without ever being able to fully identify with it, to give the being of the social a determinate representation, in Agamben's biopolitical version of democracy forms of life circulate freely and compete for our adherence, yet they can only do so in the mode of form-of-life, in which destituent power accompanies every effort at constitution, so that a form of life is never merely a set of marketable traits or a hegemonic identity but rather an 'endless series of questions': 'destitution coincides without remainder with constitution, position has no other consistency than in deposition.'[67]

While the requirement of pluralism follows logically from Lefort's principle of the unfigurability of the locus of power, Agamben's notion of destituent power adds a subtle twist to it. While it is certainly essential for democracy that diverse forms of life circulate freely in the absence of discrimination or domination, this macro-level pluralism remains insufficient. Equally essential to democracy is the *manner* in which these forms are actually lived. A pluralistic society, in which forms of life succumb to the appropriative logic of human capital, sacrifices its democracy for the 'idiocy of the private', while a society in which some form of life is endowed with the status of a transcendent truth quickly succumbs to tyranny or civil war. While Agamben takes particular care not to endow any particular form of life with epistemic or ethical privilege they could not possibly possess in a democratic *mise-en-forme*, what is essential to him is not the 'what' but the 'how', the

way a form of life is taken up and lived, the style in which a lifestyle is adopted and practiced. Democratic biopolitics is not merely a regulated competition between ready-made forms of life available as individual or group identities, but also and more importantly a way of life that brings the contingency and indeterminacy at the origin and foundation of democracy into its very praxis, that lives the very *mise-en-forme* that makes democracy possible.

It would be instructive to compare Agamben's stance with that of Alain Badiou, Agamben's critical interlocutor over many years. Badiou has famously defined politics as a truth procedure, in which the 'faithful subject' produces the consequences of the eruption of the undecidable event in its situation or world.[68] Insofar as we view forms of life among such consequences, it is clear that for Badiou there is a clear difference between forms of life that are truthful and those devoid or destructive of truth. Badiou reserves his sharpest criticism for what he calls 'democratic materialism', the spontaneous ideology of our times, for which 'there are only bodies and languages', 'individuals and communities', with no possibility to adjudicate between their truth claims and no universal truth to transcend them.[69] In contrast, Badiou supplements this nihilistic worldview with a dialectical twist: 'there are only bodies and languages, except there are also truths.'[70]

Now, everything depends on where these truths come from. If these truths were held to be transcendent, over, above or beyond bodies and languages, then Badiou's thought would clearly fall outside the immanentist ontology of democratic materialism and instead exemplify an ontotheological orientation.[71] There are certainly passages in Badiou, where his contempt for the nihilism of our time gets the better of him and he explicitly opposes the 'true Life' of an 'Immortal' subject to the petty concern with 'what is', the 'mere life' of bodies and languages.[72] Nonetheless, a closer reading of the process of generation of truths in both *Being and Event* and *Logics of Worlds* shows that for Badiou the truths to be affirmed against merely particular interests of bodies and languages are in a strict sense the truths *of* these bodies and languages themselves, arising out of the events that expose the contingency and incompleteness of worldly orders and bring to presence what these orders have resigned to the status of the indiscernible or the inexistent.[73] Badiou's truths do not transcend bodies and languages but reveal to them the truth of their being. And yet, due to their universality these truths, which for Badiou fall into four distinct domains of politics, science, art and love, are ontologically privileged over merely particularistic forms of life of bodies and languages. Human beings are capable of an infinite variety of forms of life, which may be faithful

(affirming truths), reactive (negating truths) and obscure (obfuscating them).[74] Thus, Badiou's dialectical exception '…there are also truths' introduces a hierarchy into the forms of life: even if they are not transcendent, truths still exist as consequences of the rupture of events in being and hence have a higher ontological status than other forms of life which may have no relation to being at all and persist as a mere play of appearances.

Moreover, this inequality does not merely pertain to the political truth, whose sole content is the equality of all beings, but also concerns the three other truth procedures: science, art and love. Badiou could not possibly accept as legitimate the pluralistic coexistence of equally contingent forms of life in these domains: just as there is proper egalitarian politics and then there is depoliticization there is 'true' art and then there is lifeless academicism; there is properly evental science and then there is obscurantist nonsense; there is a passionate love affair and then there is 'friendship with benefits'. In fact, the contrast between the two need not even be so pronounced for Badiou to authoritatively adjudicate between them. For example, in *Logics of Worlds* Badiou ventures to *prove* that in relation to the event of serialism in music (the Schoenberg-event) the work of Webern exemplifies a faithful form of subject, while Berg's is a reactive, 'weak' form.[75] Whatever one's taste in music, Webern lovers are objectively more 'in the truth' than the admirers of Berg. Since there are only four types of truth procedure, Badiou cannot determine the truth-value of our preferences in other spheres, be it garden design, diet or pension plan. All of these and many other spheres of life are objectively without truth and could therefore not possibly produce a subject: all that can happen there is the unfolding of particular interests of bodies and languages. This is why despite his affirmation of equality that is essential to any doctrine of democracy Badiou's relationship to democracy remains at least ambivalent and on a number of occasions he has instead chosen to speak of something like an 'aristocracy for everyone'.[76] Indeed, insofar as 'life in truth' ranks above the truthless 'mere life', we are dealing with an aristocratic disposition, but since the truths in question are available for everyone without qualification, this aristocracy is paradoxically universal.

In contrast to Badiou's ethics of truths, Agamben does not single out *any* form of life or domain of existence as true in terms of its content, let alone offer a meta-ontological proof of its truth. Irrespectively of whether his tastes in music are similar to Badiou's, Agamben would find it impossible to establish the truth-value of Webern over Berg or the other way round: there can only be a contingent preference for either, which can be used as form-of-life, whereby one lets oneself

get carried (away) by music alongside others, or be sedimented into an identity attribute demonstrating one's exclusive taste in music. Yet, in itself this preference has no truth value of its own and as such is not different from a preference for Nickelback, twerking, ping-pong, kung fu, etc.

It is of course possible to argue that some forms lend themselves more easily to be used as form-of-life, while others are more likely to yield private identity predicates. We need only recall Agamben's own tirade against mobile phones and their users in *What is an Apparatus?* to see that he is no stranger to strong statements of preference for some forms of life over others.[77] Nonetheless, even in this discussion Agamben explicitly recognizes that the problem is not so much the form, practice or apparatus itself but the possibility of its free use in a non-canonical way, which is never entirely captured by the form in question. Just as in *Profanations* even pornography was shown to be amenable to a profanation that ushers in a 'new form of erotic communication',[78] so in the *Use of Bodies* Agamben argues, with reference to Kafka, that 'it is not justice or beauty that moves us but the mode that each one has of being just or beautiful, of being affected by her beauty or her justice. For this reason, even abjection can be innocent, even 'something slightly disgusting' can move us.'[79] The truth of a form of life is its form-of-life and for that reason it cannot be contained within the form itself. Thus, not only all the works of the Second Viennese School but also the most minor, insignificant and even 'slightly disgusting' forms, from speed dating to food porn, may be practiced in the mode of form-of-life, even though each of us will probably draw the line at practicing some of them.

For this reason, Agamben's approach is much more attuned to the self-questioning ethos of Lefortian democracy than Badiou's. While Badiou's politics promotes a disposition of fidelity that would wrest individuals and communities from their banal forms of life towards political militancy in the name of the very equality that makes the proliferation of these forms possible, Agamben is rather more interested in the implications of individuals and communities taking up their forms of life in a different way, using their lives not to constitute marketable identities and exclusive communities but to be carried (away) by myriad forms that are neither true nor untrue but equally contingent ways in which being expresses and modifies itself. Moreover, in order not to be perverted into private or public identity predicates, these forms must not merely presuppose this contingency but actually bring it to life, by placing themselves in question and rendering themselves inoperative in their very activity. Only in this manner will it be possible to maintain the locus of

power unfigurable and prevent the 'being of the social' from attaining a privileged determinate figure.

Conclusion: At the Nocturnal Council

While the theory of form-of-life advanced in *The Use of Bodies* certainly succeeds in advancing a powerful alternative to the apparatuses of ontology, politics and ethics analyzed throughout the *Homo Sacer* series, it nonetheless faces the problem of accounting for why this move from forms of life towards a form-of-life would actually be made, what would make this democratic biopolitics not simply possible but also desirable for those presently dwelling in the 'deficit of existence'. Because of his first-philosophical commitments against the 'effective ontology' of will and command and his affirmation of the indistinction between activity and passivity, potentiality and actuality, subject and object,[80] Agamben eschews any consideration of such familiar themes of political theory as political will-formation, civic education, awareness building, let alone rectification, restitution or lustration. And yet, ontological choices do not by themselves resolve ontic problems, as Agamben clearly recognizes. In his *Pilate and Jesus*, he sums up the problem most starkly in a reading of the trial of Jesus in terms of the clash of the logics of legal justice and messianic salvation: '[What] we want to save will judge us. This is because the world in its fallenness, does not want salvation but justice. And it wants it precisely because it is not asking to be saved.'[81] Thus, while the salvation of form-of-life remains close at hand, there being nothing mystical or transcendent about it, its potentiality inscribed in the most insignificant activity we engage in, we keep shrugging it off, remaining in the deficit of existence ourselves and judging those who point a way out of it.

While *The Use of Bodies* remains evasive about this problem, the final paragraph of the book at least indicates a possible solution. Describing how destituent power could actually function in a constituted political system, Agamben refers to the figure of the Nocturnal Council (*nykterionos syllogos*) in Plato's *Laws.* There is still some controversy among the scholars of Greek philosophy about the precise status of this institution. While some scholars tend to view the Council as an informal institution with an advisory or educative role, which does not contradict the institutional setup of the *Laws*,[82] others argue that the sections on the Council (particularly in Book XII) depart

from the earlier text, since Plato endows the Council with supreme, formal and general political authority in the city, moving away from the legal-institutional perspective of the rest of the *Laws* and closer towards the philosophers' rule affirmed in the *Republic*.[83] While Agamben's treatment of the question is extremely brief, it does not accord with either perspective. For Agamben the Council is interesting precisely insofar as it cannot be subsumed under either constituted power as a secondary advisory institution or constituent power as the collective sovereign. What is at stake here is the interpretation of the Athenian's well-known claim that 'it is not possible to enact laws about these things' [the Council's activities], since 'its members must themselves ordain what authority they should possess' (968c).[84] While this sentence has been read both as giving the Council unrestricted authority over the city and as limiting its powers to the free discussion between its members, Agamben interprets it as referring to destituent power radically heterogeneous to the constituted order of the city, even if the Council is actually composed of its senior representatives. Agamben's view thus accords most with the interpretation of V. Bradley Lewis, for whom the presence of the Council entails that the order of the *Laws* 'includes within itself the means of its own transcendence'.[85] The philosophical discussions of the Council are neither sovereign acts of philosopher-kings nor mere after-hours entertainment of the officials. 'Where the Republic presents a philosophical regime, the Laws presents a regime *with* philosophy.'[86] The nocturnal deliberations on philosophy manifest the power of potential transcendence of the laws within the regime and by its own representatives. On this reading, therefore, the *Laws* differ from the *Republic* in no longer endowing philosophers with constituent sovereign power but only entrusting them with the destituent power of contemplating changes to the laws.

However correct this reading of the *Laws* might be, it elides an important function of the Council that consists in the punishment of atheists, addressed in Book X (908a-909a). While those found to dissemble their false beliefs with 'craft and guile' are to be placed in prison, those who are honest and frank about them and hence 'devoid of evil disposition or character' are to be kept for five years in a reformatory (*sophronisterion*) and are allowed to converse with no one but the members of the Council who are entrusted with the work of *admonition* for the salvation of their souls. Thus, even as the full scope of the authority of the Council remains contested, at least one form of power is definitely reserved for it, the power of admonition though philosophical training and discussion. Yet, what would a member of the Nocturnal Council actually tell the lapsed citizens of Agamben's biopolitical democracy during those five years of confinement? How will philosophy save those who

are happily stuck in the deficit of existence, private or public, and judge those who offer them salvation? Furthermore, if the culprits are referred to the Council by the courts, is not its own praxis of admonition conditioned by and dependent on a prior judgment, and of a rather stern kind? Even Badiou, a great admirer of Plato, finds in Book X of the *Laws* 'a sort of nocturnal terrorism, a repressive apparatus that clamps down on impiety and the corruption of youth'.[87] The totalitarian regimes of the 20th century provide numerous horrendous examples of incarceration for the purposes of re-education, which often took place in the very same camps that Agamben analyzed as paradigmatic sites of sovereign biopolitics. While it might be a stretch to compare the *sophronisterion* with the camp, it is clear that the destituent power of the Nocturnal Council continues to rely on the modes of confinement and correction that we associate with constituted power. Thus, at the end of the *Homo Sacer* series, we are left with the question: what would it mean for the biopolitical democracy of form-of-life to be 'handed over' (969b3) to the Nocturnal Council to 'secure its salvation' (968a6)?

NOTES

[1] Giorgio Agamben, *The Use of Bodies* (Stanford: Stanford University Press, 2016), xiii.

[2] Ibid.

[3] Agamben, *The Time that Remains: A Commentary on* The Letter to the Romans (Stanford: Stanford University Press, 2005), 95-103.

[4] Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford: Stanford University Press, 1998), 115.

[5] See Gideon Baker, 'Paul and Political Theology: Nihilism, Empire and the Messianic Vocation', *Philosophy and Social Criticism*, 41 (3): 295-315.

[6] Agamben, *The Time that Remains,* 75-76.

[7] Agamben, *The Use of Bodies*, 265-266. See also *The Kingdom and the Glory: For a Theological Genealogy of Economy and Governance* (Stanford: Stanford University Press, 2011), 167-92.

[8] Ibid., 266.

[9] See Agamben, *Homo Sacer*, 62; *State of Exception* (Chicago: The University of Chicago Press, 2005), 64; *The Kingdom and the Glory*, 239-241.

[10] See Agamben, *The Time that Remains*, 26-29; *Profanations* (New York: Zone Books, 2007), 75-85; *The Highest Poverty: Monastic Rules and Form-of-Life* (Stanford: Stanford University Press, 2013), 127-143.

[11] Agamben, *The Use of Bodies*, 93.

[12] Ibid., 30.

[13] Ibid., 92.

[14] Ibid., 233.

[15] Ibid., 174.

[16] Agamben, *Homo Sacer*, 188.

[17] In his translation of the *Use of Bodies*, Adam Kotsko translates *'potere destituente'* as 'destituent potential' instead of the earlier translation 'destituent power'. See e.g. Agamben, 'What is a Destituent Power?' *Environment and Planning D: Society and Space*, 32 (1): 65-74. I prefer to retain the earlier translation in order to highlight the symmetry with the more familiar 'constituent power', since Agamben's concept is developed by systematically contrasting *'potere destituente'* with the latter. *'Potere destituente'* belongs in a series with the concepts of constituent and constituted power that Agamben has targeted since the first volume of *Homo Sacer* and serves as the resolution of the aporias involved in them. While perfectly admissible on strictly lexical grounds, the translation of *potere* as 'potential' and not 'power' effaces this symmetry and makes understanding the function and context of the concept more difficult.

[18] Agamben, *The Use of Bodies*, 93.

[19] Agamben, *Homo Sacer*, 55.

[20] Agamben, *The Use of Bodies*, 270.

[21] Ibid., 143.

[22] Ibid., 144.

[23] Ibid.

[24] Ibid., 237.

[25] See Agamben, *The Coming Community* (Minneapolis: The University of Minnesota Press, 1993), 1-4.

[26] Agamben, *The Use of Bodies*, 272.

[27] Ibid., 273.

[28] Ibid., 30.

[29] See ibid., 129, 135-144.

[30] Ibid., 224.

[31] Agamben, *The Open: Man and Animal* (Stanford: Stanford University Press, 2004), 57-70.

[32] See Agamben, *Remnants of Auschwitz: The Witness and the Archive* (New York: Zone Books, 1999), 87-134.

[33] Agamben, *The Use of Bodies*, 189-91.

[34] Agamben, *Infancy and History: The Destruction of Experience* (London: Verso, 2007), 99-104; *Means without End: Notes on Politics* (Minneapolis: The University of Minnesota Press, 2000),114-115.

[35] Agamben, *The Use of Bodies*, xx.

[36] Ibid.,xxi.

[37] See Agamben, *Profanations*, 73-91.

[38] Ibid., 85-89.

[39] Cf. Brian Elliott, 'Community and Resistance in Heidegger, Nancy and Agamben', *Philosophy and Social Criticism* 37 (3): 259-271.

[40] Agamben, *The Use of Bodies*, 247.

[41] Ibid.

[42] Ibid., 231.

[43] See Agamben, *Language and Death* (Minneapolis: The University of Minnesota Press, 1991), 91-98; *The Coming Community*, 27-29, 63-65.

[44] See Agamben, *Homo Sacer*, 39-48, 182.

[45] Agamben, *The Use of Bodies*, 174.

[46] Ibid., 277. In *The Time that Remains,* p. 88 Agamben discussed the way particles, adverbs and even punctuation marks can become technical terms of philosophy: *gleichwohl* in Kant, *in-der-Welt-sein* in Heidegger, etc. In the concept of form-of-life it is precisely the hyphens that carry terminological significance, transforming the blanket reference to any activity of living beings into a name for a very specific ethical and ontological experience of using one's own life as simultaneously the material for and vehicle of myriad forms.

[47] Ibid., 277.

[48] Ibid., 232.

[49] Agamben, *The Coming Community*, 44.

[50] Agamben, *The Use of Bodies*, 230.

[51] Agamben, *The Highest Poverty*, 123-41.

[52] Agamben, *The Use of Bodies,* 84-91.

[53] Ibid., 91.

[54] Ibid., 93.

[55] Ibid.

[56] Agamben, *Homo Sacer*, 10, 124-25.

[57] Agamben, *Means without End*, 110; *The Kingdom and the Glory*, 256; *The Use of Bodies*, 275.

[58] Agamben, *Homo Sacer*, 41-43; 'Introductory Note on the Concept of Democracy' in G. Agamben et al, *Democracy in What State?* (New York: Columbia University Press, 2011), 1-5.

[59] Johan van der Walt, 'The Literary Exception: Reflections on Agamben's "Liberal Democratic" Political Theology and the Religious Destabilization of the Political in Our Time', *New Perspectives* 1: 1, 15-44.

[60] Roberto Esposito, 'Totalitarianism or Biopolitics? Concerning the Philosophical Interpretation of the 20th Century', *Critical Inquiry*, 39: 633-645.

[61] Claude Lefort, *Democracy and Political Theory* (London: Polity, 1988), 218-19.

[62] Ibid., 19.

[63] Ibid., 227.

[64] Ibid., 110.

[65] Ibid., 39.

[66] Simon Critchley, *Ethics of Deconstruction: Derrida and Levinas* (London: Blackwell, 1992), 239.

[67] Agamben, *The Use of Bodies*, 275

[68] Alain Badiou, *Being and Event* (London: Continuum, 2005), 327-408; *Logics of Worlds* (London: Continuum, 2009), 43-72.

[69] Badiou, *Logics of Worlds*, 1-8.

[70] Ibid., 4.

[71] Badiou, *Being and Event*, 282-85. See also Paul Livingston, *The Politics of Logic: Badiou, Wittgenstein and the Consequences of Formalism* (London: Routledge, 2012), 53-62 for the contrast between the ontotheological and Badiou's own generic orientations.

[72] Badiou, *Logics of Worlds*, 507-14.

[73] Badiou, *Being and Event*, 327-353; *Logics of Worlds*, 363-79.

[74] Badiou, *Logics of Worlds*, 50-61.

[75] Ibid., 84-88.

[76] Badiou, 'The Democratic Emblem' in G. Agamben et al, *Democracy in What State?* (New York: Columbia University Press, 2011), 14-15.

[77] Agamben, *What is an Apparatus? and Other Essays* (Stanford: Stanford University Press, 2009), 16-17.

[78] Agamben, *Profanations*, 90.

[79] Agamben, *The Use of Bodies*, 232.

[80] Agamben, *Opus Dei: An Archaeology of Duty* (Stanford: Stanford University Press, 2013), 89-125.

[81] Agamben, *Pilate and Jesus* (Stanford: Stanford University Press, 2015), 45.

[82] G. Morrow, *Plato's Cretan City* (Princeton: Princeton University Press, 1960), 501-11.

[83] G. Klosko, 'The Nocturnal Council in Plato's *Laws*', *Political Studies* 26: 74-88.

[84] Plato, *Laws*, 2 vols, trans. R.G. Bury (London: William Heinemann, 1968). For the discussion of the difficulties involved in the translation of this passage see Morrow, *Plato's Cretan City*, 513, note 22; Klosko, 'The Nocturnal Council', 80-81; V.B. Lewis, 'The Nocturnal Council and Platonic Political Philosophy', *History of Political Thought* 19 (1), 11-14.

[85] V.B. Lewis, 'The Nocturnal Council', 3.

[86] Ibid., 16.

[87] Badiou, *Conditions* (London: Continuum, 2008), 10.