FROM HOMO SACER:
SOVEREIGN POWER & BARE LIFE
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Introduction

The Greeks had no single term to express what we mean by the word "life." They used two terms that, although traceable to a common etymological root, are semantically and morphologically distinct: *zoē*, which expressed the simple fact of living common to all living beings (animals, men, or gods), and *bios*, which indicated the form or way of living proper to an individual or a group. When Plato mentions three kinds of life in the *Philebus*, and when Aristotle distinguishes the contemplative life of the philosopher (*bios theōrētikos*) from the life of pleasure (*bios apolaustikos*) and the political life (*bios politikos*) in the *Nichomachean Ethics*, neither philosopher would ever have used the term *zoē* (which in Greek, significantly enough, lacks a plural). This follows from the simple fact that what was at issue for both thinkers was not at all simple natural life but rather a qualified life, a particular way of life. Concerning God, Aristotle can certainly speak of a *zoē aristē kai aidios*, a more noble and eternal life (*Metaphysics*, 1072b, 28), but only insofar as he means to underline the significant truth that even God is a living being (similarly, Aristotle uses the term *zoē* in the same context—and in a way that is just as meaningful—to define the act of thinking). But to speak of a *zoē politikē* of the citizens of Athens would have made no sense. Not that the classical world had no familiarity with the idea that natural life, simple *zoē* as such,

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could be a good in itself. In a passage of the *Politics*, after noting that the end of the city is life according to the good, Aristotle expresses his awareness of that idea with the most perfect lucidity:

> This [life according to the good] is the greatest end both in common for all men and for each man separately. But men also come together and maintain the political community in view of simple living, because there is probably some kind of good in the mere fact of living itself [*kata to zēn auto monon*]. If there is no great difficulty as to the way of life [*kata ton bion*], clearly most men will tolerate much suffering and hold on to life [*zoē*] as if it were a kind of serenity [*euēmeria*, beautiful day] and a natural sweetness. (1278b, 23–31)

In the classical world, however, simple natural life is excluded from the *polis* in the strict sense, and remains confined—as merely reproductive life—to the sphere of the *oikos*, "home" (*Politics*, 1252a, 26–35). At the beginning of the *Politics*, Aristotle takes the greatest care to distinguish the *oikonomos* (the head of an estate) and the *despotēs* (the head of the family), both of whom are concerned with the reproduction and the subsistence of life, from the politician, and he scorns those who think the difference between the two is one of quantity and not of kind. And when Aristotle defined the end of the perfect community in a passage that was to become canonical for the political tradition of the West (1252b, 30), he did so precisely by opposing the simple fact of living (*to zēn*) to politically qualified life (*to eu zēn*): *ginomenē men oun tou zēn heneken, ousa de tou eu zēn*, "born with regard to life, but existing essentially with regard to the good life" (in the Latin translation of William of Moerbeke, which both Aquinas and Marsilius of Padua had before them: *facta quidem igitur vivendi gratia, existens autem gratia bene vivendi*).

It is true that in a famous passage of the same work, Aristotle defines man as a *politikon zōon* (*Politics*, 1253a, 4). But here (aside from the fact that in Attic Greek the verb *bionai* is practically never used in the present tense), "political" is not an attribute of the living being as such, but rather a specific difference that determines the genus *zōon*. (Only a little later, after all, human politics is distinguished from that of other living beings in that it is founded, through a supplement of politicity [*policità*] tied to language, on a community not simply of the pleasant and the painful but of the good and the evil and of the just and the unjust.)

Michel Foucault refers to this very definition when, at the end of the first volume of *The History of Sexuality*, he summarizes the process by which, at the threshold of the modern era, natural life begins to be included in the mechanisms and calculations of State power, and politics turns into *biopolitics*. "For millennia," he writes, "man remained what he was for Aristotle: a living animal with the additional capacity for political existence; modern man is an animal whose politics calls his existence as a living being into question" (*La volonté*, p. 188).

According to Foucault, a society's "threshold of biological modernity" is situated at the point at which the species and the individual as a simple living body become what is at stake in a society's political strategies. After 1977, the courses at the Collège de France start to focus on the passage from the "territorial State" to the "State of population" and on the resulting increase in importance of the nation's health and biological life as a problem of sovereign power, which is then gradually transformed into a "government of men" (*Dits et écrits*, 3: 719). "What follows is a kind of bestialization of man achieved through the most sophisticated political techniques. For the first time in history, the possibilities of the social sciences are made known, and at once it becomes possible both to protect life and to authorize a holocaust." In particular, the development and triumph of capitalism would not have been possible, from this perspective, without the disciplinary control achieved by the new bio-power, which, through a series of appropriate technologies, so to speak created the "docile bodies" that it needed.

Almost twenty years before *The History of Sexuality*, Hannah Arendt had already analyzed the process that brings *homo laborans*—and, with it, biological life as such—gradually to occupy the very center of the political scene of modernity. In *The Human Condition*, Arendt attributes the transformation and decadence of the political

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realm in modern societies to this very primacy of natural life over political action. That Foucault was able to begin his study of biopolitics with no reference to Arendt's work (which remains, even today, practically without continuation) bears witness to the difficulties and resistances that thinking had to encounter in this area. And it is most likely these very difficulties that account for the curious fact that Arendt establishes no connection between her research in *The Human Condition* and the penetrating analyses she had previously devoted to totalitarian power (in which a biopolitical perspective is altogether lacking), and that Foucault, in just as striking a fashion, never dwelt on the exemplary places of modern biopolitics: the concentration camp and the structure of the great totalitarian states of the twentieth century.

Foucault's death kept him from showing how he would have developed the concept and study of biopolitics. In any case, however, the entry of *zoē* into the sphere of the *polis*—the politicization of bare life as such—constitutes the decisive event of modernity and signals a radical transformation of the political-philosophical categories of classical thought. It is even likely that if politics today seems to be passing through a lasting eclipse, this is because politics has failed to reckon with this foundational event of modernity. The "enigmas" (Furet, *L'Allemagne nazi*, p. 7) that our century has proposed to historical reason and that remain with us (Nazism is only the most disquieting among them) will be solved only on the terrain—biopolitics—on which they were formed. Only within a biopolitical horizon will it be possible to decide whether the categories whose opposition founded modern politics (right/left, private/public, absolutism/democracy, etc.)—and which have been steadily dissolving, to the point of entering today into a real zone of indistinction—will have to be abandoned or will, instead, eventually regain the meaning they lost in that very horizon. And only a reflection that, taking up Foucault's and Benjamin's suggestion, thematically interrogates the link between bare life and politics, a link that secretly governs the modern ideologies seemingly most distant from one another, will be able to bring the political out of

its concealment and, at the same time, return thought to its practical calling.

One of the most persistent features of Foucault's work is its decisive abandonment of the traditional approach to the problem of power, which is based on juridico-institutional models (the definition of sovereignty, the theory of the State), in favor of an unprejudiced analysis of the concrete ways in which power penetrates subjects' very bodies and forms of life. As shown by a seminar held in 1982 at the University of Vermont, in his final years Foucault seemed to orient this analysis according to two distinct directives for research: on the one hand, the study of the *political techniques* (such as the science of the police) with which the State assumes and integrates the care of the natural life of individuals into its very center; on the other hand, the examination of the *technologies of the self* by which processes of subjectivization bring the individual to bind himself to his own identity and consciousness and, at the same time, to an external power. Clearly these two lines (which carry on two tendencies present in Foucault's work from the very beginning) intersect in many points and refer back to a common center. In one of his last writings, Foucault argues that the modern Western state has integrated techniques of subjective individualization with procedures of objective totalization to an unprecedented degree, and he speaks of a real "political 'double bind,' constituted by individualization and the simultaneous totalization of structures of modern power" (*Dits et écrits*, 4: 229–32).

Yet the point at which these two faces of power converge remains strangely unclear in Foucault's work, so much so that it has even been claimed that Foucault would have consistently refused to elaborate a unitary theory of power. If Foucault contests the traditional approach to the problem of power, which is exclusively based on juridical models ("What legitimates power?") or on institutional models ("What is the State?"), and if he calls for a "liberation from the theoretical privilege of sovereignty" in order to construct an analytic of power that would not take law as its model and code,

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then where, in the body of power, is the zone of indistinction (or, at least, the point of intersection) at which techniques of individualization and totalizing procedures converge? And, more generally, is there a unitary center in which the political "double bind" finds its *raison d'être*? That there is a subjective aspect in the genesis of power was already implicit in the concept of *servitude volontaire* in Étienne de La Boétie. But what is the point at which the voluntary servitude of individuals comes into contact with objective power? Can one be content, in such a delicate area, with psychological explanations such as the suggestive notion of a parallelism between external and internal neuroses? Confronted with phenomena such as the power of the society of the spectacle that is everywhere transforming the political realm today, is it legitimate or even possible to hold subjective technologies and political techniques apart?

Although the existence of such a line of thinking seems to be logically implicit in Foucault's work, it remains a blind spot to the eye of the researcher, or rather something like a vanishing point that the different perspectival lines of Foucault's inquiry (and, more generally, of the entire Western reflection on power) converge toward without reaching.

The present inquiry concerns precisely this hidden point of intersection between the juridico-institutional and the biopolitical models of power. What this work has had to record among its likely conclusions is precisely that the two analyses cannot be separated, and that the inclusion of bare life in the political realm constitutes the original—if concealed—nucleus of sovereign power. *It can even be said that the production of a biopolitical body is the original activity of sovereign power.* In this sense, biopolitics is at least as old as the sovereign exception. Placing biological life at the center of its calculations, the modern State therefore does nothing other than bring to light the secret tie uniting power and bare life, thereby reaffirming the bond (derived from a tenacious correspondence between the modern and the archaic which one encounters in the most diverse spheres) between modern power and the most immemorial of the *arcana imperii.*

If this is true, it will be necessary to reconsider the sense of the Aristotelian definition of the *polis* as the opposition between life (*zēn*) and good life (*eu zēn*). The opposition is, in fact, at the same time an implication of the first in the second, of bare life in politically qualified life. What remains to be interrogated in the Aristotelian definition is not merely—as has been assumed until now—the sense, the modes, and the possible articulations of the "good life" as the *telos* of the political. We must instead ask why Western politics first constitutes itself through an exclusion (which is simultaneously an inclusion) of bare life. What is the relation between politics and life, if life presents itself as what is included by means of an exclusion?

The structure of the exception delineated in the first part of this book appears from this perspective to be consubstantial with Western politics. In Foucault's statement according to which man was, for Aristotle, a "living animal with the additional capacity for political existence," it is therefore precisely the meaning of this "additional capacity" that must be understood as problematic. The peculiar phrase "born with regard to life, but existing essentially with regard to the good life" can be read not only as an implication of being born (*ginomenē*) in being (*ousa*), but also as an inclusive exclusion (an *exceptio*) of *zoē* in the *polis*, almost as if politics were the place in which life had to transform itself into good life and in which what had to be politicized were always already bare life. In Western politics, bare life has the peculiar privilege of being that whose exclusion founds the city of men.

It is not by chance, then, that a passage of the *Politics* situates the proper place of the *polis* in the transition from voice to language. The link between bare life and politics is the same link that the metaphysical definition of man as "the living being who has language" seeks in the relation between *phonē* and *logos*:

> Among living beings, only man has language. The voice is the sign of pain and pleasure, and this is why it belongs to other living beings (since their nature has developed to the point of having the sensations of pain and pleasure and of signifying the two). But language is for

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> manifesting the fitting and the unfitting and the just and the unjust. To have the sensation of the good and the bad and of the just and the unjust is what is proper to men as opposed to other living beings, and the community of these things makes dwelling and the city. (1253a, 10–18)

The question "In what way does the living being have language?" corresponds exactly to the question "In what way does bare life dwell in the *polis*?" The living being has *logos* by taking away and conserving its own voice in it, even as it dwells in the *polis* by letting its own bare life be excluded, as an exception, within it. Politics therefore appears as the truly fundamental structure of Western metaphysics insofar as it occupies the threshold on which the relation between the living being and the *logos* is realized. In the "politicization" of bare life—the metaphysical task *par excellence*—the humanity of living man is decided. In assuming this task, modernity does nothing other than declare its own faithfulness to the essential structure of the metaphysical tradition. The fundamental categorial pair of Western politics is not that of friend/enemy but that of bare life/political existence, *zoē/bios*, exclusion/inclusion. There is politics because man is the living being who, in language, separates and opposes himself to his own bare life and, at the same time, maintains himself in relation to that bare life in an inclusive exclusion.

The protagonist of this book is bare life, that is, the life of *homo sacer* (sacred man), who *may be killed and yet not sacrificed*, and whose essential function in modern politics we intend to assert. An obscure figure of archaic Roman law, in which human life is included in the juridical order [*ordinamento*][1] solely in the form of its exclusion (that is, of its capacity to be killed), has thus offered the key by which not only the sacred texts of sovereignty but also the very codes of political power will unveil their mysteries. At the

1. "Order" renders the Italian *ordinamento*, which carries the sense not only of order but of political and juridical rule, regulation, and system. The word *ordinamento* is also the Italian translation of Carl Schmitt's *Ordnung*. Where the author refers to *ordinamento* as *Ordnung*, the English word used is the one chosen by Schmitt's translators, "ordering."—Trans.

same time, however, this ancient meaning of the term *sacer* presents us with the enigma of a figure of the sacred that, before or beyond the religious, constitutes the first paradigm of the political realm of the West. The Foucauldian thesis will then have to be corrected or, at least, completed, in the sense that what characterizes modern politics is not so much the inclusion of *zoē* in the *polis*—which is, in itself, absolutely ancient—nor simply the fact that life as such becomes a principal object of the projections and calculations of State power. Instead the decisive fact is that, together with the process by which the exception everywhere becomes the rule, the realm of bare life—which is originally situated at the margins of the political order—gradually begins to coincide with the political realm, and exclusion and inclusion, outside and inside, *bios* and *zoē*, right and fact, enter into a zone of irreducible indistinction. At once excluding bare life from and capturing it within the political order, the state of exception actually constituted, in its very separateness, the hidden foundation on which the entire political system rested. When its borders begin to be blurred, the bare life that dwelt there frees itself in the city and becomes both subject and object of the conflicts of the political order, the one place for both the organization of State power and emancipation from it. Everything happens as if, along with the disciplinary process by which State power makes man as a living being into its own specific object, another process is set in motion that in large measure corresponds to the birth of modern democracy, in which man as a living being presents himself no longer as an *object* but as the *subject* of political power. These processes—which in many ways oppose and (at least apparently) bitterly conflict with each other—nevertheless converge insofar as both concern the bare life of the citizen, the new biopolitical body of humanity.

If anything characterizes modern democracy as opposed to classical democracy, then, it is that modern democracy presents itself from the beginning as a vindication and liberation of *zoē*, and that it is constantly trying to transform its own bare life into a way of life and to find, so to speak, the *bios* of *zoē*. Hence, too, modern democracy's specific aporia: it wants to put the freedom and happi-

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ness of men into play in the very place—"bare life"—that marked their subjection. Behind the long, strife-ridden process that leads to the recognition of rights and formal liberties stands once again the body of the sacred man with his double sovereign, his life that cannot be sacrificed yet may, nevertheless, be killed. To become conscious of this aporia is not to belittle the conquests and accomplishments of democracy. It is, rather, to try to understand once and for all why democracy, at the very moment in which it seemed to have finally triumphed over its adversaries and reached its greatest height, proved itself incapable of saving *zoē*, to whose happiness it had dedicated all its efforts, from unprecedented ruin. Modern democracy's decadence and gradual convergence with totalitarian states in post-democratic spectacular societies (which begins to become evident with Alexis de Tocqueville and finds its final sanction in the analyses of Guy Debord) may well be rooted in this aporia, which marks the beginning of modern democracy and forces it into complicity with its most implacable enemy. Today politics knows no value (and, consequently, no nonvalue) other than life, and until the contradictions that this fact implies are dissolved, Nazism and fascism—which transformed the decision on bare life into the supreme political principle—will remain stubbornly with us. According to the testimony of Robert Antelme, in fact, what the camps taught those who lived there was precisely that "calling into question the quality of man provokes an almost biological assertion of belonging to the human race" (*L'espèce humaine*, p. 11).

The idea of an inner solidarity between democracy and totalitarianism (which here we must, with every caution, advance) is obviously not (like Leo Strauss's thesis concerning the secret convergence of the final goals of liberalism and communism) a historiographical claim, which would authorize the liquidation and leveling of the enormous differences that characterize their history and their rivalry. Yet this idea must nevertheless be strongly maintained on a historico-philosophical level, since it alone will allow us to orient ourselves in relation to the new realities and unforeseen convergences of the end of the millennium. This idea alone will

make it possible to clear the way for the new politics, which remains largely to be invented.

In contrasting the "beautiful day" (*euēmeria*) of simple life with the "great difficulty" of political *bios* in the passage cited above, Aristotle may well have given the most beautiful formulation to the aporia that lies at the foundation of Western politics. The 24 centuries that have since gone by have brought only provisional and ineffective solutions. In carrying out the metaphysical task that has led it more and more to assume the form of a biopolitics, Western politics has not succeeded in constructing the link between *zoē* and *bios*, between voice and language, that would have healed the fracture. Bare life remains included in politics in the form of the exception, that is, as something that is included solely through an exclusion. How is it possible to "politicize" the "natural sweetness" of *zoē*? And first of all, does *zoē* really need to be politicized, or is politics not already contained in *zoē* as its most precious center? The biopolitics of both modern totalitarianism and the society of mass hedonism and consumerism certainly constitute answers to these questions. Nevertheless, until a completely new politics—that is, a politics no longer founded on the *exceptio* of bare life—is at hand, every theory and every praxis will remain imprisoned and immobile, and the "beautiful day" of life will be given citizenship only either through blood and death or in the perfect senselessness to which the society of the spectacle condemns it.

Carl Schmitt's definition of sovereignty ("Sovereign is he who decides on the state of exception") became a commonplace even before there was any understanding that what was at issue in it was nothing less than the limit concept of the doctrine of law and the State, in which sovereignty borders (since every limit concept is always the limit between two concepts) on the sphere of life and becomes indistinguishable from it. As long as the form of the State constituted the fundamental horizon of all communal life and the political, religious, juridical, and economic doctrines that sustained this form were still strong, this "most extreme sphere" could not

truly come to light. The problem of sovereignty was reduced to the question of who within the political order was invested with certain powers, and the very threshold of the political order itself was never called into question. Today, now that the great State structures have entered into a process of dissolution and the emergency has, as Walter Benjamin foresaw, become the rule, the time is ripe to place the problem of the originary structure and limits of the form of the State in a new perspective. The weakness of anarchist and Marxian critiques of the State was precisely to have not caught sight of this structure and thus to have quickly left the *arcanum imperii* aside, as if it had no substance outside of the simulacra and the ideologies invoked to justify it. But one ends up identifying with an enemy whose structure one does not understand, and the theory of the State (and in particular of the state of exception, which is to say, of the dictatorship of the proletariat as the transitional phase leading to the stateless society) is the reef on which the revolutions of our century have been shipwrecked.

This book, which was originally conceived as a response to the bloody mystification of a new planetary order, therefore had to reckon with problems—first of all that of the sacredness of life—which the author had not, in the beginning, foreseen. In the course of the undertaking, however, it became clear that one cannot, in such an area, accept as a guarantee any of the notions that the social sciences (from jurisprudence to anthropology) thought they had defined or presupposed as evident, and that many of these notions demanded—in the urgency of catastrophe—to be revised without reserve.

PART ONE

The Logic of Sovereignty