

## NOT NOT. A NOTE ON THE FIGURES OF POWER IN GIORGIO AGAMBEN

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### ABSTRACT

When one starts to read the work of Giorgio Agamben, one cannot not be struck by his erudition, his eye for previously overlooked or under-interpreted details in the philosophical, political, artistic and legal archives, not to mention his commitment to rethinking those received traditions according to new means. Yet what is also very striking is Agamben's unceasing attention to the apparition and construction of what I will term figures of power. At the beginning of *Means Without End*, Agamben asks himself "Is today a life of power available?". If Agamben's word here is 'life', it is just as critical to understand that such a term is not to be taken in its biological acceptance; on the contrary, what he means by 'life' must be something other than a scientific category. I will make a number of suggestions as to why the word 'figure' has some pertinence in this context, and why it leads, on the one hand, to a new analysis of operations of negation, and, on the other, to a paradoxical kind of non- or extra-ontological act of impotentiality.

### KEYWORDS

Giorgio Agamben, Fredric Jameson, Figure, Inoperativity, Testimony.

Thus history, with all its concrete force, remains forever a figure, cloaked and needful of interpretation. In this light the history of no epoch ever has the practical self-sufficiency which, from the standpoint both of primitive man and of modern science, resides in the accomplished fact; all history, rather, remains open and questionable, points to something still concealed.  
(Erich Auerbach, *Figura*)

One cannot not be struck by Giorgio Agamben's erudition, his eye for previously overlooked or under-interpreted details in the philosophical, political, artistic and legal archives, not to mention his commitment to rethinking those received traditions according to new means. Yet what is also very striking – and, to my mind, decisive – is Agamben's unceasing attention to the apparition and reconstruction of what I will term *figures of power*. At the beginning of *Means Without End*,

Agamben asks himself “Is today a *life of power* available?” (Agamben 2000: 9) If Agamben’s word here is ‘life’, it is just as critical to understand that such a term is not to be taken in its biological acceptance; on the contrary. I will make a number of suggestions as to why the word ‘figure’ has some pertinence in this context, and why it leads, on the one hand, to an analysis of non-classical operations of negation, and, on the other, to a kind of non- or extra-ontological act.

These “figures of power” are of an extraordinary variety. Some are fictional, some are historically attested; some bear proper names and are or were once ‘living’ ‘bodies’; others have no proper name, have had no ‘real’ body or even no possible real body, and are neither living nor dead; some are creatures of law, others appear in different guises altogether. Moreover, despite the moniker that I give them here, they by no means participate in ‘power’ in the usual senses of the word, as great, forceful, glorious, celebrated, or so on. Certainly, some are household names — but it is not for that that they are of interest. Rather Agamben’s commitment to such figures derives precisely from their exceedingly equivocal status, whether in terms of their lack- or minimum- of being, or their frustrated or failed actions. They are perhaps better nominated along the lines proposed by the title of Quentin Tarantino’s 2009 World War II film *Inglourious Basterds*: both *inglourious*, in the sense of having botched the job in a humiliating fashion, and *basterds*, from a covert and broken lineage — just as the title itself is both botched in its spelling and inheritance<sup>1</sup>. In a word, these figures never manage to have, to be, or to do with any success, at least according to received criteria; they are in some sense *failed experiments* that, in their very failure, expose something essential about the operations of politics, as they do indeed sketch the lineaments of other more utopian forms-of-life.

Amongst these figures, we could immediately, if not exhaustively, name: the melancholic, the fetishist, Beau Brummell, Herman Melville’s Bartleby the Scrivener, Fyodor Dostoyevsky’s Prince Mishkin, Franz Kafka’s “man from the country”, as well as the Ks of *The Trial* and *The Castle*, Robert Walser’s assistants, Arnaut Daniel’s Ayna, John Keats, St. Paul, St Francis, porn stars, Guy Debord, and many others. If it is also importantly the case that Agamben has changed his position over the course of his writing on the relative ‘merits’ — a quite dissatisfactory word in this context — of some of these figures, it is still necessary to emphasize that they are not mere abstract concepts but bear upon the vicissitudes of a kind of incarnation, even as these essential vicissitudes preclude them from assuming any stable or substantial identity, not even the minimal identity of a body. After all, Agamben concludes *Homo Sacer* by remarking (in a rigorously anti-Foucauldian fashion) that: “The ‘body’ is always already a biopolitical body and bare life, and nothing in it or the

<sup>1</sup> One of the reasons often adduced for the notorious misspellings in Tarantino’s title is to distinguish the film from the 1978 Italian war film directed by Enzo Castellari, *Quel maledetto treno blindato*, which appeared in English as, precisely, *The Inglorious Bastards*.

economy of its pleasure seems to allow us to find solid ground on which to oppose the demands of sovereign power” (Agamben 1998: 187). That said, there is always also an essay at a restitution of ‘some body’ in Agamben, if, as I have noted, the ontological status of such a body is not, properly speaking, reparable.

Agamben’s attempt to present new kinds of negation as coeval with the peculiar unaccomplishments of such figures must also be underlined. As Jessica Whyte remarks, “Agamben’s concern [is] with a redemption that would also be a self-negation” (Whyte 2017: 264). For Whyte, it is the central category of ‘inoperativity’ that serves to indicate in Agamben an enigmatic detachment both from work’s instrumental function and from its compulsion, from the division of labour and from “the assignment of individuals to fixed vocations” (Whyte 2017: 269; see also Abbott 2014)<sup>2</sup>. Although in complete agreement with this claim, I will seek to examine some of the particular figures in which Agamben discerns such a paradoxical “revocation of all vocation” in more detail, in order to bring out further peculiarities in the singular negations he pinpoints.

Yet commentary has not always fully acknowledged the centrality of such figures to Agamben’s work – they are often simply considered part of the conceptual furniture – and when they are discussed, their nature and implications are just as often misrecognised. Common misunderstandings present Agamben’s figures as either too local to bear the weight of conceptual import that they are allegedly meant to, or, to the contrary, as too ahistorical to effectively capture the specificity of their historical site. My examination here seeks to provide a minimal formula for Agamben’s use of figures that, to my knowledge, has not elsewhere been so precisely delineated. Let me begin by taking a recent example of such misunderstandings as an entrée to the arcana of Agamben’s figural developments.

In the course of a discussion of the status of the proletariat in his extraordinary commentary on *Representing Capital*, Fredric Jameson cannot help himself from providing a catty little footnote about the work of Giorgio Agamben (and, incidentally, Michel Foucault). Jameson’s footnote 81 reads:

Agamben’s pseudo-biological concept in *Homo Sacer* proves in reality, like those of Foucault, to draw on categories of domination (as it would have been difficult for it to do otherwise, given his example of the concentration camps). This is why the destitution of unemployment [Jameson’s focus in his exegesis of *Capital*] is the more fundamental and concrete form, from which such later conceptualizations derive: what is concrete is the social, the mode of production, the humanly produced and historical; metaphysical conceptions such as those involving nature or death are ideological derivations of that more basic reality (Jameson 2011: 125).

<sup>2</sup> Although Abbott’s work presents the very word ‘figure’ in its title, it is directed more to the question of ‘this world’, than it is to the *figure* itself. See also Colebrook and Maxwell 2016: although they do not thematize ‘figure’ directly (nor is the term indexed), it occurs relatively frequently in their text, and they have interesting suggestions to make as to its import.

Jameson's project is an examination of capitalism's genius in creating simultaneous overwork and unemployment for its minions, in and for which the figure of the unemployed worker appears as a tormenting symptom: a product of capital's system of alienation, exploitation and expropriation that cannot be reabsorbed into the system itself, indeed must itself be considered an anomaly within that system. A worker has nothing to sell but their labour-power, an alienation which they must undertake in order to live; yet, in unemployment, they are precisely unable to alienate themselves in the form of extorted labour, and, thereby suspended between 'life' and 'death', barely subsist in a necessarily transient form of alienation-from-alienation which cannot either be understood as a return to mere natural life, nor sublimated at a higher level. In this appalling dialectical suspension, 'natural life' coincides directly with the 'unproductive life', as well as with a kind of 'waste life'. Yet, *qua* symptom, this phenomenon in fact proves to be an essential aspect of a *particular* mode of production; accordingly, it is reified whenever it is understood as exceeding such a chronotopic order, as, for example, a paradigm of transhistorical routines of in-human domination.

In making this point, Jameson targets what he considers to be Agamben's deleterious metaphysical ('quasi-biological') idealisation of the categories of life and death, moreover conceiving this putative idealisation as taking an effect for a cause. In properly dialectical fashion (as Jameson himself likes to say), it is not simply the case that Agamben and Foucault are 'wrong'. It is instead that their captivation by technologies of domination — whether sexuality, madness, servitude or incarceration — effaces what is, in the last instance, the concrete operations of politico-economic systems ('the mode of production'). In doing so, they produce analyses that, no matter how strong and persuasive, nonetheless miss their true object. The 'concentration camp victim' in this optic is itself — at least for the committed theoretical understanding that Jameson proposes — a dissimulating avatar or derivative of the actuality of the fundamentally historical situation of the unemployed worker, just as the antinomian animus of Agamben and Foucault (however different these thinkers might otherwise be) mistakenly takes the situated forms of sovereignty or biopolitics as the addressees of its assaults.

For Jameson, then, to attend to 'domination' first and foremost is to in some sense take established powers at face value, the law, police, punishment and so forth, as if their existence could be understood outside their location in the mode of production, and, *a fortiori*, as if they were not ultimately expressions of such a mode<sup>3</sup>. Whatever 'relative autonomy' (*à la* Althusser) one might want to grant to the various institutions of a complex mode, the 'absent cause' that such a mode is, is further tied to 'History or Necessity' — the double-name that constitutes Jameson's

<sup>3</sup> As Jameson puts it in a different but related context, "The value of the molecular in Deleuze, for instance, depends structurally on the preexisting molar or unifying impulse against which its truth is read" (Jameson 2002: 38).

own version of Spinoza's *Deus sive Natura*— which is the “ground and untranscendable horizon” of such modes’ taking-place at all, as it is figured in their relations, the residues of more ancient modes, and the multiplicities of the forms that simultaneously express and misprision it.

Yet from Agamben's standpoint (and, we would also agree, from Foucault's, if in a very different sense), such concepts as ‘the economic’, ‘the mode of production’, and ‘History’ are themselves necessarily abstractions and outcomes of processes that are at once smaller and larger than such categories can allow. For instance, it is rather an archaeology of the concept of the economy itself — and its realization — that is lacking or repressed in most discussions of the ‘economy’, political or otherwise. And, to the extent that such an archaeology is lacking, we paradoxically find, for example, that the ‘dismal science’ of economics that purports to explicate and intervene into the operations of the economy inadvertently sponsors versions of empiricism that presuppose the very stakes of what is in question, or, alternately, propose new kinds of mystification.

From such a perspective, Jameson would himself be guilty of both sins at once. Here is Jameson expatiating on the absolute priority of history or necessity as the proper ground for his project:

One does not have to argue the reality of history: necessity, like Dr. Johnson's stone, does that for us. That history — Althusser's ‘absent cause,’ Lacan's ‘Real’ — is *not* a text, for it is fundamentally non-narrative and nonrepresentational; what can be added, however, is the proviso that history is inaccessible to us except in textual form, or, in other words, that it can be approached only by way of prior (re)textualization. Thus, to insist on either of the two inseparable yet incommensurable dimensions of the symbolic act without the other... is surely to produce sheer ideology (Jameson 2002: 67).

For Jameson, then, the work of interpretation holds itself expressly in a division that cannot be either reduced to the priority of matter or text, one over and against the other, nor resolved by asserting their complete non-relation. Yet it is then in such a context that Jameson's project throws up telling symptoms of its own, such as when he holds that Agamben assigns a ‘quasi-biological’ basis to the ‘concept’ of *homo sacer*. Jameson's biologizing misreading — familiar as such are in their genre — has serious consequences.

First of all, Agamben is not subscribing to a metaphysical or ‘quasi-biological’ concept of life *per se*, but in ‘life-in-relation-to-law’; such a phenomenon self-evidently cannot be merely an abstract, scientifically-established or socially-independent ‘life’, precisely because it emerges from real practices of law-making<sup>4</sup>. Yet this

<sup>4</sup> In a personal communication Daniel McLoughlin has claimed that, for Marx, “Class is an absolutely historical category, one that functions differently in different modes of production, but also one that functions in a specific way under the capitalist mode of production”. This too holds for Agamben's figure of *homo sacer* to some extent, but which is, as I attempt to show below, rather a kind of

does not mean that Agamben is simply tracing sets of historical and procedural mutations in law-making and law-enforcing as they bear on political action. Rather, as I will show in more detail below, Agamben is attempting to practice an archaeology of a ‘category’ topologically adjacent to but not fully treated by the analyses of domination undertaken by republican, anarchist and Marxist traditions: the key here is that this ‘category’ is integrally tied to figures that are constitutively unable to be subsumed entirely into categorical thought, whether philosophical, political or legal. Furthermore, in accordance with Walter Benjamin’s dictum to think “dialectics at a standstill” – that is, the attempt to catch the machinery of being in an intervallic moment – this figure-category doublet that Agamben pursues has an a-dialectical structuring while nevertheless remaining fully ‘historical’. Even if one accepts that this category is today global, even globalised by the world-system of capitalism, integrated and reconfigured within it, that does not entail that its workings are reducible to or express capitalism.

The crucial consideration is that Agamben’s category is on *the other side* of how domination is usually understood. For Agamben, domination is not simply a question of the bodies directly seized and nominated by the law – whether ‘slave’ or ‘citizen’, for instance – but those bodies from which the law has expressly *with-drawn*, thereby exposing them to the absolutely hazardous nature of ‘bare life’. For Agamben, such an exposure is first attested and formalized in the marginal figure of Roman law that is *homo sacer*, but is thereafter extended and transformed, reaching its absolute limit in the death camps of Nazism. Moreover, it implicates another ‘category’ that is certainly not easily reducible to any particular mode of production: that category is language as such. We will see below how Agamben focuses his attentions on figures that are simultaneously at the limits of ‘bodies and languages’, to the point of their non-relation where they are forcibly separated into silence and paradox. Moreover, the real historical development of such phenomena is tied integrally to the production of limit figures that simultaneously, if enigmatically, expose their limits; if one refuses to recognise that these categories are literally unthinkable without such figures, one has already illicitly abstracted from the matter at stake.

In a word, Jameson’s critique of Agamben at once mischaracterizes the latter’s project, at the very moment that it mimes the latter’s argumentation. Agamben is not only not proposing nor relying upon any quasi-biological conception of life, but nor is he taking up any received analyses of domination. Even more determining in the present context, I do not believe that Jameson could even make his own self-professed ‘scandalous assertion’ – that Capital “is not a book about politics, and not even a book about labour: it is a book about unemployment” (Jameson 2011: 2) – without drawing from the heterodox Hegelian tradition that includes Alexandre

cyst not-quite-reducible to any mode of production. I would like to thank Daniel and Jessica Whyte for their extensive feedback in the writing of this paper.

Kojève, Raymond Queneau, Maurice Blanchot, Jean-Luc Nancy, and Agamben himself. For is ‘inoperativity’ or ‘unworking’ not one of the most determined motifs of this tradition, and certainly for Agamben himself? (See Salzani 2011: 106-7 for a brief but illuminating summary).

Indeed – and perhaps this is the moment to state my thesis here as explicitly as possible – the ‘figures of power’ in Agamben’s work are at least double, as befits the notorious doubleness of the genitive itself, at once objective and subjective. On the one hand, there are the figures of ‘objective’ power: *homo sacer*, the *Muselmann*, abject and terrifying creatures produced at the limits of earthly might. On the other, there are the figures of ‘subjective’ power: Ayna, Bartleby, Mishkin. Put another way: there are limit creatures, and there are threshold creatures, to abuse Agamben’s own vocabulary a little. But the difference between them is highly volatile and obscure and, indeed, they cannot often be told apart – not least by Agamben himself. Take the list that concludes the first volume of *Homo Sacer*, in which Agamben invokes the *Flamen Diale*, the *homo sacer*, the bandit, the exile, the *Führer*, the *Muselmann*, Wilson the biochemist, all of whom tend towards a status summed up by Friedrich Hölderlin’s extraordinary proposition that “at the extreme limit of pain, nothing remains but the conditions of time and space” (Agamben 1998: 185). I am not so sure, however, that even “the conditions of time and space” remain absolute in the end for those unstable figures of the transfiguring threshold that Agamben subsequently investigates. But this means that, for Agamben, ‘ontology’ – in my opinion, ultimately a moniker for ‘Aristotle’ – is also put into question by figures of power (see Agamben 2015 for his most extended and incisive assault on Aristotelian metaphysics-politics).

Why are these figures *irreducibly* double and confused? Why even name them *figures*? Because of the nature of sovereignty itself. Take the very definition upon which Agamben draws for his analysis, from Pompeius Festus’ *On the Significance of Words*: it asserts that the *homo sacer* is “one whom the people have judged on account of a crime. It is not permitted to sacrifice this man, yet he who kills him will not be condemned for homicide” (Agamben 1998: 71). Yet why must this figure emerge as a *figure* at all and not be characterized as a simple legal *principle* or *category*, ‘slave’, for example, which, as a category, is indeed also a kind of figure, but one immediately and clearly subsumed under the generalities of principle and conceptual definition? One of the most determining aspects of *Homo Sacer* is that it points precisely to *a figure which cannot simply be a concept*, because such a figure is at the *limit* of all legal categories.

Let’s take one example, from an eminent contemporary theorist of Republicanism. Quentin Skinner almost invariably begins by citing:

the rubric *De statu hominis* from the opening of the *Digest* of Roman law, perhaps the most influential of all the classical discussions of the concept of civil liberty. There we read that ‘the fundamental division within the law of persons is that all men and

women are either free or are slaves.’ After this we are offered a formal definition of the concept of slavery. ‘Slavery is an institution of the *ius gentium* by which someone is, contrary to nature, subjected to the dominion of someone else.’ This in turn is said to yield a definition of individual liberty (Skinner 2002: 9).

Note the order and consistency with which the *Digest* moves from principle (“the fundamental division”) to conceptual definition (“Slavery is...”) to individual consequences. Note, moreover, how Skinner himself follows the *Digest’s* own logic in his own exegesis: he is a believer in the latter’s efficacy. But this is not at all the case for *homo sacer*, which, because it exposes the very limits of the biopolitical machine *as such*, cannot receive such a treatment: its *very definition presents as a contradiction on the verge of the unrecognisable*. As a figure, *homo sacer* is at once a ‘real’, ‘attestable’ body and a walking exception to law-as-imposition, at once human and no-longer-human. It therefore no longer conforms to the logic of “the fundamental division”, and its analysis hence cannot proceed by categorical deduction or empirical description. In Agamben’s own terms, the *homo sacer* is a *remnant* of Roman law, a lingering, marginal enigma at the very edges of perceptibility<sup>5</sup>.

Let us moreover add that, if across his writings, he naturally discusses the emergence, constitution and transformation of philosophical, political, legal and economic categories over time, Agamben also never fails to point to the figures that they produce as (mostly) unnoticed, nugatory waste. If this can be done at almost every point in Agamben’s work, we will take the urgent ‘example’ of the *Muselmann* here, for reasons that should quickly become evident. If the Nazis perpetrated mass industrial genocide in the deathcamps, another kind of personage emerged as an unintended, unexpected, insistent-yet-obscure by-product: what was new about the Nazi camps was not simply that they were established and run as a highly-organised system of mass extermination, but a machine which *inadvertently* produced humans who-were-no-longer-human. Almost all the obscene procedures now familiar from the vast historical literature — racialised identification and exclusion, genocide, slave-

<sup>5</sup> Although this is not the place for such a demonstration, it is nevertheless worth marking in a footnote: Agamben’s true ‘prime precursor’ (as Harold Bloom might have said) is not, as most commentators claim, Martin Heidegger, Walter Benjamin or Michel Foucault, but Jacques Lacan (and, indeed, psychoanalysis more generally). First, the emphasis on figures of the subject (in classical psychoanalysis, ‘Dora’, ‘The Rat Man’, ‘The Wolf Man’, etc.) that are at once utterly singular and nonetheless generic (‘hysteria’, ‘obsessional neurosis’, etc.); second, that this emphasis illuminates the idiocy of discussing ‘ideas’ that leaves out or subordinates the vagaries of the bodies that birth, bear, and transmit them; third, in the attentiveness to the extraordinary details of ‘the remains of the day’; fourth, to the paradoxical topology of what Lacan called ‘extimacy’ or what Agamben denominates as the involutions of sovereignty; fifth, that ‘influence’ itself is an ‘anxiety’, that is, ‘not without object’, while being the only affect that does not lie. Part of the difficulty in recognising this inheritance is due to our constitutional misrecognition of proper names and citations as if they provided unmediated evidence of the real forces with which we must contend. Nor is this to say that Agamben’s work is ‘merely’ psychoanalytic; rather, that he further radicalizes one of the erratic lines of truth that analysis first broached. See, for instance, Brower 2017, Restuccia 2017 and Clemens 2013.



labour, fodder for murderous scientific-experiments, bureaucratic doublespeak — had in fact had recent precedents elsewhere, and did not in themselves constitute a radical biopolitical novelty, although they certainly composed an expansion and intensification<sup>6</sup>. With the *Muselman*, however, we are confronted by a new phenomenon, a human-being-stripped-of-its-essence.

For the figure of the *Muselman* falsifies what philosophy (Aristotle, again!) had always maintained was the essence of the human: its speaking being. The *Muselman* had been *de facto* separated from language. Though surviving as a ‘quasi-biological’ organism, the *Muselmänner* could no longer be recognised as human — as Agamben underlines, pointing carefully to critical passages in the camp testimonies themselves — not only by the Nazis, but by fellow camp inmates. What the extermination camps thereby also revealed is that ‘man’ (the mortal speaking being) can really be separated from his ‘essence’ (speech) and consigned by the most extreme expression of power to be what even the most radical genres of popular culture can hardly image or imagine — except perhaps in the dissimulating and archaizing form of the zombie.

It is at such a point that even the most incisive commentaries on Agamben tend to swerve away from the horror that he is attempting to describe. To advert to Jameson’s claims above, for example, one might well say ‘I am an unemployed worker’, and such a statement could indeed be variously true or false, constative or performative, veridical or fictional, depending on the circumstances. Yet under no circumstances can one say “I am a *Muselman*” and that statement be constative, precisely because one of the distinguishing marks of the *Muselmänner* is that they are *defined by the separation of language(s) from their body*. The *Muselman* is not an identity; one cannot ‘affirm’ it from any position nor under any description; it is an unsurpassable limit between the human and inhuman, that, once revealed, cannot be wished away: “The final biopolitical substance to be isolated in the biological continuum” (Agamben 1999: 85), a *surviance* without qualities.

So Agamben’s attention is not simply to the concentration camp victims *per se* — not to the murdered nor survivors — but to a limit figure that was realized amongst them. Yet, again, such a figure is nonetheless *not alone*, and Agamben delineates its figural neighbourhood in a number of moments. One of these is the personage known only as Hurbinek: an infant who had perhaps been born in the camp, was paralysed from the waist-down, who had like the others a number tattooed on his tiny wrist, and somehow survived for some years, just until liberation — yet had never been taught to speak. Hurbinek whistles and articulates strange sounds, which no one in the camp can quite understand — *mass-klo*, *matisklo* — but which become

<sup>6</sup> See however Milner 2004, who points to another singular characteristic of the camps: that a new technical device, the gas chamber, was developed to obliterate Jews *en masse*, the only known people in world history for which a new technology of extermination was specifically invented. Agamben himself cites Primo Levi’s claim that the unprecedented organisation of the *Sonderkommando* was “National Socialism’s most demonic crime”.

an object of speculation amongst the prisoners. Thus it is amongst these latter that an extraordinary figure of the witness is born: the survivor who testifies to and for those who could not testify.

The paradoxes are extreme: the *Muselmann* cannot bear witness, it is impossible; yet he is the absolute witness of what took place; thus the witness who survives cannot be a full witness, precisely through his survival; yet he must bear witness to what he did not truly witness. As Agamben writes:

testimony is the disjunction between two impossibilities of bearing witness; it means that language, in order to bear witness, must give way to a non-language in order to show the impossibility of bearing witness. The language of testimony is a language that no longer signifies and that, in not signifying, advances into what is without language, to the point of taking on a different insignificance — that of the complete witness, that of he who by definition cannot bear witness (Agamben 1999a: 39).

This means that all such testimonies as Levi's necessarily have a 'fictional' aspect to them in order that they remain truthful — yet they themselves thereby *prove* something about the 'empirical' or 'real' that an attention to the empirical as such must necessarily miss. And it also means that Agamben's own act of witnessing is to bear witness to this situation, to "the devastating experience in which the impossible is forced into the real" (Agamben 1999a: 148). Auschwitz was a laboratory in which impossibility was in fact actualized; yet, submerged in such impossibility, a handful of witnesses contingently, impossibly, inscribed several fragments of unheard-of impossibilities.

This returns us to Agamben's central abiding ontological theme: that of rethinking potentiality, beyond Aristotle and his categorical closures. The potential is not actual, but it must be able to be actualized, to actualize itself, or it would not be potential; yet, in becoming actual, such potential must be exhausted and, therefore, potentiality destroys itself in its fulfilment; if some potential remained after actualization, if it were not indeed exhausted in its act, then it would not really be potential since it would never in fact be actualizable. Otherwise put, a subject would only exist as the potential for (their own) destruction; which would not, strictly speaking, be a subject at all. It is therefore to the varied *figures of impotentiality* that Agamben turns, to something that remains in the actual that is not potential, but rather *what-is-not-but-is-not-not*, the traces of inexhaustible inoperativity that remain in exhausted potential.

So we are now in a position to enumerate a number of different modalities of the figural in Agamben. In his early work, we find that the figural tends to be of an emblematic nature, for instance Dürer's melancholy angel at the close of *The Man Without Content*, or the melancholic and fetishist of *Stanzas* (Agamben 1999b; Agamben 1993b). As emblematic, these figures tend to stand as ciphers for otherwise unrepresentable phenomena of the fallen world, which, in the extreme tension of their apparition, exhibit the putting-into-relation of the non-relational. The

melancholic is one who, confronted with a lack, acts as if this lack were rather a loss in order then to be able to dream of its potential recapture; the fetishist, in a different but consonant fashion, denies absence by multiplying a phantasmagoria of substitute objects.

At the same time, Agamben places such figures in apposition to one another, where, thereby constellated, they together – like the Southern Cross or the Great Bear – come to serve as imaginary celestial orientations for effective earthly navigation. As this work develops, it moves towards a reconstruction of impossible figures of ‘oneiric’ imagination: the Ayna of Arnaut Daniel’s work, an inhuman body in which the form of the poem touches on Paradise in the very non-communicability of their rift. We also find singular figures such as Bartleby or the Ks, who create paradoxical operations dedicated to stalling the machine of law; or the linguistic inventions of the Gypsies, who seem to have been lying in different ways to everyone they meet as to their own provenance and movements (see the essay on Bartleby in Agamben 1999c; ‘K’ in Clemens 2008; the essay on *Languages and Peoples* in Agamben 2000)<sup>7</sup>.

In the texts upon which we have been focusing here – the early *Homo Sacer* volumes – a new figural note is introduced. For if, as I have noted, *homo sacer* ‘himself’ is certainly exemplary, he is now divided from, as he is essentially bound to, the figure of the sovereign exception and, moreover, as a remnant. This new mode of division-binding that afflicts the figure of *homo sacer* is further developed in *Remnants of Auschwitz*, where, as I have attempted to demonstrate, the caesura is further radicalized in the indissociable-yet-irreducible figures of the *Muselmann*-witness: impossibility having collapsed into necessity in the camps, something was nevertheless (impossibly) subtracted from impossibility in this disjunctive double-headed figure.

Yet this means that such figures must never quite succeed for Agamben, ‘success’ here designating a triumph of actualization: indeed, they can neither be simply ‘cancelled’ nor ‘affirmed’. As he puts it in a gloss on St Paul’s term *hōs mē*, ‘as not’: “The messianic does not simply cancel out this figure, but it makes it pass, it prepares its end. This is not another figure or another world: it is the passing of the figure of this world” (Agamben 2005: 25). We will see the return of this doctrine throughout Agamben, if often modulated into terms appropriated from the figures in question themselves.

Take the essay titled *The Inappropriate* in which Agamben turns to the problematic of poverty amongst the Franciscans, whose ambitions were professed in the catchphrases *vivere sine proprio* (to live without property) and *secundum formam sancti evangelii* (to live according to the form of the Holy Gospels). Such an ambition

<sup>7</sup> Indeed, ‘K’ provides a perfect example of Agamben’s insistence on the figure over the category: the essay opens precisely by amending Davide Stimilli’s suggestion that K stands for *kalumniā* (slander) to *kalumniator* (the slanderer).

meant that it was widely considered impossible to subject the Franciscans to the law: in their renunciation of all ownership, of all rights to property, the law had no purchase. Evidently, such a position was a source of consternation amongst the jurists. If Francis himself had wilily kept his formulas utterly indeterminate in regards to the form of law — elsewhere Agamben speaks of how Aquinas speaks of “a paradoxical *individuation by indetermination*” (Agamben 1993a: 56) — under the attacks from a variety of authorities, including the Avignon Curia, the Franciscans defensively started to reconceive their ideal of propertylessness by means of a distinction between use and ownership. In doing so, however, their attempt to separate the two negatively forged a link which enabled their enemies to subsequently bring back into the fold of law proper (Agamben 2019). And yet, something remains of the Franciscan attempt— a trace, a remnant, a figure — that can still be attested to today, can be invoked and put to new uses.

To sum up: the determining trajectory in Agamben’s *oeuvre* that I have been tracing here typically proceeds as follows:

1. Agamben identifies a moment of disclosure or upsurge of a ‘gesture’ at the limit, whether that of the witness vis-à-vis the *Musemann*, or that of the Franciscan assault on property with *vivere sine proprio*;
2. Agamben then traces the covering-over and institutionalization, the juridification, of such gestures in the attempt to extend or preserve them, e.g., in the very defence of their practices against the Curia, the Franciscan theorists, despite themselves, reintroduced the very form of law their gesture sought to contravene or evade;
3. by means of this reconstruction, Agamben seeks not only to “blow the image of the past out of the continuum of history”, to invoke the famous phrase of Walter Benjamin, but, in doing so, to revivify such gestures in all their contemporaneity and untimeliness (he himself acts as a kind of “witness of the witness”, to transmit the intransmissible);
4. in doing so, he not only proffers new concepts of inoperativity (the inappropriable, unworking, etc.) for the quashed ambitions of ancient anomia, but simultaneously delineates an ‘inglorious’ body or figure that constitutes a trace of resistance against sovereignty both then and now;
5. this act of witnessing on Agamben’s part is figural insofar as it is also anachronic, aneconomic, asexual: as he notes in *What is the Contemporary?*, to be contemporary is to entirely in one’s own time, but, in seeing the darkness of that time, it is ‘simultaneously’ not entirely subject to that time (Agamben 2009).

In other words, the figures of redemption to which Agamben attends are the residues of a double subtraction. First, as emerging from limit-cases of law, whereby the *homo sacer*, the *wargus*, the coma patient, the *Musemann* are unassignable

according to any positive category. Second, they are just as much the attempts to exit from the logic of this first subtraction. So the *Muselmann* is unthinkable without the witness's testimony, or the legends that are told about the wolf-man, or the poetic construction of an impossible body. Yet this double subtraction is never quite accomplished, either; it teeters on the abyss of its own disappearance. It is to this double-subtraction-in-torsion that Agamben seeks always to attend, and always to the singularity of those operations that unleash a generic impotentiality.

That such 'unleashing' is near-nugatory from the point of the established powers of the world is part of its difficulty; that it also cannot be simply integrated into a concept without falsification is another. This is also surely why so much of the critical commentary on Agamben — such as the case of Jameson with which I began — consistently misreads his project as simply producing concepts and categories, and as if the figures he investigates were only instances of, or supports for, such concepts<sup>8</sup>. So when Skinner targets the citizen/slave dichotomy as the central category of Republican dismantling, or Jameson complains that unemployment is "the more fundamental and concrete form" in comparison to the camp victim, the problem is that they are both absolutely correct. But, being so, they miss the paradoxes thrown up at the limits of such forms.

What Agamben is doing is quite different: the figures are primary, and the 'concepts' that he subsequently constructs are 'critical' in the sense that they, again following Benjamin, are to be irrecoverable by fascism, not least because they cannot be entirely captured by law (being constructed at a new threshold at the limit of law). We could even present Agamben's fundamental process diagrammatically:

$$\{[C \rightarrow (F_l) \leftarrow F_t] \rightarrow X\} \leftarrow A$$

Where: C = the category in question;  $F_l$  = the limit figure;  $F_t$  = the threshold figure that responds to  $F_l$ ; X = the enigma of a form-of-life to which  $F_t$  points; A = Agamben himself; the brackets indicate the key couplings; the arrows singular forms of incapacity. In the case I have spent most time on here, C = Camp,  $F_l$  = *Muselmann*,  $F_t$  = witness, X = the enigma of in-separation of bodies and languages.

Moreover, in each case C, the figures it produces at its limits are singular, *not-quite-equivalent*, just as the figures of poems are not reducible to each other without loss. Note that *it is impossible for a category not to produce a figure it is incapable*

<sup>8</sup> This failure is particularly frustrating in Jameson's case, given that he himself asserts of Marx's use of figures in *Capital*: "I hazard the suggestion that figuration tends to emerge when the object of conceptuality is somehow unrepresentable in its structural ambiguity" (Jameson 2011: 33-34). Moreover, such figuration for Jameson has two other aspects: 1) it expresses totality; 2) it renders "momentarily visible" heterogeneous levels of that totality. This is, on the one hand, extraordinarily proximate to Agamben's own position; while, on the other, it exposes Jameson's unwavering commitment to metaphysical categories.

*of including*<sup>9</sup>. A figure marks a category's limits; there is no category without such a figure; this figure is split between the categorical paradox it incarnates and an im-potential it indicates.

As Agamben writes in *The End of the Poem*, "What characterizes poetic atheology as opposed to every negative theology is its singular coincidence of nihilism and poetic practice, thanks to which poetry becomes the laboratory in which all known figures are undone and new, parahuman or semidivine creatures emerge" (Agamben 1999d: 91). Yet such an emergence is also a disappearance: it has the structure of an event. Hence, in a note on the work of Robert Walser, Agamben comments: "'Figure' — that is, precisely the term that expresses in Saint Paul's epistles what passes away in the face of the nature that does not die — is the name Walser gives to the life that is born in this gap" (Agamben 1993a: 60). Or, as he adds, in his later return to Saint Paul, "this remnant is the figure, or the substantiality assumed by a people in a decisive moment, and as such is the only real political subject" (Agamben 2005: 57). *Inglourious* and *basterd* as they may be, these passing figures are indeed true figures of a life of power.

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<sup>9</sup> Another marginal remark: Agamben's scattered, characteristically critical remarks about Jacques Derrida seem to me to hinge on the fact that, for Agamben, this operation is Derrida's *idée fixe*; as such, Derrida has formulated the problem adequately, but then consistently fails to take up the figural challenge it projects.

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