

## GIORGIO AGAMBEN'S FRANCISCAN ONTOLOGY

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**ABSTRACT:** This paper analyses Agamben's notion of *homo sacer*, showing how it should not be confined to the field of a negative critique of biopolitics. In his work, Agamben cautiously delineates a positive figure of *homo sacer*, whom, according to him, we all virtually are. Such figure would be able to subvert the *form* in which the relation between bare life and political existence has so far been both thought and lived in the West. How and when is this passage from negative to positive sacredness historically accomplished for Agamben? Is such transit after all thinkable? These are the two basic questions he both unintentionally formulates and leaves undecided in his book *Homo Sacer* (1995). Agamben further elaborates his investigation of biopolitics in the book he dedicates to Saint Paul, *The Time That Remains* (2000). Chiesa suggests that, in this volume, the figure of *homo sacer* as earthly hero is transposed onto that of the messianic man. This can only be achieved by means of a detailed Christian—and more specifically Franciscan—development of the ontological notion of 'form of life'. Problematically enough, Agamben is able to carry out a transvaluation of biopolitics only in the guise of a bio-theo-politics.

**KEYWORDS:** Biopolitics; Bio-Theo-Politics; Form of Life; Franciscanism; Homo Sacer; Messianism; Ontology; Saint Paul

### 1. *HOMO SACER*: A POLITICAL HERO

Giorgio Agamben's critical analysis of biopolitics, a politics for which power 'confronts pure biological life without any mediation',<sup>1</sup> famously revolves around the notion of *homo sacer*. This notion is derived from an enigmatic figure of Roman law that, for Agamben, embodies both 'the originary "political" relation'<sup>2</sup> of the West and an 'essential function' in modern and contemporary politics.<sup>3</sup> In being the 'damned' [*sacer*] who may be killed

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1. Giorgio Agamben, *Means Without End: Notes on Politics*, trans. Vincenzo Binetti and Cesare Casarino, Minneapolis, University of Minnesota Press, 2000, p. 41.

2. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen, Stanford, Stanford University Press, 1998, p. 85.

3. Agamben, *Homo Sacer*, p. 8.

and yet not sacrificed—the one who may be killed with impunity by any man, and yet not sacrificed to the gods—the sacred man represents a limit concept. In other words, the life of *homo sacer*, that is ‘bare life’, is excepted from both human jurisdiction—since in his case the application of the law on homicide is suspended—and divine law—since his killing cannot be regarded as a ritual purification.<sup>4</sup> However, this double exclusion of *homo sacer* is clearly at the same time a double capture of his bare life, absolutely exposed to violence and death, in the juridical order.<sup>5</sup> As Agamben writes, ‘*homo sacer* belongs to God in the form of unsacrificeability and is included in the community in the form of being able to be killed.’<sup>6</sup> For this reason, the structure of *sacratio* should be connected with that of sovereignty, or sovereign exception, on which the juridico-institutional foundations of modern and contemporary Western politics allegedly rely. Like *sacratio*, the sovereign exception finds itself on an inclusive exclusion. Indeed, the sovereign paradoxically lies, at the same time, ‘outside and inside the juridical order.’<sup>7</sup> Just as in the case of *homo sacer*, the law applies to the sovereign in no longer applying to him: it is by means of its power of imposing death with impunity, and not through its ability to sanction a transgression, that the sovereign exception constitutes the originary form of law over life. From this Agamben can therefore conclude that:

The sovereign and *homo sacer* present two symmetrical figures that have the same structure and are correlative: the sovereign is the one with respect to whom all men are potentially *homines sacri*, and *homo sacer* is the one with respect to whom all men act as sovereigns.<sup>8</sup>

At this stage, Agamben’s logic of biopolitics as the logic of the symmetry between sovereign power and the sacredness of bare life should readily be understood in terms of its historico-ontological destiny. Although this theme is only hinted at in *Homo Sacer* (1995) and the volumes that follow it, Agamben resolutely maintains that biopolitics is inherently metaphysical. If on the one hand ‘the inclusion of bare life in the political realm constitutes the original [...] nucleus of sovereign power’ and ‘biopolitics is at least as old as the sovereign exception’,<sup>9</sup> on the other hand, this political nexus cannot be dissociated from the epochal situation of metaphysics. Here Agamben openly displays his Heideggerian legacy; bare life, that which in history is increasingly isolated by biopolitics as Western politics, must be strictly related to ‘pure being’, that which in history is increasingly isolated by Western metaphysics:<sup>10</sup>

Politics [as biopolitics] 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

4. See especially Agamben, *Homo Sacer*, pp. 81-2.

5. ‘Not simple natural life, but life exposed to death (bare life or sacred life) is the originary political element’ (Agamben, *Homo Sacer*, p. 88).

6. Agamben, *Homo Sacer*, p. 82.

7. Agamben, *Homo Sacer*, p. 15.

8. Agamben, *Homo Sacer*, p. 84.

9. Agamben, *Homo Sacer*, p. 6.

10. See Agamben, *Homo Sacer*, p. 182.

metaphysical task *par excellence*—the humanity of living man is decided.<sup>11</sup>

Commentators have not as yet sufficiently emphasized how biopolitics is consequently nothing else than Agamben's name for metaphysics as nihilism. More specifically, while bare life remains for him the 'empty and indeterminate' concept of Western politics<sup>12</sup>—which is thus as such originally nihilistic—its forgetting goes together with the progressive coming to light of what it conceals. From this perspective, nihilism will therefore correspond to the modern and especially post-modern generalisation of the state of exception: 'The nihilism in which we are living is [...] nothing other than the coming to light of [...] the sovereign relation as such.'<sup>13</sup> In other words, nihilism reveals the paradox of the inclusive exclusion of bare life, *homo sacer*, *qua* foundation of sovereign power, as well as the fact that sovereign power cannot recognize itself for what it is. Beyond Foucault's biopolitical thesis according to which modernity is increasingly characterized by the way in which power directly captures life as such as its object, what interests Agamben the most is:

The decisive fact that, together with the process by which 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.<sup>14</sup>

The political is thus reduced to the biopolitical: the original repression of the sovereign relation on which Western politics has always relied is now inextricably bound up with its return in the guise of a radical biopoliticisation of the political. Like nihilism, such a generalisation of the state of exception—the fact that, today, we are all virtually *homines sacri*<sup>15</sup> is itself a profoundly ambiguous biopolitical phenomenon. Today's state of exception both radicalizes—qualitatively and quantitatively—the thanatopolitical expressions of sovereignty (epitomized by the Nazis' extermination of the Jews for a mere 'capacity to be killed' inherent in their condition as such)<sup>16</sup> and finally unmasks its hidden logic.

On this basis, what is scarcely investigated, or altogether overlooked, by countless analyses of the notion of *homo sacer* is the very fact that, beginning with the introduction of the first volume of his series, Agamben explicitly relates such notion to the possibility of a 'new politics.'<sup>17</sup> Conversely, a new politics is unthinkable without an in-depth engagement with the historico-ontological dimension of *sacratio* and the structural political ambiguity of the state of exception. Although such new politics 'remains largely to be invented', very early on in *Homo Sacer*, Agamben unhesitatingly defines it as 'a politics no longer founded on the *exceptio* of bare life.'<sup>18</sup> Beyond the exceptionalist logic—by now self-imploded—that unites sovereignty to bare life, Agamben seems to envisage a *rela-*

11. Agamben, *Homo Sacer*, p. 8.

12. Agamben, *Homo Sacer*, p. 182.

13. Agamben, *Homo Sacer*, p. 51.

14. Agamben, *Homo Sacer*, p. 9. See also p. 38, p. 20.

15. See Agamben, *Homo Sacer*, p. 111, p. 115.

16. Agamben, *Homo Sacer*, p. 114.

17. Agamben, *Homo Sacer*, p. 11.

18. Agamben, *Homo Sacer*, p. 11.

*tional* politics that would succeed in ‘constructing the link between *zoe* and *bios*’.<sup>19</sup> This link between the bare life of man and his political existence would ‘heal’ the original ‘fracture’ which is at the same time precisely what causes their progressive indistinction in the generalized state of exception. Having said this, Agamben also conceives of such new politics as a *non-relational* relation that ‘will [...] have to put the very form of relation into question, and to ask if the political fact is not perhaps thinkable beyond relation and, thus, no longer in the form of a connection’.<sup>20</sup>

While here Agamben runs the risk of blatantly contradicting himself—at least terminologically—what appears to emerge from both these formulations is the cautious delineation of a *positive* figure of contemporary *homo sacer* (whom we all virtually are). This would be the one who would, if not overcome, then subvert (‘put into question’) the *form* in which the relation between bare life and political existence has so far been both thought and lived in the West. Even a rapid account of some of the different embodiments of *homo sacer* which Agamben takes as paradigmatic of twentieth-century biopolitics and its state of generalized exception no doubt allows us to give them opposite signs. On the one hand, the ‘overcomatose person’ negatively represents ‘a purely bare life, entirely controlled by man and his technology’ for which there is ‘a stage of life beyond the cessation of all vital functions’.<sup>21</sup> On the other hand, the ‘figure of life’ of the Rwandan refugee, similarly defined as ‘a figure of bare or sacred life’,<sup>22</sup> positively precludes ‘a politics in which bare life is no longer separated and excepted’, and the notion of nationality is constructively transformed into ‘the being-in-exodus of the citizen’.<sup>23</sup> Again, we must conclude that the very same historico-ontological unfolding of biopolitics, the coming to light of the (repressed) sovereign relation that is both a political and metaphysical destiny, produces radically divergent results. At this point, we could possibly agree with Alain Badiou who, in his recent *Logiques des mondes*, benevolently criticizes Agamben for conceiving ‘being as weakness’, a weakness which, at the same time, corresponds to ‘the delicate, almost secret, persistence of life, that which remains to one who has nothing left’.<sup>24</sup> Badiou completely misunderstands the notion of bare life when, in stark opposition to Agamben’s formula, he defines it as ‘always sacrificed’.<sup>25</sup> However, he is probably right in suggesting that *homo sacer*, ‘the one who is led back to his pure being *qua* transitory living being [*vivant transitoire*]’, is ultimately, for Agamben, nothing less than the ‘*hero*’ of politics.<sup>26</sup>

Most importantly, in order to capture the internal movements and possible contradictions of the political hierarchy of *sacratio* implicitly proposed by Agamben, we should pay particular attention to the figure of the *Muselmann*, ‘the most extreme figure’ of the

19. Agamben, *Homo Sacer*, p. 11.

20. Agamben, *Homo Sacer*, p. 29.

21. Agamben, *Homo Sacer*, p. 164, p. 161.

22. Agamben, *Homo Sacer*, p. 133.

23. Agamben, *Homo Sacer*, p. 134. Also Agamben, *Means Without End*, p. 25.

24. Alain Badiou, *Logiques des mondes: L'être et l'événement 2*, Paris, Seuil, 2006, p. 583.

25. Badiou, *Logiques des mondes*, p. 584.

26. Badiou, *Logiques des mondes*, p. 584 (my emphasis).

Nazi concentration camp inhabitant. Precisely because he has lost all consciousness and all personality and lives in an ‘absolutely apathetic’ way due to the humiliation, horror, and fear he has suffered, the *Muselmann* also surprisingly embodies ‘a silent form of resistance’.<sup>27</sup> Even more problematically, Agamben seems to propose the *Muselmann* as a *paradigmatic* form of resistance to the logic of sovereign exception. A close reading of the last six pages of *Homo Sacer* allows us to neatly distinguish the twentieth-century *Muselmann* from the *homo sacer* of Roman law: while the latter is irremediably ‘caught’ by the very same power that bans him, the former manages to ‘threaten’ the law of the camp.<sup>28</sup> While the Roman *homo sacer*, in being pure *zoe*, pure bare life, founds the biopolitics of sovereign exception, the *Muselmann*, in *not* being pure *zoe* but rather ‘an absolute indistinction of fact and law, of life and juridical rule, and of nature and politics’, renders biopolitics literally power-less.<sup>29</sup> (‘The guard suddenly seems *powerless* before [the *Muselmann*],’ Agamben says.)<sup>30</sup> We are thus left to conclude that not only should biopolitics be understood as a necessary historico-ontological destiny but that we can prepare the overcoming of its exceptionalist logic of sovereignty exclusively within the horizon of the generalized biopolitics of Nazism—culminated in the extermination of Jews.

Agamben further outlines this ambiguously positive political dimension of *homo sacer* by means of two other notions: Heidegger’s facticity and Benjamin’s messianism. Their unexpected overlapping seems to provide us with a theoretical tool that both throws light on and complicates the concrete figure of the *Muselmann*. Already in *Homo sacer*, Agamben straightforwardly defines messianism as a ‘theory of the state of exception’.<sup>31</sup> More precisely, following Benjamin, the messianic man is the one who brings about, ‘realizes’, a state of exception that has as yet remained only ‘ideological’, or ‘virtual’. Acknowledging that the state of exception has turned into a rule, and the law is being in force without significance, the messianic man opposes such ‘form of law’ that continues to let ‘bare life subsist before it’ to a *form of life* for which politics is no longer thought in the form of a relation.<sup>32</sup> In other words:

Law that becomes indistinguishable from life in a *real* state of exception is confronted by life that, in a symmetrical but *inverse* gesture, is entirely transformed into law. [...] Only at this point do the two terms distinguished and kept united by the [sovereign] relation [...] (bare life and the form of law) abolish each other and enter into a new dimension.<sup>33</sup>

Agamben believes that he can recover a similar concept of form of life, a non-relational relation by means of which the sovereign relation based on the inclusive exclusion of bare life is overcome, in Heidegger’s notion of factual life. Like Benjamin’s notion of messianism, Heidegger’s *faktisches Leben* would anticipate and pave the way to

27. Agamben, *Homo Sacer*, p. 185.

28. Agamben, *Homo Sacer*, pp. 183-5.

29. Agamben, *Homo Sacer*, p. 185.

30. Agamben, *Homo Sacer*, p. 185 (my emphasis).

31. Agamben, *Homo Sacer*, pp. 57-8.

32. Agamben, *Homo Sacer*, pp. 53-5. See also p. 60.

33. Agamben, *Homo Sacer*, p. 55 (my emphases). See also Agamben, *Means Without End*, pp. 3-12.

a new non-relational politics. And yet, this cannot occur without Heidegger developing a notion of life that is initially alarmingly proximate to that of National Socialism:

For both Heidegger and National Socialism, life has no need to assume ‘values’ external to it in order to become politics: life is immediately political in its very facticity. [...] Man is not a duality of spirit and body, nature and politics, life and *logos*, but is instead resolutely situated at the point of their indistinction.<sup>34</sup>

Having said this, while Nazism eugenically resolves facticity into the ‘incessant decision’ on what is *sacer*—‘life that does not deserve to live’—Heidegger makes it correspond to a suspension of all decisions concerning life, that is, an acknowledgement of the impossibility of isolating bare life. From this perspective, *Dasein* is nothing else than a form of life in which there is an ‘inseparable unity of Being and ways of being’, a positive *homo sacer* whose essence entirely lies [*liegt*] in existence and over whom, consequently, ‘power no longer seems to have any hold’.<sup>35</sup>

But, leaving aside the theoretical formulations of philosophy, how and when is this passage from negative to positive *homo sacer* historically accomplished for Agamben? If we return to the ‘figure of life’ of the *Muselmann*, we soon realize that Agamben leaves this fundamental question unanswered in *Homo Sacer*, or, more correctly, that he provides us with contradictory answers to it. We have already seen how the *Muselmann* may be regarded as a paradigm of anti-biopolitical resistance: in this sense, he is a form of life that actively opposes the sovereign relation and, as shown by his alleged influence over the camp guard, even manages to neutralize its power. Surprisingly enough, Agamben does not problematize here the fact that the *Muselmann*’s being an emancipatory form of life practically equates with his inability of ‘distinguishing between pangs of cold and the ferocity of the SS’.<sup>36</sup> It is precisely the identification of cold with the SS, his ‘mov[ing] in an absolute indistinction of fact and law’, that makes him resistant to Nazism. Yet, at the same time, Agamben readily observes that, given the *Muselmann*’s absolutely apathetic condition, ‘nothing “natural” [...] remains in his life’.<sup>37</sup> In this sense, not only should the *Muselmann* be positively distinguished from the pure *zoe* of the Roman *homo sacer* who remains caught in power, but, having quite simply lost his instincts, he must also be negatively separated from any emancipatory form of life. As Agamben clearly states in the very last page of *Homo Sacer*, the form of life is indeed to be conceived of as a *bios* that is only its own *zoe*, a ‘life that, being its own form, remains inseparable from it’.<sup>38</sup> In other

34. Agamben, *Homo Sacer*, p. 153. On this point, see also Agamben’s introduction to Emmanuel Lévinas, *Alcune riflessioni sulla filosofia dell’hitlerismo*, Macerata, Quodlibet, 1997.

35. Agamben, *Homo Sacer*, p. 153. See also p. 188. Interestingly enough, in *The Time That Remains*, Agamben criticizes in passing Heidegger’s notion of facticity insofar as it still underlies the idea of appropriation. For Heidegger, the decisive element of human existence as factual life is an appropriation of the improper. According to Agamben, Heidegger therefore fails to understand facticity in terms of *use*. This is precisely what differentiates Heideggerian facticity from a messianic form of life which Agamben now conceives of in Christian—Pauline—terms (Giorgio Agamben, *The Time That Remains: A Commentary on the Letter to the Romans*, trans. Patricia Dailey, Stanford, Stanford University Press, 2005, p. 34).

36. Agamben, *Homo Sacer*, p. 185.

37. Agamben, *Homo Sacer*, p. 185.

38. Agamben, *Homo Sacer*, p. 188.

words, no emancipatory form of life can be reduced to what cancels instinctual life. We are thus left with an impasse concerning the political value of the *Muselmann*. In short: is the *Muselmann qua* passage between negative and positive *sacratio* on the side of the overcomatose *homo sacer* (but then, why would he be a ‘resistant’?) or on that of the refugee (but then, how to account for the gap that separates him from the form of life)? Is such obligatory transit after all thinkable? These are the two basic questions Agamben both unintentionally formulates and leaves undecided in *Homo Sacer*.

## 2. *HOMO SACER*: A FRANCISCAN ONTOLOGY

Five years after *Homo Sacer*, Agamben further elaborated his investigation of biopolitics in the book he dedicated to Saint Paul, *The Time That Remains* (2000). We could suggest that, in this volume, the figure of *homo sacer* as earthly hero is transposed onto that of the messianic *Christian* man:<sup>39</sup> such idiosyncratic development of the ‘Muslim’ Jew analysed in *Homo Sacer* should be conceived beyond both Benjamin’s non-Christian messianism and a merely analogical use of the messianic. On the one hand, Agamben carries out an unexpected Christianisation of Benjamin showing how his Second Thesis on history was supposedly derived from Paul’s Second Letter to the Corinthians.<sup>40</sup> On the other hand, unlike other thinkers who recently appropriated the Apostle’s works as a metaphoric example of political militancy,<sup>41</sup> Agamben believes that today’s generalized state of exception should *directly* be understood in messianic terms. To cut a long story short, Christian messianic time is to be considered as the ‘paradigm’ of historical time, ‘the only real time’.<sup>42</sup>

Criticising a common misunderstanding, Agamben asserts that messianic time should not be identified with the apocalyptic end of time. Messianic time is rather ‘*the time of the end* [...] the time that contracts itself and begins to end [...] the time that remains between time and its end’.<sup>43</sup> Developing a relation he had already introduced in *Homo Sacer* with regard to Benjamin, Agamben seems to suggest that such Christian messianic time could also be understood as a time of passage between the generalisation of the state of exception and its overcoming in a new non-relational politics. Like the state of exception, Pauline Messianism suspends the law from within the law and consequently fulfils it. Instead of simply negating the rules of the existing order, Messianic law as the law of faith deactivates them in the form of the ‘as not’ [*hos me*]. As Agamben writes, ‘to be messianic, to live in the Messiah, signifies the depropriation [*depropriazione*] of each and every juridical-factitious property (circumcized/uncircumcized; free/

39. In opposition to the Church’s obliteration of Paul’s alleged messianism, Agamben maintains that Christianity—the religion of the followers of *Christos*, literally, ‘the Messiah’—can only be messianic (Agamben, *The Time That Remains*, pp. 15-6).

40. Agamben, *The Time That Remains*, pp. 138-45.

41. See Alain Badiou, *Saint Paul: The Foundation of Universalism*, trans. Ray Brassier, Stanford, Stanford University Press, 2003, Slavoj Žižek, *The Fragile Absolute—or, Why is the Christian legacy worth fighting for?*, London, Verso, 2000, Slavoj Žižek, *The Puppet and the Dwarf: The Perverse Core of Christianity*, Cambridge, MIT, 2003.

42. Agamben, *The Time That Remains*, p. 3, p. 6.

43. Agamben, *The Time That Remains*, p. 62.

slave; man/woman) under the form of the *as not*.<sup>44</sup> A Christian should live as if he were not that which he is according to the existing order—say, a free, uncircumcized man—whilst remaining within that very order. Such depropriation of law does not amount to a new identity. Messianic life is rather a use [*kresis*]: ‘The messianic vocation is not a right, nor does it constitute an identity: it is a generic power [*potenza*] that one can use without ever being its proprietor’.<sup>45</sup>

Beyond *Homo Sacer*, the Pauline framework of *The Time That Remains* enables Agamben to think exhaustively the temporal complexity that characterizes messianism. Messianic time as the time that it takes for time to finish is not simply a segment added to the line of chronological time.<sup>46</sup> It is not sufficient to think of it as the time in between Christ’s resurrection and his final coming at the end of time, the *parousia* that coincides with the Apocalypse. Messianic time should rather be equated with the time we need to ‘bring to an end, to achieve our representation of time’.<sup>47</sup> From this perspective, eschatological and chronological time can no longer be clearly distinguished: the *kairos* ‘is nothing else than a *chronos* that is grasped’ as such.<sup>48</sup> In theological terms, this can only imply that the *para-ousia*—which after all means ‘presence’, literally a being that in Heideggerian fashion ‘lies’ by itself—does not correspond to the ‘second coming’ of Jesus. The Messiah is here; his return already contained in the event of resurrection: Christians only need a remainder of time to acknowledge the fact that the inoperativity of earthly laws is already operational.<sup>49</sup> From this also follows that Christians should fight against any authority that ‘contrasts and conceals’ such messianic state of anomie. More precisely, the *katechon*, the constituted power that defers the revelation of the messianic inoperativity of earthly laws, is the very same power that will retroactively appear as the supreme *anomos*, the Anti-Christ, once the Messiah’s *parousia* will fully be assumed.<sup>50</sup>

While Agamben’s arguments clearly invite us to map Paul’s superimposition of the *katechon* over the *anomos* back onto Nazism (whose juridical status is indeed unsurprisingly defined in *State of Exception* as that of a ‘legal civil war’),<sup>51</sup> this short-circuit raises a number of new important questions. Do we still inhabit the very same radical state of exception inaugurated by Christ’s resurrection? How can we then account for what Agamben deems to be its increasing generalisation in modernity and post-modernity?<sup>52</sup> Quite bluntly, does Agamben believe that the full extent of the *anomos* of the *katechon*

44. Agamben, *The Time That Remains*, p. 26 (my translation).

45. Agamben, *The Time That Remains*, p. 26 (my translation).

46. See Agamben, *The Time That Remains*, p. 67.

47. Agamben, *The Time That Remains*, p. 67.

48. Agamben, *The Time That Remains*, p. 69 (my translation).

49. Agamben, *The Time That Remains*, pp. 70-1.

50. Agamben, *The Time That Remains*, p. 111.

51. Giorgio Agamben, *State of Exception*, trans. Kevin Attell, Chicago, University of Chicago Press, 2005, p. 2. See also Agamben, *The Time That Remains*, pp. 105-6.

52. Agamben claims that Paul himself already ‘radicalizes the condition of the state of exception’ (Agamben, *The Time That Remains*, p. 106 [my emphasis]). Should we then infer that the contemporary radicalisation of the state of exception is the radicalisation of a radicalisation that has been ongoing for two thousand years?



was finally disclosed at Auschwitz? Given that such full disclosure—which, for Agamben, is the ‘being-in-act of Satan in any power [*potenza*]<sup>53</sup>—can only be brought about by a concomitant final Christian *parousia* (*qua* assumption of the messianic inoperativity of earthly laws), should we bitterly conclude that Auschwitz is the *Christian* event *par excellence*? On the other hand, if, more plausibly, the *anomos* of the *katechon* has not as yet been brought completely to light, must its complete revelation *necessarily* coincide with a biopolitical ‘catastrophe’ of vaster proportion than the extermination of Jews?<sup>54</sup> Most importantly, can we really not avoid such disaster? Wouldn’t the elaboration of a *post-Christian* interpretation of the notion of Messianic *parousia* represent the minimal precondition for defusing the Apocalypse? And, similarly, why should we relate what is at stake in all the above questions to the *historico-ontological* unfolding of the inclusively exclusive capture of bare life carried out by sovereign power? Shouldn’t we rather attempt to think the connection between being and the sovereign relation—the being-involved in the sovereign relation—differently, that is, beyond Heidegger?

Leaving aside these further complications of Christian temporality—which seem to both solve the paradoxes of *homo sacer* as Jewish *Muselman* and make them re-emerge at a different level—we should finally focus on the issue of the compatibility between Paul’s ‘time that remains’ and positive biopolitics. It must be said that, in the volume he dedicates to the Apostle, Agamben does not ever explicitly refer to biopolitics or *homo sacer*. In addition to this, he strangely fails to comment on the well-known passages of the Letter to the Romans in which Paul analyses the way in which life and death interact with the advent of the law (7:7-13).<sup>55</sup> Nevertheless, it is doubtless the case that a positively biopolitical dimension underlies Agamben’s Pauline messianism insofar as, for him, the messianic manages to reverse the sovereign nexus between power and life. Messianism ultimately resolves itself into the non-relational relation of a ‘form of life’.<sup>56</sup> In *The Time That Remains*, such notion is clearly ascribed a number of Christian theological attributes that it did not possess in *Homo Sacer* (and *Means without End*):

1. Messianic life as form of life should be understood in terms of *grace* [*charis*], that is, ‘the capacity to [...] carry out good works independently of the law’.<sup>57</sup> In messianism there cannot be any conflict between different powers: grace as form of life emerges from a ‘disconnection’ [*sconnessione*] of (the opposition between) existing powers that interrupts current ‘exchange and social obligations’.<sup>58</sup> Such disconnecting interruption represents as such a new kind of sovereignty [*autarkeia*] diametrically opposed to the sovereignty exercised by the anomic form of law.<sup>59</sup>

53. Agamben, *The Time That Remains*, p. 111 (my translation).

54. This is what Agamben seems to suggest in *State of Exception*, pp. 86-87.

55. These passages are analysed by Badiou in *Saint Paul*, pp. 82-83. For Žižek’s critique of Badiou’s reading, see Slavoj Žižek, *The Ticklish Subject: The Absent Centre of Political Ontology*, London, Verso, 1999, pp. 145-51.

56. See Agamben, *The Time That Remains*, p. 122.

57. Agamben, *The Time That Remains*, p. 121.

58. Agamben, *The Time That Remains*, p. 120, p. 124.

59. See Agamben, *The Time That Remains*, pp. 120-1.

2. Grace as form of life must be strictly related to *faith* [*pistis*] as ‘an experience of the word’.<sup>60</sup> Professing one’s faith is a self-referential speech whose effectiveness relies on its being performed. Beyond performativity, the word of faith ultimately amounts to a ‘pure and common *power* of saying [*potenza di dire*]’ that both refuses any ‘content of faith’—and could thus be regarded as ‘weak’—and does not exhaust itself in ‘the act of saying’.<sup>61</sup> ‘From the perspective of faith, to hear a word does not entail ascertaining the truth of a given semantic content, nor does it simply entail renouncing understanding. [...] Neither a glossolalia deprived of meaning, nor mere denotative word, the word of faith enacts its *meaning* through its being *uttered*’.<sup>62</sup>
3. The word of faith as form of life corresponds to the *law of faith* [*kaine diatheke*], the new law of the Gospel that renders inoperative both Roman and Mosaic laws. Such law is, first and foremost, not a written text but ‘the very life of the Messianic community’.<sup>63</sup> Any reduction of the Gospel to a form of law, a set of normative precepts, should be regarded as a betrayal of faith in the Messiah.

On the basis of such a detailed Christian development of the notion of ‘form of life’, I find it difficult to agree with Roberto Esposito’s persistent attempt to confine Agamben’s thought to the field of a negative critique of biopolitics. Esposito’s elaboration of a philosophy that would depart from both Agamben’s reduction of biopolitics to ‘an antinomic repetition of the sovereign power’s lethal paradigm’ and Negri’s identification of biopolitics with ‘a power of life that is always excessive and finally subversive’ is commendable and to a large degree successful.<sup>64</sup> However, I believe that Esposito should pay more attention to the far from coincidental fact that his own deliberately ‘affirmative biopolitics’<sup>65</sup> culminates in a notion, that of ‘norm of life’, which is undeniably contiguous to Agamben’s notion of ‘form of life’. Recovering a messianic dimension in Paul’s Letters, Agamben is certainly able to configure a positive biopolitics: as we have just observed, *charis*, *pistis*, and *kaine diatheke* allow us to delineate new concepts of sovereignty, power, and law which, as forms of life, definitely undo the inclusive exclusion of bare life. The possibility that Agamben originally intended to keep messianism and biopolitics apart—in this sense, messianism would always-already represent an overcoming of biopolitics and the latter would, by definition, be negative—becomes at this stage irrelevant and, after all, profoundly incompatible with his detailed analysis of non-linear Christian temporality. Briefly, if following Agamben’s own arguments, the generalisation of the state of exception—in which we have possibly lived since Christ’s resurrection—is

60. Agamben, *The Time That Remains*, p. 129.

61. Agamben, *The Time That Remains*, pp. 136-137 (my translation; my emphasis)

62. Agamben, *The Time That Remains*, p. 129, p. 131 (my translation; my emphases).

63. Agamben, *The Time That Remains*, p. 122.

64. Roberto Esposito, ‘Prefazione’, in Laura Bazzicalupo, *Il governo delle vite: Biopolitica ed economia*, Bari-Roma, Laterza, 2006, p. VII. For a concise and exceptionally clear introduction to Esposito’s work, see Roberto Esposito, ‘Biopolitica, immunità, comunità’, in A. Cutro (ed.), *Biopolitica: Storia e attualità di un concetto*, Verona, Ombre Corte, 2005, pp. 158-67. For Esposito’s most refined analysis of biopolitics to date, see Roberto Esposito, *Bíos: biopolitica e filosofia*, Torino, Einaudi, 2004.

65. Esposito, *Bíos*, p. XVI.

already retroactively messianic, then there *must* be a positive biopolitics.

Having said that, the fact remains that Agamben is able to formulate a transvaluation of biopolitics only in the guise of a bio-theo-politics. The importance of this conclusion cannot be overstated. Badiou is therefore correct in emphasising that Agamben's thought ultimately expresses a 'latent Christianity' for which the heroic *homo sacer* of politics is silently turned into the *homo messianicus* of Christian religion. Furthermore, according to this interpretation, Agamben's notion of 'weak' [*faible*] being, a being characterized by a 'presentative poverty', could qualify his ontology as 'Franciscan'. Although Badiou's remarks are concentrated in less than two pages, this appellation seems far from gratuitous, especially once we give the right weight to what Agamben himself says about Franciscanism in *The Time That Remains*. Francis and his followers conceive their Order as a 'messianic community', Agamben claims, whose ultimate aim is to 'create a space that escaped the grasp of power and its laws, without entering into conflict with them yet rendering them inoperative'.<sup>66</sup> This can be achieved by means of the so-called *usus pauper*, literally 'the poor use', which Agamben unhesitatingly defines, again, as a 'form of life'.<sup>67</sup> In other words, the Franciscan principle of poverty does not limit itself to refusing private property, but rather promotes a use of worldly goods that, as ontological 'nullification' (the 'as not'/'*hos me*'),<sup>68</sup> radically subtracts itself from the sphere of civil law. Here Agamben's distinction between 'imperfect nihilism' and 'messianic nihilism', which in *Homo Sacer* he derives from Benjamin, finds its final Christian meaning. Just like *homo sacer*—in the guise of the Jewish *Muselmann*—the Franciscan poor suspends the inclusively exclusive relation between sovereignty and bare life assuming their inextricability, but beyond him he also *vitally* inverts their sequence. The messianic Franciscan confronts the form of law of sovereign power with the form of life of Christ *qua* Gospel: as Agamben observes, *haec est vita evangelii Jesu Christi* ('This is the *life* of Jesus Christ's Gospel') is indeed the first rule of the Franciscan order.<sup>69</sup>

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66. Agamben, *The Time That Remains*, p. 27.

67. Agamben, *The Time That Remains*, p. 27.

68. Agamben, *The Time That Remains*, p. 23.

69. Agamben, *The Time That Remains*, p. 27. It is worth recalling that the very last paragraph of Negri and Hardt's *Empire* is dedicated to Saint Francis and the way in which his anti-instrumental adoption of poverty as 'ontological power' allegedly contributes to the emergence of a 'new society'. 'There is an ancient legend that might serve to illuminate the future life of communist militancy: that of Saint Francis of Assisi. Consider his work. To denounce the poverty of the multitude he adopted that common condition and discovered there the ontological power of a new society. [...] Francis in opposition to nascent capitalism refused every instrumental discipline, and in opposition to the mortification of the flesh (in poverty and in the constituted order) he posed a joyous life [...]. Once again in postmodernity we find ourselves in Francis's situation, posing against the misery of power the joy of being' (Michael Hardt and Antonio Negri, *Empire*, Cambridge, Harvard University Press, 2000, p. 413). Instead of doxastically opposing Negri's positive biopolitics to Agamben's negative biopolitics, we should explore to what extent these authors' theories overlap and find common *Christian* references.

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