AGAMBEN'S CURIO CABINET, ANIMALITY, AND THE ZONE OF INDETERMINACY

Wendell Kisner

ABSTRACT: As I have argued elsewhere, Agamben's thought remains mired in a transcendental way of thinking that falls under the Hegelian critique.[1] In this essay, through a hermeneutical method that can be aptly characterized by the "curio cabinet" Agamben had earlier thematized in *The Man Without Content*, I intend to indicate where this occurs specifically with respect to his understanding of animality in *The Open: Man and Animal*, an understanding bound up with his well-known concept of "bare life." Doing so will bring Agamben into contact with Hegel precisely at that point where they both meet from within the innermost thought of each: the zone of indeterminacy. But whereas, according to Hegel's argument, indeterminacy in the political sphere is an appropriate point of departure for deriving the structures of freedom, such indeterminacy cannot function in a similar manner for understanding the meaning of animality. By following a transcendental logic that always returns us to a humanity/animality indeterminacy, Agamben effectively hinders any further understanding of animality as well as of the mechanistic character of the "anthropological machine" he presupposes in the same gesture, a machine whose operation he wishes to halt but cannot. I will then suggest where a possible alternative better suited to satisfying Agamben's own goals might lie.

KEYWORDS: Agamben; Animality; Hegel; Indeterminacy; Life; Machine; Ontology

INTRODUCTION

For Hegel the zone of indeterminacy, at its greatest level of abstraction, is a suspension of determinacy that reveals an immanent logic implying further development. At certain crucial junctures in his philosophical system, Hegel asks us to abstract from

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[1] Wendell Kisner, "Agamben, Hegel and The State of Exception," in *Cosmos and History: The Journal of Natural and Social Philosophy*, Vol. 3, No. 3 (2007), pp. 222-253.

presupposed determinacies in order to embark upon such an immanent logic of derivation: the abstraction from determinate objects of consciousness in the *Phenomenology of Spirit*, the abstraction from determinate structures of freedom in the *Philosophy of Right* and, above all, the abstraction from any and every conceivable determinacy in the *Science of Logic*. Although Agamben himself indicates his proximity to Hegel in the "permanent state of exception" that he locates in the *Phenomenology*, a space opened by language as "the pure potentiality to signify,"[2] for Hegel it is in the *Logic*, not the *Phenomenology*, that ontological determinacies are derived, and here abstraction is made from linguistic determinacy as well.

For Agamben, on the other hand, indeterminacy is a zone to which we return in a transcendental move that discourages the derivation of further determinacies. In short, whereas for Hegel it is a beginning, for Agamben it is an endpoint. Wherever Agamben does explicitly turn to Hegel, a heavy Kojèvian influence is often manifest in the mistaken sidelining of the *Science of Logic* in favour of the *Phenomenology of Spirit* as the ontological "point of departure for the Hegelian system,"[3] and he everywhere heavily invests the Hegelian text with transcendental significance, replacing Hegel's progressive forward development with a return to transcendental indeterminacy which "always already" opens the space for determinacy.[4] After outlining what I take to be Agamben's hermeneutical method, I will turn to the indeterminacy conceived as a transcendental ground in *The Open: Man and Animal* with respect to animality.

Interestingly, with the sole exception of the *Logic*, in Hegel's system the abovementioned moments of abstraction from presupposed determinacies are not necessarily aligned with the three overarching spheres of logic, nature, and spirit. Hegel famously considered the *Phenomenology* to be prefatory to the entire system, while philosophy proper only begins with the *Logic*. The abstraction from the determinacies of freedom only occurs at the outset of the *Philosophy of Right*, which takes up a sphere of determinacy already well into the philosophy of spirit that forms part three of the *Encyclopedia*. Such abstraction doesn't occur at all in the *Philosophy of Nature* which, as the sphere of empirical contingency, does not develop according to strict logical

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[2] Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*. Translated by Daniel Heller-Roazen. Stanford, CA: Stanford University Press, 1998, p. 21.

[3] Giorgio Agamben, *Language and Death: The Place of Negativity*. Translated by Karen Pinkus and Michael Hardt. Minneapolis, MN: University of Minnesota Press, 1991, p. 14.

[4] Agamben, *Language and Death*, p. 26. Indeed, following Heidegger early on, in a motif that will reappear in various ways throughout his work, Agamben asserts that the "very structure of transcendence … constitutes the decisive character of philosophical reflection on being." (Ibid., p. 85)

derivations.[5] Thus from a Hegelian perspective, Agamben's step back to indeterminacy with respect to the relation between humanity and animality is hasty and thereby unwittingly admits uncritically adopted and ill-conceived determinacies, as we will see below.

THE CURIO CABINET AND TRANSCENDENTAL THINKING

In "The Cabinet of Wonder," the fourth chapter of a series of meditations about art, Agamben calls attention to the late Medieval curio cabinets (*Wunderkammer*) of Europe in which various exotic items would be collected and showcased.[6] By themselves the items were intrinsically unrelated – the collections ranged from ostrich eggs and oddly shaped rocks to manuscript volumes and sawfish teeth.[7] But Agamben suggests that the apparently haphazard character of these collections was actually seen as a microcosm reflecting the manifold wonder of things in the larger order of the macrocosm, even if in the late Middle Ages this "wonder" was already being made to "leave the sacred space of the cathedral."[8] In the modern era, in which this larger meaningful order and the human being's place within it are supplanted by a desacralized universe from which human subjectivity has become disconnected, the order is maintained by the cabinet itself, and the modern art museum is its heir. Much like the curio cabinet, in the modern art gallery the works exhibited gain "their truth and their authentic meaning only through their inclusion in the harmonic microcosm of the *Wunderkammer*," albeit now disconnected from any larger macrocosm and isolated "as an autonomous sphere" separate "from any religious or moral content."[9]

Agamben's own hermeneutical methodology might be aptly characterized as a "curio cabinet method of interpretation," one that collects various items from the history of thought and displays them as examples of a microcosm delineated by the front and back covers of the volume in which they appear. But in what we might see as an attempt to revive the Medieval cabinets of wonder, Agamben wants to suggest a connection between his items on display and a larger macrocosm in which a certain kind of "machine" has been operative throughout Western history. Nonetheless,

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[5] For my interpretation of how nature is situated with respect to its encyclopedic bookends of logic and spirit in the Hegelian system, see Wendell Kisner, *Ecological Ethics and Living Subjectivity in Hegel's Logic: The Middle Voice of Autopoietic Life* (Palgrave Macmillan, 2014), pp. 180-223..

[6] Giorgio Agamben, *The Man Without Content.* Translated by Georgia Albert. Stanford, CA: Stanford University Press, 1999, p. 28.

[7] Agamben, *The Man Without Content*, p. 19.

[8] Ibid., p. 22.

[9] Ibid., p. 22.

Agamben's curio cabinet may be more disconnected than he might like it to be, perhaps replicating the modern version in which the production of unity is an effect of the cabinet itself, an "autonomous sphere" that converts the items assembled into examples of a meaning that is produced by the cabinet more than it is found in the world.

The Open reads like just such a curio cabinet in which Agamben takes us through a tour of curiosities, beginning with obscure thirteenth century images of human/animal hybrids, then moving on to selected marginalia from Bataille and Kojève, apes as human mirrors, ticks that lie dormant for eighteen years, and winding up with an early lecture course of Heidegger's about boredom and animals. It reads like a series of meditations artfully strung together and converging upon what Agamben will call "the anthropological machine." Whereas one might object that this rather cherry-picked selection does not provide a convincing case for the generalizations Agamben wants to draw from them, thereby in effect constructing a microcosm without a macrocosm, such a critique of empirical methodology is not my primary intent here. What I wish to call attention to, instead, is a conceptual procedure that runs through the entire selection and is actually the glue that holds the curio cabinet together, viz., what I call "transcendental thinking."[10] What I mean by this phrase is the assumption of a determining variable which, in determining something else, remains itself undetermined in the process.

Unsurprisingly, the quintessentially modernist model for this kind of thinking can be found in Kant, for whom reason, as the transcendental ground of appearances, "is determining, not determinable."[11] It is important to note, however, that Kant's version is merely one variant of transcendental thinking, and that what is taken to be a transcendental determiner does not have to be an ahistorically conceived "reason" but can be virtually anything that conditions, grounds, facilitates or enables something without being itself further determined in the process. An earlier modern example can be found in Hobbesian sovereignty which, as that which makes the social contract possible, cannot be itself party to the contract. Hobbesian sovereignty is a transcendental determiner in the sense that it determines the contract and *for that reason*

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[10] For further explication and critique of this kind of conceptual procedure, see Stephen Houlgate, *The Opening of Hegel's Logic* (West Lafayette: Purdue University Press, 2006), p. 103ff; David Kolb, *The Critique of Pure Modernity: Hegel, Heidegger, and After* (Chicago: University of Chicago Press, 1986), p. 222ff. and *passim*; Richard Winfield, *Overcoming Foundations: Studies in Systematic Philosophy (*Columbia University Press, 1989), p. 16ff. and *passim*.

[11] Immanuel Kant, *Critique of Pure Reason*, trans. N.K. Smith (New York: St. Martin's Press, 1929), A556/B584.

cannot itself be determined by the contract.[12] And of course Hobbes himself was breaking away from a pre-modern transcendental determiner projected into the sky as the divine creator who, as such, must be conceived as uncreated. As Richard Winfield has pointed out, any variable that is "given the privileged role of being the prior condition of all other terms" functions in a similar way.[13]

Contemporary versions of such transcendental thinking are not difficult to find. For instance, let's take an assertion of Antonio Negri's: "because *constituting power is not the institution of constituted power*, it is the act of choice, the punctual determination that opens a horizon, the radical enacting of something that did not exist before and whose conditions of existence stipulate that *the creative act cannot lose its characteristics in creating*,"[14] Agamben not only cites this claim but also immediately endorses it when he casually accords factual status to the assumption that "constituting power neither derives from the constituted order nor limits itself to instituting it."[15] In this instance, "constituting power" serves the transcendental function of making any "constituted power" possible and therefore, according to this transcendental logic, cannot itself simply become that which it makes possible. Thus "the creative act cannot lose its characteristics in creating," a statement that now looks more like an imperative than a logical conclusion. Agamben repeats this transcendental imperative when he assumes, as if it is merely a matter of course, that constituting power could not possibly limit itself in and through its own creative act of instituting constituted power. Whatever is given the status of transcendental determiner must itself remain undetermined in its own act.

So long as that which serves such a transcendental function remains unchanged while enabling or conditioning other determinacies, its transcendental character is not altered by characterizing it as "indeterminacy." In the latter case, because such indeterminacy is conceived in relation to the determinacies it enables or conditions, it still retains a minimally determinate character itself, one which we might call a determinacy *of* indeterminacy. Another way we might put it is that, to the degree that indeterminacy is posited as the specific indeterminacy *of* given determinacies (such as a animality/humanity binary for instance), it is not and cannot be fully indeterminate inasmuch as it gains its salience only in relation to those determinacies, even if the latter are said to be undecidable. Such determinate salience is all the more cemented insofar as it is posited in a *return to* indeterminacy *from* the determinacies it enables or

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[12] See Chapter 18 of Hobbes' *Leviathan*.

[13] Winfield, *Overcoming Foundations*, p. 62.

[14] Negri, *Il potere costituente*, p. 31 (emphasis mine), cited in Agamben, *Homo Sacer*, p. 43.

[15] Agamben, *Homo Sacer*, p. 43.

conditions. We begin with given, presupposed determinacies, only to step back to the indeterminacy that lies at their common root, but that indeterminacy is unavoidably itself conditioned by such a move and to that degree rendered minimally determinate.

In Agamben's variant of this kind of thinking, then, the transcendental function is supplied by a "zone of indeterminacy" which, for him, harbours the promise of suspending the violences that have been enabled by it. But in all such transcendental thinking, what does not register is the possibility of self-determination – viz., that such a foundational determinacy may determine itself and thereby become something other than what it was, as opposed to remaining behind unchanged and pervading, contaminating, or just remaining aloof in suspension from that which it determines. Agamben's zone of indeterminacy, to which the various determinacies in his curio cabinet are traced back, remains behind precisely as such a transcendental determiner, and it must always remain the determinacy of indeterminacy that it is in order to function as the ever-present possibility of suspension which, Agamben hopes, can disenable the violent machines it otherwise makes possible. Similarly, over twenty years earlier Agamben had claimed that the goal of philosophy is the absolution of man from the violence of his hidden foundation, but "this absolution is possible only at the end or in a form that remains, at least partially, excluded from articulation."[16]

Hegelian ontology, which unfolds as a dialectical logic of implications without foundations, offers an alternative to such transcendental thinking. In this respect it can be aligned with process ontology as opposed to the kind of thinking that, in a quasi-transcendental deduction, steps back from given determinacies to a zone or space assumed to function as a condition of possibility or horizon of meaning. In its process-oriented character we might think of Hegelian ontology as a musical way of thinking, in contrast to architectural ways of thinking that look for foundations and presuppositions. I have argued elsewhere that such a dialectical ontology is well suited for articulating the ontological structure of non-human life,[17] but what I wish to specifically suggest here with respect to *The Open* is that it is also better equipped to overcome what Agamben calls the "anthropological machine."

THE ANIMALITY/HUMANITY ZONE OF INDETERMINACY

From the thirteenth century images of human/animal hybrids presented as the initial items in the curio cabinet of *The Open*, Agamben draws an implication that "on the last day, the relations between animals and men will take on a new form, and that man

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[16] Agamben, *Language and Death*, p. 106.

[17] Kisner, *Ecological Ethics and Living Subjectivity in Hegel's Logic*, op. cit.

himself will be reconciled with his animal nature."[18] Agamben here assumes reconciliation rather than digression or progression, and this will be the first of a series of such assumptions: following a transcendental logic, the animal nature of humanity is something that has been lost or excluded and must be recovered and reconciled with humanness. Rather than something that has been transformed through a history of development, animal nature reappears at the end of history as a return to its beginning.

The next items in Agamben's curio cabinet consist of scattered excerpts from the writings of Bataille and Kojève. We're not told why these particular figures are singled out, but nonetheless the fact that the discussion gets off the ground with reference to Kojève's lectures on Hegel at least open the argument to Hegelian visitation: "…at issue here was also the interpretation of Hegel"[19] – even if Agamben himself does not seem to be interested in asking about the reliability of that interpretation. It is in the context of these lectures that Agamben invokes "the problem of the end of history and the figure that man and nature would assume in the posthistorical world, when the patient process of work and negation, by means of which the animal of the species *Homo sapiens* had become human, reached completion."[20] But any hopes for a dialectical completion that develops the determinacy of either humanity or animality beyond what had been previously given are dashed insofar as such "completion" is immediately interpreted as return to a pregiven immediacy:

> The disappearance of Man at the end of History is not a cosmic catastrophe: the natural World remains what it has been from all eternity. And it is not a biological catastrophe either: Man remains alive as animal in harmony with Nature or given Being.[21]

Lest we simply confine such transcendental assumptions to Kojève or Bataille, Agamben himself immediately reiterates the theme of return in ascribing to both the notion that humanity "has become animal *again* at the end of history."[22] Even though he is careful to note that the way in which "men had now truly become animals again" was different for each of these thinkers,[23] in the qualifier "again" the figure of return to

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[18] Agamben, *The Open*, p. 3. This analysis revisits Agamben's much earlier characterization of a completion "in the Absolute" in which "humanity, returned to itself, ceases to have a human figure to present itself as the fulfilled animality of the species Homo sapiens." (LD 104)

[19] Ibid., p. 7.

[20] Ibid., p. 6.

[21] Ibid.

[22] Ibid., emphasis mine.

[23] Ibid. p. 8.

a transcendental ground, whether that of animality per se or of a more nuanced indeterminacy between humanity and animality, nonetheless appears across such differences and will be repeated throughout the entire discussion that occupies the second two chapters. Indeed, moving beyond what can be strictly justified within the texts he is purportedly interpreting, Agamben will frame this return as a "support," thereby adding a certain determinacy to what may have otherwise remained simply ambiguous in Kojève: "But what is decisive is that in this ultrahistorical fringe, man's remaining human presumes the survival of animals of the species *Homo sapiens* that must function as his support."[24]

The idea of "support" invokes the classic ground-grounded relation, immediately inviting further transcendental terms that now invade Agamben's account: "For in Kojève's reading of Hegel, man is not a biologically defined species, nor is he a substance given once and for all; he is, rather, a field of dialectical tensions always already cut by internal caesurae that every time separate—at least virtually— 'anthropophorous' animality and the humanity which takes bodily form in it."[25] Whereas on the surface this is indeed a disavowal of the kind of crude foundationalism that would simply posit ahistorical substances or biological substrates in a respective essentialism or biologism, it has in fact merely repeated the same kind of transcendental logic on a more subtle level. Rather than implying further development into new determinacies, these "dialectical tensions" are themselves *always already* "cut by internal caesurae" which merely repeat the *same* tension again and thereby perpetuate the self-same determinacy, viz., "animality and the humanity which takes bodily form in it." No longer functioning dialectically in Agamben's account, the humanity/animality tension now serves as the transcendental context to which humanity is consigned: "Man exists historically only in this tension; he can be human only to the degree that he transcends and transforms the anthropophorous animal which supports him."[26]

Even here where Agamben seems to indicate the possibility of a transformation of "the anthropophorous animal," that possibility is immediately withdrawn: humanity is maintained only insofar as man "is capable of mastering and, eventually, destroying his own animality" through a non-dialectically conceived "action of negation."[27] So although the concept of "transformation" is invoked, it seems to function as an empty

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[24] Ibid. p. 12.

[25] Ibid.

[26] Ibid.

[27] Ibid.

signifier behind which lies a mere mastery through destruction that maintains the same determinacy. Following Kojève, Agamben can only conceive of humanity/animality as a tension in which one side has to be sacrificed, which in turn reveals that he does not conceive of a genuine transformation of either: each side can only be undermined by the other. And both misunderstand Hegelian negation as the subjugation of an unwanted determinacy in order to maintain a desired determinacy unchanged. That is, they conceive negation non-dialectically in terms of what Hegel would have called the "first negation," a negativity that merely negates or destroys without implying further development.

Again, lest we be tempted to ascribe this assumption to interpretation rather than endorsement, Agamben immediately asserts his own stake in the discussion by claiming that Kojève fails to "see" the process by which "natural life becomes the stakes in what Foucault called biopower," faulting Kojève not for positing man as a tension with his supporting animality, but only for privileging the negativity of death in it as opposed to its positive maintenance in biopower. Agamben further equates "the body of the anthropophorous animal" with "the body of the slave," suggesting that this body is "irreducibly drawn and divided between animality and humanity," once again leaving us with an animality/humanity tension that serves as an "irreducible" transcendental zone of indeterminacy to which all human determinacy leads back.[28]

In its transcendental function, this zone will now remain unchanged throughout the ensuing curio cabinet tour, reaching its apex in a 1929/30 lecture course of Heidegger's that suggests an indeterminacy between the animal encounter with opacity in captivation and the human encounter with opacity in boredom. In both cases what is at issue is the withholding of beings from disclosure, hence a "closedness" as opposed to openness. According to Heidegger's account, the animal seems to be consigned to such opacity in its captivation to what disinhibits its instinctual behaviour, whereas in human existence such opacity becomes explicit as such through certain moods.

But with each item in Agamben's cabinet of curiosities, the same determinacy is repeated, viz., a humanity/animality indeterminacy that Agamben finally names "bare life," thereby connecting the entire analysis to a well-known theme in his work. The repeated gesture throughout that work is to bring us back to a hidden ground of indeterminacy that functions as a suspension of certain other determinacies said to be

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[28] Ibid.

based upon it even if only through its denial,[29] whether with respect to human uniqueness in *The Open* or to juridical order in his *State of Exception*. Hence in the context of *The Open* he can again invoke the "state of exception" with respect to the zone of indeterminacy that humanity/animality is.[30] But by always returning us to a zone of indeterminacy whose implicit determinacy is precisely that of indeterminacy, Agamben does not show us how to stop the machine that is purportedly enabled by it. Instead, he leaves us suspended there with no indication how to prevent the machine from starting up again and, beyond vague references to a Benjamin-inspired mysticism, little indication of where that leaves us. If indeed this suspension were to prevent us from going anywhere, it might be enough to at least keep the machine from restarting but, as I will argue below, due to the transcendental character of the entire analysis no such hope is warranted.

Now whereas I have argued elsewhere that the indeterminacy of the state of exception in the political sphere points us to Hegel's negative freedom as the determinacy of indeterminacy whose implicit logic spells out further structures of freedom,[31] in the case of the humanity/animality zone of indeterminacy it cannot function as a beginning precisely because its "indeterminacy" *is not indeterminate enough.* That is, the humanity/animality indeterminacy already presupposes the determinacy of both humanity and animality, even if the boundary between the two is undecidable. We have already begun too late, representing the two determinacies of humanity and animality before us and then, in trying to distinguish them, find that we're led back to their indistinguishability (in this respect it is no accident that *The Open* begins with an image – a representation or *Vorstellung* that gets the discussion off the ground).[32] In being always led *back to* an indeterminacy that is said to be "always already" operative, we're not brought anywhere further than the very indeterminacy we're thereby left with. But is such suspension in indeterminacy all that Agamben needs in order to stop the anthropological machine?

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[29] Again, rather than a Hegelian "negation of negation" revealing further implications that transform a given determinacy, such denial is a mere negation, like the "first" or immediate negation that simply returns us to the same determinacy which, in this case, is that of indeterminacy.

[30] Ibid. p. 37.

31 Kisner, "Agamben, Hegel and The State of Exception," op. cit.

32 Its first sentence reads: "In the Ambrosian Library in Milan there is a Hebrew Bible from the thirteenth century that contains precious miniatures." (Agamben, The Open, p. 1)

STOPPING THE ANTHROPOLOGICAL MACHINE

Unfortunately, not only does Agamben's transcendental procedure fail to bring us forward, but it is difficult to see how merely returning us to indeterminacy will stop the violence of the anthropological machine. Perhaps we might hope that by returning the presumption of a determinate humanity/animality difference to indeterminacy, human beings can no longer be treated as subhuman by regarding them as animals. The body of the slave becomes simply the body, as much human as animal, and we're all equally relegated to the "bare life" in which humanity can no longer distinguish itself from its animality. This is not very promising, however, since there is no assurance that such animality or bare life itself could not be further reduced to mechanism and treated as such, thereby opening up the entirety of humanity to the same treatment. We would thereby only get a perverse equality in which no human group can be singled out and treated as subhuman because all can be equally treated the same way.

And here is where Agamben's failure to adequately account for not just *life*, but also the *mechanism* of the machine he constantly invokes, is most telling. In returning the anthropological machine to the animality/humanity indeterminacy from which it arose, what prevents the loss of *both* the *anthropos* of humanity as well as the *bios* of animality in the sheer indifference of mechanism? To put the problem in a slightly different way: behind animality/humanity indeterminacy, might there not lurk *an even more intractable machine/life indeterminacy*? If this is correct, then Agamben's assertion that the Hobbesian state of nature in which "man is a wolf to man" is not a "prejuridical condition that is indifferent to the law of the city" is premature. The "condition in which everyone is a bare life and a *homo sacer* for everyone else," as Agamben points out, is a "lupization of man and humanization of the wolf."[33] However, in his enthusiasm for the "lupization of man," Agamben himself hurries past the "humanization of the wolf" that connects back to the wolf as such and thereby to the indifference of a machine/life indeterminacy that precedes the animality/humanity indeterminacy.

What I wish to suggest is that if the reduction of humanity to bare life enables violence, that is only because of a prior reduction of life to machine. Violence is not the only possibility that can be visited upon the banned exile reduced to bare life. Closer to the point is the suggestion that such life can be treated in any way whatsoever, since its banished status merely means that there is no longer any normative order presiding over it. Violence is one possibility among many others

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[33] Agamben, *Homo Sacer*, p. 106.

precisely because such life can be treated with utter indifference, perhaps a far more dangerous outcome than the violent hatred whose object is still important enough to be hated. Whereas the fact that living beings are not indifferent to the suffering visited upon them will always at the very least present a question mark with respect to their treatment, no such compunction stands in the way of how machines are treated. If, as Hegel argues, indifference characterizes mechanism but not life,[34] then the reduction to bare machine is more worrisome than the reduction to bare life. Without at the very least thinking through the ontological implications of what it means to be a machine, returning the anthropological machine to an animality/humanity indeterminacy holds forth little promise.

Moreover, although Agamben seems to believe that the way out of the anthropological machine is to return it to the bare life it must include by excluding, the risk is that he may thereby only preserve that machine along with its classic hierarchies. In the transcendental move "back to" hidden grounds and indeterminate abysses, in one sense the machine is preserved as an ever-present possibility. If bare life is the ground upon which the anthropological machine is always-already based, then to return it to bare life is to return it to its own ground, which would only thereby again make it possible. In another sense, he preserves it insofar as he's really not interested in animality or in the "life" of bare life per se, but in protecting human beings from the violence visited upon them when they are reduced to animality or bare life. This means that animality or bare life remains unthought in his account – bare life is the transcendental support for human violence, but *its determinacy in its own right* is not raised as something to be considered. Like the "brother of *homo sacer*," the sacred wolf, life is indeed abandoned to sheer indeterminacy.[35]

Bound up with the anthropological machine, then, is a biological machine that reduces life to mere mechanism, and which functions thereby to separate the proper moral treatment of humans from what it must never be mistaken for – the treatment of animals with the indifference of mechanism. Affective responses of moral shock, for instance, are commonly on display in cases where humans are said to be treated "like

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[34] See Hegel's *Science of Logic* p. 632ff.

35 Agamben, *Homo Sacer*, p. 104. In his exclusive concern for its relevance to human beings, Agamben calls attention to the fact that the exiled bandit "is defined as a wolf-man and not simply as a wolf (the expression *caput luminum* has a juridical character)," which for him is "decisive." (Ibid. p. 105) However, not only does the phrase *caput luminum* literally mean "wolf head" without lingual reference to human beings despite its juridical signification (as also does the term *wulfesheud* in the late Medieval laws of Edward the Confessor), but in order to link human beings with anything "wolf," the determinacy of the latter has to come into play in some sense. Hence it would be mistaken to dismiss any connection to the wolf apart from its juridical application to human beings.

animals." The public was justifiably horrified when a woman was recently discovered on a rural property caged in a metal storage container and chained by the neck "like a dog,"[36] yet no one seems to ask what kind of comparison is hidden in the seemingly innocent little word "like." Are we assuming that this might indeed be an appropriate way to treat a dog but not, by contrast, a human being? Although this lack of clarity appears in a normative register, a similar lack can also be seen in an ontological register with the commonly held assumption that certain "mechanisms" must constitute the inner workings of living systems, and that understanding life means finding out what these mechanisms are rather than reconceiving biological processes in non-mechanistic ways.[37]

So if, as Matthew Calarco suggests, Agamben argues that "contemporary biopolitics … contains within it the virtual possibility of concentration camps,"[38] this virtual possibility is in turn premised upon a prior conflation of animal with machine that invites the treatment of bare life with indifference. The willful torture of animals has been shown to be a precursor to serial murder: if we can act upon animals with the indifference of Joseph Mendele, empirically it's a short step to treating human beings likewise when they are reduced to bare life.[39] In response to this possibility, we can either rethink life in non-mechanistic terms such that bare life would no longer present the body of the animal as something to be treated at will in utter indifference to its own manner of being, or we can double-down on the humanity/animality separation by insisting upon a sacrosanct normative status accorded to the former but not the latter – which would again call into play all the metaphysical dogmas of which Agamben is rightly critical, and would thereby leave humanity vulnerable to the same reduction back to the indeterminacy of bare life. The failure to clarify the ontological determinacy of the machine opens the door to a Baconian subordination of thought to

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36 [Woman Found 'Chained Like a Dog' by Possible Serial Killer](#), *Rolling Stone* (accessed on Nov. 10, 2016).

37 Such assumptions are ontological rather than empirical to the degree that a mechanistic determinacy frames empirical observations in advance rather than being derived from them.

38 Matthew Calarco, *Zoographies: The Question of the Animal from Heidegger to Derrida* (New York: Columbia University Press, 2008), p. 94.

39 The connection between animal cruelty and criminal violence is well documented, e.g. see Marie Louise Petersen and David P. Farrington, *Cruelty to Animals and Violence to People*, in *Victims & Offenders: An International Journal of Evidence-based Research, Policy, and Practice*, Volume 2, No. 1, 2007, pp. 21-43, and Sara C. Haden and Angela Scarpa, "Childhood Animal Cruelty: A Review of Research, Assessment, and Therapeutic Issues," *The Forensic Examiner* 14 (2005): 23-33. For a popular, non-academic assessment, see [Do Mass Killers Start Out by Harming Pets? Animal abuse may be an early warning sign](#), Gail F. Melson, in *Psychology Today*, 2013.

power insofar as sheer mechanistic indifference removes any remaining normative obstacles to the potential exercise of power upon things.

Agamben claims that "everything happens as if, in our culture, life were what cannot be defined, yet, precisely for this reason, must be ceaselessly articulated and divided."[40] But the problem is that, in Agamben's curio cabinet, both life and machine remain undefined in the givenness of their presentation within the collection, and it is precisely this lack of clarity which, from a Hegelian perspective that derives the determinacy of life from that of mechanism by demonstrating the unsustainability of the latter, prevents an articulation of the ontological structure of life from getting underway in the first place. That is if we begin, not with a presentation of pregiven determinacies in a curio cabinet tour, but rather with the minimal conceptual determinacy of "the mechanical" per se in abstraction from empirical referents, a self-contradiction within that determinacy can be demonstrated whose implications, when made fully explicit, suggest a determinacy that is "for itself" in a way that can no longer be adequately characterized by the mechanistic determinacy we began with, a new determinacy that can be appropriately called "life."

Although we cannot provide a systematic account of the derivation of mechanistic determinacy here,[41] we might nonetheless intuitively see how in our everyday ways of thinking about machines we tend to assume something like indifferent externality, which means that any determining of objects that are characterized in this way is external to them and is something to which they remain indifferent. For instance, when the gasoline explosion ignited by the spark plugs in an internal combustion engine forces the pistons to move, thereby rotating the axle and turning the wheels of an automobile, each of the elements in this mechanical process is both external to the others and is indifferent to any effects those elements may have upon it. Any purpose served by the entire process, such as turning an axle and thereby propelling a motor vehicle, likewise remains outside it and is something to which it remains indifferent. The piston doesn't care about how it affects the axle nor about any effect upon it from the gasoline ignition, nor does what it is used for enter into the mechanical process of which it is a part, precisely because as a mechanical object it is utterly indifferent to its own determinacy. Hence even if the piston is blown apart by an explosion due to

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[40] Agamben, *The Open*, p. 13.

[41] Like any determinacy, that of mechanism can be no more assumed as pregiven than any other and so itself requires its own derivation. For such an account of how the determinacy of indifferent externality is itself first derived, see Kisner, *Ecological Ethics and living Subjectivity Hegel's Logic*, pp. 65ff.

faulty design, thereby destroying its own determinacy, it is just as indifferent to this event as are the resulting fragments that formerly constituted it.

Likewise a self-regulating cybernetic system, such as the "cruise control" function in many automobiles today, operates by means of a process whose components remain indifferent and external to their respective roles in the operation, and dismantling those components along with its consequent dissolution means nothing "to it" precisely because its own determinacy was never "for it" in the first place. It is this character of indifferent externality that we have in view whenever we think of something as "mechanical," even when we apply it to human phenomena. For instance, we think of rote memorization as a "mechanical" way of learning as opposed to the situation where one grows into an understanding by making what is learned one's own.

But it is through this very indifferent externality that each element in a mechanical process can appear as a subsistent object in its own right independently of the other objects around it – the piston is an indifferent thing that can be employed in an internal combustion engine, left on a shelf in the shop, or melted down to make something else. Much as Descartes' famous wax maintains its character of external extension across its sensory modifications,[42] the same general determinacy appears across the successive alterations of mechanical objects – even when they are destroyed insofar as other likewise indifferent and mutually external objects result. The mechanical object's utter indifference and externality to any effects upon it gives it the character of independent self-subsistence that we intend with the concept of an "object." When people resist their own "objectification," they are emphatically saying that, unlike ordinary objects, they are not indifferent to how they are treated. Likewise, the actions animals undertake to avoid predation, such as bacterial strategies of evading phagocytosis, reveal a distinctive non-indifference of living beings to what affects them.[43]

Since the full argument cannot be presented here, we will have to content ourselves with a brief indication of the self-contradiction implicit in mechanistic determinacy. Hegelian methodology demands that we systematically derive

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[42] For Descartes' own characterization of this determinacy as "external extension," see René Descartes, *The Philosophical Writings of Descartes Vol. I*, tr. J. Cottingham, R. Stoothoff, D. Murdoch (New York: Cambridge University Press, 1985), p. 91-2.

[43] Although one could argue that the very feeling of non-indifference, just as human choice, can be explained through natural selection as mechanically produced effects in the phenotype, I take such "explanations" to be entirely specious and ontologically naïve insofar as, once again, an uncritically assumed ontological determinacy of mechanism can be conveniently employed in a superficially plausible way due to the fact that such determinacy is an underdetermination in living beings.

determinacies without naively presupposing and uncritically adopting pregiven determinacies. As previously mentioned, this entails conceiving the determinacies of being (ontological determinacy) without the assumption of empirical referents. In this respect, Hegelian logic is not "about" anything, or it's about itself – it is the self-determination of thought deriving the determinacies whereby it can think about anything at all. In the present context, this means that in order to understand the properly *mechanical* character of those empirical things called mechanical processes or "machines" – whether those be steam engines, solar systems, or "anthropological machines" – we must first think that mechanistic determinacy is its own right in abstraction from those empirical phenomena.

Mechanical objects so conceived gain their character of independent self-subsistence through the indifferent externality that is their common determinacy, and objects so characterized are indifferent and external to anything that effects them in any way whatsoever. But this means that such objects are equally indifferent and external to whatever causes them to have the determinacy that they have. In other words, their own determinacy of indifferent externality means that they are also external and indifferent to their own determinacy *as* indifferent externality (as we saw above, empirically, with the exploding piston and the dismantled cruise control apparatus). But this in turn means that mechanical objects must be determined externally to be what they are (as opposed to, say, the autopoietic character that characterizes living processes). But if they must be determined externally, for that very reason they cannot really be independent or self-subsistent: the very determinacy that gives them independent self-subsistence makes that same independent self-subsistence impossible. To put it another way, their very independence is a result of their interdependence.

Now in so conceiving of mechanistic determinacy in abstraction from empirical referents, we cannot but also notice that our abstract mechanical objects are mutually indifferent and external but at the same time completely indistinguishable to the degree that they each have the identical determinacy of "indifferent externality." The abstraction from empirical content means that we cannot say one is blue while the other is red, one is large and another is small, or even that they are spatially separated. Hence to the degree that they are identically defined as mutually external, they are indistinguishable. But if they are indistinguishable, they cannot be mutually external. And if they cannot be mutually external, they cannot be self-subsistent objects.

In two respects, then, mechanistic determinacy, conceived in abstraction from the empirical phenomena we customarily frame in its terms, is a standing self-contradiction: its character of indifferent externality gives it its independent self-

subsistent status as an object, yet that very character simultaneously means that 1) it must be determined externally to be what it is, and 2) insofar as it shares the identical determinacy with every other object it is formally identical with them, and both 1 and 2 mean it is neither independent nor self-subsistent. Therefore the mechanistic determinacy that gives mechanical objects their self-subsistent independence at the same time deprives them of it.

It is the unsustainability of mechanical determinacy due to its own inherent contradictions that, in Hegel's critical derivation of ontological determinacies, will lead to its collapse. This collapse in turn will yield a chemical determinacy that is no longer indifferent, and ultimately a living determinacy that is no longer driven externally to be what it is but, instead, determines itself to be what it is autopoietically.[44] At this point, and only at this point, can mechanism can be seen as an underdetermination within life as opposed to a determinacy that can define it. Much as a painting would not exist without the chemical structure of its pigments but cannot be defined by that chemical structure, so also life cannot exist without mechanico-chemical processes necessary for its metabolism, but that very metabolism cannot be simply defined in mechanistic terms. Hence to act upon living beings as if they were mere mechanical processes indifferent to their treatment is to egregiously misunderstand what they are.

Lest it be objected that such dialectical derivation is just a conceptual maneuver that may well have no connection to any reality outside of our heads, the entire project of systematically deriving determinacy must begin by suspending the assumption of a dualism between thought and being, or between a realm of concepts and a realm of reality, as any such quasi-Cartesian distinction is itself a determinacy that has not been derived and justified. For this reason the derivation of determinacy cannot be limited to a merely epistemological exercise without abandoning the very point of the derivation in the first place, namely, to derive determinacies without naively presupposing them as pregiven. But even if an epistemological standpoint is nonetheless assumed, the clarification of what we mean by concepts such as "machine" and "life" would still be necessary if we hope to put the "anthropological machine" out of service.

Conversely, by assuming a pregiven mechanistic determinacy within an anthropological machine without at least making that determinacy explicit, it is hardly surprising that we might fail to notice any contradictions or implications it might

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[44] For a complete gloss on the non-reductive derivation of life from mechanism through the inherent self-contradictions in the latter, see Kisner, "The Category of Life, Mechanistic Reduction, and the Uniqueness of Biology" in *Cosmos and History: The Journal of Natural and Social Philosophy*, special issue "What is life?" Vol 4, No 1 (2008), as well as Kisner, *Ecological Ethics and Living Subjectivity in Hegel's Logic*, pp. 8off.

harbor, much less how it might ultimately imply a living determinacy that can no longer be defined in its terms. Hence Agamben's reference to "our culture" as one in which life cannot be defined at the very least indicates a failure to explore all the options. But such a restricted vision is invited by the virtual walls of the curio cabinet itself, which leads us to see only what is presented therein as pregiven. Entertaining such pregiven determinacies to ourselves as representations serves to fix them in thought as something already "there" and present to us, self-contained and separate from other determinacies likewise represented within the cabinet.[45]

Stated more generally, the problem is that concepts like "machine" or "animality" etc. are taken up as pregiven in the cultural lexicon in such a way that any dialectical logic they may imply is neither made explicit nor indeed even seen as a possibility. Hence also any possible transition into more developed determinacies is overlooked.[46] In other words, such concepts are grasped by a reflection that takes its own ideas as fixed and stable by holding on to them as abstract identities, which is why Hegel claimed that "abstract identity" is the "fundamental category" of non-philosophical reflection.[47] Rather than following the implications within a determinacy that might lead us to something more developed, in such reflection each determinacy is taken by itself in its appearance of immediate givenness, at least initially, and thereby any connection it might have with other similarly pregiven concepts is regarded as external and contingent. Confronted with such pregiven and mutually external appearances, reflection often cannot see a way of penetrating the barrier of externality that separates one abstract identity from another, and so with respect to non-human life it can only speculate about what the inner subjective existence of living beings might be like – or,

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[45] In this sense such representational thinking falls under the Heideggerian critique of a presupposed ontology of *Vorhandenheit* as well as the Hegelian critique of nondialectical *Vorstellungen*.

[46] Exacerbating this neglect is a common prejudice against dialectic based upon the misguided assumption that Hegelian dialectic is itself a mechanical procedure of "thesis-antithesis-synthesis" imposed by the theorist and in which the specificity of differences are lost in a grand unity that swallows them up.

[47] G. W. F. Hegel,. *Hegel's Philosophy of Nature: Being Part Two of the Encyclopaedia Of The Philosophical Sciences (1830)*, trans. A. V. Miller (Oxford: Oxford University Press, 2004), p. 10 (§246 addition). Nowhere can the recalcitrant character of abstract identity be seen more clearly than in the way that non-philosophical reflection thinks about "identity" itself. In maintaining the idea of "identity" as a determinacy separate from "difference," such reflection fails to notice that it can only remain the "identity" that it is by being *different from* "difference" and so must somehow include difference in its determinacy. Conversely, difference is maintained apart from identity in a similar way: its own determinate character must be different from that of "identity," but it thereby maintains *its own identity* as "difference." We fail to notice this dialectic when we just take up both determinacies as pregiven concepts readily available in the cultural lexicon and apply them to empirical givens. See Hegel's *The Science of Logic*, trans. George Di Giovanni, (Cambridge: Cambridge University Press, 2010), pp. 356ff.

as Thomas Nagel put it, what it's like to be a bat.[48] Thus also arises the problem of *access* in a phenomenology that limits itself to givenness within experience: how can we gain access to the inner existence of the animal in such a way as to render its own manner of being explicit? This was the problem Heidegger wrestled with in his early and quickly abandoned attempt to sketch out a phenomenological ontology of the animal, ultimately resulting in an admittedly incomplete account that presents animality as a problem without adequately addressing it.[49]

To the degree that animality/bare life appears within a phenomenological analysis as an opacity at the heart of openness, an opacity Agamben links with the opacity confronted by human existence in moods (according to Heidegger's analysis[50]), it resists the attempt to disclose it. Hence also it may seem that all we can do is lead the anthropological machine back to the opacity of its indeterminacy and wonder at it in Agamben's *Wunderkammer*, hoping that its destructive powers are thereby somehow disenabled. We need not, however, limit ourselves to such a restricted vision.

Moreover, if the project is motivated by a desire to prevent the reduction of humanity to a "subhuman" level that sanctions violence,[51] it would preserve the anthropological machine to the degree that animality still merely serves the function of the "less than human." That is, to the degree that animality retains a determinacy like the "less than human" or the "inhuman," it is still measured against what would be appropriately human, even if we cannot quite say exactly what that is, and it thereby reasserts the very distinction that the zone of indeterminacy was supposed to render undecidable. By beginning with a desire to protect humanity from the "less than

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48 Thomas Nagel, "What Is It Like to Be a Bat?" in Nagel, *Mortal Questions* (New York: Cambridge University Press, 1979), pp. 165–180.

49 See Martin Heidegger, *The Fundamental Concepts of Metaphysics: World, Finitude, Solitude*, trans. W. McNeill and N. Walker (Indianapolis: Indiana University Press, 1995): p. 179 for the discussion of the problem of access, and p. 273 for the discussion of the problematic character of the analysis. It is worth noting as well that Agamben overlooks the cautious and reticent character of Heidegger's analysis.

50 Ibid. pp. 78ff. Whereas in *The Fundamental Concepts of Metaphysics* Heidegger focuses upon boredom as the mood that brings human existence before the totality of beings in their refusal of disclosure, and this is the mood Agamben limits himself to in his own analysis in *The Open*, it is well known that Heidegger had earlier appealed to anxiety as a key mood in which human existence is confronted with such all-pervading opacity. In my view the decisive criterion for any mood to be considered ontologically salient in a Heideggerian sense is that through it we find ourselves in the world in such a way that that whole of what is becomes explicit, whether as superfluous, meaningless, boring, etc. or as joyful, peaceful, wondrous, etc. The point is that, in being thrown before the totality of beings, the world in its ontological sense also comes to the fore, and thereby the being of beings.

51 Kelly Oliver, for instance, adopts this interpretation in "Stopping the Anthropological Machine: Agamben with Heidegger and Merleau-Ponty," *PhaenEx* 2, no. 2 (2007), 1-23.

human" – even if instead of merely assuming an ontological humanity/animality distinction we assert an ethical imperative to make such a distinction – it is difficult to see how the anthropological machine Agamben wishes to stop could not be thereby easily restarted.

Perhaps, then, what is needed is not a return to bare life, nor to a zone of indeterminacy rendered visible as the hidden ground upon which pregiven determinacies are now thereby rendered indistinguishable, but rather an attempt to first think the category of life in its ontological determinacy without prior reference to humanity or to a project involving humanity. If Hegel is right, that would in turn make a clarification of the ontological character of mechanism necessary. But Agamben forecloses such possibilities in his concluding avowal of Benjamin's "saved night" in which "creatural life" is gathered "not in order to reveal it, nor to open it to human language, but rather to give it back to its closedness and muteness."[52]

This avowal echoes a similar foreclosure more than twenty years beforehand, when Agamben's transcendental interpretation of Hegel led him to explicitly deny any new beginning beyond a mere semblance that must be "torn away" from a posited abyssal foundation rather than *developed from* the zone of indeterminacy: "The *arreton*, the unspeakable tradition, continues to dominate the tradition of philosophy: in Hegel, as that nothingness that we must abandon to the violence of history and of language in order to tear away from it the appearance of a beginning and immediacy." Agamben makes it abundantly clear that he can only conceive of the nothingness of the *Logic's* beginning, which is actually an abstraction from determinacy, as a "nullity" that "serves as the basis for the arbitrariness and violence of social action."[53] Any new beginning can only be a semblance, an "appearance" that conceals its hidden transcendental ground in the determinacy of indeterminacy.

So also in bringing *The Open* to a close, Agamben states: "To render inoperative the machine that governs our conception of man will therefore mean no longer to seek new – more effective or more authentic – articulations, but rather to show the central emptiness, the hiatus that – within man – separates man and animal, and to risk ourselves in this emptiness."[54] In place of an abstraction *from* determinacy, Agamben *posits* determinacy: that of a transcendental "basis," an emptiness that is "central." And

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[52] Agamben, *The Open*, p. 81.

[53] Agamben, *Language and Death*, p. 106 (I have removed Agamben's puzzling all-italics format from these citations).

[54] Agamben, *The Open*, p. 92.

as I pointed out above, even if such basis is said to be a nullity, its transcendental function and effects are not mitigated in the slightest.

Agamben locates the cabinets of wonder in the transition from Medieval art intimately connected to the world of the viewer to disconnected works of modernity grounded in the subjectivity of the artist. If such abstraction from pre-given content is precisely modernity, perhaps the latter works really do reveal the world. The problem is that Agamben makes this abstraction into yet another pre-given content – a zone of indeterminacy, bare life, and a purportedly resultant machine – and by *returning to it* rather than systematically deriving its own character, he sets it up as a transcendental determiner that must always remain the determinacy of indeterminacy that it is. In this regard Agamben is the heir of Kant far more than he is of Hegel. By following instead the Hegelian project of systematic derivation without assuming pregiven determinacies, however, we might show both the inner connection *as well as* the determinate difference between humanity and animality. Only thereby could we also show that living determinacy is irreducible to mechanism and that human determinacy is irreducible to bare life, *and stop the anthropological machine.* But by following Benjamin and deciding against immanent dialectical development,[55] Agamben can only leave us with the mystification of a mystery that leaves the machine "idling"[56] … and therefore ready to start up again.

Athabasca University
1 University Drive
Athabasca, AB T9S 3A3
wendellk@athabascau.ca

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[55] Agamben, *The Open*, p. 83.

[56] Ibid., p. 80.