

THE POLITICS OF LIFE

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The philosophy of life is a paradigm which has pushed the vocabulary of so many scientific disciplines such as biophysics, biochemistry and bioeconomy to name but a few towards an appreciation of the complexities of life itself. While generating a lot of deep insights into the workings of modern societies, has also produced a number of deadlocks and even paralyzing effects in contemporary social thought. In the following, we want to outline two of the most problematic phenomena in social philosophy which were largely fueled by the analytical paradigm of the life-itself: a) the demise of freedom and subjectivity as normative categories as prepared by the studies on governmentality and biopolitics by Michel Foucault and b) the theory of the constitutive difference of bios and zoé by Giorgio Agamben.

STAGES AND PARADIGMS

Foucault distinguishes three paradigms or stages of power mechanisms in societies: During a first stage of sovereign power, a state governs over territory; it imposes an at least allegedly neutral and equal legal framework and is not so much involved in what is happening within this framework. In the second stage, a more detailed form of state administration surfaces and begins to not only set a passive legal framework but tries to intervene more directly into the structure of population and culture. In a third paradigm of biopolitics, societies start to step regulation up a notch and begin not only to control, but to create social entities, subject positions and cultural meanings altogether by implementing incentives for self-disciplining and normalization.

While Foucault conceptualized these three stages as parallel to each other and only slowly shifting from one to another since the 15th century and without ever replacing each other completely, his ideas are often adapted in a much more narrow and deterministic way. Social thought which relies upon Foucault very often precisely does not claim that these shifts call for slow-paced adjustments in political agendas over centuries, but is much more likely to position itself as a political alternative or even counterpart to interventions which took place a mere 30, 50 or 100 years ago and were not exactly dominated by constitutional-monarchic or liberal-bourgeois frameworks, but by Marxist and workers-movement approaches. There lies a certain peculiarity in this recent development of social theory: Biopolitics is seen as the new and only paradigm that slowly replaces the 'classical' forms of political regulation through state power and a legal system. Scholars who are claiming the primacy of the biopolitical sphere and who are building their social critique upon that assumption, are at least implicitly presuming that social critique of classical forms of politics is somewhat superfluous and not up to date. This shift has already been

documented in great detail (Lemke 2011, 6), and manifests itself usually in the guise of the split between affirmative and critical biopolitics. While affirmative biopolitics embraces new forms of genetic, communications and social technologies as a means to create new approaches to politics, critical biopolitics tends to fight back against this trend of dissolving traditional frameworks and insists that there is a unifying principle behind those trends which needs to be uncovered. This relates also to the status of biopolitics as either stage or paradigm of history: even though Foucault's theory does not imply a chronological succession of classical political forms through biopolitics, this model is widely used in a linear way of almost an unfolding of history—defining new means of political intervention.

This development has its roots already in Foucault's analysis of liberalism and subjectivity as forms of modern socialization. In his lectures on *The Birth of Biopolitics*, Foucault debunks the liberal subject and its imperative "Be free" as precisely not the realization of a freedom-oriented ethics, but as a means of constructing actors who function within a market economy. Freedom, he claims, is not produced as an end in itself, but as a needed good which liberal economy consumes (Foucault 2004). It is implied that this model of freedom and subjectivity is somehow untrue because it is "merely" constructed. Aside from what Foucault himself wanted to pursue with this line of argument, it is evident that he today is read precisely in this sense: that the liberal subject, that bourgeois freedom is "just" another form of domination and control. However, this position very drastically neglects that liberalism indeed did develop a significant force by which feudal forms of socialization were deconstructed. Furthermore, this position also neglects Marxist approaches with their own critique of liberalism: in decentering the topics of freedom, liberation and self-conscious subjects as always already integrated into mechanisms of regulation, this type of critique *formally* targets liberalism but *effectively* undermines other forms of social critique which are operating with concepts of liberation and development of subjectivity, which acknowledge not a necessary, but a possible line of progressive politics. Two trends in social theory reinforce each other in a fatal way at this point: On the one hand the trend to conflate the liberal subject with the Marxist critique of the subject. On the other hand the praxis of attributing sovereign and disciplinary power to earlier, biopower to later forms of capitalism, consistent with Foucault or not.. For example, Antonio Negri claims that "when Foucault starts to work on the shift between the end of the XVIIIth century and the beginning of the XIXth century, ... he is actually confronted with a kind of power relations that are completely articulated on the development of capitalism (Negri 2004)."

We have thus far identified two problems: First, there seems to be a split between affirmative and critical approaches to biopolitics. Second, there seems to be substantial confusion on the status of biopolitics in the development of history: while Foucault developed the term as one paradigm of control among others, contemporary analysis tends to employ biopolitics as immediate alternative to Marxist forms of social critique.

How can we address these problems? Our intuition would be that they do not stem from theoretical shortcomings—rather we have to deal here, oddly enough, with a question of style and self-understanding. We might remind ourselves that the Foucauldian turn of social critique can be defined as a reaction to the crisis of Marxism (Lemke 2011, 59)—Foucault’s analysis of power as an epiphenomenon of a ruptured left. Similarly, we can see the recent disproportionate emphasis on biopolitics and the philosophy of life-itself in general as marking a specific form of theoretical escapism: a search for a completely new and revamped framework of social thought as a means to flee traditional lines of inquiry, at any cost. How high the cost is can best be demonstrated in the works of Giorgio Agamben.

ESCAPING BARE LIFE

Agamben discusses the topic of universal human rights in terms of the life-itself in the guise of the Antique Greek distinction between *zoé* and *bios* (i.e. bare life and politically qualified life, with the former having no value for society unless bound to the latter). This original distinction which separates *zoé* from *bios* and binds the latter to the political sphere while excluding the former from the public life and banning it into the private sphere is, according to Agamben, the political paradigm which still pervades our political thought in modernity. The political sphere is then paradoxically defined through what it is not—the exclusion of the body. *Zoé* is therefore the original point of reference for every politics. “In Western politics, bare life has the peculiar privilege of being that whose exclusion founds the city of men (Agamben 1998, 12).”

Agamben thus rejects Foucault’s claim that biopolitics slowly replaces sovereign forms of regulation and instead stresses the inherent connection between the two. For Foucault, biopolitics as a form of power that takes the life itself as its object becomes the new form of ordering social relations, while sovereign power becomes less important; for Agamben the two modes of power are inherently connected. The biopolitical focus of the state does not signify a break towards modernity, but is instead the very founding moment of politics based on exclusion. What is indeed new in the modern state is a radicalization not of the biopolitical, but of the sovereign paradigm, which in turn leads to an increase in biopolitical modes of governance.

In his book “State of Exception” (2005), Agamben comes to this conclusion by linking the idea of life-itself with Carl Schmitt’s model of sovereign, as the entity which can declare the state of exception. Any juridical, according to Schmitt, needs a constitutive state of exception to guarantee social rules. Consequently, the distinction between *zoé* and *bios*, as social order, also needs the state of exception. The problem then arises that, for some reasons, states tend to not only take this as a hypothetical possibility but to assign actual people to the subject position of being either part of *bios* or *zoé*—being a citizen or a non-citizen, a *homo sacer*. In modernity, however, the distinction between rule and exception itself tends to be blurred, which makes up the inherent similarity of democratic states and fascism, claims Agamben:

in both, any person's rights depend on the state of exception. Therefore Agamben wants to get rid of the basic structure of rights and legal systems altogether.

However in *Homo Sacer* he argues that this dangerous foundation of modern nation states can be seen best when we have a look, at the legal structure of human rights. According to Agamben human rights in modern nation states are inherently flawed because they are just citizens rights, which means one needs to be a citizen to be protected by them, while precisely the non-citizens would be in dire need for its protection. But Agamben completely misses the specific properties of civil rights as he fails to recognize that they have never been granted by humanist grace, but are the outcome of a certain social constellation or ongoing struggle. Instead of analysing the specific place of international refugees in this struggle, he stylizes them as a new revolutionary subject for the 21st Century. The problem for refugees, obviously, is not that they are in the same condition as the citizen, but that they are not in the possession of a civil status. By discussing human rights in terms of the life-itself and the state of exception, Agamben is rather blurring the problem. Instead of maybe asking why certain refugees (and also certain citizens) do not have the same rights as "full" citizens and finding solutions to giving them said rights, he insists on the similarity of the two sides—a very cynical and detrimental paradigm for political reasoning. The problem culminates in various moments, for example when Agamben compares the phenomenon of gated communities to the situation in locked refugee camps and assesses that they are structurally the same. Agamben loses any ground for acknowledging the huge classed, racialized and gendered differences between deliberate inhabitants of a gated community and the forced inmates of a refugee camp. In the end, Agamben's vision of a whole new version of politics, socialization and true human rights just amounts to a radicalization of Carl Schmitt's initial program: preparing society to accept not only the indirect authoritarian rule of democratic socialization but for the direct rule of bare life, the *zoé*-fication of society, so to speak. It amounts to a complete depolitization of the social (Marchart 2010, 236).

A FEW CONCLUSIONS

We can now draw a few simple conclusions about the rise of the topic of life-itself within social inquiry. The discourse of biopolitics and its protagonists, consciously or not, seem to be forcefully confronted with capitalist power relations. Foucault's endeavor to make power techniques socially intelligible similar to the way in which Marx made exploitation visible, shows itself as twofold: On the one hand, it finds a legitimate ground to formulate an alternative to the critique of political economy. On the other hand, the status quo of political economy (i.e., capitalism) does not even allow power relations to appear as any other than relations of exploitation—this is why scholars are constantly compelled to equate paradigms of power with stages of capitalism. This shows us that we have to see biopolitics as tool for the critique of ideology on micro-levels; it is necessarily embedded in a framework which cannot

simultaneously deconstruct liberalism, Marxism, subjectivity etc. without losing ground for normative statements altogether. The alternative that we see in Agamben, who does the exact opposite (namely discussing biopolitics as a transhistoric movement) as a starting point for rejecting the political and legal systems of modernity, is very prone to give in to its calamitous contradictions—to formulate theories of messianism, mysticism and escapism. All these mentioned difficulties call for increased efforts in reflecting the gaps between materialist and foucauldian analysis of power mechanisms.

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