

The following essay by Giorgio Agamben is based on a lecture given in central France in the summer of 2013. Responding directly to recent occupations and insurrections – from Cairo and Istanbul to London and New York City – Agamben builds upon his existing work in order to develop and clarify his understanding of the political, and in particular, the notion of destituent power (potenza destituente). In contrast to attempts to affirm a constituent power independent of a relation to constituted power, which for Agamben both reproduce the governmental structure of the exception and represent the apex of metaphysics, destituent power outlines a force that, in its very elaboration, deactivates the governmental machine. For Agamben, it is in the sensible elaboration of the belonging together of life and form, being and action, beyond all relation, that the impasse of the present will be overcome. Ultimately, Agamben points not only towards what it means to be Ungovernable, but the potential of staying so.

ELEMENTS FOR A THEORY OF DESTITUENT POWER¹

Giorgio Agamben (translated by Stephanie Wakefield)

1. What was my intention when I began the archeology of politics that developed into the *Homo Sacer* project? For me it was not a question of criticizing or correcting this or that concept, this or that institution of Western politics. It was, rather, first and foremost a matter of shifting the very site of politics itself. (For centuries, politics remained in the same place where Aristotle, then Hobbes and Marx, situated it.)

The first act of investigation was therefore the identification of bare life as the first referent and stake of politics. The originary place of Western politics consists of an *ex-ceptio*, an inclusive exclusion of human life in the form of bare life. Consider the peculiarities of this operation: life is not in itself political, it is what must be excluded and, at the same time, included by way of its own exclusion. Life, that is, the Impolitical (*l'Impolitico*), must be politicized through a complex operation that has the structure of an exception. The autonomy of the political is founded, in this

sense, on a division, an articulation, and an exception of life. From the outset, Western politics is biopolitical.

2. The structure of the exception was identified in *Homo Sacer 1* starting from Aristotle. The exception is an inclusive exclusion. Whereas the example is an exclusive inclusion (the example is excluded from the set to which it refers, in as much as it belongs to it), the exception is included in the normal case through its exclusion.

It is this inclusive exclusion that defines the originary structure of the *arché*.² The dialectic of the foundation that defines Western ontology since Aristotle cannot be understood if one does not understand that it functions as an exception in the sense that we have seen. The strategy is always the same: something is divided, excluded, and rejected at the bottom, and, through this exclusion, is included as the foundation. This is true for life, which is said in many ways —vegetative life, sensitive life, intellectual life, the first of which is excluded to function as the foundation for the others— but also for being, which is also said in many ways (*to on legetai pollakos*), one of which will act as foundation.

In the sovereign exception that founds the juridical-political system of the West, what is included through its exclusion is bare life. It is important not to confuse bare life with natural life. Through its division and its capture in the *dispositif* of the exception, life assumes the form of bare life, life that was divided and separated from its form. It is in this sense that one must understand the assertion at the end of *Homo Sacer 1* that "the fundamental activity of sovereign power is the production of bare life as the originary political element," And it is this bare life (or "sacred" life, if *sacer* designates primarily a life that can be killed without committing murder) that, in the juridical-political machine of the West, acts as a threshold of articulation between *zoè* and *bios*, natural life and politically qualified life. And it will not be possible to think another dimension of life if we have not first managed to deactivate the *dispositif* of the exception of bare life.

(If we relate the *dispositif* of the exception to anthropogenesis, it is possible that it will be clarified through the original structure of the event of language. Language, in its taking place, both separates from itself and includes in itself life and the world. It is, in the words of Mallarmé, a beginning that is based on the negation of every principle, on its own situation in the *arché*. The *ex-ceptio*, the inclusive exclusion of the real from the logos and in the logos is thus the original structure of the event of language.)

3. Further research on the function of the civil war in classical Greece has helped to clarify the mechanism through which life is "politicized." Christian Meier has shown how in fifth century Greece there occurred a transformation of the constitutional concept realized through what he calls a "politicization" (*Politisierung*) of citizenship. Whereas before social belonging was defined primarily by conditions and statuses of various kinds (nobles and members of religious communities, peasants and merchants, heads of households and relatives, inhabitants of the city and of the countryside, lords and clients) and only secondarily by citizenship with the rights and duties it implied, now citizenship as such becomes the political criterion of social identity. "Thus was born," he writes,

a specifically Greek political identity of citizenship. The expectation that citizens would behave 'as citizens' (*bürgerlich*), that is, in the Greek sense, 'politically,' found an institutional form. This identity was not significantly rivaled by other group loyalties, such as those that constituted economic, professional, work, religious or other communities... To the extent that they would devote themselves to political life, citizens in the Greek democracies saw themselves primarily as participants in the *polis*; and the *polis* itself was constituted essentially by their shared interest in order and justice, which was the basis of their solidarity...*Polis* and *politeia* in this sense defined each other. Politics thus became for a relatively wide spectrum of citizens a vital content (*Lebensinhalt*) and a form of life... The *polis* became a sphere of

citizens clearly distinguished from the home and politics a sphere separate from the “realm of necessity” (*anankaia*) (Meier, 1979, pp. 204).

According to Meier, this process of politicization of citizenship is specifically Greek and has been transmitted from Greece, with alterations and betrayals of various kinds, to Western politics. In the perspective that concerns us here, it should be noted that the politicization of which Meier speaks came to be situated in a field of tension between *oikos* and *polis*, defined by the polar opposite processes of politicization and depoliticization.

4. From Nicole Loraux’s investigations in “La Guerre dans la Famille” and *The Divided City*³ it is possible to understand the function of civil war in Greece.

Politics presents itself here as a field of tensions that go from the *oikos* to the *polis*, from the impolitical home as the dwelling of *zoè*, to the city as the sole place of political action. Loraux’s idea is that *stasis* has its original place in the family, is a war between members of the same family, of the same *oikos*. I have arrived instead at the conclusion that the place of *stasis* is the threshold between *oikos* and *polis*, family and city. *Stasis*, civil war, constitutes a threshold, passing through which domestic belonging is politicized in citizenship and, inversely, citizenship is depoliticized in familial solidarity.

Only from this perspective can we understand that singular document that is the law of Solon, which punished with *atimia* (that is, with the loss of civil rights) the citizen who had not fought for one of two sides in a civil war (as Aristotle says, crudely: “he who when the city finds itself in a civil war (*stasiázouses tes poleos*), does not take up arms (*thetai ta opla*) for one of the two sides is punished with infamy (*atimos einai*) and is excluded from politics (*tes poleos me metechain*).” (Cicero —*Epist. ad Att*, X, 1,2— translating *capite sanxit*, aptly evoked *capitis diminutio*, which corresponds to the Greek *atimia*.)

This law seems to confirm beyond any doubt the position of civil war as the threshold of politicization/depoliticization in the Greek city. Although this document is mentioned not only by Plutarch, Aulus Gellius and Cicero, but also with particular precision by Aristotle (*Ath. Const.*, VIII, 5), the meaning of *stasis* that it implies is apparently so disconcerting to modern historians of politics that it has often been left aside (so too for Loraux, who, although she alludes to it in the book, does not mention it in the article).

Not to take part in civil war is equivalent to being expelled from the *polis* and confined to the *oikos*, to leave citizenship to be reduced to the impolitical condition of private life. This does not mean, obviously, that the Greeks thought of civil war as a good thing: but rather that *stasis* works like a reagent that discloses the political element in the final instance, as a threshold of politicization that itself determines the political or nonpolitical character of a particular being. Since the tensions (political/nonpolitical, *polis/oikos*) are, as we have seen, contemporaneous, the threshold in which they are transformed and inverted, joined or disjoined, becomes decisive.

5. In the course of my research it emerged that the fundamental concepts of politics are no longer production and praxis, but *inoperativity* and *use*. A philosophical reflection on the concept of “use” is missing. “Use” and “to use” are terms that modernity has invested with a strong “utilitarian” connotation, transforming their original sense. An examination of the Greek verb that we translate with “to use” – *chresthai*— shows that it does not seem to have a meaning of its own, but derives its meaning from the term that follows it, that it is found in the dative or in the genitive, and never, as we would expect, in the accusative.

chresthai theoi, literally “to make use of god” = to consult an oracle
chresthai nostou, lit. “to use (the) return” = to experience nostalgia
chresthai logoi, lit. “to use language” = to speak
chresthai symphorai, lit. “to use misfortune” = to be unlucky

chresthai gynai = lit. “to use a woman” = to have sexual relations with a woman
chresthai you polei = lit. “to make use of the city” = to participate in political life
chresthai keiri , lit. “to use the hand” = to strike with the fist

The verb *chresthai* is a verb that grammarians classify as “middle,” that is neither active nor passive, but the two together.⁴ Benveniste’s research on the middle shows that, whereas in the active, the verbs denote a process that is realized starting from the subject and outside of it, “in the middle... the verb denotes a process centering in the subject: the subject is interior to the process” (Benveniste, 1971, p. 168). Examples of the verbs that have only a middle voice (*media tantum*) illustrate well this peculiar situation of the subject inside of the process of which it is agent: *gignomai*, Lat. *nascor*, be born; Lat. *mori*, die; *penomai*, Lat. *patior*, to suffer; *keimai*, lie; *phato*, Lat. *loquor*, speak; *fungor*, *fruor*, *godere*, etc.: in all of these cases, “the subject is the place of the process, even if this process, as in the case of Latin *fruor* or Sanskrit *manyate*, requires an object; the subject is the center and at the same time the agent of the process: he accomplishes something which is being accomplished in him” (Ibid).

The opposition with the active is clear in those middle voice verbs that also allow an active voice: *koimatai*, “he sleeps,” in which the subject is internal to the process, then becomes *koima*, “he puts (someone or something) to sleep, makes one sleep,” in which the process, no longer having its place in the subject, comes to be transferred transitively to another term that becomes the object. Here the subject, “placed outside of the process, now stands above it as actor,” (Ibid) and, consequently the action must take an external object as its end. A few lines later, Benveniste specifies, discussing them in relation to the active voice, the particular relation that the middle assumes between the subject and the process of which it is both the agent and the site: “One debates every time about situating the subject with regard to the process, depending on whether it is external or internal to it, whether it qualifies as agent, depending on whether it effects an action, in the active, or whether it effects in being affected [*il effectue en s’affectant*], in the middle” (Ibid).

Let us reflect on the singular formula through which Benveniste tries to express the meaning of the middle voice: it effects in being affected (*il effectue en s'affectant*). On the one hand, the subject that completes the action, for the very fact of completing it, does not act transitively on an object, but first and foremost implies and affects itself in the process; on the other hand, precisely for this reason, the process supposes a singular topology, in which the subject does not stand above the action, but is itself the place of its occurrence. As implied in the denomination *mesotes*, the middle itself is situated, that is, in a zone of indetermination between subject and object (the agent is in some manner also object and site of the action) and between active and passive (the agent is being affected in its own act).

We can better understand, in this "middle" perspective, the reason why the object of the verb *chresthai* cannot be in the accusative, but is always in the dative or the genitive. The process does not travel from an active subject toward the separate object of its action, but implicates in itself the subject, in the same measure in which it itself implied in the object and "is given" to it.

We can now try to define the meaning of *chresthai*: *it expresses the relation that one has with oneself, the affection that one receives in as much as one is in relation with a specific being*. He who *synphorai chretai*, experiences himself as unlucky, constitutes and shows himself as unlucky; he who *utitur honore* proves himself and defines himself in the fulfilling of an office or duty; he who *nosthoi chretai*, experiences himself as affected by the desire of return.

The result is thus a radical transformation of the ontology (an ontology in the middle voice) of the concept of "subject." Not a subject that uses an object, but a subject that constitutes itself only through the using, the being in relation with an other. Ethical and political is the subject that constitutes itself in this use, the subject that testifies of the affection that it receives in so far as it is in relation with another body. *Use, in this sense, is the affection that a body receives inasmuch as it is in relation with another body (or with one's own body as other).*

6. On the concept of inoperativity. Inoperativity does not mean inertia, but names an operation that deactivates and renders works (of economy, of religion, of language, etc.) inoperative.⁵ It is a question, that is, of going back to the problem that Aristotle fleetingly posed in the *Nicomachean Ethics* (1097 b, 22 sqq), when, in the context of the definition of the object of *episteme politiké*, of political science, he wondered if, as for the flute player, the sculptor, the carpenter and every artisan there exists a proper work (*ergon*), there is also for man as such something like an *ergon* or if he is not instead *argos*, without work, inoperative.

Ergon of man means in this context not simply “work,” but that which defines *l'energeia*, the activity, the being-in-act proper to man. The question concerning the work or absence of work of man therefore has a decisive strategic importance, for on it depends not only the possibility of assigning him a proper nature and essence, but also, as we have seen, that of defining his happiness and his politics. The problem has a wider meaning, therefore, and involves the very possibility of identifying *l'energeia*, the being-in-act of man as man, independently and beyond the concrete social figures that he can assume.

Aristotle quickly abandons the idea of an *argia*, of an essential inoperativity of man. I have sought on the contrary, reprising an ancient tradition that appears in Averroes and in Dante, to think man as the living being without work, which is to say, devoid of any specific vocation: as a being of pure potentiality (*potenza*), that no identity and no work could exhaust. This essential inoperativity of man is not to be understood as the cessation of all activity, but as an activity that consists in making human works and productions inoperative, opening them to a new possible use. It is necessary to call into question the primacy that the leftist tradition has attributed to production and labor and to ask whether an attempt to define the truly human activity does not entail first of all a critique of these notions.

The modern epoch, starting from Christianity –whose creator God defined himself from the origin in opposition to the *deus otiosus* of the pagans— is constitutively unable to think inoperativity except in the negative form of the suspension of labor. Thus one of the ways in which inoperativity has been thought is the feast [*la festa*], which, on the model of the Hebrew Shabbat, has been conceived essentially as a temporary suspension of productive activity, of *melacha*.

But the feast is not only defined by what in it is not done, but primarily by the fact that what is done—which in itself is not unlike what one does every day— becomes undone, is rendered inoperative, liberated and suspended from its “economy,” from the reasons and aims that define it during the weekdays (and not doing, in this sense, is only an extreme case of this suspension). If one eats, it is not done for the sake of being fed; if one gets dressed, it is not done for the sake of being covered up or taking shelter from the cold; if one wakes up, it is not done for the sake of working; if one walks, it is not done for the sake of going someplace; if one speaks, it is not done for the sake of communicating information; if one exchanges objects, it is not done for the sake of selling or buying.

There is no feast that does not involve, in some measure, a destitutive element, that does not begin, that is, first and foremost by rendering inoperative the works of men. In the Sicilian feast of the dead described by Pitré, the dead (or an old woman named Strina, from *strena*, the Latin name for the gifts exchanged during the festivities at the beginning of the year) steal goods from tailors, merchants, and bakers to then bestow them on children (something similar to this happens in every feast that involves gifts, like Halloween, in which the dead are impersonated by children). In every carnival feast, such as the Roman saturnalia, existing social relations are suspended or inverted: not only do slaves command their masters, but sovereignty is placed in the hands of a mock king (*saturnalicus princeps*) who takes the place of the legitimate king. In this way the feast reveals itself to be above all a deactivation of existing values and powers. "There are no ancient feasts without dance," writes Lucian, but what is dance other than the liberation of the body from

its utilitarian movements, the exhibition of gestures in their pure inoperativity? And what are masks—which play a role in various ways in the feasts of many peoples—if not, essentially, a neutralization of the face?

Only if it is considered in this perspective can the feast furnish a paradigm for thinking inoperativity as a model of politics.

An example will allow us to clarify how one must understand this “inoperative operation.” What is a poem, in fact, if not an operation taking place in language that consists in rendering inoperative, in deactivating its communicative and informative function, in order to open it to a new possible use? What the poem accomplishes for the potentiality of speaking, politics and philosophy must accomplish for the power of acting. Rendering inoperative the biological, economic and social operations, they show what the human body can do, opening it to a new possible use.

7. If the fundamental ontological question today is not work but inoperativity, and if this inoperativity can, however, only be deployed through a work, then the corresponding political concept can no longer be that of “constituent power” [*potere costituente*], but something that could be called “destituent power” [*potenza destituente*]. And if revolutions and insurrections correspond to constituent power, that is, a violence that establishes and constitutes the new law, in order to think a destituent power we have to imagine completely other strategies, whose definition is the task of the coming politics. A power that was only just overthrown by violence will rise again in another form, in the incessant, inevitable dialectic between constituent power and constituted power, violence which makes the law and violence that preserves it.

It is a matter of a concept that is only just beginning to appear in contemporary political reflection. Along these lines, Tronti alludes in an interview to the idea of a “potere destituente” without managing in any way to define it.⁶ He, who came from a tradition in which the identification of a subjectivity was the fundamental political

element, seems to link it to the twilight of political subjectivities. For us, who begin from that twilight, and from the putting into question of the very concept of subjectivity, the problem presents itself in different terms.

It is a "destitution" of this type that Benjamin imagined in the essay *Critique of Violence*, trying to define a form of violence that escaped this dialectic: "on the breaking of this cycle that plays out in the sphere of the mythical form of law, on the destitution (*Entsetzung*) of law with all the powers on which it depends (as they depend on it), ultimately therefore on the destitution of state violence, a new historical epoch founds itself" (Benjamin, 1977, p. 202). Now what does "to destitute law" mean? And what is a destituent violence that is and not only constitutive?

Only a power that is made inoperative and deposed is completely neutralized. Benjamin located this "destituent power" in the proletarian general strike, which Sorel opposed to the simply political strike. While the suspension of work in the political strike is violent, "because it causes (*veranlasst*, "occasions," "induces") only an extraneous modification of working conditions, the other, as pure means, is without violence" (Ibid, p. 194;). Indeed, this does not entail the resumption of work "following external concessions and some modifications to working conditions," but the decision to resume only a work completely transformed and non-imposed by the state, that is, an "upheaval that this kind of strike not so much causes (*veranlasst*) as realizes (*vollzieht*)" (Ibid). The difference between *veranlassen*, "to induce, to provoke," and *vollziehn*, "to accomplish, to realize," expresses the opposition between constituent power, that destroys and always recreates new forms of law, without ever completely destituting it, and destituent power, which, in deposing law once and for all, immediately inaugurates a new reality. "It follows that the first of these operations is lawmaking but the second anarchic" (Ibid).

An example of a destituent strategy that is neither destructive nor constituent is that of Paul faced with the question of law. Paul expresses the relationship between the messiah and the law with the verb *katargein*, which means to render inoperative

(*argos*), to deactivate (Estienne's *Thesaurus* suggests, *redo aergon et inefficacem, facio cessare ab opere suo, tollo, aboleo*). Thus Paul can write that the messiah "will render inoperative (*katargese*) all rule (*potere*), all authority, and all power (*potenza*)" (1 *Corinthians* 15,24) and, at the same time, that "the messiah is the telos that is the end and fulfillment of the law" (*Romans* 10:4): inoperativity and fulfillment coincide here perfectly. In another passage, he says of the believers that they "have been rendered inoperative (*katargethemen*) with respect to the law" (*Rom* 7, 5-6). The customary translations of this verb with "to destroy, to abolish" are not correct (the Vulgate expresses it more cautiously with *evacuari*), all the more so because Paul in a famous passage declares to want "to hold firm the law" (*nomon istanomen* -*Rom* 3: 31). Luther, with an intuition whose importance must not have escaped Hegel, translates *katargein* with *aufheben*, that is, with a verb that means as much "to abolish" as "to conserve."

In any case, it is certain that for Paul it is not a question of destroying the law, which is "holy and just," but of deactivating its action with regard to sin, because it is through the law that the people know sin and desire: "I would not have known desire, if the law had not said: 'do not desire: taking impulse from the commandment, sin has made operative (*kateirgasato*, has activated) in me every desire" (*Rom* 7:8).

It is this operativity of the law that the messianic faith neutralizes and renders inoperative, without thereby abolishing the law. The law "held firm" is a law deprived of its power of command – that is, it is a law no longer of the commandments and of work (*nomos ton entolon* –*Ephesians* 2,15; *ton ergon* –*Rom* 3:27), but of faith (*nomos pisteos* –*Ibid.*). And in its essence, faith is not a work, but an experience of the word ("faith from the hearing and hearing through the word" – *Rom* 10:17).

On the other hand, Paul, in a decisive passage of 1 *Corinthians* 7, defines the Christian form of life through the formula *hōs mē* (as not): "But this I say, brethren,

time contracted itself, the rest is, that even those having wives may be as not having, and those weeping as not weeping, and those rejoicing as not rejoicing, and those buying as not possessing, and those using the world as not using it up. For passing away is the figure of this world."⁷

The "as not" is a destitution without refusal. To live in the form of the as-not means to deactivate every juridical and social property, without establishing a new identity. A form-of-life is, in this sense, that which unrelentingly deposes the social conditions in which it finds itself living, without negating them, but simply using them. If, writes Paul, in the moment of the call you found yourself in the condition of the slave, do not worry: but if you would also be made free, use (*chresai*) your condition of the slave (1 *Cor.* 7:21). "Use" names here the deposing potentiality in the Christian form of life, which destitutes "the figure of this world (*to schema tou kosmou toutou*)".

It is this destituent potentiality that both the anarchist tradition and 20th century thought sought to define without ever actually succeeding. The destruction of tradition by Heidegger, the deconstruction of the *arché* and the fracturing of the hegemonies by Schürmann, and what, on the trail of Foucault, I have called "philosophical archaeology," they are all pertinent, but insufficient, attempts to return to an historical *a priori* in order to destitute it. But also a good part of the practice of the artistic avant-garde and of the political movements of our time can be seen as the attempt —so often miserably failed— to carry out a destitution of work, that has ended instead with the recreation of powers even more oppressive in as much as they had been deprived of any legitimacy.

The destitution of power and of its works is an arduous task, because it is first of all and only in a form-of-life that it can be carried out. Only a form-of-life is constitutively destituent.

The Latin grammarians called deponents (*depositiva*, or, also, absolute or supine) those verbs that, similar in this regard to the middle verbs, cannot properly be called active or passive: *sedeo, sudo, dormio, iaceo, algeo, sitio, esurio, gaudeo*. What do the middle or deponent verbs “depose”? They do not express an operation, rather they depose it, neutralize and render it inoperative and, in this way, expose it. The subject is not merely, in the words of Benveniste, internal to the process, but, having deposited its action, it is exposed and put in question together with it. In this sense, these verbs can offer the paradigm to think in a new way not only action and praxis, but also the theory of the subject.

8. Benjamin once wrote that there is nothing more anarchic than the bourgeois order. In the same sense, Pasolini makes one of the *gerarchi* in Salò say that the true anarchy is that of power. If this is true, one understands then why the thought that tries to think anarchy remains trapped in aporia and contradictions without end. Since power (*l'arché*) constitutes itself through the inclusive exclusion (the *exceptio*) of anarchy, the only possibility of thinking a true anarchy coincides with the exhibition of the anarchy internal to power. Anarchy is that which becomes possible only in the moment that we grasp and destitute the anarchy of power. The same goes for every attempt to think anomy: it becomes accessible only through the exhibition and the deposition of the anomy that law has captured within itself in the state of exception. This is true as well for the thought that seeks to conceive *the* “ademy,” the absence of a *demos* or people that defines democracy (I use here the term “ademy” because a people that must be represented is by definition absent). Only the exhibition of the *ademy* internal to democracy allows us to depose the fiction of a people that it pretends to represent.

In all of these cases, constitution coincides without remainder with destitution; positing has no other consistency than in depositing.

Defining the *dispositif* of the exception as a structure of the *arché* yields an important consequence. Since power functions through the inclusive exclusion of

anarchy, of anomie, of inoperativity, etc., it is not possible to access these dimensions directly: it is necessary first to exhibit the form in which they are captured in power. Something is "excepted" in the state and, in this way, "politicized": but, for that to happen, it is necessary that it be reduced to the state of "nudity" (bare life, anarchy as war of all against all, anomie as being-in-force [*vigenza*] without application, ademy as formless multitude). We know of life only bare life (seeing that the medicalization of life is an integral part of the political *dispositif*), of anomy we see only chaos and the state of exception, of anarchy we understand only the war of all against all, etc.

Hence the importance of research such as that of Illich, of Clastres, and of Sigrist, showing that there are vernacular figures of anomic communities that have a completely different character. When one wants to recover life, anarchy, anomie and ademy in their truth, it is necessary therefore first to release oneself from the form that they have received in the exception. This is not however only a theoretical task: it can occur only through a form-of-life.

By the term *form-of-life*, we mean a life that can never be separated from its form, a life in which it is never possible to isolate something like a bare life. A life that cannot be separated from its form is a life for which, in its way of living, what is at stake is living itself, and, in its living, what is at stake above all else is its mode of living. What is at stake, then, is a life in which the single ways, acts and processes of living are never simply *facts*, but always and above all *possibilities* of life, always and above all potentiality [*potenza*].

Tiqqun has developed this definition in three theses, stating that, 1) *The human unity is not the body or the individual, but the form-of-life*, that 2) *each body is affected by its form-of-life as by a clinamen, an attraction, a taste*, and that 3) *my form-of-life relates not to what I am, but to how I am what I am*.⁸

Here it is necessary to replace the ontology of *substance* with an ontology of *how*, an ontology of modality. The decisive problem is no longer "what" I am, but "how" I am what I am. It is necessary, in this sense, to radicalize the Spinozan thesis according to which there is only being (substance) and its modes or modifications. Substance is not something that precedes the modes and exists independently from them. Being is not other than its modes, substance is only its modifications, its own "how" (its own *quo-modo*).

Modal ontology makes it possible to go beyond the ontological difference that has dominated the Western conception of being. Between being and modes the relation is neither of identity nor of difference because the mode is at once identical and different— or, rather, it implies the coincidence— that is the falling together [*cadere insieme*][—] of the two terms. In this sense, the problem of the pantheist risk is badly put: the Spinozist syntagma *Deus sive* (or) *natura* does not mean "God=nature": the *sive* (whether *sive* derives from the conditional and concessive *si* or the anaphoric *sic*) expresses the modalization, that is, the neutralizing and the failure as much of identity as of difference. What is divine is not being in itself, but its own *sive*, its own always already modifying and "naturing"—being born— in the modes.

Modal ontology means rethinking from the start the problem of the relation between potentiality and act. The modification of being is not an operation in which something passes from potentiality to act, realizes and exhausts itself in this. What deactivates operativity in a form-of-life is an experience of potentiality or habit, it is the habitual use of a potentiality that manifests itself as power of not (Aristotle calls it *ἀδυναμία*, *impotentiality*, formulating the axiom according to which, "all potentiality is, on the basis of the same and with respect to the same, impotentiality" (*Met.*1046^o, 30-31). The destitution of the being-in-work of the work (of its *energeia*) cannot be carried out by another work, but only by a potentiality that remains as such and shows itself as such. Aristotle (*De Anima* 429 b 9-10) wrote that thought, when it thinks in act each of the intelligibles, remains in some way in potentiality and is thus able to think itself. It is only this irreducible remainder of

potentiality that makes the destitution of work possible. To destitute work means in this sense to return it to the potentiality from which it originates, to exhibit in it the impotentiality that reigns and endures there.

All living beings are *in* a form of life, but not all *are* (or are not always) a form-of-life. In the moment that the form-of-life constitutes itself, it deactivates and renders inoperative not only all the individual forms of life, but first of all the *dispositif* that separates bare life from life. It is only in living a life that a form-of-life can constitute itself as the inoperativity immanent in every life. The constitution of a form-of-life coincides, that is, completely with the destitution of the social and biological conditions into which it finds itself thrown. The form-of-life is, in this sense, the revocation of all factual vocations, which deposes and puts in tension from within the same gesture by which it is maintained and dwells in them. It is not a question of thinking a better or more authentic form of life, a superior principle or an elsewhere, which arrives from outside the forms of life and the factual vocations to revoke and render them inoperative. Inoperativity is not another work that appears to works from out of nowhere to deactivate and depose them: it coincides completely and constitutively with their destitution, *with living a life*. And this destitution is the coming politics.

One understands, then, the essential function that the tradition of Western philosophy has assigned to the contemplative life (to *theoria*) and to inoperativity: praxis, the properly human life is that which, rendering inoperative the specific works and functions of the living, makes them, so to speak, spin idle [*girare a vuoto*], and, in this way, opens them to possibility. Contemplation and inoperativity are, in this sense, the metaphysical operators of anthropogenesis, which, freeing the living being from every biological or social destiny and from every predetermined task, renders it open for that particular absence of work that we are accustomed to calling "politics" and "art." Politics and art are neither tasks nor simply "works": they name, rather, the dimension in which the linguistic and corporeal, material and

immaterial, biological and social operations are made inoperative and contemplated as such.

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¹ *Potenza destituente* is translated here as “destituent power” in order to emphasize the sense of an act in the middle voice, a power that is, in its elaboration, destituting, rather than the action of a subject *on* an object (see section 5, below). Thanks to Setrag Manoukian and Robert Hurley for suggesting improvements to the translation.

² Agamben uses the term *arché* (origin, foundation) not to indicate a single point localizable in the past, but to identify a ‘double articulation’ of government as at once creation and administration, thereby conserving that which is created. Cf. Agamben, G 2011 “What is a Commandment?” Lecture given at Kingston University March 28. Transcript available at <http://waltendewalt.wordpress.com/2011/04/01/Giorgio-agamben-what-is-a-commandment-απομαγνητοφωνηση/>. See also Agamben, G 2011 *The Kingdom and the Glory: For a Theological genealogy of Economy and Government* (Stanford University Press, Stanford)

³ Loraux, N 1997 “La guerre dans la Famille”, *Clio*, 5, 21-62; Loraux, N 2001 *The Divided City: On Memory and Forgetting in Ancient Athens* Trans. C Pache, C and J Fort (Zone Books, Brooklyn, NY. Originally published as 2005, *La Cité Divisée: L’oubli dans la Mémoire d’Athènes*, Payot, Paris.

⁴ The middle voice no longer exists in the English language.

⁵ Portions of section 7 also appear in Agamben, G. 2009, *Nudities*, Trans. Kishik, D and Pedatella, S, Stanford University Press, Stanford. The translation has been slightly altered.

⁶ Tronti, M 2008 “Sul Potere Destituente. Discussione con Mario Tronti” in *Pouvoir Destituant: Les Révoltes Métropolitaines/Potere Destituente: Le rivolte metropolitana* (Mimesis: Udine) pp. 23-32

⁷ As translated in Agamben, G, 2005, *The Time That Remains: A Commentary on the Letter to the Romans*, Trans. Dailey, P, Stanford University Press, Stanford, p. 23

⁸ Agamben here is referencing Tiqqun, 2010, *Introduction to Civil War*, Los Angeles, Semiotext(e))