*Community, Life and Subjectivity in Italian Biopolitics*

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**Introduction**

The Italian contribution to the study of biopower and biopolitics has advanced well-known and much-discussed theses with respect to biopower, or, the domination and control of life-processes, ranging from Negri’s conceptions of “real subsumption” and “empire,” through Agamben’s conception of the “state of exception,” to Esposito’s conception of the “immunization” paradigm. But the affirmative dimensions of biopolitics, where the connections between life and politics lead to an emancipatory discourse on power as common capacity or capability, in these thinkers remain less discussed and more ambiguous.[[1]](#endnote-1) In this chapter I present the affirmative biopolitics of Negri, Agamben, and Esposito as three distinct but related attempts to rethink the relation between subjectivity and community from a post-Marxist horizon.

In his early remarks on James Mill’s *Elements of Political Economy*, Marx gives a well-known sketch of what a non-alienated relation between individuals entails: “in the individual expression of my own life I would have brought about the immediate expression of your life, and so in my individual activity I would have directly confirmed and realized my *authentic* nature, my human, *communal* nature (emphasis mine)” ([Marx 1975: 277-78](#_ENREF_27)). This text makes clear that for Marx the expression of an “authentic” life – i.e., the sphere of “subjectivity” and of *bios* – is only possible if it also realizes what he calls the “species-life” – i.e., the sphere of “community” and of *zoe*.[[2]](#endnote-2) My first hypothesis is that the affirmative biopolitics of these Italian theorists articulates Marx’s intuition that the process of subjectivation as “authentic” life can only be explained by giving priority to the dimension of species-life (or: *zoe*) as a common-life or life-in-common.

In Negri, this priority of the dimension of species-life is visible in his emphasizing the capacity for creativity contained in living labor, and his focus on the “wealth” of the productive subjects which is generated in their autonomy with respect to the processes of capital accumulation. In Agamben, the priority of the dimension of species-life is visible in his neologism “form-of-life,” where “life” refers to *zoe* and not *bios*. In Esposito, the priority of the dimension of species-life is visible in his critique of the immunitary devices that separate the individual from its body and life, as well as from its communal obligations to others.

Although this family of theories assign a relative priority of *zoe* over *bios*, it would be a mistake to reduce them to forms of vitalism or naturalism as ordinarily conceived.[[3]](#endnote-3) Indeed, my second hypothesis is that all of these theories of biopolitics share the fundamental belief that *zoe* as species-life is identical to the activity of thinking by an intellect that is never individual or personal but “common” or “general.” In other words, what characterizes Italian biopolitics is a common Averroistic background that offers a way to conceive of power in an affirmative way as the potential or power (*dynamis*, *potentia, potenza*) for thought. For Italian biopolitics only a *thinking* life (*zoe*) allows subjectivity to discard its Cartesian and post-Cartesian attachment to personal identity and become “authentic” in its overcoming of individual self-consciousness thanks to the communitary and communicative dimensions rooted in the power of thought.

1. **Negri, Living Labor, and General Intellect**

*Real subsumption and biopower*

In a recent essay that looks back on the development of “Italian Theory,” Negri explains that the phenomenon of biopolitics was already implicit in the theses of Italian *operaismo* (“workerism”) of the late 1960s, before the term was coined by Foucault in the 1970s. Indeed, for the theorists of *operaismo* like Tronti and Negri, “capitalist value-creation is achieved over and against worker resistance. To the undoubted subjectivity of capitalist initiative, of “constant capital” and of the capital-owner, the subjectivity of “variable capital” or the capital-worker answers back: to power [*potere*] responds life” ([Negri 2015: 23](#_ENREF_35)).[[4]](#endnote-4) The opposition between capitalist subjectivity and worker subjectivity is explicitly mapped onto the distinction between the *power* of capital and the (species-)*life* of labor. This early connection between subjectivity and the dimension of species-life becomes the basic guiding-thread of Negri’s work since *Marx Beyond Marx*, his Parisian lectures on the *Grundrisse* which were written during the same years that Foucault was starting to lecture on biopower and biopolitics.

In *Marx Beyond Marx*, Negri gave the first biopolitical articulation of Marx’s conception of the “real subsumption” of use-value by exchange value in capitalism. That the worker can only “live” by generating surplus value or profit for the owner means, for Negri, that “power has invested life.” Negri defines biopower as the “process of total subjection of life to the economic-political rules designed to discipline and control it” ([Negri 2008: 172](#_ENREF_34)). However, following the above-mentioned axiom of workerism [*operaismo*], there is no biopower of capital without resistance from living labour: “The biopolitical fabric is thus characterized by capital’s wholesale invasion of life but, at the same time, by the resistance and reaction of labour power, of life itself, against capital” ([Negri 2008: 182](#_ENREF_34)). Living labor is here thought in terms of “life as a *potenza* [power] for production” ([Negri 2008: 182](#_ENREF_34)).

*Immaterial labor and general intellect*

“What is the difference between the labour of the subjected human and the labour of the liberated human… or rather the human in struggle?” ([Negri 2008: 175](#_ENREF_34)) This is perhaps the central question that leads Negri from *Marx Beyond Marx* to his later work with Hardt on the *Empire* trilogy. Basing themselves on the published and posthumous work of Foucault on biopolitics as well as on Deleuze’s critical engagement with it, in *Empire*, *Multitude*, and *Commonwealth* Negri and Hardt further expand the biopolitical reading of the *Grundrisse* in order to identify a dialectical tendency in biopower: “Living labor is the fundamental human faculty: the ability to engage the world actively and create social life. Living labor can be corralled by capital…. [but] our innovative and creative capacities are always greater than our productive labor – productive, that is, of capital. At this point we can recognize that this biopolitical production is on the one hand *immeasurable*, because it cannot be quantified in fixed units of time, and, on the other hand, always *excessive* with respect to the value that capital can extract from it because capital can never capture all of life” ([Michael Hardt 2005: 146](#_ENREF_29)). The more capital increases its real subsumption of living labor, the more does this labor resist its domination by becoming “immaterial” or “intellectual” labour. As Negri says, immaterial labour is “a becoming-intellectual of labour: in other words, a labour which is mobile in space, flexible in terms of time, often independent in terms of how and where it is carried out” ([Negri 2008: 175](#_ENREF_34)).

The idea of “immaterial labour” in Negri is closely connected to his interpretation of the so-called “chapter on machines” of the *Grundrisse* where Marx famously yet obscurely gave an argument for his “law of capital,” that is, the tendency for the rate of profit to decrease with the increase in productivity of labour due to technological innovation. Marx’s basic idea is that the more machines take on “work,” the less will workers be needed in the process of production. However, this decrease in living labour also entails that capital’s power to reduce necessary labour time, and thus to increase disposable labour time which is the source of surplus value itself, itself decreases at a rate that is higher than the increase in productivity. Marx’s intuition is that only living labour, but not machines, can be exploited, and without exploitation there is no capital. Additionally, machines do not consume the commodities produced by the workers. Both factors contribute to a tendency towards over-production and thus to the general form of capitalist crises.

But the introduction of technology affects not only capitalist subjectivity (that is, capital accumulation) but also the subjectivity of the workers. Marx calls technology the realization of a “general intellect.” In his influential interpretation of this concept, Virno argues that Marx unilaterally associated general intellect to “fixed capital” and did not realize its effect on “disposable capital” or living labor: “In postfordism, conceptual and logical schemata play a decisive role and cannot be reduced to fixed capital in so far as they are inseparable from the interaction of a plurality of living subjects. The ‘general intellect’ includes formal and informal knowledge, imagination, ethical tendencies, mentalities and ‘language games’” ([Virno 2001: 18](#_ENREF_42)). This leads to a “rupture between general intellect and fixed capital that occurs in the process of the former’s redistribution within living labor” ([Virno 2001: 18](#_ENREF_42)) ([Vercellone 2007](#_ENREF_41)). Immaterial labour does not refer simply to the fact that, for example, the use of computers requires programmers (as opposed to mechanics), but rather to the fact that these machines “free” the worker from labour by calling upon her intellectual and affective powers. Additionally, and crucially, thanks to machines, this thinking and affect is no longer separate and individual, but necessarily practiced in cooperative relations of production. This intuition is best expressed in Negri’s understanding of the multitude in terms of networks: “biopolitics of general intellect… an ethical-cognitive terrain of which the figure of the network is the emblem.” ([Negri 2008:223](#_ENREF_34))

When living labour and technology interact in this affirmative manner, it becomes increasingly more difficult to maintain a strict opposition between “fixed capital” and “living labor” (just like, as Negri acknowledges, once living labour becomes “immaterial” the labour theory of value enters into serious complications). In networks, “fixed capital” enters into a different combination with immaterial labour, enabling a new “mobility” to living labour that allows it to “escape” its real subsumption by exchange-value. This development withholds the great promise of labour being re-appropriated by the worker (coming under control of the worker). “It is the body which becomes here the fundamental ethical element, the foundation of the dynamics of every historical process: and it is precisely the body that is traversed by poverty and love, wherein the former determines movement – the flight from poverty and the desire for a rich life – while the latter determines the ability to connect with others, to recognize these groupings as cooperative ensembles and thus to construct common dimensions of knowledge and of acting” ([Negri 2008: 223](#_ENREF_34)). Negri uses different metaphors to illustrate this line of “flight from poverty” of networked living labour. Perhaps the most common one is taken from Virno and is expressed by the term of “exodus”: “talking of the biopolitics of general intellect means at the same time talking about exodus… exodus seeks to signify a new form of mediation between *potenza* and power… between movements and governments” ([Negri 2008: 198](#_ENREF_34)) ([Michael Hardt 2010: 152-3](#_ENREF_30)).

*Constituent power of multitude*

Negri thinks of the “exodus” of living labor, as immaterial labor and general intellect, from the real subsumption of capital in terms of the “constituent power” of living labor. For Negri, constituent power is not originally articulated legally and politically. Rather, constituent power is directly the power (*potenza*) of living labor in its resistance to and exodus from capital. As he says in *Insurgencies*, “political liberation and economic emancipation are one and the same thing…. Living labor against dead labor, constituent power against constituted power…. Cooperative living labor produces social ontology that is constitutive and innovative, a weaving of forms that touch the economic and the political” ([Negri 1999:33](#_ENREF_33)). Constituent power makes living labor “autonomous” from capitalist relations of production because it is the power that the singular receives from the new forms of “cooperative living labor” made possible by the networks of general intellect. “When we define the multitude, we define it as a web of relations, as cooperative activity, as a multiplicity of singularities. The multitude is posed because it is a multiplicity of singularities, against every possibility of defining the political as transcendence” ([Negri 2008: 177](#_ENREF_34)). Multitude is constituent power. Multitude figures “the relationship which develops in the multitude between subjectivity and cooperation. But subjectivity and cooperation constitute the common… which is at the root of the concept and reality of the multitude” ([Negri 2008: 177](#_ENREF_34)).

The networks of singularities that place them in “the common,” i.e., in cooperative productive activities, cannot be figured by means “vertical” forms of political representation as command or sovereignty. In *Insurrections* he argued that the closest political approximation to the constituent power of the multitude was found in the Paris Commune of 1871. Citing Marx’s “The Civil War in France,” Negri says that constituent power takes the shape of “a working men’s government,” “a government of the people by the people” ([Marx 1996: 192-3](#_ENREF_28)). Such a democracy is an “absolute government” in which “the critique of power [*potere*] is combined with the emancipation of labor”, i.e., in which constituent power [*potenza*]is assigned the task to abolish the state (“critique of power”) and assumes “the political form at last discovered under which to work out the economical emancipation of labor” ([Negri 1999: 32](#_ENREF_33)). Absolute democracy of this kind is what Negri calls the “subject that allows us to sustain adequately the concept of constitution as absolute procedure” ([Negri 1999: 30](#_ENREF_33)).

In *Commonwealth* and in more recent texts, the general thesis that subjectivity, in its authenticity and autonomy, can only be produced through a common and political organization of labour has shifted the accent from the Marxist model of the Commune to the idea of “the common”: “the concept of production could only become understood in terms of cooperation between singularities… who would otherwise be improductive. These singularities are defined both by the inventive force of their cognitive nature and by the power of the affects put in production, and above all they are defined by placing in common through cooperation the biopolitical powers of which they express the tendency. Their existence [of singularities] is common, and there can be no existence outside the common…. Only the common is productive” ([Negri 2015: 28](#_ENREF_35)). This idea of the common “permeates all spheres of life, referring not only to the earth, the air, the elements, or even plant and animal life but also to the constitutive elements of human society, such as common languages, habits, gestures, affects, codes and so forth” ([Michael Hardt 2010: 171](#_ENREF_30)). Affirmative biopolitics then takes on the contours of “an ecology of the common” ([Michael Hardt 2010: 171](#_ENREF_30)).

In his recent work, Negri is more explicit in arguing that the “common” can be approximated only through a “phenomenology of bodies” ([Michael Hardt 2010: 28-32](#_ENREF_30)) because “only bodies are capable of critique” ([Negri 2008: 181](#_ENREF_34)). The body that is here in question is understood out of a Spinozist conception of immanence in which the body and the intellect are the same thing expressed in two different attributes. Bodies, in this sense, refer to processes not to things: they are the sight of the production of subjectivity through a “becoming-intellectual, becoming-woman, becoming-nature, becoming-linguistic… becoming-common of labour” ([Negri 2008: 181](#_ENREF_34)). However, in Negri and Hardt the contours of the appropriate phenomenology of the body that accounts for the production of subjectivity by the placing in common and making a free use of bodies remains somewhat indeterminate. These contours, arguably, are more clearly visible in the developments of this phenomenology of the body and of life in Agamben’s and Esposito’s biopolitics, as discussed below. At the same time, Negri claims that Agamben’s *zoe* and Esposito’s *immunitas* still hold onto elements of “individualism” as opposed to the common subjectivization he calls for ([Negri 2015: 28](#_ENREF_35)). For him, both Esposito and Agamben do away with the dimension of the subject and its power [*potenza*] by introducing a theologico-political moment of transcendence in their discourses on immanence. In the same volume, Esposito replies that “today, in Italy, biopolitics is thought as the overturning of political theology” ([Negri 2015: 15](#_ENREF_35)). It is time to move to a discussion of Agamben and Esposito to try to shed more light on the connection between subjectivity and community through the “phenomenology” of life and body, and the role played by political theology in Italian biopolitics.

1. **Agamben, Zoe, and the Power of Thought.**

*The priority of zoe in Agamben’s biopolitics*

In Agamben one finds several formulae that echo workerism. But the elements of Negri’s language are scrambled and oriented towards another horizon, which is no longer that of the productivist paradigm employed by Negri. For Agamben the fundamental question is whether there is “a work proper to man, or whether man as such might perhaps be essentially *argos*, that is, without work, workless [*inoperoso*]” ([Agamben 2000: 140](#_ENREF_3)). Agamben argues for this second possibility: “Politics is that which corresponds to the essential inoperability [*inoperosita*] of humankind, to the radical being-without-work of human communities. There is politics because human beings are… beings of pure potentiality that no identity or vocation can possibly exhaust. (This is the true political meaning of Averroism, which links the political vocation of man to the potentiality of the intellect.) Over and beyond the planetary rule of the *oikonomia* of naked life, the issue of the coming politics is the way in which this *argia*, this essential potentiality and inoperability, might be undertaken without becoming a historical task, or, in other words, the way in which politics might be nothing other than the exposition of humankind’s absence of work as well as the exposition of humankind’s creative semi-indifference to any task, and might only in this sense remain integrally assigned to happiness” ([Agamben 2000: 141](#_ENREF_3)).[[5]](#endnote-5) Thus, Agamben rejects Negri’s idea of constituent power because this power is still thought in terms of an Aristotelian distinction between possibility and actuality that privileges a teleological conception of reality ([Agamben 1998: 43](#_ENREF_2)). For Agamben, instead, the species-life of human beings has no purpose whatsoever, no *entelechy* or perfection that guides its development. This is ultimately also why for Agamben the last word of biopolitics is not wealth, as it is for Negri, but a messianic conception of poverty: the “highest poverty”.

Like Negri, Agamben also starts from a negative conception of *bio-power* and moves towards an affirmative *bio-politics*. But whereas for Negri, following Marx, the operation of biopower is subsumptive (of life by capital), in Agamben, following Schmitt, it is exclusionary (of life by law). Agamben argues that power over life is exercised through an “inclusion” of *zoe* (species-life) into *bios* (the “human” political, historical, cultural forms of life) which in turn “excludes” *zoe* as a “bare life” and places it in the space without law of the “concentration camp” (*Homo sacer*; *The Open*). The names of this “bare life” in ancient biopower are “slaves”, “women” and “barbarians.” In modern biopower, the exclusive inclusion of life takes a racialized and sexualized form: Jews and other minorities, homosexuals, handicapped individuals are all considered as forms of “life unworthy of being lived” which can be selected and eventually exterminated. For Agamben, this inclusive exclusion or exclusive inclusion of *zoe* is made possible through what he calls “machines” (judiciary, anthropomorphic) that try to obtain mastery over life by producing “justice” (through the legal machinery) and “humanity (through the anthropomorphic machinery).[[6]](#endnote-6) These machines connect law to life, and human to animal, by excluding and separating one from the other, leaving as a rest the “bare life” that can be killed without committing either crime or sacrilege ([Agamben 2004: 13-6, 33-8](#_ENREF_4)).

To counteract both forms of biopower, Agamben proposes to undo the “anthropological” separation between biological, animal life and cultural, human world. Rather than understanding animal and plant life in terms of degrees of privation of characteristics like “rational thought” supposedly inherent to “human” forms of life, Agamben reinterprets human conditions of experience as a function of their self-exclusion or shutting-down the common that includes plants and animals in their environment. For Heidegger, the human being is an animal that makes sense out of things by disclosing for them a network of relations, a “world,” that is in principle different from the environment in which plant and animal life takes place. For the human being, to be is to be-in-the-world. Whereas the world belongs to the order of *Offenbarkeit*, revealability, where human beings move “freely,” the environment belongs to the order of the *Offen*, the open, within which animals are “captivated” by their instinctual needs ([Agamben 2004: 59](#_ENREF_4)) ([Abbott 2014](#_ENREF_1)). Agamben operates a dialectical inversion of Heidegger’s stance on the animal life’s “openness”: the animal open is not a “reduced” world, but all our capacity for assigning meaning “can be achieved only by means of an operation enacted upon the not-open of the animal world” ([Agamben 2004: 62](#_ENREF_4)).

Agamben identifies the point of emergence of human *bios* from animal *zoe* in the experience of “profound boredom,” a condition in which the human being is closest to being “captivated” by things without being able to “do” anything with them or about it, analogously to the way in which the animal is “captivated” by its environment. “In becoming bored, Dasein is delivered over (*ausgeliefert*) to something that refuses itself, exactly as the animal, in its captivation, is exposed (*hinausgesetzt*) in something unrevealed…. Both are, in their most proper gesture, *open to a closedness*; they are totally delivered over to something that obstinately refuses itself” ([Agamben 2004: 65](#_ENREF_4)). For Agamben, the experience of boredom, in which the human world ceases to have meaning, is both a sign of the “inoperative” character of the human being, i.e., the radical lack of any “project” or “purpose” that can subsume the entire sense of being human, as well as being an indication of the priority of animal *zoe* over human *bios*: the latter “is simply an animal that has learned to become bored; it has awakened *from* its own captivation *to* its own captivation. This awakening of the living being to its own being-captivated, this anxious and resolute opening to a not-open, is the human” ([Agamben 2004: 70](#_ENREF_4)). It follows that humanity does not have the task of giving life a cultural or spiritual form by introjecting and then abjecting this life, but, to the contrary, humans will start to realize their species-life only when they will be capable of generating what Agamben calls a “form-of-life”: “a life that can never be separated from its form, a life in which it is never possible to isolate something such as naked life” ([Agamben 2000: 3](#_ENREF_3)).[[7]](#endnote-7) The “communal nature” of the human being is attainable only when “man, the shepherd of being, appropriates his own concealedness, his own animality, which neither remains hidden nor is made an object of mastery, but is thought as such, as pure abandonment” ([Agamben 2004: 80](#_ENREF_4)).

*From Animal Life to Happy Life*.

But what does it mean to lead a “life that can never be separated from its form” ([Agamben 2000: 3](#_ENREF_3))? How can one make species-life (*zoe*) the content of one’s individual *bios*? For Agamben, the answer is found in a life-in-common, whose feature is the identity between a political and a happy life. “A political life, that is, a life directed toward the idea of happiness and cohesive with a form-of-life, is thinkable only starting from the emancipation from such a division [between “biological life” and “human life”], with the irrevocable exodus from any sovereignty” ([Agamben 2000: 8](#_ENREF_3)).[[8]](#endnote-8) As in Negri, a life-in-common is a life of power: human beings are “beings of power who can do or not do” and they are “the only beings for whom happiness is always at stake in their living” ([Agamben 2000: 4](#_ENREF_3)).

In Agamben there seem to be two general ways to think the intimate connection between power and happiness within the general scheme of the human’s being essential “lack” of purpose, work, or functionality. The first one turns on the commonality of intellect; the latter on the idea of a free use of bodies. Like Negri, so in Agamben the exodus of life from sovereignty turns on fashioning an immediate connection between life and intellect: “I call thought the nexus that constitutes the forms of life in an inseparable context as form-of-life” ([Agamben 2000: 9](#_ENREF_3)). Only in “thinking” can one overcome the distinction between *zoe* and *bios*. The central claim is this: “only if living and intending and apprehending themselves are at stake each time in what I live and intend and apprehend – only if, in other words, there is thought – only then can a form of life become, in its own factness and thingsness, form-of-life, in which it is never possible to isolate something like naked life” ([Agamben 2000: 9](#_ENREF_3)). Thinking is not “the individual exercise of an organ or a psychic faculty, but rather an experience… that has as its object the potential character of life and human intelligence” ([Agamben 2000:9](#_ENREF_3)). This idea of thinking turns on the Averroistic interpretation of the “active intellect,” i.e., of thought thinking itself, “a pure power of thinking”([Agamben 2000:9](#_ENREF_3)).[[9]](#endnote-9)

As his collection of essays *Potentialities* indicates, a great deal of Agamben’s affirmative biopolitics is dedicated to formulate the meaning of this “pure power of thinking” as the cipher of a happy life. In *Homo sacer*, Agamben speaks of potentiality not in terms of “logical possibility but rather the effective modes of potentiality’s existence… it is necessary that potentiality be able *not* to pass over into actuality, that potentiality constitutively be the *potentiality not to* (do or be), or, as Aristotle says, that potentiality be also im-potentiality”([Agamben 1998: 45](#_ENREF_2)). One of the main differences between Agamben and Negri with respect to the idea of a general or common intellect consists in their different analysis of *potenza* (power) in its affirmative sense: whereas Negri understands *potenza* in Spinozist terms as a constituent power that de-realizes legal and political forms of legitimate domination, in Agamben *potenza* denotes what is best called a “destituent” power, i.e., a kind of power that precedes the distinction between constituent and constituted powers ([Agamben 2014](#_ENREF_9)). In *Homo sacer* Agamben assigns the paternity of this idea of potentiality to a wide array of figures and concepts, like the later Schelling, Nietzsche’s eternal return, Heidegger’s *Gelassenheit*, and lastly in the formula of Bartleby: “ I would prefer not to” which “resists every possibility of deciding between potentiality and the potentiality not to” ([Agamben 1998: 48](#_ENREF_2)).[[10]](#endnote-10)

For Agamben, the “experience of thought” is an “experience of a common power”: “Community and power identify one with the other without residues because…of the necessarily potential character of any community” ([Agamben 2000: 10](#_ENREF_3)). Community can only occur because of potentiality not actuality: “we can communicate with others only through what in us – as much as in others – has remained potential, and any communication… is first of all communication not of something in common but of communicability itself.” ([Agamben 2000: 10](#_ENREF_3)) But Agamben’s idea of community of singulars is very different from the cooperation of singularities of Negri: “Marxian analysis should take into consideration the fact that capitalism… not only was directed to the expropriation of productive activity, but was also and above all directed to the alienation of language itself, of the communicative nature of human beings” ([Agamben 2000: 96](#_ENREF_3)). Rather than Machiavelli or Spinoza, Agamben orients his political thought to the Averroism of Dante’s *De monarchia*: “with Averroism, that is, with the thought of the one and only possible intellect common to all human beings, and, crucially, with Dante’s affirmation – in *De monarchia* – of the inherence of a multitude to the very power of thought: ‘It is clear that man’s basic capacity is to have a potentiality or power for being intellectual. And since this power cannot be completely actualized in a single man or in any of the particular communities of men above mentioned, there must be a multitude in mankind through whom this whole power can be actualized…. [T]he proper work of mankind taken as a whole is to exercise continually its entire capacity for intellectual growth, first, in theoretical matters, and, secondarily, as an extension of theory, in practice” ([Agamben 2000: 11](#_ENREF_3)). Averroes believed that there was “a single possible intellect for the entire human race…. an intellectual substance wholly independent of the body… and he taught that, to an individual man, knowing means simply sharing in some part or other of the knowledge possessed by this intellect” ([Gilson 1968: 168-9](#_ENREF_21)). However, Agamben is correct in identifying Dante as the first thinker in the West to give a political interpretation of this Averroistic idea of the human common intellect, since, as Gilson explains, it was Dante who interpreted Averroes’s single separate intellect as consisting in “that universal community of all individual possible intellects which is constituted by the human race…. When Dante speaks of realizing the intellectual potentialities of the whole of humanity (*potential totius humanitatis*) it is certainly those of all mankind (*universitas hominum*) which must be understood. In short, to him what is involved is a *multitudo*, that very multitude of individuals which the universal human community will render capable of attaining its goal by imposing on it the unity which is essential to the independent possible intellect of Averroes, though humanity as conceived by Dante does not yet possess it and will, moreover, enjoy it only if it accepts the unifying hegemony of the Emperor”([Gilson 1968: 170](#_ENREF_21)). This text gives credence to Agamben’s claim that the general intellect and multitude to which Negri appeals may have a pre-Spinozist origin, namely, in the Latin Averroism of Dante and Marsilius of Padua: “the diffuse intellectuality I am talking about and the Marxian notion of a ‘general intellect’ acquire their meaning only within the perspective of this experience… They name the *multitude* that inheres to the power of thought as such” ([Agamben 2000: 11](#_ENREF_3)) ([Agamben 2000: 114](#_ENREF_3)).

*Free Use and Highest Poverty*

The other motif through which Agamben thinks together power and happiness refers to a “sphere of pure means” ([Agamben 2000: 118](#_ENREF_3)) and “the possibility and the modalities of a free use” ([Agamben 2000: 117](#_ENREF_3)). “If we define the common… as a point of indifference between the proper and the improper… only as use – the essential political problem then becomes ‘How does one use a common?’” ([Agamben 2000: 117](#_ENREF_3)). In his subsequent reflections on the crisis of exchange-value and the possibilities disclosed for use-value, ([Agamben 2007](#_ENREF_5), [Agamben 2010](#_ENREF_6)). Agamben has returned to the theologico-political context that characterized Dante’s times, and in particular to the conflict between the Franciscan movement and the Papacy. In his discussion of Franciscanism in *Highest Poverty* Agamben formulates what is to date his most explicit account of the ideal of “free use” of things and bodies. Franciscans made a vow of “highest” poverty which they understood in terms of the desire *to own nothing* and only to *make use* of necessary things. Because of the Roman law connection established between ownership and being a subject of legal rights, the ideal of highest poverty, which required giving up not only the right to own something, but even the right to make use of anything, opened up the possibility for human beings to exist outside of positive law and without positive rights (hence “highest poverty” corresponds to an emancipated “bare life”) while at the same time establishing relations of commonality with others mot mediated by private property, and thus realizing what Marx would call the “communal nature” of human beings. Likewise, the ideal of highest poverty corresponded to the openness to the dimension of animal life (*zoe*) in so far as the only acceptable relation to things is that of mere use, *usus facti*, analogous to what animals enjoy with respect to the products of the earth. In Agamben’s interpretation, Francis’s peculiar community with animals and his desire to return to the condition of natural right, where everything is held in common by all creatures, resonates with the Marxist messianic tenet of the “naturalization of man” and the “humanization of nature.”

For Agamben, the abdication of all legal rights is merely the “matter” of form-of-life, whose authentic “form” is poverty ([Agamben 2013: 3.9](#_ENREF_8)). To understand what *usus pauper* entails, Agamben returns to his previous messianic reading of Paul in *The Time that Remains*. In order to distinguish the “free use” of something from the “right” over something Agamben recovers the Pauline idea of the *hos me*: to make a use of worldly things “as if” they were not owned by anyone in particular. A form-of-life is not something that one can have under the dominion of one’s will and that is why life (and its free use of things) falls outside of the purview of subjective rights. Thus, in *The Kingdom and the Glory* Agamben explains what is at stake in the “life” of Jesus understood through the *hos me* of Paul: “Under the ‘as not,’ life cannot coincide with itself and is divided into a life that we can live (*vita quam vivimus*, the set of facts and events that define our biography) and a life for which and in which we live (*vita qua vivimus*, what renders life livable and gives it meaning and form). To live in the Messiah means precisely to revoke and render inoperative at each instant every aspect of the life that we live, and to make the life for which we live, which Paul calls the ‘life of Jesus’ ( *zoe tou Iesou* – *zoe* not *bios*!) appear within it…. The messianic life is the impossibility that life might coincide with a predetermined form, the revoking of every *bios* in order to open it to the *zoe tou Iesou*” ([Agamben 2011: 248-249](#_ENREF_7)). For Agamben the “life of Jesus” represents the ideal of revoking all imposition of *bios* (all human functionality and operability) on *zoe* in order to raise up this *zoe* to its own glory.

Just like at the close of *The Kingdom and the Glory*, so in *Highest Poverty* the Franciscan form-of-life in which *bios* emerges as fidelity to animal *zoe*, in which form is not imposed to life from a legal or anthropological machinery but comes from life itself, is articulated by Agamben through the distinction between the “life” (*zoe*) of Jesus and the “person” of Christ: the former is affirmative, the latter is not. Agamben suggests that such a distinction between life and person relies on Joachim of Fiora’s eschatological construal of divine providence ([Agamben 2013: 142-143](#_ENREF_8)), which was was entirely opposed to the “economic theology” of previous Trinitarianism, described in *The Kingdom and the Glory*. Joachim claimed that the Trinitarian “Person” of Christ as Son of God merely brought to an end the Old Testament (Mosaic law), but that the age of the Second Person, represented on earth by the vicariate of both Pope and Emperor, was not the last age of history before the Second Coming. Instead, Joachim prophesized that an entirely separate “Third Age” of history would bring to an end the New Testament, i.e., the law of the Church, and inaugurate one last historical epoch of Spirit, characterized by those who follow the “life of Jesus.” For Agamben, Francis is “more than a prophet” ([Agamben 2013: 143](#_ENREF_8)) of this *zoe* of Jesus. With this expression he refers to the fact that Francis authored a Rule that is incompatible with the institutions of church and state that represent the “person” of Christ and in so doing he becomes the last legislator-prophet of the (bare) life of all human beings: “the Franciscan form of life is, in this sense, the end of all lives… the form-of-life that begins when the West’s forms of life have reached their historical consummation” ([Agamben 2013: 143](#_ENREF_8)). It seems, therefore, that Agamben’s biopolitics is compatible not with a political theology (in so far as he rejects all attempts to give political reality to the personality of Christ) but with a messianism that crucially depends on the life of Jesus as model for the achieved political life.

**3. Esposito, *munus*, and normativity.**

*Community and Immunity*

Compared to Negri and Agamben, the theme of community has been an explicit category of Esposito’s political thought from the start. In his *Categories of the Impolitical* Esposito analysed the exhaustion of the contractarian and methodologically individualist approach to thinking the relation between individual and community in modernity ([Esposito 2015](#_ENREF_19)). He pursued this project in *Communitas* and *Immunitas*, which develop the thesis that the modern subject or individual, with all of its civil and political rights as well as its moral powers, itself emerges as an attempt to attain immunity from the contagion of what is extra- and supra-individual, namely, the possibility of radical community ([Esposito 2010](#_ENREF_15), [Esposito 2011](#_ENREF_16)). Esposito starts off from the evidence that the original meanings of the term community derive from the Latin root *munus*, which means an obligation to give of oneself to others. There is no community between individuals without this exorbitant and incalculable gift or expenditure. At the same time, this obligation poses a threat and an incommensurable burden on the lives of the individuals since the structure of the gift is inherently asymmetrical: it can in no way be reciprocated and the community demands ever more gifts from its members.[[11]](#endnote-11)

Given the risk posed by the community to the individuals who belong to it, the members of the community need to protect themselves, their lives and livelihoods, from the demands made by their common life, by their community, of which they are themselves an essential part. This self-defense takes the form of a politico-juridical *immunitas*, an immunity that the individual takes on with respect to the demand and the duty that the community places upon him or her. Immunity from the demands of the other as other can take different shapes and forms in modern political thought, but the main ones consist in the idea of subjective rights against the sovereign power, in the idea of private property and of money as universal equivalent, and in the idea of sufficient reason. Esposito’s fundamental intuition is that by over-protecting the lives of individuals from the life of the community, modern immunitary politics isolates this individual life from what Marx calls its “communal nature” to the point that it ceases to be a human life: the human being is reduced to a species-life which then becomes the object of biopower.

For Esposito the most important thinker of the immunitary paradigm is Nietzsche. From Nietzsche’s perspective, modern institutions that seek to “protect” the lives of individuals in fact are responsible for weakening the animality of human beings and the “originary politicity of life,” the “unending form of struggle” that characterizes such animality ([Esposito 2008: 82-85](#_ENREF_14)). Nietzsche carries through the following argument: if protecting the individual lives is in the end death-producing, then the affirmation of life must require the non-protection of individual life, the cultivation of the death drive. Biopolitics turns into a thanatopolitics, a politics of giving death in order to keep alive ([Esposito 2008: 94](#_ENREF_14)). Esposito calls this Nietzsche’s “hyperimmunitary” reaction to modern logics of immunity, and he believes Nazism is the perfect embodiment of this reaction at a national level ([Esposito 2008: 96](#_ENREF_14)).

Esposito understands affirmative biopolitics as a deconstruction of Nazist biopolitics. Whereas biopower under Nazism thinks the relation between life and politics only “biologically,” the aim of an affirmative biopolitics is “to interpret life’s relationship with politics philosophically” ([Esposito 2008: 150](#_ENREF_14)). Like Negri and Agamben before him, Esposito’s affirmative biopolitics rejects the separation and opposition between biological life and spirit (*zoe* and *bios*) that lies at the heart of biopower. To that end, he seeks to reconnect life and intellect in a wide-ranging Averroistic tradition, as evidenced lately in his re-interpretation of Renaissance Italian thought in terms of affirmative biopolitics ([Esposito 2012](#_ENREF_17)).

*Law Beyond the Person*

In Esposito the internal relation between subjectivity and community, or between *bios* and *zoe*, is often interpreted in terms of the deconstruction of the idea of person, which in a sense is the ultimate immunitary device. Subjective rights belong with “the enclosed space of the person” ([Esposito 2012: 3](#_ENREF_18)). Roman law plays an especially crucial role in Esposito’s critique of the idea of person. In Roman law, “no human being was a person by nature – not as such. Certainly not the slave, but not the free man either: before he became a *pater,* that is, a legal subject, he still had to pass through the status of *filius in potestate*, which reflected the fact that, in the changeable dispositif of the person, since human beings arrived into life from the world of things, they could always be thrust back into it” ([Esposito 2012: 79](#_ENREF_18)). Esposito points out that in Roman law the distinction between natural individual (*homo*) and legal subject (*persona*) separates the individual from its biological life as a condition for protecting it through the legal form of the person.

This distinction between *homo* and *persona* problematizes the very idea of human rights because it causes rights to fall on the side of the legal *persona*, which is constructed precisely by separating it from the dimension of *homo*: the separation falls exactly into the distinction between *zoe* (tied to *homo*) and *bios* (tied to *persona*). Thus a human being is divided into “a biological body and a site of legal imputation, the first being subjected to the discretionary control of the second…. The person is actually superimposed onto the human being – but also juxtaposed with it – as an artificial product of the very law that defines it as such” ([Esposito 2012: 83](#_ENREF_18)). The hypothesis is that the idea of “person” always serves to separate in the human being a part of itself as a “thing” and a part of itself as a “person”: rights adhere only to the latter; and they all fundamentally relate to life and the body, to embodiment, as if it were a matter of possession of the body-thing and protection of the body-life. It is in this sense that Esposito agrees with Marx’s early critique in *On The Jewish Question* that all “rights of Man” had “security” as their fundamental principle. Thus, Esposito’s central claim is that “the essential failure of human rights, their inability to restore the broken connection between rights and life, does not take place in spite of the affirmation of ideology of the person but rather because of it” ([Esposito 2012: 5](#_ENREF_18)).

Biopower, according to Esposito, depends on this dualism that is internalized into every individual, separating and reifying the common element of life into the aspect of the “body” from the individualizing element of the “person”: through this dualism, life falls outside of law. Similarly to Agamben’s archeology of subjective rights in the Franciscan polemics against ownership, for Esposito the root of the problem is that “to be the owner of a body, the person cannot be coextensive with it; in fact, the person is specifically defined by the distance that separates it from the body” ([Esposito 2012: 13](#_ENREF_18)). The “person appears to be an artificial screen that separates human beings from their rights, a confirmation that something like ‘human rights’ is impossible” ([Esposito 2012: 83](#_ENREF_18)).

From this analysis follows Esposito’s affirmative suggestion, which picks up Negri’s suggestion that “only bodies are capable of critique” but introduces the dimension of the “flesh”. If the concept of the “body” as a thing is the shadow cast by the concept of the “person” as a legal subject, then, for Esposito, the “flesh” is the life of the body, and life is inherently exposed to the world and to others. “Perhaps the moment has arrived to rethink in nontheological terms the event that is always evoked (but never defined in better fashion) that two thousand years ago appeared under the enigmatic title ‘the resurrection of the flesh.’ To ‘rise again,’ today, cannot be the body inhabited by the spirit, but the flesh as such: a being that is both singular and communal, generic and specific, and undifferentiated and different, not only devoid of spirit, but a flesh that doesn’t even have a body” ([Esposito 2008: 167](#_ENREF_14)). Unlike the concept of body, the idea of flesh cannot be the object of preservation or of immunization of the self, as happens when life is reduced to the body and its self-enclosure. On the contrary, the flesh is what always already opens the self onto others, and thus corresponds to the *munus*, to the expenditure of self that establishes community with others. The flesh corresponds to the dimension of what Esposito calls the “impersonal,” which for him is analogous to the concept of “multitude” in Negri. Both Negri and Esposito refer in this context to Deleuze’s late concept of an “impersonal” yet singular life that is no longer the property of an individual, and in that sense is generic or common, while at the same time being unlike the lives of all others, and thus radically singular.

However, despite his critique of rights, for Esposito, unlike for Agamben, it is not so much a question of formulating a form-of-life that is entirely outside of law. Rather, the goal is to think about rights by shifting the emphasis from person to impersonal, from body to flesh, such that rights can make possible a co-immunity between individuals rather than the preservation of their reified individual interests. Traditionally, rights have been thought as immunities of individuals against the community; they protect the individual from the *munus*, i.e., the demands of the common. However, when viewed from the perspective of life, Esposito suggests that rights can be thought as a function of lowering the immunity to the other so as to form a community that is co-immunitary in relation to its members ([Lemm 2013](#_ENREF_25)).

In *Bios* Esposito presents Canguilhem as the contemporary philosopher who pursued furthest the project of undoing the spiritualist separation of life from itself while not losing sight of the dimension of normativity. Similarly to Agamben’s overturning of Heidegger’s priority of human existence over animal life, Esposito seeks to recover the “subjective character” or normative power immanent to biological life. In this he follows Canguilhem, for whom life is never simply the reified material on which an external norm is imposed, because every living thing has its own norms: to be “normal” or “healthy” for a living organism means to “preserve intact his or her own normative power, which is to say the capacity to create continually new norms”([Esposito 2008: 191](#_ENREF_14)). Esposito calls for a rethinking of the legal form so that it can acquire “the power [*potenza*] of life’s becoming” and live up to the principle that “no part of life can be destroyed in favor of another: every life is a form of life and every form refers to life” ([Esposito 2008: 194](#_ENREF_14)).

*Affirmative Biopolitics and Political Theology*

For Esposito, the concept of the person introduces a dualism into what Dante refers to as the *universum hominum*: “Far from identifying the living being in its entirety, inside of which it is nonetheless inscribed, person corresponds rather to the irreducible difference that separates the living being from itself”([Esposito 2012: 76](#_ENREF_18)). In his most recent work, Esposito identifies political theology as that discourse that introduces transcendence and verticality into the political relation of human beings ([Esposito 2015](#_ENREF_20)). His main thesis is that political theology is a “machination” (*Gestell* in Heideggerian terminology, a *dispositif* or apparatus to speak like Foucault and Agamben) whose centrepiece is the idea of “person.” Political theology is the name for the self-alienation of the human species: it lies at the core of all those discourses in western philosophy and human sciences that split the human species into person and thing, soul and body, God and man. In turn, this division or split into two parts has always the effect of including one part as inferior into the other part as superior: thus the soul includes the body in order to exclude it and bring it into submission, while making of this submission a sign of freedom. For Esposito, the paradigm for all these dualisms remains Trinitarian Christian theology, where the singularity of God is split into the persons of Father and Son in order both to subject Son to Father and to free Him.

In *Two* Esposito follows Negri’s and Agamben’s claims that an affirmative biopolitics turns on the identity of (human) species-life with thinking but only in the form of the impersonal or communal essence of thinking. Esposito here expands on this Averroistic signature of Italian biopolitics by arguing that the only way out of political theology, and its master concept of the person, lies in adopting the separation between thinking and personality, as advocated in the Averroistic tradition, whose crucial claim is that the person “does not think” because thinking is actualized by the human species along its entire history and is the property of no-one.

**Conclusion**

In this chapter I have shown that the theories of affirmative biopolitics of Negri, Agamben, and Esposito share deep commonalities and family resemblances in so far as they all develop Marx’s intuition that an authentic concept of subjectivity must be tied to the development of what Marx calls the “communal nature” of humanity. Thus, in their affirmative conceptions of biopolitics, it is the dimension of species-life or *zoe* that is prioritized, in contrast to other contemporary approaches to biopolitics that are more focussed on the construction and control of the “individual” *bios* ([Lemke 2011](#_ENREF_23)) ([Rose 2007](#_ENREF_37)). However, Italian biopolitics is not a vitalism, since for these theorists the dimension of species-life is characterized by the power of thought, which they interpret along Averroistic lines as a potential shared and exercised in common.

The main point of contention between these theorists remains the role played by political theology within affirmative biopolitics. For Negri, political theology has no affirmative uses: it is the index of the autonomy of the political domination from the creative power of living labour, and thus belongs with ideology. Negri charges both Agamben and Esposito with having abandoned the Averroeist, immanentist impulse of biopolitics as an extension of Spinozist and Marxist conceptions of *Deus sive Natura* and having introduced elements of personalism and transcendence into their affirmative biopolitics. This charge may not be entirely unfounded in the case of Agamben, who seems to develop the affirmative sense of “bare life” in the form of the Franciscan ideal of “highest poverty,” where a communal *zoe* is approximated through the model of Jesus’s messianic life. Esposito, for his part, adopts an intermediary position: he follows Agamben in claiming that the main tradition of western political philosophy is indeed governed by political and economic theologies that turn on the identity of subjectivity with personality. But he opposes affirmative biopolitics to political theology by recovering the Averroist separation of a common intellect of the human species from the individual self-consciousness. The difficult question of the relation between biopolitics and political theology remains open, especially because the adoption of an Averroeist framework, in which, after all, the separation of the intellect from the body is still at work, in itself does not seem sufficient to eliminate all entanglement with questions of political theology.

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1. I here adopt the distinction first introduced by Negri between biopower and biopolitics, where the former is characterized by power as legitimate domination [*potere*] and the latter by power as emancipatory capacity or capability [*potenza*]. [↑](#endnote-ref-1)
2. The distinction between *bios* and *zoe* has been contested in some recent critiques of Italian biopolitics: see Wolfe, C. (2012). Before the Law. Humans and Other Animals in a Biopolitical Frame. Chicago, University of Chicago Press.. However, in the first instance it simply refers to the same phenomena that Ronald Dworkin describes as follows: “The Greeks used two words for life that bring out the distinction: *zoe*, by which they meant physical or biological life, and *bios*, by which they meant a life as *lived*, as made up of the actions, decisions, motives and events that compose what we now call a biography” Dworkin, R. (1994). Life's Dominion. An Argument about Abortion, Euthanasia, and Individual Freedom. New York, Vintage Books. 82-3. If the distinction between *bios* and *zoe* is employed by a leading exponent of Anglo-American analytic political philosophy, I see no reason to pre-emptively question its use in Italian theory as well. [↑](#endnote-ref-2)
3. See the objections raised by Judith Revel, “Identity, Nature, Life: Three Biopolitical Deconstructions” and Maria Muhle, “A Genealogy of Biopolitics: The Notion of Life in Canguilhem and Foucault”, both in Vanessa Lemm, M. V., Ed. (2014). The Government of Life. Foucault, Biopolitics, and Neoliberalism. New York, Fordham University Press., 112-26 and 77-98 respectively. However, these two interpreters discount the role played by community and thinking in the Italian theories of biopolitics. [↑](#endnote-ref-3)
4. Translations from the Italian of this text are mine. [↑](#endnote-ref-4)
5. On inoperability, see Prozorov, S. (2009). "Giorgio Agamben and the End of History. Inoperative Praxis and the Interruption of the Dialectic." European Journal of Social Theory **12**(4): 523-542.; for an interesting take on Agamben and Aristotelian capability theory, see Bull, M. (2007). "Vectors of the Biopolitical." New Left Review(45): 1-25.. [↑](#endnote-ref-5)
6. The motif of the “machine” (anthropological and juridical) seems to be simultaneously to contain references to Heidegger’s idea of technology as destiny of metaphysics, as well as to Kafka’s machines. For other discussions of Heidegger and Kafka in this biopolitical sense, see Campbell, T. (2011). Improper Life: technology and Biopolitics from Heidegger to Agamben. Minneapolis, University of Minnesota Press. and Vardoulakis, D. (2013). Sovereignty and Its Other. New York, Fordham University Press.. [↑](#endnote-ref-6)
7. For a recent approach to form-of-life in Agamben’s work, see the special issue of *Theory & Event*: “Form-of-Life: Giorgio Agamben, Ontology and Politics” vol.13, issue 1 (2010). Especially important on the discussion of use is the contribution by Whyte, J. (2010). "A New Use of Self. Giorgio Agamben and the Coming Community." Theory and Event **13**(1).. See now also Whyte, J. (2014). Catastrophe and Redemption: The Political Thought of Giorgio Agamben. Albany, SUNY Press.. [↑](#endnote-ref-7)
8. For a discussion of the problem of happy life in Agamben seeMills, C. (2004). "Agamben's Messianic Politics: Biopolitics, Abandonment and Happy Life." Contretemps(5): 42-62. and Vatter, M. (2008). "In Odradek's World: Bare Life and Historical Materialism in Agamben and Benjamin." Diacritics **38**(3): 45-70.. [↑](#endnote-ref-8)
9. On the Averroeistic background of Italian theory, see Illuminati, A. (1996). Averroe e l'intelletto pubblico. Rome, manifestolibri.. [↑](#endnote-ref-9)
10. On Agamben and Aristotelian theory of potentiality, see Durantaye, L. d. l. (2009). Giorgio Agamben: A Critical Introduction. Stanford, Stanford University Press.. [↑](#endnote-ref-10)
11. On these themes, see the special issue of *Diacritics*, “Bios, Immunity, Life: The Thought of Roberto Esposito” 36 (2), summer 2006. On community in Esposito, see Maria del Rosario Acosta, L. Q. (2010). "De la estetización de la política a la comunidad desobrada." Revista de Estudios Sociales **35**: 53-65., Lemm, V. (2012). Introduction: Biopolitics and Community in Roberto Esposito. Terms of the Political: Community, Immunity, Biopolitics. New York, Fordham University Press**:** 1-13. and Miguel Cereceda, G. V., Ed. (2011). Incomunidad. El pensamiento político de la comunidad a partir de Roberto Esposito. Madrid, Arena Libros.. [↑](#endnote-ref-11)