"Person and Munus in the Thought of Roberto Esposito"

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Introduction:

In the context of Esposito's larger body of work, the critique of human rights featured in *Third Person* is not a call to improve liberal institutions of immunization, but rather provides evidence for their fundamental limitations. While Esposito does not suggest these limitations mean that mechanisms of immunization can be simply abandoned, he does suggest the latter's deficiencies can be tempered and opposed by developing the concept of the impersonal and the common.

In what follows here, I will attempt to show how Esposito's work on the person, the impersonal, and the common, can be mobilized to challenge an ascendant neo-liberalism. I will proceed by showing, first, how Esposito unfolds a genealogy of the concept of the person and the way he believes this *dispositif* serves to undermine the tradition of human rights to which it is allegedly in service. I will then go on to suggest how we can extrapolate from Esposito's critique of the liberal concept of the person a critical assessment of neo-liberalism. Here, reading Esposito alongside Foucault's work on liberal biopolitics, and following Timothy Campbell's work putting these together, I suggest that Esposito's critique of the person provides a very apt diagnosis of the way the *dispositif* of the person has become a major device of (pathological) immunity in the neo-liberal era in which we live. In the following (second) section, I seek to develop Esposito's idea of the impersonal as a right in common in an affirmative political direction by connecting these concepts to his earlier work on the munus and community. In doing so, I will seek to bring Esposito's concept of an obligation held in common into dialogue with Ranciere's notion of dissensus. I argue that dissensus can be grounded in the munus itself as a movement of expropriation counter to the immunization of some from others. Finally, I suggest some ways

that this reading of munus and dissensus together can provide the basis for thinking the common against the neo-liberal apparatus of immunity.

Part of my argument here counters a strand of critical response to Esposito's recent work on the impersonal as an *anti-political* concept. Despite Esposito's claim that the impolitical is not anti-political, that is, an avoidance of politics, it is often thought that the impersonal or the idea of affirmative biopolitics one finds in his more recent work is an abandonment of politics or is useless for politics. I want to suggest here that not only is this not the case, but also that some of the issues with this concept are due to Esposito's own reluctance to clarify the diverse conceptual genealogy through which these concepts emerge in his work.

I.

In his recent book *Terza Persona* of 2007 (Third Person, 2012a), Esposito introduces the idea of a "*Dispositif* of the Person" to extend his previous discussions of the concept of immunization first explored in relation to community (*Communitas* 1998/2010) and biopolitics (*Immunitas* 2002/2011 and *Bios* 2004/2008). According to Esposito, the *Dispositif* of the person has the effect of placing human beings into different categories of worthiness for the protections afforded by human rights. This feature is what, to him, prevents the doctrine of universal human rights from actually applying to all human beings. Even though human rights are designed to protect (immunize) all human beings from violence, those rights are predicated in turn on the concept of the person. This category is established through an internal distinction between *homo* and *persona*. It functions as though there were two interlocking strategies of immunization at work simultaneously. Because of its dual mechanism – functioning in a similar way to a negation of negation – violence against human beings is both forbidden and permitted. The immunizing function of universal rights against violence is itself subject to a counter-

immunization, because while all human *persons* are certainly entitled to the protections afforded by right, not all human beings count as persons. According to Esposito, the universal pretensions of the institution of human rights are thereby compromised in advance by the need to specify which living beings qualify for personhood.

That the category of the person is split in the manner just described is neither a simple historical accident, nor can it be a mere juridical oversight. As Esposito argues in the introduction to *Third Person*, the *Dispositif* of the person emerges in ancient Roman legal codes already imbued with the strategic function of creating different classes of people based on their distribution between the poles of person and (animated, natural) thing. The status of personhood, Esposito notes, is "only an interlude, a sort of unnatural pause on the servile horizon that included within its larger compass all human beings – with the exception of adult male Roman citizens" (Esposito 2012a, 10). As he argues in another essay recapitulating the main analysis of *Terza Persona*, the conception of personhood in the context of the Roman Imperium functioned specifically as an apparatus for appropriating the lives of others. Citing Simone Weil, Esposito notes that according to her, "the bridge between Roman law and violence is constituted by property: owning things and men transformed into things through the institution of slavery constitutes not only the context of the juridical order, but its form" (Esposito 2012b, 29). This is in fact why, rather than producing completely separate categories, the Roman legal paradigm casts *homo* and *persona* into a set of mobile designations allowing for a whole series of intermediate gradations between the two categories – for instance, the slave who can enter into contracts on behalf of the master as much as the child who is subject to the unlimited authority of the *pater*. The upshot of this mobility, however, is to consolidate the domination of the few legal persons over the many servile human beings by judging the latter to be types of instruments or forms of property entirely dependent on the former. Thus, since the designation of person perpetually plays

opposite the natural human being, the category of rights that attend the person are also those of appropriating and securing property, establishing a relation of domination between the person and what is appropriated out of the "things" of nature, living and non-living.

For Esposito, the internal tie between the person and the institution of property continues in a changed but still recognizable form right through into modern liberal society. If medieval Christianity reacted to the brutality of the Imperium by declaring all human beings to be persons, this doesn't effectively stop the division internal to the category from operating. Remaining indebted to the metaphysics inherited from the ancient world in which the soul is closer to the divine than is the body, Christianity, perhaps despite its best intentions, reproduces the duality that is "put together in such a way that one of its elements is subordinated to another, separating it from God" (Esposito 2012b, 21). It is this element of subordination – or as Esposito will also argue following Foucault, subjection – of corporeality to the soul, that liberalism will in its turn take up in a modified form. In this context Esposito references the arguments of Locke and Mill that "the body is owned by the person who dwells inside it" (2012a, 12). In liberal thought, the rational agent calculating its advantage is regarded as distinct from that same agent's natural-corporeal qualities, which the agent now appropriates and disposes of as it sees fit. The economic subject, as much as the juridical person of liberalism, logically presupposes a hierarchical split between mind and body, wherein the latter becomes "an appropriated thing"; hence "the person is specifically defined by the distance that separates it from the body" (Ibid, 13). Uniting the ancient difference between *homo* and *persona* in one personal/impersonal body, in effect becoming its own property, the self-owning person of liberalism becomes the conduit for the appropriation of internal and external nature.

It is above all on the modern biopolitical horizon outlined by Foucault (1978) that the liberal paradigm of self-ownership becomes key to understanding the modern present. But instead of following Foucault's suggestion that we find an irreducible difference between the ancient (sovereign) power that takes life and lets live and the biopolitics of the population that expressly mandates life while only sometimes disallowing it, Esposito maintains these two strategies of power are closer than they might at first appear. Thus Esposito argues that in the modern liberal context, we find affirmed once again the "ancient Roman separation between *persona* and *homo*" which based on judgments of the value of the living "marks the final difference between what must live and what can legitimately be cast to death" (Esposito 2012a, 13).

While this is not to deny that there is a gap between the Roman dispositif and the one of contemporary liberal-governmental bio-power, it is to argue that this discontinuity is linked in a way that calls into question the assertion of a substantive break between modernity and what came before it. According to Esposito, it is in fact historical discontinuity itself that provides the matrix for a sort of return of the archaic in the midst of contemporary circumstances that appear very different from it. As he argues, "it is the breaking of chronological continuity […] that opens up, in the flux of time, those empty spaces, those fractures, and those crevasses in which the archaic can once again re-emerge" (Esposito 2012b, 27-28). Such re-emergence, to be sure, is never the simple repetition of the archaic form per se, but appears rather "as a specter or phantasm", manifesting in history much the way Freud thought that psychic phenomena most strongly rejected were the very ones most susceptible to repetition (Ibid).

From this perspective, developing the proximity Esposito sees between ancient and modern forms of biopolitics, Timothy Campbell has offered an intriguing set of suggestions for how to use Esposito's discussion of the person to analyze contemporary neo-liberalism (Campbell 2011).

According to Campbell, the notion of self-ownership Esposito identifies as the hallmark of the liberal person is intensified and expanded by neo-liberalism. This means primarily that the distance between person and human being (as natural thing) is increased to the point where the relations between them threaten to make each side indistinguishable from its opposite. In contemporary neo-liberal biopolitics, it is no longer simply the trait of self-ownership that supplies the distinction between person and non-person, but rather, it is "a person's capacity to increase her biopower [that] will become the primary means for determining how fully she is a person" (Campbell 2011, 74). As we have seen, prior forms of liberalism instrumentalize the body so that both it and its capacities could be turned into commodities for sale on the capitalist market (Esposito 2011, 13; Campbell 2011, 74). In this sense, liberalism creates the conditions for a biopolitical regime in which developing and maximizing individual capacities is equated with the maximization of freedom, with the consequence that the latter is conceived in entirely individualistic terms.

Neo-liberalism, for its part, will intensify this dynamic, not just by demanding that individuals increase their productive biological capacities, but by setting up a specific social regime that enshrines wholesale competition and self-management as the normative model for all spheres of life. In response to this competition, individuals have little choice but to maximize their biopower, on pain of falling behind in the competitive struggle. To fall behind is not merely to risk falling into poverty, but in doing so, the subject's status as a person is also degraded and put at risk. The subject's status as a person is therefore dependant on a set of competitive performances, failure at which strongly suggests a lack of those qualities – initiative, the willingness to take risks, self-discipline and a resilient work ethic – that make one a person.[1]

[1] Campbell's suggests that the signs of grace Weber equates with charismatic authority have actually been transposed into the fate of individuals on the capitalist market (p. 69-70).

Indeed, to lack personhood in neo-liberalism, unlike in earlier versions of liberalism (for example, the welfare or social democratic liberalism of the post-war period), is to bring to bear on the faulty person a regime of disciplinary control over that individual's life, or even worse, to consign them to one of the growing "zones of abandonment" to which the losers of the competitive game are increasingly consigned, and where they are subject to an apparatus of thanatopolitics (Campbell, 75-76). As Campbell's discussion makes clear, Esposito's work on the person in its modern and archaic varieties joins Foucault's earlier remarks on the modern regime of biopolitics with the latter's lectures on neo-liberal governmentality, not coincidentally titled *The Birth of Biopolitics* (Foucault 2008).

As Foucault argues in his *Birth of Biopolitics* lectures, much of the intensification of early liberalism has taken place through the notion of the "enterprise self", which, following Esposito's analysis, should be considered a new twist in the *Dispositif* of the liberal person in neo-liberal societies (Foucault 2008). According to Foucault, in a crucial section of his lectures, the self-owning person of classical liberalism becomes in neo-liberal economic theory a self-relation of human capital. We might define this self-relation precisely as a type of self-objectification in which the subject turns his or her capacities as a sort of capital to be rationally managed, maintained, and enhanced. Such a view of the (economic) subject presupposes the notion of the person Esposito claims constitutes the liberal subject, in other words, a subject not only relating to itself in the mode of self-ownership, but furthermore, calculating on the basis of this ownership how to maximize a return (an income), from its own utilization. Since this ownership exists for the express purpose of calculative maximization, everything that belongs to this person can be included as its capital. Hence, as Foucault summarizes the argument of those neo-liberals who he calls here "neo-economists", theirs "is not a conception of labour power; it is a conception of capital-ability which, according to diverse variables, receives a certain income that

is a wage, an income-wage, so that *the worker himself appears as a sort of enterprise*" (Ibid, 225, added emphasis). Neatly undercutting the Marxist distinction between capitalists who employ labour power and workers who sell it, the neo-economists subsume the latter into the calculative matrix previously reserved for the former. We might also say, by drawing on the liberal *Dispositif* of the person, that the neo-liberal economists draw all social actors into a kind of universalizing economic reason of calculative maximization. In other words, there is a direct relationship between the liberal person regarded as self-owner and the universal economic agent conceived as an "enterprise". Thus for neo-liberal economics a global grid of intelligibility takes shape where anything an individual does can be analyzed in terms of benefits and costs relative to improvement or deterioration of the entrepreneur-subject and its capital.[2] Under this *Dispositif* is constituted what Foucault defines as "*homo oeconomicus* as entrepreneur of himself, being for himself his own capital, being for himself his own producer" (Ibid, 226).

What must be added to this brief discussion of neo-liberal economic thought is the historical-political project transforming neo-liberalism from a body of economic thought into a form of life, and that also transforms the way subjects conceive of themselves. In an ascendant neo-liberal society, as Louis McNay has observed, Foucault's own notion of "care of the self", initially a form of resistance and refusal of forms of biopolitical governance, threatens to become indistinguishable from the self-entrepreneurship characterizing the neo-liberal person (McNay 2009). Indeed, as Dardot and Laval have recently maintained, "Life itself, in all its aspects, becomes the object of apparatuses of performance and pleasure" such that the subject/person in its entirety becomes the field of a potential submission to power (Dardot and Laval 2014, 283). This point recalls Campbell's idea that what is specific to the neo-liberal *dispositif* of the

[2] Foucault primarily has in mind here the influential work of Gary Becker, who he refers to several times in these pages.

person is that the more fully the subject maximizes their bio-political capital, the more they are considered persons. The person thus becomes an objectified and internalized grid of idealized performance to which actual subjects must continually measure up on pain of failure and drift toward the pole of thing. The individual, now entirely responsible for his or her fate, risks joining the increasing numbers of the population who, having little or no chance of economic success, take on the social position of disposable things. In this situation, neo-liberalism can be said to reproduce in a new form the shift between person and animate thing whose contours Esposito traces beneath the liberal utopia of universal human rights.

Following the analysis of Dardot and Laval, we might even push this point a little further. As they maintain, unlike previous regimes of liberalism, the ideal of the neo-liberal person is of "an *ultra*-subjectivation, whose goal is not a final, stable condition of 'self-possession', but a beyond the self that is always receding, and which is constitutionally aligned in its very regime with the logic of the enterprise", and beyond it, to the inscrutable and uncontrollable vicissitudes of the capitalist market (Dardot and Laval 2014, 284). In point of fact, Foucault already registered that the subject who responds rationally and systematically to an external environment not under their control becomes "eminently governable", rather than being the free agent posited by liberal economic theory (Foucault 2008, 270). What Foucault perhaps did not see as lucidly as Deleuze did, however, was that biopolitical power was increasingly to take the form of a network of control uniting in a single apparatus the disciplining of the body and the management of populations typical of the networked, digital capitalism that has become synonymous with the neo-liberal era. To re-introduce Esposito's perspective on the person, the neo-liberal person threatens to make the difference between person and thing indeterminate. If the person is the one who responds in a systematic way to the forces of the market, while at the same time can never hope to control these forces on the individual scale of the enterprise self and its human

capital, one might justly assume that such a person is but a calculating, animated thing; here, the latter's freedom is reduced to the calculation required to stave off an even greater level of servility and indignity. But at no time does the neo-liberal subject escape a kind of dependence on the outside that dictates its responses, and so, is not that different from the merely human life its calculations were to allow it to escape.

The problem, for Esposito, is that the person is a device of immunity. As such, it shares in the common defect Esposito ascribes to that paradigm in general, which is that immunity – at least past a certain point – becomes pathologically self-destroying. As he writes in *Immunitas*, "the immune mechanism functions precisely through the use of what it opposes. It reproduces in a controlled form exactly what it is meant to protect us from" (Esposito 2011, 8). But for Esposito, this mechanism becomes pathological when it becomes excessive and uncontrolled, as in certain forms of autoimmune disorders in which the body is not able to distinguish between itself and the foreign body that it seeks to neutralize, destroying itself in the process. In this context, the rights-bearing person is immune to the dangers that affect those who do not have such protective rights, those who are non-persons or living things; and yet, the status of the person in neo-liberalism entails a punishing quest for total maximization that not only renders increasing numbers ineligible, but also makes those who qualify only temporarily immune from the status of living thing, to which, not unlike in ancient Rome, they are always in danger of returning. It is true, of course, that great wealth can provide a powerful buffer against such contingency, and yet there are no guarantees that such wealth will not be lost amidst the increasing volatility and competition of global capitalism.[3]

[3] One might suggest that the primarily utility of such wealth is access to the political power necessary to prevent such contingency.

II.

What is at stake for Esposito in his discussion of the impersonal is a form of right that is not predicated on the status of the person. His attempt to introduce a concept of the impersonal in the concluding section of *Third Person* includes statements that suggest the possibility that right can be thought of in some other way than as "personal" right. It is this suggestion I will now try to develop by linking the concept of the impersonal to Esposito's earlier work on community.

Paraphrasing Simone Weil, Esposito writes in his essay "Dispositif of the Person" that "What is sacred in humans is not their *persona*; it is that which is not covered by their mask. Only this has the chance of reforging the relationship between humanity and rights that was interrupted by the immunitary machine of the person" (Esposito 2012a, 16). Developing this idea, Esposito suggests that what we require is "something as seemingly contradictory as 'a common right' or a 'right in common'" (Ibid). Subsequently investigating a series of figures of the impersonal as prospective paths to an "affirmative biopolitics", Esposito argues that these compose a thought of a "third" positioned on the margins of the person but which can never be assimilated to the person. The impersonal is, he writes, "a point, or layer, which prevents the natural transition from the splitting of the individual – what we call self-consciousness or self-affirmation – to the collective doubling, to social recognition" (Ibid 102).[4] Seemingly impossible, the impersonal connects the unique and singular aspect of each human being with what is common to all, corresponding to "the rights of the entire human community" (Ibid 103).

[4] The problem with this formulation, as I take up below – and why I seek to connect the impersonal to the munus – is that the impersonal, if it is to mean anything, must be (potentially) socially recognized. What I seek to show below is that dissensus is precisely the attempt to make the impersonal socially recognizable, in other words, that it becomes a political stake.

What this suggests is that Esposito is not completely hostile to the concept of right per se, nor does he view the concept of right as inherently serving to immunize each from all or some from others. This is in a way not too surprising because Esposito's earlier work on the origins of the concept of the community in the ancient *munus* seems to authorize something like this paradoxical right that can only be thought as an obligation or an expropriation common to all, that is, a common right that is held equally by all rather than a right that one holds against someone else or against the collective. Accordingly, for Esposito in *Communitas,* "What predominates in the *munus* is […] reciprocity or "mutuality" (*munus-mutuus*) of giving that assigns the one to the other in an obligation [*impegno*]" (Esposito 2010, 5). Here, the *munus* is what obligates one to give, it is what one owes the community because one has received from it what is principally *not* one's own, that is, the gift of life itself, which is impersonal and cannot be said to be the personal property of any living being. This is despite Esposito's claim in *Third Person* that what is common is also unique to each one, since the force of his argument is that what is unique is not a property of our *person* but rather consists in the singularly *impersonal* features of life that we did not or could not have chosen, and which is not ultimately under our control or up to us (Esposito 2012a, 104). Thus, the impersonality of the life of the living beings that we are is what cannot be appropriated or assimilated but on which we – even as persons – do not cease to depend. This means that one's living is never one's property, but rather constitutes a radical impropriety, a lack of property that is the breach or gap through which the community lives in us and so disposes and obliges us toward it.

Because each is in this position of impropriety or dependency with respect to the community, a de facto obligation is imposed on each to which each is bound. Thus Esposito writes, "The subjects of community are united by an "obligation," in the sense that we say "I owe you something," but not "you owe me something" (Ibid, 6). The important insight here is that the

paradoxical “common right” at issue is not something owed the individual by the community (the traditional notion of right), but rather the reverse, that the community is owed by the individual. Yet this is not a doctrine of the tyranny of the collective over the individual because each subject of the community shares this owing in equal measure. Although the debt is experienced as non-reciprocal, as something one owes rather than what is owed some one, it is nevertheless an entirely mutual indebtedness, and so no one is immune from the obligation it imposes. This is why Esposito can argue that the community “isn't the subject's expansion or multiplication but its exposure to what interrupts the closing and turns it inside out: a dizziness, a syncope, a spasm in the continuity of the subject” that is the anonymous being of community subsisting through the individual (Ibid, 7). Such a community without immunity is also a community without divisions and differences; an undifferentiated mass, it cannot tyrannize over its members except to the degree the tyrannized and tyrannizing are the same. This community does not yet contain the differentiation necessary for some to dominate others on the basis of differences and the ranking of these differences according to some value scheme.

It is impossible not to notice that Esposito derives the poison and its antidote from the same singular historical source, that is, ancient Roman society. As he derives the munus from the same society that invented the person for purposes of immunity, it is as though Esposito were attempting to uncover the primitive foundations of a pre-political collective beneath the layer on which the political apparatus of the person was subsequently founded.[5] This seems to reflect at least a logical, if not temporal, priority, because the munus logically precedes the apparatus of the person that introduces an immunizing function and exemption from a prior mutual

[5] Esposito had defined the concept of immunity in *Communitas* as a property of the subject allowing exemption from communal obligation, allowing that subject to “completely preserve his own position” (2010, 6).

obligation. The *communitas* would then be an image of a social body at the zero degree of politics, where all are mutually obligated to give, each being in debt to the rest for their very lives, and yet, precisely for this reason, where no one is in a position to withhold anything as immune to expropriation. If this is indeed an archaic image of a "primitive communism" seemingly prior to politics, it is one founded on complete indifferentiation, on the impersonal in the human being that all human beings share in common. If such a "society" never actually existed, nor could ever persist in a stable social form, it nevertheless seems to trace the outline of an original social condition subtending the historical politics of immunity. The latter would necessarily be predicated on the hierarchical distribution of differences according to some value scheme, and so the rule of some over others, the distribution of individuals and populations into persons and non-persons with which we are familiar.

However, what I want to argue is that the image of the munus as somehow pre- or a-political is mistaken; it is not a useless concept for politics. The munus is actually the ground of politics, its ultimate stake that cannot be reduced to one of the values supportive of a schema of value. It is this irreducibility that comprises the political effect of the munus. Whatever the historical status of the munus, by recalling it Esposito is not engaged in an exercise of nostalgia or an attempt to rediscover a lost domain of pre-political innocence. Quite the opposite, as he explicitly claims, the munus should be understood to give to collective obligation a new political sense (Esposito 2013, 84). It is the inevitable persistence of the munus in the contemporary political situation, composed of highly immunized persons, that serves as a basis for the formation of political subjects whose role is precisely to contest the distribution of immunity in the apparatus of the person.

At this point we can turn to another attempt to contest the political distribution of persons and rights, as is found in the work of Jacques Ranciere. In particular, Ranciere's discussion of human rights in his important essay "Who is the Subject of the Rights of Man?" provides a point of comparison between his own concept of dissensus and Esposito's munus. Ranciere defines dissensus as "part of the configuration of the given, which does not only consist in a situation of inequality, but also contains an inscription that gives equality a form of visibility" (Ranciere 2010, 68). My argument is that it is possible to see the munus in terms that are not only very similar, but which reveal the political stakes it presents.

In his essay Ranciere shows political dissensus in a way that is telling for bringing out the munus as a compositional moment in political conflict. Ranciere cites the claim of Olympe de Gouges during the French Revolution that "if women were entitled to go to the scaffold, then they were also entitled to go the assembly" (Ibid). Ranciere interprets this statement to mean that the women in question "acted as subjects that did not have the rights that they had and that had the rights that they had not" (Ibid, 69). Ranciere is absolutely correct to argue that this claim is not merely (although it also is) an assertion of women's belonging *de facto* to an order from which they were excluded *de jure*. De Gouges is not merely claiming entitlement to the "rights of Man", which is to say full personhood, on the basis of what Ranciere describes as "a conflict of interests, opinions or values" (Ibid). Rather, and more fundamentally, de Gouge's statement introduces dissensus, "a division inserted in 'common sense'" in the existing distribution of political subjects and rights (Ibid). This division contests the way the existing order of qualification and disqualification operates by asserting that that order is blind to the very equality it presupposes.

But which equality is that? In his essay Ranciere draws attention to de Gouges' reasoning that if any subject could be obliged to lose their "bare life" for the sake of the community, then all such subjects are already obligated at the most fundamental level, and are thus already included in the order from which they are nonetheless excluded. In other words, if women were "as equal 'as men' under the guillotine, then they had the right to the whole of equality" (Ibid). The precise point of the dissensus thus concerns what it is that should determine membership and inclusion. De Gouges does not contest the obligation imposed by the community. She does not dispute the idea that her life is not merely her own but also can be demanded by the community. In fact, she explicitly invokes this right of the community, the obligation it imposes, in two related ways. First, she argues that the obligation itself is the fundamental determinate of inclusion because it is an obligation imposed on all; the common or mutually held obligation is the one that should serve as the criteria of membership. Second, she asserts that fact of common obligation in order to depose or devalue the competing value scheme under which she is (as are all other women) excluded from the assembly. The assertion of right is not just a bid for membership in the extant value scheme as it stands, but also a contestation – a dissensus – over the criterion determining its applicability. And this dissensus takes the form of an attack on a narrower definition of inclusion on the basis of the equality – that of common obligation – that underwrites the entire situation but is denied its visible place.

What this discussion demonstrates, in my view, is that the munus as Esposito understands it, is not apolitical, but serves as the political "ground zero" of claims to equality and membership. In the situation described by Ranciere, it is this common obligation that is invoked by de Gouges as the presupposition of equality and the dissensus that contests her exclusion from it by displaying or making that equality apparent. The munus at stake in this dissensus is not an abstract or even "vitalist" force, but rather shows up through the claim to an equality of obligation that can be

made apparent whenever a situation of inequality is asserted on some other basis than that of the common itself. While nothing guarantees that it will be made apparent in an actual political and historical situation, that dissensus on the basis of the munus will actually occur, it remains a kind of potential that can appear politically into the social order from the situation of commonality and of human beings' dependency on the common.

It might be said by way of objection that the munus lacks historical specificity, so that appealing to the obligation to give one's life to the community is relevant only in some (extreme) cases, and so it would otherwise be an abstraction. But this is missing the point. The claim of the munus is the obligation to give based on dependency on the common. The obligation to give can and will take different historical forms: in the case of revolutionary France, it is the obligation to die for the community seeking to rid itself of a whole layer of immunity in the form of nobles and clergy; in our present circumstances it might rather appear as the imperative to contest the power of corporations and the inequality that excludes so many from the very community of which they are part. But whatever the case, the munus takes the form of an imperative towards equality against immunity. We can even say it is likely to appear wherever immunity has reached the point of pathological insulation, attacking the very community on which it depends.

At this point it should be noted that the political potential of the munus is often overshadowed by Esposito's more recent work on the impersonal as taken up in texts such as *Bios* and *Third Person*. In these texts, we find the impersonal juxtaposed to the personal, and from this perspective, it looks like an appeal to an anonymous vital force of life within each person that in a rather unspecified way subverts the apparatus of the person. Now, as a series of critics have contended (at one point myself included), if this is how the impersonal is read, it is hard to know what to do with it politically – it can't be a *subject* of politics since it is precisely what the subject

depends on without ever being able to be appropriated. It also seems that the commonly anonymous fact of life, the fact that all living beings share "life" as their common condition, is not enough to constitute a community or generate obligation as I've argued the munus does. So if we read the impersonal as something like the common fact of a (separated) force of life inherent in each individual, the criticisms of an affirmative biopolitics as a non-political concept seem justified.[6]

Thus, from the perspective I'm trying to present here, it seems that Esposito has articulated the impersonal in an ambiguous fashion. One strand, the one through which he developed the concept of the munus, comes via Jean-Luc Nancy's attempt to rethink Heideggerian Dasein through the concept of *partage*, the sharing (out) of being. Esposito gives to this concept of being in common a sense of the being of the common through the munus, pushing it in a political direction that he argues is absent from the work of Nancy. This strand is clearly visible in *Communitas* and elsewhere (Esposito 2010, Esposito 2013, Esposito and Nancy 2010). However at the same time, Esposito also draws quite consciously on Deleuze and Bergson in order to develop a concept of the impersonal that appears much more closely aligned to a vitalist tradition in contemporary thought. In many of these same texts just cited, Esposito already appeals to this tradition to ground an affirmative biopolitics in the concept of the impersonal.

[6] If the impersonal is tied to the munus in the way I have suggested here, this allows us to temper the criticisms Esposito's work has generated equating the impolitical with the non- or anti-political (see Bosteels 2010, Goodrich 2012, Short, 2013, Russell 2014). In the case of Russell, who also compares Esposito and Ranciere, his argument that the impersonal in Esposito consists of a mere "appeal to the outside" that disrupts, yet without ever articulating positively, existing social categories, holds only if the impersonal is not brought into contact with the munus (Russell 2014, 221). Russell quotes an earlier paper of mine criticizing Esposito's affirmative biopolitics in this sense; my argument in this paper should thus also be read as a rejoinder to my own earlier position on the impersonal. The mode of the impersonal found in the munus isn't outside the community, and so it can't be thought of in terms of an ethical gesture to something "beyond". Rather, the munus, while impersonal, provides a political dimension to claims against immunity that can be taken up by subjects in the name of a shared obligation to the gift of the common.

Esposito, at least to my knowledge, has never attempted to reconcile or sort out the implications of drawing on these two strands, and this has the unfortunate effect of obscuring the political import of his critique of the person. What I've tried to do in this section, then, has been to show how the impersonal can be read through the munus in a political direction.

For Esposito, the point of developing the concept of the munus as a way to rethink the common is precisely to allow for a renewed thinking of the common good. As I have argued elsewhere, this commitment situates Esposito in a republican political tradition seeking to think freedom and obligation together through life lived in common (Short and Bird 2013). Re-imagining the common as common good is about more than reasserting the dignity of public space, although Esposito believes the latter should not be abandoned to the extant dynamics of neo-liberal privatization. The public, as the sphere of the state and government, does not exhaust the common, since the latter can never be reduced to the sphere of the state's institution of the *res publica*. The problem is, Esposito writes, that "The common is neither the public – which is dialectically opposed to the private – nor the global, to which the local corresponds. It is something largely unknown, and even refractory, to our conceptual categories, which have long been organized by the general immune *dispositif*" (Esposito 2013, 89). In any case, Esposito's work on the possibilities of the common should not be seen as simply without political import. Rather, precisely by linking immunity to the private, the proper, and the person, as opposed to the common, Esposito's work seeks to formulate a new (or renewed) form of political engagement.

## III. Conclusion

Neoliberalism is a regime of immunity in which, to use Esposito's and Foucault's terms, the *Dispositif* of the person is deployed in order to turn subjects into "enterprise selves" who adapt

to the demands of a highly competitive form of globally networked high-technology capitalism. By turning the *dispositif* toward a self-maximizing subject of continual productivity, it forces subjects to continually change, but to do so in a way that imprisons the dynamic of innovation in the form of competitive adaptation. Change is thus captured in a way that seeks to reproduce the same. Thus, despite neo-liberalism's assertions about its own dynamism, it resembles closely Ranciere's description of a community envisioned along the lines of consensus (Ranciere 2010). Consensus for Ranciere entails a model of the community in which all are allotted a place, all are counted, and nothing is permitted to be out of place. If we have witnessed a decline in the relevance of politics under neo-liberalism – until perhaps more recently – this is because, as Ranciere would argue, neo-liberalism represents a consensus-form in which the dissensus of the community is managed and subjects are governed so as to allow the existing order to be reproduced with minimal disruption.

For Ranciere, however, community can be conceived other than through consensus, and this way is that of dissensus. In dissensus, as we have seen, one finds "*surplus* subjects that inscribe the count of the uncounted as a supplement" to the police consensus of parts (2010, 70). For Ranciere, this "part that has no part…acts to separate the community from its parts, places, functions and qualifications" (Ibid). Dissensus asserts the truth that "politics is a process, not a sphere" (Ibid). If political activity has been re-emerging from its long slumber in recent times, if dissensus appears once again to be possible, we might say that neo-liberalism produces an excess of non or failed persons who not only become uncountable – for example, those who inhabit Campbell's "zones of abandonment" – but whose very uncountability returns to contest neo-liberal countability (and accountability) as such.

As I've tried to sketch in this piece of writing, it is here at the point of dissensus that we can find a place for Esposito's concept of the munus. The return of politics is connected under neo-liberal hegemony with a popular assertion of the value of equality. Appeals to equality are simultaneously appeals to the notion of responsibility and obligation, the idea that the enormous immunity of the very wealthy to the community on which they depend violates a fundamental obligation imposed by the existence of community itself. In our times, politics takes the form of seeking to make the immune persons obligated once again. And much of this demand or dissensus is articulated by those who have been rendered politically invisible, in Ranciere's terms, uncountable, in asserting their (denied) equality and hence right as political subjects of community to impose a communal obligation on the immune.

In fact we might say that the munus of Esposito is actually the condition for the continued relevance of the paradigm of right, that right must be conceived not as providing immunity but as intending the continuation of the common. In this sense, politics and the demand for rights on the part of those deemed less than persons or surplus living beings is the moment of reasserting the munus of common obligation that troubles and makes contestable the given order of spheres, persons, and rights.[7] What this suggests is that all rights are already common right by virtue of the fact that, as Ranciere puts it, the "strength of those rights lies in the back-and-forth movement between the initial inscription of the right and the dissensual stage on which it is put to the test" (Ibid, 71). It is in this sense also, then, that we can agree with Esposito that the common is not the same as the public, even if this should not entail the notion that the public is not also crucially important.

[7] Foucault says something quite similar toward the end of Volume I of the *History of Sexuality* where he invokes popular agitation against governmental forms of biopolitics to a paradoxical set of rights, such as to health or life, having no precedent in the rights tradition because these are not primarily individual rights.

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