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Article

The *Dispositif* between Foucault and Agamben

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Abstract

This article interrogates the specter of resistance in the writings of Giorgio Agamben and Michel Foucault, arguing they open up divergent ways of theorizing resistance to power. This article's focus is on both philosophers' use and interpretation of the *dispositif*, or apparatus, which controls and orders subjects, and which is the target for forms of resistance. Whereas for Foucault resistance is a practice existing as a transcendent possibility for any individual, Agamben reads such transcendent forms of resistance as ultimately reinforcing the control of the *dispositif*, arguing that only a turn to ontology and immanent politics can resistance be meaningful.

Keywords

Foucault, Agamben, resistance, *dispositif*, transcendence, immanence, life

Both Michel Foucault and Giorgio Agamben have written extensively on "life" in its various guises, and how it has been controlled and ordered by power. This article engages with the thought of Foucault and Agamben and focuses on their work on resistance. It reads both as offering different constructions of the concept of the individual, also termed the singularity, or life itself. These differences, which are related to one another, offer contrasting approaches to theorizing life, and ultimately illustrate how the individual can resist apparatuses of control.

In undertaking these readings, this article engages with the relationship between the work of Agamben and Foucault, and particularly the question of intellectual patrimony which may exist in Agamben's work, using Agamben's reading of Foucault as a starting point. To enter into debates about the history of philosophy and focusing upon a thinker's influences, particularly a specific influence such as Foucault, can be a fraught affair. For instance, Agamben has openly admitted being influenced by the writings of Hannah

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Arendt,[1] and studied under Heidegger at Le Thor.[2] It may not seem immediately clear why such a focus on Foucault, and not say Heidegger or Arendt is necessary, especially when much existing scholarship already focuses on the fact that many of Agamben's works owe a large debt to Foucault.

However, I contend that if Agamben's thought is conflated too readily with Foucault's, as much scholarship has done, then the different perspective Agamben provides on the nature of resistance, through his reading of Foucault and the *dispositif*, is in danger of being effaced, or worse, missed.

This article focuses on the apparatus, or *dispositif*. The *dispositif* represents the network of power relations which articulates how a power not based upon classical conceptions of sovereignty manifests itself, and is a key term in Foucault's thought. It is through the *dispositif* that the human being is transformed into both a subject, and an object, of power relations.[3] Agamben also focuses upon the *dispositif*, and specifically how it operates as an apparatus to control humanity.

In analyzing their use of the *dispositif*, Foucault and Agamben are read as offering two distinct approaches for conceiving of freeing life from the binds of oppressive social structures. Foucault seeks the potential for an ethical and aesthetic self-creation in the emergence of the new, be it a form of power, counter-conduct or an ethical culture of the self.[4] As part of this move, Foucault relies upon transcendent referents which are utilized to ground a new form of freedom for the individual. In contrast, Agamben eschews all reference to transcendence, contending that politics involves the deactivation of all *dispositifs*, opening up an immanent sphere of radical indifference for life to dwell in. Clarifying the relation between Foucault and Agamben sets the stage for better appreciating their different forms of emancipatory politics.

I. A Non-Foucauldian Philosopher?

Interest in Giorgio Agamben's philosophy has grown exponentially since the various volumes of Agamben's *Homo Sacer* project have been published.[5] Agamben's major engagement with Foucault begins at the very start of *Homo Sacer I*,[6] with his aim to "correct, or at least complete" Foucault's hypothesis of biopower.[7] Roberto Esposito

1. Giorgio Agamben, "On the Limits of Violence," *Diacritics* 39 (2009), 103–11, 111.
2. Leland de la Durantaye, *Giorgio Agamben: A Critical Introduction* (Stanford, CA: Stanford University Press, 2009), pp. 1–2.
3. Roberto Esposito, "The *Dispositif* of the Person," *Law, Culture and the Humanities* 8 (2012), 17–30.
4. Mitchell Dean, *The Signature of Power: Sovereignty, Governmentality and Biopolitics* (London: SAGE Publications, 2013), p. 165.
5. Alison Ross, "Introduction," *South Atlantic Quarterly* 107 (2008), 1–13; Matthew Calarco and Steven De Caroli (eds.), *Giorgio Agamben: Sovereignty & Life* (Stanford, CA: Stanford University Press, 2007).
6. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, Daniel Heller-Roazen (tr.) (Stanford, CA: Stanford University Press, 1998).
7. Op. cit., p. 8.

correctly notes that Foucault did not invent the idea of biopolitics, as its origins can be traced to the early twentieth century.[8] However, in distinction to these earlier notions, which saw biopolitics as a direct relation between biological life and politics, biopolitics for Foucault was part of a much larger analysis of governmentality.[9] For Foucault, biopower refers to the techniques of government which transform life into an element of the economy of power. Biopower focuses on disciplinary and normalizing mechanisms designed to transform and influence human life, to optimize health and prolong life.[10] In other words, biopower strives to preserve life, even at the cost of terrible suffering.[11] Importantly, as well as the government of the living, biopower refers to the multiple practices of dying. Death is the limit to biopower for Foucault, because power must invest itself in the body.

Agamben deems his ''correction'' as necessary due to his reading a ''failure'' on Foucault's part to connect his analyses of biopower to Arendt's studies on totalitarianism, which prevented him from developing his nascent concept of biopolitics.[12] He reads Foucault's works as being comprised of two main strands of inquiry. The first is that of biopower and biopolitics, and the second refers to the examination of technologies of the self or disciplinary power.[13] Agamben's key move is to argue that Foucault failed to identify the point at which these two powers converged, and that this ''hidden point of intersection'' is not an intersection at all, as the two strands are bound together through sovereign power – a sovereign power which maintains the right of death over the individual.[14]

As such, Agamben's crucial move is to claim that death is not power's limit, but rather the terrain upon which power operates.[15] While Foucault wrote of the deadly combination of biopower and sovereign power, exemplified in Nazi Germany,[16] Agamben reads this combination not as a historical aberration, but as a condition of possibility of Western politics. Agamben inverts Foucault's statement that "death is outside the power relationship" and "beyond the reach of power";[17] biopolitics is much more about sovereignty and death than Foucault contended.

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8. Roberto Esposito, *Bíos: Biopolitics and Philosophy*, Timothy Campbell (tr.) (Minneapolis, MN: Minnesota University Press, 2008), pp. 13–44.
9. Arne de Boever, "Bio-Paulitics," *Journal for Cultural and Religious Theory* 11 (2010), 35–51, 37–8.
10. Michel Foucault, *The History of Sexuality, Volume One: An Introduction*, Robert Hurley (tr.) (London: Penguin Books, 1978).
11. Benjamin Noys, *The Culture of Death* (New York: Berg Press, 2005), p. 54.
12. Agamben, *Homo Sacer*, pp. 4–6.
13. Op. cit., p. 7. It is disciplinary power which Foucault explored in *Discipline and Punish*. See Michel Foucault, *Discipline and Punish: The Birth of the Prison* (London: Penguin Books, 1991).
14. Agamben, *Homo Sacer*, pp. 6–7.
15. Noys, *The Culture of Death*, p. 35.
16. Michel Foucault, *"Society Must Be Defended," Lectures at the Collège de France, 1975–76*, David Macey (tr.) (London: Penguin Books, 2003), p. 259.
17. Op. cit., pp. 247–8.

Even here though, it is necessary to note that Agamben's interpretation of biopower is not as far removed from Foucault as first appears. Despite Foucault's pronouncements on the relationship between death and power, there is nothing about Foucault's account that precludes a discrimination between lives that are worth living and lives that are not worth living, as long as this discrimination is understood to enhance the population's productivity.[18] What biopolitical practices and strategies entail is not just the ability to foster life, but also allow life to die.[19] This means that the death of any particular individual is insignificant, as life continues at the level of the population.[20] Indeed, Timothy Campbell has gone so far as to claim that much contemporary writing on biopolitics, including that of Agamben, Esposito and Peter Sloterdijk, retains a preoccupation with how biopolitics regulates death, leading to biopolitics being reduced to a form of thanatopolitics.[21]

The orthodox view is that biopower occupies a transitory moment in Foucault's thought, as it was not a refined enough category of power for his analyses. This is the reason why governmentality and *dispositifs* of security began to enter Foucault's work.[22] However, Mitchell Dean has noted that sovereignty still plays a role in Foucault's thought, for example in his referring to the nature of a *coup d'état*.[23] In addition, Foucault does conflate biopower and governmentality, claiming the state of government is defined by the "mass of population." He then makes clear that while governmentality is preeminent in modernity, it does not displace sovereign power.[24] This should be understood despite the fact that Foucault's hypothesis of biopower took him towards his later analyses of the subject and subjectivity, which accords with Foucault's own claim that the subject was the overriding theme of his work.[25]

Perhaps not unreasonably, given these claims, and Agamben's own statement that he sees his work as "closer to no one than to Foucault,"[26] a great deal of the literature reads Agamben as an heir to Foucault's philosophical project. Perhaps this is why he has been accused of constructing a blunt account, conflating biopower with a politics of death, and ignoring the nuances in Foucault's thought.[27]

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18. Op. cit., p. 260.
19. Op. cit., p. 255.
20. See Paolo Palladino, "Miranda's Story: Molecules, Populations and the Mortal Organism," *History of the Human Sciences* 24 (2011), 1–20.
21. Timothy Campbell, *Improper Life: Technology and Biopolitics from Heidegger to Agamben* (Minneapolis, MN: University of Minnesota Press, 2011), p. 29.
22. Ben Golder and Peter Fitzpatrick, *Foucault's Law* (Abingdon: Routledge, 2009), pp. 32, 49; Michel Foucault, "Technologies of the Self," in Michel Foucault, *Essential Works of Foucault 1954–1984, Vol. 1: Ethics, Subjectivity and Truth*, Robert Hurley (tr.) and Paul Rabinow (ed.) (London: Penguin Books, 1997), pp. 223–51.
23. Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1978–1979* (London: Palgrave, 2007), pp. 261–6.
24. Op. cit., pp. 107–8.
25. Michel Foucault, "The Subject and Power," in *Michel Foucault: Beyond Structuralism and Hermeneutics*, Hubert Dreyfus and Paul Rabinow (eds.) (Brighton: Harvester Press, 1980), p. 208.
26. de la Durantaye, *Giorgio Agamben*, p. 209.
27. Paul Rabinow and Nikolas Rose, "Biopower Today," *BioSocieties* 1 (2006), 195–217, 201–2.

Katia Genel, as part of a detailed analysis of Agamben's ''correction'' of Foucault, asks whether Agamben could "legitimately reinterpret" Foucault's thought in the way he does.[28] Questioning whether Agamben has undertaken a ''legitimate reinterpretation'' implies that Agamben has directly developed Foucault's thought. Genel, not without reason, concludes that "Agamben carries out a displacement of his interrogation onto the terrain of sovereignty and the law, a terrain Foucault had abandoned."[29] Mika Ojakangas has argued that Agamben's move to ally biopower with sovereignty misses a key thrust of Foucault's analysis:

> The original problem of Agamben's analysis is that he sees bio-power as power based upon bare life, defined in turn solely by its capacity to be killed. Foucault's bio-power has nothing to do with that kind of bare life.[30]

Both Genel and Ojakangas read Agamben's thought as a continuation or descendant of Foucault's philosophical project, and as such demands a certain ''fidelity'' to Foucault. The criticisms they level at the accuracy of Agamben's ''corrections'' are supported by the knowledge that, for Foucault, biopower is a thoroughly *modern* phenomenon.[31] For Agamben, biopower is not modern at all, but has existed since the time of Aristotle.[32]

If Agamben's thought was part of a Foucauldian co-ordinate, these points would be unimpeachable. However, this article constructs an alternative reading of Agamben's thought, involving the appropriation of Foucauldian concepts to forward a different conception of political existence and resistance, based upon both a novel reading of Foucault and an interrogation into the nature of ''life'' itself.[33] Following Michael Dillon, I wish to inquire not into "the degree of faithlessness" Agamben shows to Foucault, but as to "the worth of the betrayal."[34] It is through this questioning that Agamben allows us to explore the potential in his work, and the work of Foucault, for new forms of living that break free of contemporary structures of domination.

II. Immanent Life, and the Challenge of Transcendence

In his essay ''Absolute Immanence,'' with a typical rhetorical flourish, Agamben maps modern post-Kantian philosophy, dividing it between two lines depending upon how it

28. Katia Genel, "The Question of Biopower: Foucault and Agamben," *Rethinking Marxism* 18 (2006), 43–62, 45.
29. Op. cit., 45. Genel here comes close to the "expulsion thesis," a view that Foucault decisively expelled law from his thought in favor of other forms of power. As has been indicated elsewhere, this view is a mischaracterization at best – see Golder and Fitzpatrick, *Foucault's Law*.
30. Mika Ojakangas, "Impossible Dialogue on Biopower: Agamben and Foucault," *Foucault Studies* 2 (2005), 5–28, 5.
31. Foucault, *The History of Sexuality*, p. 143; Ojakangas, "Impossible Dialogue," 13–15.
32. Agamben, *Homo Sacer*, p. 3.
33. Giorgio Agamben, "Absolute Immanence," in *Potentialities: Collected Essays in Philosophy*, Daniel Heller-Roazen (tr.) (Stanford, CA: Stanford University Press, 1999), p. 239.
34. Michael Dillon, "Cared to Death: The Biopoliticised Time of Your Life," *Foucault Studies* 2 (2005), 37–46.

thinks life. First, the line of transcendence, beginning with Kant and ending in Derrida and Levinas. Secondly, the line of immanence, beginning with Spinoza, traveling via Nietzsche, and ending with Deleuze and Foucault.[35] It is this immanent vision of life which Agamben seeks to explore, thinking against the nihilistic consequences of holding immanence in relation to transcendence. Agamben explains that this recourse to transcendence is not necessarily deliberate:

> [I]mmanence is not merely threatened by this illusion of transcendence, in which it is made to leave itself and give birth to the transcendent. This illusion is, rather, something like a necessary illusion … to which every philosopher falls prey even as he tries to adhere as closely as possible to the plane of immanence.[36]

Agamben views Foucault's ideas of life and resistance being led astray by the promise of transcendence. Before continuing, it is worth summarizing exactly what the dangers of transcendence are for Agamben. This should be read in conjunction with his reading of the close relationship between biopower and death. His argument centers upon a controversial reading of Aristotle's *Politics*, and a claim that the Greeks did not have one word for life, but two.[37] *Zoē* expressed the simple fact of living common to all living beings; *bios* referred to ''political life,'' a way of living proper to man, which can be read here as a transcendent referent.[38]

Here I rely on Agamben's use of the *ban*, which indicates that the meaning of *x* is produced by its being held in relation to a non-*x*.[39] Both *bios* and *zoē* exist in this functional relation. Life, and political life in particular, is not defined immanently by itself, but is defined through its being held in relation to ''natural life,'' what it is not, mere existence, *zoē*, which exists as a universal transcendent referent.[40] Political life is qualified, the mere fact of living is universal.

Political life is therefore defined in a negative functional relation; life is not defined by what it is, but by being held in relation to what it is not, natural life. It is this negative relationality that Agamben sees as underpinning modern political existence. For Agamben, politics is the place in which a universal natural life, *zoē*, had to be transformed into a qualified political life, *bios*.[41]

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35. Agamben, "Absolute Immanence," p. 239.
36. Op. cit., pp. 228–9.
37. Aristotle, in Agamben, *Homo Sacer*, pp. 1–2. Such a reading of Aristotle on life, it should be noted, is very controversial. Agamben has been challenged for deliberately misreading Aristotle to provide authority for the claims about biopower he goes on to make. For a forceful critique, see Gordon Finlayson, '"Bare life' and Politics in Agamben's Reading of Aristotle," *Review of Politics* 72 (2010), 97–126.
38. Agamben, *Homo Sacer*, p. 1. I adopt Agamben's spelling here – Finlayson notes that the correct transliteration of the term is *zōē*.
39. Op. cit., p. 29.
40. It could also be claimed that *bios* is a universal referent that *zoē* is held in relation to. I do not agree with this take, in part because for Agamben *bios* is precisely not universal; the existence of bare life implies that political and human rights are not the universal ideals that they claim to be.
41. Agamben, *Homo Sacer*, p. 7.

However, the impact of this relation of *ban* is that *bios* can only gain meaning when held in relation to what it is not. Therefore *zoē* is not completely subsumed and transformed into *bios*, but instead continues to exist. This *zoē* remains in the political order, existing as politicized *zoē*, or bare life. The implications of this are that individuals will be de-subjectified, become expendable and be killed with impunity in any political order, because creating leads to the biopolitical creation of human detritus.

Agamben's argument places bare life, paradigmatically represented by the Roman law figure of *homo sacer*, the sacred man, as the most important figure to Western politics.[42] Crucially for Agamben's argument, without bare life, political life, and more importantly the rights that constitute that political life, cannot ground itself, as it is bare life that gives political rights their meaning.[43]

Agamben's attempt to inquire into an immanent life, which would in his terms deactivate this biopolitical machine, is strongly influenced by his reading of the late Foucault. However, this reading of Foucault is itself idiosyncratic and draws heavily on the influence of Gilles Deleuze. Agamben reads Deleuze as sharing both a "secret solidarity" and a "legacy" with Foucault.[44] Agamben has a record of reading Foucault idiosyncratically to pursue his own philosophical projects,[45] but it is precisely this reading which allows Agamben to detail his conception of emancipatory politics.

In Agamben's reading of Foucault's last essay: ''Life: Experience and Science,'' which he reads with Gilles Deleuze's essay, ''Immanence: A Life …''[46] Agamben reads in Foucault's text "a curious inversion of what had been Foucault's earlier understanding of the idea of life."[47] This ''earlier understanding'' refers to Foucault's reading of Bichat in *The Birth of the Clinic*. Bichat placed life in opposition and exposure to death, contending that to understand disease it is necessary to take the point of view of death, which life, by definition, resists.[48] Taking on board Bichat's definition of life as the totality of functions that resist death, Foucault contends that death provides the focal point for knowledge to give life its meaning – death is the opening on life's truth.[49]

It is this definition of ''life'' which Deleuze, and, following him, Agamben sees as Foucault's originary vitalism, seeing life as capacity to resist force and power.[50] This

42. Op. cit., pp. 71–4.
43. Agamben's related attempt to trace an archaeology of *homo sacer*, tracing the concept's existence from antiquity to modernity, has also been heavily criticized. See Peter Fitzpatrick, "Bare Sovereignty: *Homo Sacer* and the Insistence of Law," in *Politics, Metaphysics, and Death: Essays on Giorgio Agamben's* Homo Sacer, Andrew Norris (ed.) (Durham, NC: Duke University Press, 2005), p. 51; Andrew Norris, "The Exemplary Exception: Philosophical and Political Decisions in Giorgio Agamben's *Homo Sacer*," in *Politics, Metaphysics, and Death*, p. 262.
44. Agamben, "Absolute Immanence," p. 220.
45. See Tom Frost, "Agamben's Sovereign Legalization of Foucault," *Oxford Journal of Legal Studies* 30 (2010), 545–77.
46. Agamben, "Absolute Immanence," p. 220; Gilles Deleuze, *Pure Immanence: Essays on A Life*, Anne Boyman (tr.) (New York: Zone Books, 2001).
47. Agamben, "Absolute Immanence," p. 220.
48. Michael Foucault, *The Birth of the Clinic* (Abingdon: Routledge, 2003), pp. 177–8.
49. Op. cit., pp. 191, 243.
50. Gilles Deleuze, *Foucault*, Seán Hand (tr.) (Minneapolis, MN: University of Minnesota Press, 2006), p. 77; Agamben, "Absolute Immanence," p. 220.

is supported by Foucault's comments regarding death being the limiting force on biopower, and his claims in *The Order of Things* in respect of nineteenth century thought that "life becomes a fundamental force" and an "untamed ontology."[51] It is this force that annihilates and overturns everything it confronts, in the form of a ruptural intervention.[52]

Building on this, Agamben reads Foucault as having changed his vitalist consideration of life to one where life is "the proper domain of error."[53] Certainly, Foucault himself wrote that the essay represented "a different way of approaching the notion of life."[54] Foucault writes:

> In a sense, life – and this is its radical feature – is that which is capable of error. … [W]ith man, life has led to a living being that is never completely in the right place, that is destined to "err" and to be "wrong."[55]

Foucault continues, seemingly reversing his conclusion in *The Order of Things*:

> Should life be considered as nothing more than one of the areas that raises the general question of truth, the subject, and knowledge? Or does it oblige us to pose the question in a different way? Should not the whole theory of the subject be reformulated, seeing that knowledge, rather than opening onto the truth of the world, is deeply rooted in the "errors" of life?[56]

Agamben reads Foucault as opening up an unexplored terrain for questioning life, one which "coincides with the field of biopolitics."[57] This idea of life in Foucault sees its potential errors as being able to resist and counter the strategies of biopolitics, which carry within them the latent threat to "let die," casting aside the individual for the benefit of the population.

It is precisely here, with Agamben's pronouncement, that this biopolitical terrain offers two competing visions of emancipation. Agamben constructs a vision of life and resistance as purely immanent. Contrarily, Foucault's vision of life as error leads to resistance being experienced as a transcendent possibility for any living being. Transcendence here can be read as meaning beyond or outside, which here retains the possibility of going beyond the order of *dispositifs* and overcoming them. It is through analyzing each writer's use of the *dispositif* that this conclusion can be evidenced.

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51. Michel Foucault, *The Order of Things: An Archaeology of the Human Sciences* (Abingdon: Routledge, 2008), p. 303.
52. Op. cit., p. 303.
53. Agamben, "Absolute Immanence," p. 220. For a detailed and insightful essay on this issue, see Paolo Palladino, "Blessed Life…," in *Giorgio Agamben: Legal, Political and Philosophical Perspectives*, Tom Frost (ed.) (Abingdon: Routledge, 2013), pp. 207–22.
54. Michel Foucault, "Life: Experience and Science," in *Essential Works of Foucault 1954–1984, vol. 2: Aesthetics, Ethics and Epistemology*, Robert Hurley and Paul Rabinow (eds.) (London: Penguin Books, 1998), p. 477.
55. Op. cit., p. 476.
56. Op. cit., p. 477.
57. Agamben, "Absolute Immanence," p. 221.

III. The *Dispositif*

The *dispositif* structures how Agamben and Foucault conceive of life, and, by extension, death. A starting point can be found in Agamben's claim that the *dispositif* is an "essential technical term" for Foucault which takes the place of universals (or, to use another vocabulary, the transcendent) within his work.[58] Foucault's use of the *dispositif* occurred at a specific time in his thought. Jeffrey Bussolini traces the first extensive usage of the term in *The History of Sexuality, Volume 1*, which allows Foucault to elucidate his genealogical approach to history, evaluating a moving field of continuities predicated on continual change.[59] Both Graham Burchell and Bussolini note that Foucault distinguishes between *dispositif* and *appareil*, both of which get translated as ''apparatus.''[60] As Burchell notes, Foucault uses *appareil* to refer to State mechanisms of power.[61] This is deliberate. Bussolini contends that the terms are distinguishable because the Latin, French and Italian concepts of ''apparatus'' support a peculiar meaning distinct from *dispositif*, namely a magnificent preparation, splendour, state, pomp and show.[62] This ''political theatricality'' of state apparatuses is evident in Foucault in the opening pages of *Discipline and Punish*.[63] In an interview from 1977, Foucault defined the *dispositif* as follows:

> What I'm trying to pick out with this term is, firstly, a thoroughly heterogeneous ensemble consisting of discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions – in short, the said as much as the unsaid. Secondly, what I am trying to identify in this apparatus is precisely the nature of the connection that can exist between these heterogeneous elements. Thirdly, I understand by the term "apparatus" [*dispositif*] a sort of – shall we say – formation which has as its major function at a given historical moment that of responding to an urgent need.[64]

The *dispositif* named the network of power that articulated how a power that was not based upon a monist conception of sovereignty manifested itself. This network of relations between elements that responds to an emergency and which organizes, enables, orients fixes and blocks relations of force.[65] As Foucault stated, "power is employed and exercised through a net-like organisation" and "power in the substantive sense, 'le'

58. Giorgio Agamben, *The Signature of All Things: On Method*, Luca di Santo (tr.) (Cambridge, MA: MIT Press, 2009), pp. 7–9.
59. Jeffrey Bussolini, "What is a Dispositive?," *Foucault Studies* 10 (2010), 85–107, 88.
60. Burchell, "Introduction," in Michel Foucault, *Psychiatric Power, Lectures at the Collège de France, 1973–1974*, Graham Burchell (tr.) (Basingstoke: Palgrave Macmillan, 2006), p. xxiii; Bussolini, "What is a Dispositive?," 93.
61. Burchell, "Introduction," p. xxiii.
62. Bussolini, "What is a Dispositive?," 96–7.
63. Foucault, *Discipline and Punish*, pp. 3–6.
64. Michel Foucault, "The Confession of the Flesh," *Power/Knowledge: Selected Interviews and Other Writings, 1972–1977*, Colin Gordon (tr.) (Brighton: Harvester, 1980), pp. 194–228, 194–5.
65. Dean, *The Signature of Power*, p. 50.

pouvoir, doesn't exist."[66] Foucault's network of *dispositifs* is not the totality of the relationships it gathers under it, but it exists only in relation to the object of its analysis.

Foucault's approach to the *dispositif* is inextricably linked to his view of the subject. The human being is constituted as a subject by power relations and *dispositifs*,[67] which define an area of experience that manifests itself in and through the mutually constitutive interrelationships among discourses, power relationships and relationships of the self, as well as in the different practices and systems involved in those relationships. In this sense, the *dispositif* operates as a transcendent referent for the subject, organizing the field of power and knowledge as a field of experience.[68] Despite these *dispositifs* having a productive force, in that they are responsible for the creation of subjectivity and the ordering of lives, the nature of biopolitics means that those self-same *dispositifs* also have a negative side, in that they control and order which lives are worth preserving and which are not. Foucault's thought seeks to break free of this negative logic of the *dispositif*.

Despite Foucault tracing a genealogy of the *dispositif* to the modern age, coinciding with the development of biopolitics and governmentality, Agamben reads a much longer history to the term. It is this difference in their readings which undergirds their views on resistance. Agamben also considers the *dispositif* as a transcendent referent, but traces the root of *dispositif* to the Latin *dispositio*, translated the Greek word *oikonomia*, or economy.[69] In his writings on the Christian pastorate, Foucault refers to Gregory of Nazianus, who speaks of an *oikonomia psychōn*, an ''economy of souls."[70] Foucault traced the root of *oikonomia* to the Greek *oikos*, or household, and notes the managerial sense of the word.[71] However, he contended that the term should be translated as ''conduct,'' in the sense of leading and a form of behavior. Agamben claims that Foucault, in this move, misses an opportunity to complete his analysis of the *dispositif* because he chooses not to connect it to an economic theology which has been operative since the Early Christian Church.

The economical government of men and the world, found today in biopolitics and liberal economic government, can be traced to the problem of the Christian Trinity, and the question of how to resolve a monotheistic faith with the triune nature of God.[72] St Paul described the relationship between God, Christ and the Holy Spirit as the *oikonomia* of the mystery, namely an activity which will reveal the Divine mystery, God's plan.[73] Agamben reads the Early Church Fathers, including Irenaeus, Tertullian and Hippolytus as ultimately reversing the Pauline syntagma into the mystery of *oikonomia*, a mystery

66. Foucault, "The Confession of the Flesh," p. 198.
67. Michel Foucault, "On the Genealogy of Ethics: An Overview of the Work in Progress," in *The Foucault Reader: An Introduction to Foucault's Thought*, Paul Rabinow (ed.) (London: Penguin Books, 1991), p. 351.
68. Kai Eriksson, "Foucault, Deleuze and the Ontology of Networks," *The European Legacy* 10 (2005), 595–610, 600–1.
69. Dean, *The Signature of Power*, p. 52.
70. Foucault, *Security, Territory, Population*, pp. 192–3.
71. Dean, *The Signature of Power*, p. 173.
72. Giorgio Agamben, *The Kingdom and the Glory: For a Theological Genealogy of Economy and Government*, Lorenzo Chiesa and Matteo Mandarini (trs.) (Stanford, CA: Stanford University Press, 2011), pp. 110–11.
73. 1 Cor. 9:17; Col. 1: 25; Eph. 3:2, 1:10.

of the economy.[74] The crucial point to be grasped here is that this reversal resolves the mystery not through an ontological means, but by an economic-governmental one, which emphasizes its *praxis*.[75] God is to be thought not through the being of the Trinity, but through its *praxis*, through the administration of His Divine plan on Earth. The mystery of the Trinity is to be revealed through the stewardship of the Earth.[76]

For Agamben, God's transcendent sovereignty is administered through his immanent government of the Earth. This chimes with Foucault's use of *dispositif* as emphasizing the active setting in order and management which characterizes government.[77] However, Agamben remarks that it is with Origen that *oikonomia* gains a meaning of a providential unfolding of history according to an eschatological design, so that this mysterious economy is endowed with a sense of meaning and direction.[78] The notion of *oikonomia* posits a transcendent freedom, effected through economic governance and *dispositifs*, which corresponds to a Divine design.

Agamben's method focuses not upon exhaustive descriptions but upon singular paradigms which stand as examples of parts of our present, enabling him to make intelligible a broader "historical-problematic context."[79] For Agamben, the machinery of modernity has inherited this paradigm of the internal logic of the Trinity and deployed it in a biopolitical government which is nothing other than the art of exercising power, through *dispositifs*, in the form of a liberal economy.[80] In a similar vein, connecting biopolitics to neoliberal economics more explicitly than Agamben, Maurizio Lazzarato has argued that debt has become central to liberal economics, and operates as a *dispositif* of control which produces and governs subjects.[81] The providential ordering of the world through economic government ensures freedom, but this freedom is actually only *bios*. Agamben's riposte is that such a bipolar machine, hovering between transcendent and immanent poles, will always produce a remainder, the bare life swept away by the tide of progress. Government is what emerges when *desubjects*, individuals with no rights at the mercy of power, and not subjects, are produced by the network of *dispositifs* Agamben terms *oikonomia*.[82]

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74. Agamben, *The Kingdom and the Glory*, pp. 18–51. For an excellent, detailed analysis of the nuances of Agamben's analysis of the theological *oikonomia*, see Thanos Zartaloudis, *Giorgio Agamben: Power, Law and the Uses of Criticism* (Abingdon: Routledge, 2011).
75. Zartaloudis, *Giorgio Agamben*, p. 62; Dean, *The Signature of Power*, p. 175.
76. See John Reumann, "*Oikonomia* = 'Covenant': Terms For *Heilsgeschichte* in Early Christian Usage," *Novum Testamentum* 3 (1959), 282–92.
77. Bussolini, "What is a Dispositive?," p. 98.
78. Agamben, *The Kingdom and the Glory*, pp. 44–5.
79. Giorgio Agamben, *The Signature Of All Things: On Method* (New York: Zone Books, 2009), p. 9.
80. There are echoes here of an "end of history" – see Francis Fukuyama, *The End of History and the Last Man* (New York: Free Press, 2006).
81. Maurizio Lazzarato, *The Making of the Indebted Man* (Amsterdam: Semiotext(e), 2012); Maurizio Lazzarato, "Immaterial Labor," in Paolo Virno and Michael Hardt (eds.), *Radical Thought in Italy: A Potential Politics* (Minneapolis, MN: University of Minnesota Press, 2006), pp. 133–47.
82. Timothy Campbell, "'Enough of a Self': Esposito's Impersonal Biopolitics," *Law, Culture and the Humanities* 8 (2012), 31–46, 36.

So how can we summarize this analysis of the *dispositif*? Foucault wished to cut off the King's head in political theory.[83] From this, Foucault makes the claim that, "the King reigns but does not govern," precisely because government, and a politics of populations, has become preeminent in modernity.[84] Foucault replaces and subsumes sovereignty with *dispositifs* of governmentality and biopower, which structure and delimit the subject. Crucially, this transcendent *dispositif* constructs genealogies of regimes of power, which opens a space for questioning by showing that our understanding of ourselves need not be dominated and defined by power. In short, the *dispositif* shows us that resistance is always possible, and that power is never totalizing.

The important difference with Agamben is his situating Foucault's pastorate and governmentality in an economic paradigm, where sovereign decision-making is effected through an *oikonomia*, and *dispositifs* of control. He openly abandons the context of Foucauldian philology in order to situate the *dispositif* in a new context.[85] Specifically, Agamben views the *dispositif* in a much more totalizing manner:

> Further expanding the already large class of Foucauldian dispositives, I shall call an dispositive literally anything that has in some way the capacity to capture, orient, determine, intercept, model, control, or secure the gestures, behaviours, opinions, or discourses of living beings. Not only, therefore, prisons, mad houses, the panopticon, schools, confession, factories, disciplines, juridical measures, and so forth (whose connection with power is in a certain sense evident), but also the pen, writing, literature, philosophy, agriculture, cigarettes, navigation, computers, cellular telephones and – why not – language itself, which is perhaps the most ancient of apparatuses.[86]

Therefore Agamben proposes a massive (in his own words) division: on the one hand, living beings, and on the other, *dispositifs* in which living beings are incessantly captured:

> To recapitulate, we have then two great classes: living beings (or substances) and dispositives, and between these two, as a third class, subjects. I call a subject that which results from the relation and, so to speak, from the relentless fight between living beings and dispositives.[87]

Agamben's subject is produced and utterly dominated by *dispositifs*. Contrary to Foucault, this power is totalizing, precisely because of the operation of the *oikonomic* governmental machine. As such, it is not possible for a subject to escape the control of the *dispositif*, or to utilize the *dispositif* to construct a form of freedom which transcends the individual. It is this eschewing of transcendence which leaves Agamben to conclude only a philosophy of immanence can counter this threat.

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83. Foucault, *History of Sexuality, vol. 1*, p. 89.
84. Foucault, *Security, Territory, Population*, p. 87.
85. Giorgio Agamben, *What is an Apparatus?*, David Kishik and Stefan Pedatella (trs.) (Stanford, CA: Stanford University Press, 2009), p. 13.
86. Op. cit., p. 17.
87. Op. cit., p. 19.

IV. Foucault and the Possibilities of Transcendence

Foucault made the point that his books were written for ''users,'' not ''readers,'' and that he wanted his books to be a "tool-box" for action. This has led to a multitude of interpretations and readings of Foucault's thought.[88] This article adopts such a ''tool-box'' approach in illustrating that it is possible to read resistance to power as a transcendent possibility in Foucault.

The starting point for such a reading is a 1982 interview, in which Foucault claimed that resistance, rather than power, was the key force in the social order.[89] It is this statement which led Deleuze to read Foucault as positing resistance as being an unconfinable element *prior* to power.[90] Resistance comes first, and remains superior to power relations, which are obliged to change in the face of that resistance.[91] Whilst the minimum form of resistance is saying "no," Foucault sees resistance not as mere negation, but as a creative process. Resistance actively changes the strategic situation which subjects find themselves in with respect to power relations and *dispositifs*.[92] Foucault's thought can be read as showing the individual as both effected by and effecting power relations. The *dispositifs* of control both define us and provide us the opportunity to break free of them at the same time. Power relations themselves depend upon resistance, which is never ''exterior'' to power.[93] Rather, a plurality of resistances is inscribed in power as an "irreducible opposite."[94]

Despite this focus upon resistance, Foucault held reservations for the politics of what I term ''mere'' resistance, and cautioned against the equating of resistance with liberation. Decisively, Foucault distinguishes ''freedom'' from ''liberation.'' Whilst admitting that liberation does exist, for example in the colonial setting, Foucault makes clear that liberation is not sufficient to define the practices of freedom needed for individuals to define "admissible and acceptable forms of existence or political society."[95] Liberation is used to refer to forms of resistance to domination that release a pre-existing identity from an oppressive external force.[96] Freedom bears essentially on relations of power and domination – liberation from domination only gives way to new power relationships, which must be controlled by practices of freedom.[97]

88. Michel Foucault, "Prisons et asiles dans le mécanisme du pouvoir," in *Dits et Ecrits: 1954–1988, vol. II* (Paris: Gallimard, 1994), pp. 523–4.
89. Michel Foucault, "Sex, Power and the Politics of Identity," in *Essential Works of Foucault Vol. 1*, pp. 157–73, 167.
90. Gilles Deleuze, *Foucault*, Seán Hand (tr.) (Minneapolis, MN: University of Minnesota Press, 2006), p. 89.
91. Foucault, "Sex, Power and the Politics of Identity," p. 167.
92. Op. cit., pp. 167–8.
93. Foucault, *The History of Sexuality*, p. 95.
94. Op. cit., p. 96.
95. Michel Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," in *Essential Works of Foucault 1954–1984, vol. 1: Ethics, Subjectivity and Truth*, ed. Robert Hurley and Paul Rabinow (eds.) (Harmondsworth: Penguin Books, 2000), pp. 282–3.
96. Aurelia Armstrong, "Beyond Resistance: A Response to Žižek's Critique of Foucault's Subject of Freedom," *Parrhesia* 5 (2008), 19–31, 22.
97. Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," pp. 283–4.

It is these practices of freedom which allows the subject to practice self-construction and, in turn, resist and rework the *dispositifs* that constitute them. ''Mere'' resistance to power, like liberation, has the drawback of emerging in reaction to oppression and domination by *dispositifs* of control.[98] As such it is likely to create an attachment to an identity which is formed through that oppression, and therefore will reinforce those self-same dominating biopolitical *dispositifs*.[99] More fundamentally, due to the specter of biopolitics and the latent role of *dispositifs* in ''letting die,'' such a resistance and attempt to escape the *dispositif* will only, almost paradoxically, end up repeating its logic of deciding and regulating life and death. This is why Foucault sees power, and the *dispositif*, as imposing on the subject "a law of truth … which he must recognise and which others have to recognise in him."[100] Instead, the practice of freedom is a ''limit-experience'':

> The idea of a limit-experience that wrenches the subject from itself is what was important to me … however erudite my books may be, I've always conceived of them as direct experiences aimed at pulling myself free of myself, at preventing me from being the same.[101]

Following this theme, we can read Foucault in ''What is Enlightenment?'' as supporting the claim that this practice of freedom should be considered as a way of being:

> We must obviously give a more positive content to what may be a philosophical ethos consisting in a critique of what we are saying, thinking, and doing, through a historical ontology of ourselves … This philosophical ethos may be characterised as a *limit-attitude* … We have to move beyond the outside-inside alternative; we have to be at the frontiers.[102]

The politics of liberation is not enough to guarantee freedom, as freedom is not mere resistance to power. Freedom is the careful and innovative deployment of power, and by extension, *dispositifs*, in the effort to constitute the free self. In other words, the *dispositif* is needed to constitute the *ethos* of freedom:

> I do not think that a society can exist without power relations … The problem, then, is … to acquire the rules of law, the management techniques, and also the morality, the *ethos*, the practice of the self, that will allow us to play these games of power with as little domination as possible.[103]

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98. Armstrong, "Beyond Resistance," 22–3.
99. Wendy Brown, *States of Injury: Power and Freedom in Late Modernity* (Princeton, NJ: Princeton University Press, 1995), p. 27.
100. Foucault, "The Subject and Power," p. 212.
101. Michel Foucault, "Interview with Michel Foucault," in *Essential Works of Foucault 1954–1984, vol. 3: Power*, Robert Hurley and Paul Rabinow (eds.) (Harmondsworth: Penguin Books, 2002), pp. 241–2.
102. Michel Foucault, "What is Enlightenment?" in *Essential Works of Foucault 1954–1984, vol. 1: Ethics, Subjectivity and Truth*, Robert Hurley and Paul Rabinow (eds.) (Harmondsworth: Penguin Books, 2000), pp. 315–16.
103. Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," p. 298.

This game of power is *agonistic*. There is no ''essential freedom'' to be found, but a ''permanent provocation'' between the self and the *dispositifs* of power relations.[104] The key task is to "refuse what we are," to "promote new forms of subjectivity through the refusal of this kind of individuality which has been imposed on us for several centuries."[105] The creation of new forms of subjectivity involves freedom as a practice which requires the subject to self-create themselves anew, taking into account the *dispositifs* which constrain and control, and enabling the individual to discern the types of actions and interventions that are needed to effect change and create new subjectivities.

Freedom connects the *dispositif* and what is always beyond, the ''outside,'' the transcendent. I want to connect this to Foucault's last essay, and his view of error as the proper domain of life. When Foucault writes that life is that which is destined to err, such a life must contain the possibility to transcend *dispositifs* and break free of the logic of deciding who should live and who should be left to die. Freedom is experienced at the limit of power relations through their transgression, their erring, which is always-already a possibility, or destiny, for individuals to enact:

> The limit and transgression depend on each other for whatever density of being they possess: a limit could not exist if it were absolutely uncrossable and reciprocally, transgression would be pointless if it merely crossed a limit composed of illusions and shadows.[106]

The act of freedom constitutes itself through acting at the limit of the *dispositif*, transgressing that limit, erring, calling out to thought from the limit of the network of power relations, creating new subjectivities through the very response of the *dispositifs* to those transgressive acts. The *dispositif* thus controls life, but also is required for freedom in the form of self-creation. This transgressive freedom that brings about the self-creation of the new is a transcendent possibility, which the individual effects and which power relations and *dispositifs* must react to in response to these creative acts.

This is why Deleuze spoke of this kind of self-relation as the ''folding'' of power relations back upon themselves. It is not possible to move ''outside'' of the totalizing *dispositif* in terms of liberation. However, it is possible to think from the outside, from the limit, in a manner which brings together both the ''inside'' of the *dispositif* and the ''outside,'' of which the *dispositif* is an operation. As Deleuze states:

> The outside is not a fixed limit but a moving matter animated by peristaltic movements, folds and foldings that together make up an inside: they are not something other than the outside, but precisely the inside *of* the outside … The inside as an operation of the outside: in all his work Foucault seems haunted by this theme of an inside which is merely the fold of the outside, as if the ship were a folding of the sea.[107]

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104. Foucault, "The Subject and Power," pp. 221–2.
105. Op. cit., p. 216.
106. Michel Foucault, "A Preface to Transgression," in *Essential Works of Foucault 1954–1984, vol. 2: Aesthetics, Ethics and Epistemology*, Robert Hurley and Paul Rabinow (eds.) (London: Penguin Books, 1998), p. 73.
107. Deleuze, *Foucault*, pp. 96–7.

In acting on the individual, *dispositifs* produce an ''inside'' as an "interiorisation of the outside."[108] This folding allows a subject to differentiate itself from *dispositifs* and no longer has an internal dependence upon them – for Deleuze reading Foucault, there will always be a relation to oneself that resists such *dispositifs*.[109] The individual has the potential to distance themselves from the *dispositifs* that create our identity. This folding of power relations opens a space for the individual to transgress.

The question remains as to precisely how this transcendent transgressive freedom is effected. Foucault wrote of the need to bring about a "historical ontology of ourselves."[110] Such a questioning of current modes of existence does, on a certain reading, suggest that if we discovered the reality about how power operates in this world the individual can break free of its chains.[111] This view comes close to a Marxist view of ''false consciousness,'' and ignores the agonistic element to this reading of Foucault.[112]

Rather, following Aurelia Armstrong, I draw upon comments suggesting that it is only under the pressure of an event which makes our present identity and control problematic that we are forced to exercise our freedom.[113] Foucault suggests the following:

> [F]or a domain of action, a behaviour to enter the field of thought, it is necessary for a certain number of factors to have made it uncertain, to have made it lose its familiarity, or to have provoked a certain number of difficulties around it. These elements result from social, economic, or political processes … their role is instigation.[114]

These transgressions or errors of life, of action, and of existing, are the transcendent experience of events which force a questioning of the current *dispositifs* controlling the reality we inhabit. These errors allow the individual to interiorize the outside, and practice freedom as a transgressive limit-experience, agonistically questioning and forcing *dispositifs* to react to new subjectivities. These events do not have to be epochal, or revolutionary.[115] As Foucault states, different processes can instigate this process – the key is that it is the individual who responds to such instigation and practices this freedom through their actions and errors, causing the very conception of life to be changed through an "experimental mode of inquiry."[116]

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108. Deleuze, *Foucault*, p. 103; Armstrong, "Beyond Resistance," 26–7.
109. Deleuze, *Foucault*, pp. 101, 103.
110. Foucault, "What is Enlightenment?," p. 315.
111. Armstrong, "Beyond Resistance," 28–9.
112. See Georg Lukács, *History and Class Consciousness: Studies in Marxist Dialectics*, Rodney Livingstone (tr.) (Cambridge, MA: MIT Press, 1999).
113. Armstrong, "Beyond Resistance," 28–9.
114. Michel Foucault, "Polemics, Politics, and Problematizations," in *The Foucault Reader*, Lydia Davis (tr.), Paul Rabinow (ed.), (Harmondsworth: Penguin, 1986), p. 388.
115. Michel Foucault, "Useless to Revolt?," in *Essential Works of Foucault 1954–1984: Power*, J. D.Faubion (ed.) (London: Penguin Books, 2000), pp. 449–53.
116. Paul Rabinow, *French DNA: Trouble in Purgatory* (Chicago, IL: University of Chicago Press, 1999), p. 174.

V. Agamben's Immanent Life

Agamben makes clear his skepticism towards this Foucauldian idea of transgressive freedom. Agamben can be read as seeing the ''necessary illusion'' of transcendence as re-entering Foucault's thought, through the notion of freedom. He makes clear that creating new subjectivities will not affect the *oikonomic* governmental machine:

> Just as the biopolitical body of the West cannot be simply given back to its natural life in the *oikos*, so it cannot be overcome in a passage to a new body … in which a different economy of pleasures and vital functions would once and for all resolve the interlacement of *zoē* and *bios* that seems to define the political destiny of the West.[117]

Foucault's life lived through a transgressive freedom does not go far enough for Agamben; it still has recourse to a transcendent referent, in the form of a practice of freedom that *dispositifs* respond to and inevitably attempt to order and control. In this manner, sovereignty, through the ordering of an *oikonomic* government, recovers the ability to decide upon which lives are worth living and which lives are bare life, *homo sacer*. The *dispositif* will always totalize as long as life itself holds itself out to be defined by something other than itself, which is what it does when it relies on the logic of transcendence. This is why a politics of rupture and language of ''overcoming'' is unsatisfactory. Politics will only begin with the "inoperative disarticulation of both *bios* and *zoē*."[118] Only in this manner, through this rendering inoperative, which Agamben equates to a *messianic* move, will the thanatopolitics Agamben sees at the heart of today's biopolitical world be countered.[119] The task Agamben sets himself is by no means straightforward – Deleuze and Guattari describe it bluntly:

> Perhaps this is the supreme act of philosophy: not so much to think THE plane of immanence as to show it is there, unthought in every plane, and to think it in this way as the outside and inside of thought, as the not-external outside and the not-internal inside.[120]

The only resistance which is effective against the totalizing power of the *dispositif* is the construction of a form-of-life, a life which is lived immanently and therefore not reliant upon *dispositifs* to be constituted, nor any form of transcendence. Form-of-life, termed ''whatever-Being'' by Agamben, shows that humanity always has the possibility of redemption beyond biopolitics, and that living beings can resist domination.[121]

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117. Agamben, *Homo Sacer*, p. 188.
118. Agamben, *The Kingdom and the Glory*, p. 259.
119. For an excellent précis of this messianic philosophy, see Lorenzo Chiesa, "Giorgio Agamben's Franciscan Ontology," *Cosmos and History: The Journal of Natural and Social Philosophy* (2009) 5, 105–16.
120. Gilles Deleuze and Félix Guattari, *What is Philosophy?*, Hugh Tomlinson and Graham Burchell (trs.) (New York: Columbia University Press, 1994), pp. 59–60.
121. Agamben, *What is an Apparatus*?, p. 19.

The Coming Community opens with a meditation upon the relationship between universals and particulars by referencing "whatever-Being."[122] The *whatever* is not indifference seen from the point of view of the universal, where all particularities (subjects) are of indifferent importance with respect to the universal (the *dispositif*) that gives them their meaning. Agamben rejects the idea that only universals provide us with the means of understanding particular cases, and the idea that without them we would find ourselves lost amid a world of nameless singularities. Rather, the whatever is a *radical indifference*.

The singularity of whatever-Being no longer needs to ground itself in an "outside," be that a political order, *dispositif* or identity, or a transgressive freedom, in order to be fulfilled. This immanent life *is* a singularity, conceived of in all its rich difference from other singularities, a form-of-life. Whatever-Being is a being freed from the dilemma of the universal and particular; it "remains constantly hidden in the condition of belonging."[123] This form-of-life, where bare life cannot be placed in a state of sacred separation or exception, is one where *bios* would coincide with *zoē*. Form-of-life is life lived in its own potentiality of "being thus," on the plane of immanence itself.[124] Such a life is one which does not rely upon the *dispositif*, or a transcendent transgression at its limit. The impact of this sketch of a singular, immanent life can be shown through a quote from Jean-Luc Nancy, another thinker of singularity:

> The singular being is neither the common being nor the individual … There is no singular *being*: there is, and this is different, an essential singularity *of being* itself … That is to say, the "singular being" is not a kind of being among beings. In a sense, every being is absolutely singular … But the singularity of being … is singular on the basis of the limit that exposes it … which is itself diverse.[125]

Such a life cannot be based upon the mutual sharing of properties. Form-of-life cannot form a politics of social movements.[126] As Esposito has argued, "personhood" is one of the most widely accepted concepts in law, bioethics and politics today, yet the idea of the "person" is a *dispositif* which welds together man's animality and his political being, in a manner akin to Agamben's *bios*.[127] As identity politics today is presaged on the idea of personhood, this immanent thinking of life must not be in any way connected to current ideas of identity in order to avoid repeating them. A community of forms-of-life is not structured by an *absence* of shared properties. If it was it would be a "negative community."[128] The coming community must be a community of singularities who share nothing more than their singularity, their being-such.

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122. Giorgio Agamben, *The Coming Community*, Michael Hardt (tr.) (Minneapolis, MN: University of Minnesota Press, 2007), p. 1.
123. Op. cit., p. 2.
124. Op. cit., p. 93.
125. Jean-Luc Nancy, *The Inoperative Community* (Minneapolis, MN: University of Minnesota Press, 1991), pp. 77–8.
126. Agamben, *The Coming Community*, p. 86.
127. Esposito, "The *Dispositif* of the Person," 19–23.
128. Agamben, *The Coming Community*, p. 86.

Agamben accepts that it is not possible to think of existence and a community beyond all relation, but the relationality that exists for form-of-life is of a different kind than that produced by *dispositifs* such as the law. In *Nudities* he claims:

> The desire to be recognised by others is inseparable from being human. Indeed, such recognition is so essential that, according to Hegel, everyone is ready to put his or her own life in jeopardy in order to obtain it. This is not merely a question of satisfaction or self-love; rather, it is only through recognition by others that man can constitute himself as a person.[129]

However, form-of-life is a "new figure of the human" that is "beyond personal identity."[130] What this formulation implies is that the foundations of immanent life are ungraspable through presuppositions, transcendent resistance or the *dispositif*. What does this mean for the prospect of resistance?

There is no easy answer to what a politics of radical indifference would entail. For Agamben, resistance to the controlling power of *dispositifs* is a question of ontology, rather than one of politics. That this task is urgent is clear, yet it is in the here and now that resistance must be found. One clue to the nature of this indifference can be found in an interview in 1999, where Agamben was asked why, when he clearly identifies the adversaries we have to face today, his response is to take flight and evade, rather than to stand up and resist.[131] In this manner, Agamben stands apart from the agonism of Foucault detailed above. He answered:

> I think everything depends on what one understands by flight … The notion of flight does not imply an elsewhere one might go. No, it's a very particular flight: a flight with no elsewhere … For me, it's a question of thinking a flight which would not imply evasion: a movement on the spot, in the situation itself.[132]

The resistance to the *dispositif* is already in the world. We are not waiting for a revolutionary event, but rather to ignore the need to progress and actualize a better world. Specifically, this is a call to be radically indifferent towards the *dispositifs* which structure and delimit our existence. Given the breadth of Agamben's formulation of the *dispositif*, this is an impossible task, given he includes language as one such *dispositif*. This resistance to *oikonomic* government does not mean the utter rejection and removal of all *dispositifs*, or their overturning. Rather, this resistance is a withdrawal from the *oikonomic* system, and the leading of a life that would not accept the logic of *dispositifs*. Such a life would render those *dispositifs* of control inoperative. This can be read as a form of resistance itself.[133] As Juliane Schiffers explained:

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129. Giorgio Agamben, *Nudities*, David Kishik and Stefan Pedatella (trs.) (Stanford, CA: Stanford University Press, 2010), p. 46.
130. Op. cit., p. 54.
131. Vacarme, "'I am sure that you are more pessimistic than I am …': An Interview with Giorgio Agamben," *Rethinking Marxism* 16 (2004), 115–24, 120.
132. Op. cit., 121.
133. Lorenzo Fabbri, "From Inoperativeness to Action: On Giorgio Agamben's Anarchism," *Radical Philosophy* 14 (2011), 85–100.

> Man is a being who not only has the potential to realise and relate to his own being but also to realise and to relate to the contingency, inaccessibility and instability of his being.[134]

The key is to "think an *Ungovernable*," which is a life that is neither a revolutionary subject, nor able to be captured by the *dispositif*.[135] The Ungovernable is "the beginning and, at the same time, the vanishing point of every politics."[136] Agamben uses a number of quixotic and esoteric exemplars to illustrate this life, from the nude body,[137] to Bartleby the Scrivener,[138] to the protestors in Tiananmen Square.[139]

Perhaps the most fruitful and useful exposition of this form-of-life can be found in the collective life of Franciscan monasticism. This illustrates a life linked so closely to its form that it proves to be inseparable from it.[140] In contrast to a regulated monastic life, the Franciscan Order attempted to integrate monastic rules into a form of life itself, by living according to the "form of the Holy Gospel."[141] This was not reducible to a normative code, so rule and life became indistinguishable.[142] Service to God and the life led by the Franciscan monk was one and the same. Monasticism stands as a life lived alongside all of the *dispositifs* which structure and create subjects. As the monks did not, however, define their existence through outside referents, the *dispositifs* which existed did not define them as subjects, and so had no control over them. They had rendered them inoperative.

In this way, a life lived as its own form works on existing subjects to other them. Such a life defines its own way of living, to other itself, just as the Franciscan Order chose to. The monastic rules which were laid down by the Church did not govern the community, but the practice of living in common and the rules which were needed to sustain the common life were mutually reinforcing.[143] For the Franciscans, the laws and rules still existed, and mutually reinforced the life being led, but the individual monks chose not to use the methods of the laws and rules. Instead, they were aware of them and used them in a different, new manner.[144] The common life of the monk is held in a negative nonrelation to the law and the rules (in our terms, the *dispositif*): the existences of those *dispositifs* are necessary to differentiate the form-of-life the monks are practicing. They

134. Alice Lagaay and Juliane Schiffers, "Passivity at Work. A Conversation on an Element in the Philosophy of Giorgio Agamben," *Law and Critique* 20 (2009), 325–37, 325.
135. Agamben, *The Kingdom and the Glory*, p. 65.
136. Agamben, *What is an Apparatus?*, p. 31.
137. Agamben, *Nudities*, pp. 91–103.
138. Giorgio Agamben, "Bartleby, Or On Contingency," in *Potentialities: Collected Essays in Philosophy*, Daniel Heller-Roazen (tr.) (ed.), (Palo Alto, CA: Stanford University Press, 1999), pp. 243–71.
139. Agamben, *The Coming Community*, pp. 85–7.
140. Giorgio Agamben, *The Highest Poverty: Monastic Rules and form-of-life*, Adam Kotsko (tr.), (Stanford, CA: Stanford University Press, 2013), p. xi.
141. Op. cit., p. 97.
142. Op. cit., pp. 34, 47.
143. Op. cit., pp. 92–4, 101.
144. Op. cit., p. 102.

do not order and respond to a transgression in Foucault's terms, but remain apart from this life, as there is nothing in this life which they can gain purchase on and control.

Once again, this form of resistance is a practice, but not one akin to Foucault's freedom. Agamben's analysis exhorts us to undertake a "radical rethinking," to borrow Esposito's terms, of the idea of being human.[145] He is clear that any idea of politics cannot even be raised as long as individuals are unable to intervene in the processes of subjectification caused by the *dispositifs* of today.[146] Yet it is precisely here that Agamben notes that despite the pervasive nature of *dispositifs*, there will remain an "elusive element" which escapes the grasp of *oikonomic* government the more it docilely submits to it. Although Agamben questions whether such docility can "even threaten the governmental machine," it is with this specter that hope for the future lies.[147]

VI. Concluding Remarks

The *dispositif* can be seen to stand as the site for how Agamben and Foucault conceive of resistance. For Foucault, the *dispositifs* of control which exist in the world are never totalizing, and there is always room for resistance and revolt. Crucially, such resistance embraces those same *dispositifs*, utilizing its existence to act at the limit and create a new space for human activity. For Agamben, such *dispositifs* of control are completely totalizing. As a result, any resistance must be evasive in character and ultimately involves thinking an immanent life. Whilst Foucault offers concrete ideas, Agamben appears to evade and avoid such notions. However, whereas Foucault's resistance appears grounded in the tradition of critical theory, Agamben offers an ontological solution to the world's ills. Although Agamben is influenced by Foucault's thought, his way forward is markedly divergent. The choice offered here is a clear one: should leftist thought conceive of modes of resistance politically, or ontologically? The debate continues.

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145. Roberto Esposito, *The Third Person: Politics of Life and Philosophy of the Impersonal* (Cambridge: Polity Press, 2012), p. 147.
146. Agamben, *What is an Apparatus?*, p. 24.
147. Op. cit., p. 23.