

Recovering a political life:

Agamben's Pauline messianism as a challenge to sovereign power.

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Abstract

Agamben's theory on sovereign power has led to a scholarly debate on how to escape the narrow forms of life that are available within the sovereign social order as political ways of being. By referring to illegal immigrants in the Netherlands, this dissertation analyses how sovereign power comes into being through sacrificing acts that exclude bare life and the divine from the political community. In relating the emergence of sovereign power back to a theological shift from scholasticism to nominalism in the fifteenth century, this dissertation will show how sovereign power remains related to a sense of sacrality. This sense of sacrality implied in sovereign power, I argue, is the reason Agamben's study on the letters of Saint Paul in *the time that remains* potentially offers a successful way of confronting the sovereign logic. Because Agamben's messianism is able to restore a sense of potentiality to being, I contend it is able to break open the sovereign relationship between ontology and politics. This dissertation will argue that as a result new kinds of political subjectivity become available.

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Introduction

Within political theory, a broader project has emerged since the 1980's to critically consider the concept of the political. Postmodern thinkers such as Michel Foucault, Jacques Derrida and Slavoj Žižek have started to explore the limitations of what was formerly simply referred to as 'politics'. Much of what was depicted as 'politics' in many cases did not leave space for true political change, they argued, but was "displaced by a technology of expertise or the rule of bureaucracy."¹ Therefore they proposed to separate a narrow meaning of the political from a broader one; "in the narrow sense, the political is taken to be that sphere of social life commonly called 'politics'; elections, political parties, the doing of governments."² What comes to count as politics however, is by no means natural or given, rather it is part of the political in the broader sense that "refers to a frame of reference within which actions, events and other phenomena acquire political status in the first place."³

In Western modernity politics refers to the very specific notion of sovereignty.⁴ The constitution of the sovereign order is grounded on a specific political moment, or a decision.⁵ Not only is the social order founded in this moment, so too it is with this move from the political to politics that subjectivity

¹ Edkins, J. (1999) *Poststructuralism and International Relations: bringing the political back in*. London: Lynne Rienner Publishers, xii.

² Edkins, J. (1999), 2.

³ Dallmyr, F. (1993) *The other Heidegger*. Ithaca: Cornell University Press, 9. The distinction has also been criticized, at least in the way in which it has been formulated by thinkers in the 1980's. For a good discussion of this see Critchley, S. (1992) *The ethics of deconstruction*. Edinburgh: Edinburgh University Press, 201-219.

⁴ Foucault, M. (1980) *Power/Knowledge: selected interviews and other writings*. New York: Pantheon, 121-122; It is the central premise of Agamben his work on sovereignty, see Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press.

⁵ Agamben in this sense refers to the work of Carl Schmitt, arguing that sovereignty is established on a decision on the exclusion, see Agamben, G.(1998); also see Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*. Translated by Schwab, G. Chicago: University of Chicago Press, 5. Antonio Negri's work on constituent and constitutive power is also highly useful in this respect. See the first chapter of his work (1999) *Insurgencies: Constituent Power and the Modern State*. Minneapolis: University of Minnesota Press, 1-25; Žižek, S. (2003) *The puppet and the dwarf: the perverse core of Christianity*. Massachusetts: MIT Press; Žižek, S. (1999) *The ticklish subject: the absent centre of political ontology*. London: Verso, see pages 131-132 where he discusses the truth-event that installs a social order.

is created.⁶ Michel Foucault and Giorgio Agamben argue that human being as such has become the object of politics. The openness of the political is replaced by a technologization of life or by the “objectivising [of] the sheer fact of being alive.”⁷ Following Foucault, Agamben has argued that the sovereign order is established through a decision over forms of life in which either life is qualified as politically relevant or as nothing but a simple human body. Whereas under sovereign power the possibilities for political subjectivity are limited by its specific political regime, the political moment of the decision also allows for subjectivities to act differently.⁸ A revolution or a rupture allows for different acts that are not linked to a certain political foundation or social order. Luca Mavelli argues for example that the Egyptian revolution opened up the space for postsecular identities to emerge that were indifferent to any divide between the religious and the secular.⁹ He argues that due to the ousting of the regime, formerly strict distinctions between secularist and Islamist identities were discarded and a space became available for postsecular resistance. Under the header ‘Egyptians against torture’ both Muslim Brothers and secular groups united and revolted against President Mubarak.¹⁰ “In this convergence, tortured bodies became the metaphor of a different kind of unity, namely a postsecular unity encompassing all Egyptians.”¹¹

One moment of rupture or revolution that opens-up new spaces for political subjectivity Žižek, Derrida and Agamben have argued is the coming of the Messiah.¹² More increasingly have the letters of the apostle Paul been studied

⁶ Žižek, S. (1991) *For they know not what they do*. London:Verso, 189. See Foucault, M. (1994) ‘The Subject and Power’ In *Power: Essential Works of Foucault 1954-1984*, by Michel Foucault, 326-348. London: Penguin. Also, this is one of Agamben’s central premises in Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press.

⁷ Foucault, M. (1994) ‘The Subject and Power’, 326. Also see his work on biopolitics, in Foucault, M. (2004) ‘17 March 1976’. In *Society must be defended*, by Michel Foucault, pp. 239-263. London: Penguin Books and Foucault, M. (2007) *Security, territory, population: lectures at the Collège de France 1977-78*. New York: Palgrave Macmillan.

⁸ Žižek, S. (1991) *For they know not what they do*. London:Verso, 189.

⁹ Mavelli, L. (2012) ‘Postsecular resistance, the body, and the 2011 Egyptian Revolution’, *Review of International Studies*, 38:5, 1057-1078, 1074.

¹⁰ Mavelli, L. (2012) *Review of International Studies*, 1070.

¹¹ *Ibidem*, 1072.

¹² As Žižek puts it, the messianic can be seen as a “Truth-Event”, which “today, one can accept the Truth-Event, as the intrusion of the traumatic Real that shatters the predominant symbolic texture, only occurrences which take place in a universe compatible with scientific knowledge, even if they move at its borders and question its presuppositions - the ‘sites’ of the Event today

by contemporary continental philosophers.¹³ Saint Paul's work is used by them as an inspiration to shed new light on contemporary political and social problems.¹⁴ A broader debate has evolved surrounding the question to what extent the letters of Paul are potentially relevant to tackle modern social and political issues.¹⁵

I think it is relevant to study if interpretations of Pauline messianism might indeed pose a successful challenge to the social ordering of secular, sovereign power. One author whose work extends to both these areas – sovereign power and Pauline messianism – is Giorgio Agamben. As far as I am aware, Agamben's analysis of Pauline messianism has not been put forth by Agamben himself as a possible solution to his problematization of sovereign power. Some have noted that this is a shame.¹⁶ However, I have not come across a literature study that undertakes such an endeavour. I would therefore like to investigate whether or not Agamben's Pauline messianism is able to open up the possible ways of being that sovereignty forecloses. Would it be possible to recover a political life by drawing on Agamben's Pauline messianism? My objective is to find out what space to reconceptualise the relationship between ontology and the political might emerge as a result of Agamben's Pauline messianism and in which way it could give rise to a new conception of political subjectivity.

are scientific discovery itself, the political act, artistic invention, the psychoanalytic confrontation with love." Žižek, S. (1999) *The ticklish subject: the absent centre of political ontology*. London: Verso, 142. Jacques Derrida refers to the messianic event a "messianic extremity, an eschaton whose ultimate event (immediate rupture, unheard-of interruption, untimeliness of the infinite surprise, heterogeneity without accomplishment) can exceed, at each moment, the final term of a phusis, such as work, the production, and the telos of any history (...)" (1994) *Specters of Marx*. New York: Routledge, 45. Giorgio Agamben argues that "the messianic vocation is the revocation of every vocation." Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 23.

¹³ For a good starting-point see for example Milbank, J., Žižek, S. and Davis, C. (2008) *Paul's new moment: continental philosophy and the future of Christian theology*. Grand Rapids: Brazos Press.

¹⁴ For Žižek's discussion of Agamben's Pauline messianism see Žižek, S. (2003) *The puppet and the dwarf: the perverse core of Christianity*. Massachusetts: MIT Press, 107-113. Messianism as an aspect of Christian thought in relation to contemporary developments is one of the themes of his book; Žižek, S. (1999) *The ticklish subject: the absent centre of political ontology*. London: Verso, 136-137, 142; Badiou, A. (2003) *Saint Paul: The foundation of universalism*. Stanford: Stanford University Press; Derrida, J. (1994) *Specters of Marx*. New York: Routledge; Derrida, J. and Vattimo, G. (1998) *Religion*. Cambridge: Polity Press; Derrida, J. (1997) *Deconstruction in a nutshell: a conversation with Jacques Derrida*. New York: Fordham University Press, 156-180.

¹⁵ Blanton, W. (2007) 'Disturbing politics: neo-paulism and the scrambling of religious and secular identities', *Dialogue: a Journal of Theology*, 46:1, 3-13.

¹⁶ Ojakangas, M. (2005) 'Impossible dialogue on bio-power: Agamben and Foucault', *Foucault Studies* 2, 2005, 5–28.

In order to undertake such a study, I have set up one main research question and four sub-questions. The main question I will be answering in this dissertation is what are the implications of Agamben's Pauline messianism for how we perceive the possible ways of being that are available under sovereign power? The sub-questions I will be answering in subsequent chapters are: a) what possible ways of being political are available under sovereign power? b) How was it possible for the sovereign conception of being political to emerge? c) Does Agamben's Pauline messianism offer a viable challenge to the logic of sovereign power? d) What are the implications of Agamben's Pauline messianism for how we perceive the possible ways of being political? The main argument of this dissertation is that indeed Agamben's Pauline messianism is able to challenge sovereign logic and offers new ways of thinking about the relationship between ontology and politics.

In this section of the introduction I would like to sketch how my research links to a postmodern and postsecular agenda. To start with, the same thinkers who problematized the notion of politics/the political have more increasingly taken up religious themes in their work. Within their critiques on modernity, thinkers such as Žižek, Foucault, Agamben and Derrida have questioned the primacy of secularism as a characteristic of the modern world.¹⁷ When secularism is seen as a distinctively modern phenomenon, a postmodern approach towards the study of

¹⁷ In the introduction to his work *the puppet and the dwarf* he analyses how modernity is characterized by a religion that is no longer integrated within a particular life form. He critiques the new 'secular' forms of religion and claims that in order to come to a form of real materialism, one has to look through a Christian lense. See Žižek, S. (2003) *The puppet and the dwarf: the perverse core of Christianity*. Massachusetts: MIT Press, 3-8. Jacques Derrida discusses the issue of the 'return of religion' in his work *Religion* (1998). He argues that strictly speaking religion did not return as it has never been away. In this sense he argues that secular technological reason has always been grounded upon an aspect of religious faith. Derrida, J. and Vattimo, G. (1998) *Religion*. Cambridge: Polity Press, 42-45. Michel Foucault traces the emergence of sovereign power back to what he calls pastoral power, or older hierarchical relations between people that were present in the Christian belief. Far from being completely secular, such traces are still visible. See Foucault, M. (2007) *Security, territory, population: lectures at the Collège de France 1977-78*. New York: Palgrave, 147-148. Agamben argues that he wants to transgress or do away with the secular/sacred distinction which has haunted modernity. He believes they are two sides of the same coin. He proposes a more profane existence in which such divisions are dissolved. See Agamben, G., & D'Isanto, L. (2009) *The signature of all things: on method*. New York: Zone Books, 76-77.

religion in our contemporary society “may seem to offer a more promising, albeit not necessarily less contentious, avenue of research” Luca Mavelli and Fabio Petito have argued.¹⁸ Within the field of religious studies, the primacy of secularism as the characteristic framework of reference for modernity and progress has been doubted more widely. A strand of thinking denoted as postsecularism not only tries to account for a social conception of modernity in which religion is included, but also studies the way in which the separation between religious and secular results in power imbalances and exclusions of certain types of knowledge and being.¹⁹ As Elizabeth Shakman Hurd argues, “secularism is a socially constructed form of political authority.”²⁰ Secularism has been directly linked to the emergence of the sovereign state, which is what Scott Thomas refers to as the ‘Westphalian presumption’ or the belief that religion needed to be excluded from the sovereign realm of politics in order to avoid religious conflict.²¹ In this sense, Slavoj Žižek refers to this “theological dimension” in the study of politics and history as a “postsecular” Messianic turn of deconstruction.”²²

The contested role of secularism in (international) politics led the discipline of religious studies to recognize the need to more deeply understand the

¹⁸ Mavelli, L. and F. Petito. (2012) ‘The postsecular in international politics: An overview’, *Review of International Studies* 38:5, 931-942.

¹⁹ See for example the work of Talal Assad who argues that secularism is “an enactment by which a political medium redefines and transcends particular and differentiating practices of the self that are articulated through class, race and gender.” Asad, T. (2003) *Formations of the secular: Christianity, Islam, modernity*. Stanford: Stanford University Press, 5. In his work he teases out the link between laws, morality, modernity, power and the human being. Also see Luca Mavelli’s book (2012a) *Europe’s encounter with Islam: the secular and the postsecular*. London: Routledge. Here he tries to tease out how a European secular understanding of the self leads to a specific stance Europe takes on vis-à-vis the Islam. He introduces notions of subjectivity and power to his analysis.

²⁰ Hurd, E. S. (2009) *The politics of secularism in international relations*. Princeton: Princeton University Press, 148.

²¹ Thomas, S. M. (2000) ‘Taking religious and cultural pluralism seriously: the global resurgence of religion and the transformation of international society’, in *Millennium* 29:3, 815-841, 815.

²² Žižek, S. (2003) *The puppet and the dwarf: the perverse core of Christianity*. Massachusetts: MIT Press, 3.

relation of religions to economic, social, political and cultural aspects of society.²³ With the complexity of modern life increasing due to globalization and migration flows, there is widespread agreement that the role of religion in society has changed.²⁴ In this sense I argue that the fact that the nation state – which emerged as a strict separation between religion and politics - is no longer an unquestionable entity is a contemporary shift *par excellence* that provides religious studies the opportunity to (re-)asses the theological-political role of religion in society. Hent de Vries argues that politics – whether it was pre-modern or the early nation-state – always implied a specific relation between the political and religion. “Mutates mutandis, the same holds true for the new ‘geo-politics’ in the wake of globalization.”²⁵ In other words, when politics changes the relationship between the political and religion also transforms. In addition to studying the new ways in which religion is expressed and experienced within a globalized world, the question also arises how religious studies can move forward as a discipline capable of grasping, confronting and investigating this new theological-political relationship in a changing multiplex global context.²⁶

Some have argued that it would it be wise to collaborate within the discipline between social, scientific, historical and political strands of religious

²³ Jakelić, S., and Pearson, L. (2004) ‘Introduction: Whither the Study of Religion?’, in eds. Jakelić, S., and Pearson, L. *The Future of the Study of Religion: Proceedings of Congress 2000* (Vol. 103), 1-22. Leiden: Brill, 1.

²⁴ Taylor, M. C. (2008) ‘Introduction’, in ed. Taylor, M. C. *Critical terms for religious studies*, 1-20. Chicago: University of Chicago Press. As Taylor argues, religion in an era of globalization becomes a valuable source of meaning to create a sense of community and collective identity. He draws on the insights of Samuel Huntington, pg. 5-6.

²⁵ De Vries, H. (2001) ‘In media res: global religion, public spheres, and the task of contemporary comparative religious studies’, in eds. De Vries, H. and Weber, S. *Religion and Media*, 3-42. Stanford: Stanford University Press, 3-4.

²⁶ The need to question how religious studies should proceed in a globalizing, changing context is addressed by Slavica Jakelic and Lori Pearson in Jakelić, S., and Pearson, L. (2004) ‘Introduction: Whither the Study of Religion?’, in eds. Jakelić, S., and Pearson, L. *The Future of the Study of Religion: Proceedings of Congress 2000* (Vol. 103), 1-22. Leiden: Brill, 1; The theological-political aspect of sovereignty is highlighted by Hent de Vries. He argues that religions tend to “supplement their rituals, traditions and institutions with a practical politics as well as with a more abstract interpretation of the political.” (2001), ‘In media res: global religion, public spheres, and the task of contemporary comparative religious studies’, 4. It is the latter I am interested in.

studies in order to formulate a response to the complexities of the 21st century.²⁷ The question that follows, however, is how and in what way religious studies can make sure that it is equipped with the proper methodologies and analytical instruments to successfully combine such diverse scholarly efforts in addressing the complexity of contemporary contexts and phenomena.²⁸ Some have argued that it is crucial to develop new tools and methods that are able to accommodate the new roles of religion in its nature, practice and boundaries in a postmodern world.²⁹ It becomes relevant to uphold the practical outlook of religious studies (which it has had since its inception³⁰) whilst working towards “comparative frameworks that enable some degree of generalization and cross-fertilization.”³¹ In my dissertation, I aim to combine insights from a philosophical study in which a traditional theological concept – the messianic vocation – is reworked with political theory by practically focussing on the experiences of illegal immigrants in an attempt to reconceptualise the relation between religion and politics and between ontology and the political. In this new setting, Bryan Turner argued that “religious studies in a global context can (...) embrace the underlying ethic of vulnerability and precariousness [as a distinctive part of the human condition] as an ontological basis for community and sociability.”³² My dissertation links to his

²⁷ Jakelić, S., and Pearson, L. (2004) ‘Introduction: Whither the Study of Religion?’, in eds. Jakelić, S., and Pearson, L. *The Future of the Study of Religion: Proceedings of Congress 2000* (Vol. 103), 1-22. Leiden: Brill, 15.

²⁸ Jakelić, S., and Pearson, L. (2004) *The Future of the Study of Religion: Proceedings of Congress 2000* (Vol. 103), 15; William Deal and Timothy Beal argue that “religious studies is always in search of new theories that might open up new ways of seeing and interpreting religion” and that more increasingly have scholars of religious studies moved outside of the their own discipline in the recent decades pursuing these new approaches. Deal, W. E., and Beal, T. K. (2004). *Theory for religious studies*. New York:Routledge, xi.

²⁹ *Ibidem*, 21; for a discussion on method and role of complex comparative questions in relation to the postmodern world also see Taylor, M. C. (2008) ‘Introduction’, in ed. Taylor, M. C. *Critical terms for religious studies*, 1-20. Chicago: University of Chicago Press, 11-15.

³⁰ Rendtorff, T. (2004) ‘Ernst Troeltsch and the future of the study of religion’, in eds. Jakelić, S., and Pearson, L. *The Future of the Study of Religion: Proceedings of Congress 2000* (Vol. 103), 301-314. Leiden: Brill, 303.

³¹ Jakelić, S., and Pearson, L. (2004) ‘Introduction: Whither the Study of Religion?’, in eds. Jakelić, S., and Pearson, L. *The Future of the Study of Religion: Proceedings of Congress 2000* (Vol. 103), 1-22. Leiden: Brill, 21.

³² Turner, B. S. (2004) ‘Globalization and the future study of religion’, in eds. Jakelić, S., and Pearson, L. *The Future of the Study of Religion: Proceedings of Congress 2000* (Vol. 103), 103-138. Leiden: Brill, 131-132, 134. Although Turner proposes a thin form of cosmopolitanism that I think

perception, as my analysis of messianism is based on the conception of weakness as power in which those who are outside political structures of power are nevertheless powerful and I reformulate a sense of community on the aspect of ‘not’ belonging.

Throughout this dissertation I will study how a narrow sense of politics such as the laws, practices, governmental organizations, concepts (such as citizenship) and party statements result out of the sovereign decision that limits the possible ways of being political. The kind of politics I will study is Giorgio Agamben’s conception of sovereignty. In his work on sovereignty, Giorgio Agamben argues that sovereignty in its modern form is erected around the exclusion of the divine and mere life from the political community.³³ Sovereignty is able to function through a relationship of abandonment through which specific forms of life are excluded from the sovereign community or the *polis* in Greek. Grounded on the moment of the decision, sovereign power in essence defines political subjectivity into two possible categories; either as politically relevant or as politically irrelevant life.³⁴ Either you belong to the inside of the community that sovereign power upholds, or you are an outsider to it. Citizenship, Agamben argues, has become the most well known bearer of the rights and obligations that signify the belonging of a person to the political community of the state.³⁵ Agamben has argued that the distinction between human being and citizenship has become obsolete.³⁶ Power to define oneself as whatever form of being is not available to us under sovereign power as our political subjectivity has to fit within the specific parameters set up by the state.³⁷ For if not, the very foundation of sovereignty – the power to decide on the exception – is challenged.

Agamben’s Pauline messianism does not purport, he does see vulnerability as a new ground for belonging which touches on the idea of weakness as power.

³³ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 9-10, 80-82.

³⁴ Agamben, G.(1998), 9-10.

³⁵ Ibidem, 126-127; Agamben, G.(1995) ‘We refugees’, in *Symposium*, 49:2, 114-119, 116-117;.

³⁶ Ibidem; Agamben, G.(1995) *Symposium*, 116-117.

³⁷ Agamben, G. (1996) ‘Form of life’, in eds. Hardt. M. and Virno, P. *Radical thought in Italy, a potential politics*, 151-158. London: Minneapolis, 152-154.

One way in which the sovereign distinction between politically qualified life and politically excluded life has been highlighted in the literature is by a study of illegal immigrants as those subjects whose life is excluded from the political community of the state as ‘non-citizens’ yet included as a locus of sovereign power by its exclusion. Indeed, whereas illegal immigrants have no right to be present within a certain country, they nevertheless reside within that state’s territory. In the case of the Netherlands, it is estimated that there were between 60.667 and 133.624 illegal immigrants present within the country in 2009.³⁸ Illegal immigrants often lack the possibilities to act politically, as they formally are not part of any political community. As a result, not only do they lack the rights that come with citizenship, also they barely have any options to resist their status as outsiders. Whereas demonstrations are generally allowed, the encampments illegal immigrants build in The Hague and Amsterdam in an attempt to make their situation visible to the broader public and to create a shelter for themselves were cleared and removed on behalf of the authorities after two months.³⁹ It is therefore that I will study how illegal immigrants in the Netherlands use the little agency that they do have to contest their subjectivity. This, I suggest, fits within the frame of the political in the broader sense and consists of all (potential) actions, acts, performances and statements that contest, resist or challenge the establishment of the sovereign order. The political as such is the space where subjectivity is not predefined into *politically qualified* or *unqualified* but in which it is possible to define one’s own political being by acting in the public sphere without being limited by a restrictive account of politics. In order to philosophize what new forms of agency or acts are opened-up by the coming of the Messiah as Agamben purports it, I will study how the illegal immigrant might exercise power in a messianic manner, which is by *not* acting, by for example refusing to eat or by not claiming a statist identity. A good example of such an action through inactivity are the illegal immigrants that demonstrated

³⁸ Van der Heijden, P. G.M., Cruyff M. en Van Gils G. H.C. (2011) *Schattingen illegaal in Nederland verblijvende vreemdelingen 2009*, WODC, Den Haag: Ministerie van Veiligheid en Justitie.

³⁹ Unknown Author (2012) ‘Illegalkamp malieveld snel opheffen’, *Telegraaf*, 5 December 2012, http://www.telegraaf.nl/binnenland/21135147/___Kamp_illegalen_opheffen___html [accessed 20-9-2014]; Unknown Author (2012) ‘Tentenkamp Amsterdam-Osdorp ontruimd’, *NOS*, 30 November 2012, <http://nos.nl/video/446200-tentenkamp-amsterdamosdorp-ontruimd.html> [accessed 20-9-2014].

against the criminalization of illegality by lying in front of the entrance of the building where one of the two governing parties, the labour party *Partij voor de Arbeid*, was holding a conference.⁴⁰ Wrapped in sleeping bags, they were not necessarily actively doing something, but simply by their presence they demanded the attention of the politicians entering the establishment.

This study is relevant as it will combine some of the larger themes present within postmodern thinking and postsecular theorizing. It highlights questions of modernity and postmodernity that relate to power, subjectivity and social order. I contend that studying how secular sovereignty excludes certain ways of being political allows for a better understanding of the contemporary political situation those who are excluded from political life – such as prisoners or illegal immigrants – are in. Such a study reveals how a distinction between the secular and the religious gives rise to a kind of politics in the narrow sense that has far reaching implications and limits us in the ways we can be human in the broader sense. This study shows that by transgressing the modern horizon of secularism new intellectual possibilities emerge to think about political life. Indeed, this is not simply achieved by reintroducing religion as an aspect of public life, but by rethinking and reformulating religious concepts within our current social order so as to challenge its very logic from within.⁴¹

I will research these issues by offering an analysis that is based on an extensive literature study. I will compare various texts that are written by Giorgio Agamben himself and offer insights on his work as put forth by other scholars. The research areas I will refer to are philosophy, (international) political theory, religious studies and citizenship studies. I will highlight four specific debates within these areas that link to my study of Agamben's Pauline messianism as a challenge to sovereign power. Firstly, within contemporary continental philosophy, numerous thinkers have returned to Pauline messianism amongst which are Alain Badiou,

⁴⁰ Van der Laan, S. (2013) 'Illegalen protesteren in slaapzakken bij PvdA-congres', *Elsevier*, 27 April 2013, <http://www.elsevier.nl/Nederland/nieuws/2013/4/Illegalen-protesteren-in-slaapzakken-bij-PvdA-congres-1242725W/> [accessed 18-9-2014].

⁴¹ To say the least, it is remarkable to note that many continental philosophers that return to Paul, including Giorgio Agamben, reconceptualise the religious concepts that are represented by Paul in his letters.

Jacques Derrida, Slavoj Žižek and Walter Benjamin.⁴² Secondly, there have been multiple attempts to conceptualize a way out of sovereign power within the available scholarly literature. Jenny Edkins and Veronique Pin-Fat have undertaken a study of both Michel Foucault's work on biopolitical power and of Agamben's analysis of sovereign power and argued that sovereign power can be challenged by reinstating pure power relations.⁴³ Dan Bousefield has argued that the agency of the excluded subject can be recovered by focussing on the political acts that they are still able to undertake.⁴⁴ Thirdly, in the field of citizenship studies an extensive debate revolves around the question how citizenship should be defined. Some have argued that it might be useful to focus on the acts of citizenship rather than focussing on it as a legal status or as bound up with a specific territory or community.⁴⁵ Lastly, the role of theology in Agamben's work has been researched extensively, for example by Colby Dickinson.⁴⁶ It has also been noted by John Milbank that Paul could offer a way out of the biopolitical system that decides over forms of life, but does so by studying the letters of Saint Paul independently and does not relate his findings to Agamben's theory of sovereign power.⁴⁷

The outline of the dissertation is as follows. In the first chapter I will elaborate on the sacrificial logic of sovereign power and illustrate how the illegal immigrant is turned into the excluded subject through legal provisions and spatial arrangements. In the second chapter I will shed light on the relationship between

⁴² Also see, John Robbarts offers an interesting account on the differences and similarities between the messianisms put forth by Agamben, Žižek and Badiou in Roberts, J. (2008) 'The returns to religion: messianism, Christianity and the revolutionary tradition, Part II: the Pauline tradition', *Historical Materialism*, 16:2, 77-103. Also Gideon Baker offers a comparative analysis of Agamben and Badiou's readings of the Pauline text in Baker, G. (2013) 'The revolution is dissent: reconciling Agamben and Badiou on Paul', *Political Theory* 4:2, 312-335.

⁴³ Edkins, J. and Pin fat, V. (2005) 'Through the wire: relations of power and relations of violence,' in *Millenium*, 34:1, 1-26.

⁴⁴ Bousfield, D. (2005) 'The logic of sovereignty and the agency of the refugee: recovering the political from bare life', *YCISS Working Paper* 36.

⁴⁵ Isin, E.F. (2008) 'Theorizing acts of citizenship', in eds. Isin, E.F. and Nielsen, G.M. *Acts of citizenship*, 15-43. London: Zed Books.

⁴⁶ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International.

⁴⁷ Milbank, J. (2008) 'Paul against biopolitics', in eds. Milbank, J. Žižek, S. and Davis, C., *Paul's new moment: continental philosophy and the future of Christian theology*, 21-73. Grand Rapids: Brazos Press.

theology and politics and show how the sovereign logic emerged out of a theological shift from scholasticism to nominalism. In the third chapter I will tease out Agamben's version of Pauline messianism to see if it can offer an alternative to sovereign power. In the last chapter then, I will offer some brief insights on the implications that Agamben's messianism might have for how we perceive possible ways of being political. I will now proceed to the first chapter of this thesis and scrutinize the ways in which only limited forms of being political are available under sovereign power.

1. Limited ways of being: sovereign power, acts of sacrifice and the illegal immigrant as the *homo sacer*

“What we need, however, is a political philosophy that is not erected around the problem of sovereignty” Michel Foucault famously wrote.⁴⁸ In his analysis of biopolitics, Michel Foucault argues that the fact of mere life has become politicized.⁴⁹ Life as such has become an aspect of power. Giorgio Agamben felt that Foucault’s analysis of biopolitics could be taken a step further and he re-worked it by drawing on Carl Schmitt’s theory of the state of exception through which the rule of law is suspended by the sovereign. The result of his intellectual endeavours is Agamben’s work *Homo Sacer: sovereign power and bare life*, in which he argues that as the very nucleus of Western power, the sovereign decides over life through the form of an exception.⁵⁰

In this chapter I will answer the following question: what possible ways of being political are available under sovereign power? In scrutinizing what the implications of a messianic conception of being are for modern day political subjectivity, it is essential to first formulate the political forms of being that are possible under sovereign power as well as to define the kind of politics that accompanies them. The starting-point of this analysis will therefore be Agamben’s work *Homo Sacer*. My main argument running through this chapter is that the possible ways of being political under sovereign power are limited and always already predefined. It seems that it is impossible for the subject to be enacted as something other than *zoe*, *bios* or the *homo sacer* as a result of the sacrificial logic of sovereign power. The implications sovereign power has for the way in which to perceive political subjectivity are three-fold I will argue. First, agency on behalf of the political subject is rather limited. Secondly, the form

⁴⁸ Foucault, M. (1980) *Power/Knowledge: selected interviews and other writings*. New York: Pantheon, 121.

⁴⁹ Foucault, M. (2004) *Society must be defended*, 239-263. London: Penguin Books, 241; Foucault, M. ((1975) *Discipline and punishment: the birth of the prison*. London: Penguin Books, 25; Foucault, M. (2007) *Security, territory, population: lectures at the Collège de France 1977-78*. New York: Palgrave, 122.

⁵⁰ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press.

politics takes is neatly bound up with the possible ways of being political. Thirdly, it seems that when subjects are founded on an arbitrary decision made by the sovereign power, the being is grounded on a negation.

In the first section of this chapter I will set out how Agamben analyses the production of different forms of life under sovereign power. I will put forth his distinction between the forms of life *zoe* and *bios* and the way these are tied up with the modern sovereign nation-state. *Bios* is life that is politically relevant and qualified, that is part of a given community. *Zoe* is life lacking any such qualities, it is “what remains when human existence, while yet alive, is nonetheless stripped of all the encumbrances of social location and thus bereft of all the qualifications for properly political inclusion and belonging.”⁵¹ Agamben argues that this very distinction allows the sovereign power to actualize itself. Moving on, I will illustrate the way this separation between *zoe* and *bios* functions in the modern sovereign state through a relationship of abandonment, acts of sacrifice and the concept of citizenship. In the third section I will shed light on the form of life that Agamben refers to as *homo sacer*, and the ways in which a zone of indistinction - where forms of life are undefined- is created through legal provisions and spatial arrangements. I will illustrate these practices by focussing on illegal immigrants and immigration policy in the Netherlands. By bringing the relationship between the state, territory and nation to light, the illegal immigrant distorts the rationality of sovereignty and the carefully constructed forms of life accompanying it. Lastly, I will focus on the implications Agamben’s non-messianic conception of being has for the way in which he understands political subjectivity as rather limited and closed-off.

1.1. Agamben’s non-messianic conception of being

In this section I will discuss how sovereign power operates according to Agamben. His argument is that sovereign power thrives upon a decision over forms of life. He argues that what allows sovereign power to function is the way

⁵¹ De Genova, N. (2010) ‘The deportation regime: sovereignty, space and the freedom of movement’, in eds. De Genova, N. and Peutz, N. *The deportation regime: sovereignty, space and the freedom of movement*, 33-65. London: Duke University Press, 37.

in which it operates through distinguishing forms of life by the use of a ban through an exception; the decision that the sovereign power makes results in a sovereign separation of three ways of being political, namely *zoe*, *bios* and the *homo sacer*.

By calling off a case of emergency, the sovereign power puts in place a ban by suspending the law. In following Carl Schmitt, Agamben argues that the suspension of the law is the *modus vivendi* of sovereign power; power is only sovereign in so far as it stands above the law.⁵² This is what he refers to as the state of exception “which is what the sovereign each and every time decides.”⁵³ It is through the state of exception therefore that sovereignty ‘each and every time’ constitutes itself. Agamben equates this sovereign act of abandonment with the power to decide over forms of being because it “takes place precisely when naked life (...) is explicitly put into question.”⁵⁴ Agamben holds that the ban sovereign power puts up, is one that excludes bare life. In other words, the distinction that it makes in order to come into being is one between *zoe* and *bios*. Drawing on ancient Greek thought, Agamben defines *zoe* as naked life, as “the simple fact of living common to all living beings” and *bios* as “the form or way of life proper to an individual group.”⁵⁵ In the state of exception proclaimed by the sovereign, Agamben argues, it is bare life or *zoe* that comes to be excluded in favour of politically qualified life, or *bios*.⁵⁶

The *zoe/bios* distinction out of which the sovereign emerges does not simply suspend bare life but implies its inclusion in sovereign power *by* its exclusion. In this sense, sovereign power is grounded on the distinction itself and

⁵² It has been noted by a number of scholars that these practices of sovereignty are paradoxical: the sovereign power is created through a suspension of the law, but it can only do so because as sovereign power it stands above the law. See for example Honig, B. (1991) ‘Declarations of independence: Arendt and Derrida on the problem of founding a republic’, *American Political Science Review*, 85:1, 97-113; Keenan, A. (1994) ‘Promises, promises: the abyss of freedom and the loss of the political in the work of Hannah Arendt’, *Political Theory*, 22:2, 297-322. See also the work of Jean Jacques Rousseau for example his book *On the social contract: with Geneva manuscript and political economy*, (1978) New York: St. Martin's.

⁵³ Agamben, G. (1996) ‘Form of life’, in eds. Hardt, M. and Virno, P. *Radical thought in Italy, a potential politics*, 151-158. London: Minneapolis, 152.

⁵⁴ Agamben, G. (1996) 152.

⁵⁵ Agamben, G. (1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 1.

⁵⁶ Agamben, G. (1998), 7.

as a result is both inside and outside its own exception. As Agamben puts it; “the inclusion of bare life in the political realm constitutes the original – if concealed – nucleus of sovereign power.”⁵⁷ If the exclusion of bare life allows for the sovereign to come into being, it can thus never completely eliminate it, as that would imply as much as suicide. As a result, Agamben argues a zone of indistinction is created, where life is neither *zoe* nor *bios*, “but in which *zoe* and *bios* constitute each other.”⁵⁸ This form of life is what he calls the *homo sacer*; life that can be killed (because it is part of the society) but not sacrificed (because it is already part of the divine).⁵⁹ He argues that the *homo sacer* has nowadays become indistinguishable from the citizen, as the apparatus of the sovereign power has expanded rapidly.⁶⁰ Whereas this part of his argument is highly contested Agamben holds that rather than a state of exception, the logic of sovereign power has become the rule.⁶¹ The decision over forms of life as the logic of sovereign power is what characterizes modern day politics in his opinion. In Agamben’s words:

⁵⁷ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 6, my emphasis.

⁵⁸ Agamben quoted as in Edkins, J. (2007) ‘Whatever politics’, eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press, 7.

⁵⁹ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 8.

⁶⁰ Ernesto Laclau for example argues that there are at least three other prepositions that should be added for the power of the sovereign to be absolute. Also he argues, bare life does not emerge from the mere category of being outside the law but that the outsider has to be outside any law. See Laclau, E. (2007) ‘Bare life or social indeterminacy?’ in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press. Katia Genel critically discusses to what extent it is possible to transpose Foucault’s concept of biopower to the sovereign structure. See Genel, K. (2006) ‘The question of biopower: Foucault and Agamben,’ in *Rethinking Marxism A Journal of Economics, Culture & Society*, 18:1, 43-62. Tom Frost argues that the expansion of biopower Agamben argues in favour of, is not in line with Foucault’s own work on the issue. See Frost, T. (2010) ‘Agamben’s sovereign legalization of Foucault’, in *Oxford Journal of Legal Studies*, 30:3, 545-577. Paul Patton accuses Agamben of ‘conceptual fundamentalism’ and argues that the difference between Foucault and Agamben primarily lies in the approach to history both philosophers take. See Patton, P. (2007) ‘Agamben and Foucault on biopower and biopolitics’, in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press. Mika Ojakangas argues that Foucauldian biopolitics and Agamben’s bare life do not have much in common and that biopower truly might be the antithesis of sovereign power. Ojakangas, M. (2005) ‘Impossible dialogue on biopower: Agamben and Foucault’, *Foucault Studies* 2, 2005, 5–28. For a critical analysis of the two concepts also see Mills, C. (2008) *The Philosophy of Agamben*. Acumen Publishing:Durham.

⁶¹ Edkins, J. (2007) ‘Whatever politics’. in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press, 8.

there is politics because man is the living being who (...) separates and opposes himself to his own bare life and at the same time maintains himself in relation to that bare life in an inclusive exclusion.⁶²

In effect, when politics are enacted as the liberation from bare life, it becomes possible for the modern political subject to constitute itself as more than that; as an intellectual mind distinct from its body, as a citizen with rights.⁶³ In order for the human being to construct itself as ‘humanity’ -as distinct from animals - it has to exclude, ban, murder, or sacrifice bare life.⁶⁴

In this first section, I elaborated on Giorgio Agamben’s thesis that the *raison d’être* of sovereign power rests on a distinction between forms of life as life that is politically qualified and life that is nothing more than that. The ways of being political that are available under sovereign power are *zoe*, *bios* and the form in-between, that of the *homo sacer*.. In the next section I will argue that the ban of bare life is in fact both an act of sacrifice and an act of citizenship.

1.2. Citizenship, the act of sacrifice and the sovereign ban

The separation between *zoe* and *bios* as the *modus vivendi* of sovereign power, is enacted through a relationship of abandonment as the above illustrates. In this section I will argue that the way in which the sovereign power installs a ban is either through an act of sacrifice or through an act of citizenship.

The *act* as a theoretical concept is more generally seen as the foundation upon which subjectivities come into being, in other words, as the instrument human beings use to actualize a form of life. The verb ‘to act’ in this sense means to conduct oneself or “to perform on the stage of existence” as Engin Isin puts it eloquently.⁶⁵ The actor is created as the subject who generated the scene and is actively engaging in it. As Hannah Arendt argues, to act means to set in motion, to

⁶² Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 12.

⁶³ Agamben, G. (2006) *Language and death: the place of negativity*. Minneapolis: University of Minnesota Press, 104-105.

⁶⁴ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 62.

⁶⁵ Isin, E.F. (2008) ‘Theorizing acts of citizenship’, in eds. Isin, E.F. and Nielsen, G.M. *Acts of citizenship*, 15-43. London: Zed Books, 21.

begin, not just something new, but oneself as the being that acts to begin itself.⁶⁶ Slavoj Žižek also argues that there exist no subjects prior to the act, “rather that subject designates the contingency of an act that sustains the very ontological order of being.”⁶⁷ The *act* therefore, as the origin of existence is a moment in which being itself can be encountered in its most bare or elementary form. In terms of Agamben’s analysis of sovereign power, Dan Bousfield describes that “such acts are sites of exclusion, but they are also the supplement which allows sovereignty to appear as a logic as such.”⁶⁸ Man seems to have no other foundation than his own actions.

More precisely, the acts of exclusion that signify the ground on which human beings create themselves under sovereign power are acts of sacrifice, according to Agamben. In his words,

[t]he fact that man is, as such, ungrounded, the fact that he has no foundation except in his own action, is such an ancient truth that it constitutes the basis for the oldest religious practice of humanity: sacrifice.⁶⁹

Not only did humans often sacrifice animals to the gods in order to “establish the very coordinates of our humanity over and against our animality,”⁷⁰ so too is the mechanism of sacrifice one of the oldest religious impulses to maintain the boundaries between the divine and the profane.⁷¹ The act of sacrifice separates, excludes and puts in place boundaries between specific forms of being. As Dickinson puts it, “sacrifice is the anthropological apparatus *par excellence*.”⁷² However, when bare life is sacrificed it becomes sacred in the form of the *homo sacer*; the form of life that is indistinguishable, that is both

⁶⁶ Arendt, H. (1958) *The human condition*. Chicago and London: The University of Chicago Press, 177.

⁶⁷ Slavoj Žižek as quoted in Bousfield, D. (2005) ‘The logic of sovereignty and the agency of the refugee: recovering the political from bare life,’ *YCISS Working Paper* 36, 2-3.

⁶⁸ Bousfield, D. (2005) *YCISS Working Paper* 36, 4.

⁶⁹ Agamben, G. (2006) *Language and death: the place of negativity*. Minnesota: University of Minnesota Press, 104-105.

⁷⁰ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 62.

⁷¹ Dickinson, C. (2011), 62.

⁷² *Ibidem*, 65.

zoe and *bios* and both divine and profane *at the same time*.⁷³ As a result, that which is sacrificed is both outside human and divine law. The sacred in Agamben's work is prior to any distinctions made between *zoe* and *bios* and the profane and the divine.⁷⁴ In Agamben's words, "just as the law in the sovereign exception applies to the exceptional case in no longer applying and withdrawing from it, so *homo sacer* belongs to God because it cannot be sacrificed and is included in the community in the form of being able to be killed"⁷⁵ It is precisely these components that are inscribed in the indivisibility of the *homo sacer* that renders it *sacred* according to Agamben.⁷⁶

By putting forth this conception of the sacred, Agamben moves away from the older notion that the sacred is part of the divine and that through an act of sacrifice something that was previously not sacred, can be inscribed with a sense of divinity.⁷⁷ The zone of indistinction that emerges as a result of this relation of abandonment precedes any separation of the profane and the divine or the religious and the political. He explains

[i]n modernity the principle of the sacredness of life is (...) completely emancipated from sacrificial ideology and in our culture the meaning of the term 'sacred' continues the semantic history of *homo sacer* and not that of sacrifice.⁷⁸

To Agamben therefore, *life as such is sacred*, as he uncovers the *homo sacer* as the original political structure of the nation-state.⁷⁹ The act of sacrifice is revealed

⁷³ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 9-10, 80-82.

⁷⁴ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 65.

⁷⁵ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 82.

⁷⁶ Agamben, G.(1998), 82.

⁷⁷ Hussain, N. and Ptacek, M. (2000) 'Thresholds: sovereignty and the sacred', *Law and Society Review*, 34:2, 495-515, 502.

⁷⁸ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 114. In other words, it is not the case that something that was not sacred becomes sacred through the act of sacrifice. Life as such is sacred in the sense that it is prior to any distinction made. Agamben argues that the genuinely religious phenomenon of sacrifice has been replaced by juridico-political relation (the *homo sacer*'s capacity to be killed but not sacrificed) as that which is sacred. This shift so he argues, is characteristic for the modern age.

⁷⁹ Hussain, N. and Ptacek, M. (2000) 'Thresholds: sovereignty and the sacred', *Law and Society Review*, 34:2, 495-515, 502.

by Agamben as a “setting apart” that he links directly to the sovereign act of deciding on the exception.⁸⁰ Dickinson argues that seen in this way, “politics would seem to be an almost religious ritual of sorts, a continuous re-enacting of the exclusive inclusion performed upon the self.”⁸¹ The sacred as an undefined space fascinates Agamben in its remarkable ambiguity. In his own words,

the sacredness of life, which is invoked today as an absolutely fundamental right in opposition to sovereign power, in fact originally expresses precisely both life’s subjection to a power over life and death and life’s irreparable exposure in the relation of abandonment.⁸²

As the state of exception becomes the rule, life as such is thus always already sacred and the act of sacrifice always already present. As a result, a life of power⁸³ in which a subject has the agency to define what she wants to be is not available “among beings who would always already be enacted, who would always already be this or that.”⁸⁴

One of the ways in which bare life is separated from politically qualified life in modern nation-states is through the concept of citizenship; the question of citizenship seems to be in its very essence a question of *bios*; citizenship as such is the modern codification of rights and obligations a human being acquires when his or her life is deemed politically relevant.⁸⁵ Agamben holds that “rights are

⁸⁰ Hussain, N. and Ptacek, M. (2000) ‘Thresholds: sovereignty and the sacred’, *Law and Society Review*, 34:2, 495-515, 502.

⁸¹ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 72.

⁸² Agamben, G. (1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 83.

⁸³ The translators of Agamben’s work ‘form of life’ note that he uses two Italian words that denote power: *potere* and *potenza*. “The English term *power* corresponds to two distinct terms in Italian, *potenza* and *potere* (which roughly correspond to the French *puissance* and *pouvoir*, the German *Macht* and *Vermogen*, and the Latin *potentia* and *potestas*, respectively). *Potenza* can often resonate with implications of potentiality as well as with decentralized or mass conceptions of force and strength. *Potere*, on the other hand, refers to the might or authority of an already structured and centralized capacity, often an institutional apparatus such as the State. In some cases in this volume we have translated both terms as “power” and included the original Italian term in parentheses; in other cases we have used other terms to avoid confusion, translating *potenza*, for example, as “potentiality” or *potere* as “sovereign power.” In eds. Hardt, M. and Virno, P. *Radical thought in Italy, a potential politics*, London: Minneapolis, 262.

⁸⁴ Agamben, G. (1996) ‘Form of life’, in eds. Hardt, M. and Virno, P. *Radical thought in Italy, a potential politics*, 151-158. London: Minneapolis, 154.

⁸⁵ Yeatman, A. (2007) ‘The subject of citizenship’, *Citizenship Studies*, 11: 1, 105–115; Earnest, D.C. (2006) ‘Neither citizen nor stranger: why states enfranchise resident aliens’, *World Politics*,

attributed to man solely to the extent that man is the immediately vanishing ground (...) of the citizen.”⁸⁶ Just as acts of sacrifice create the *homo sacer*, acts of citizenship also produce subject positions such as citizen, insider, stranger, or outsider.⁸⁷ To Isin acts of citizenship are those acts “when regardless of status and substance, subjects constitute themselves as citizens, or better still, as those to whom the right to have rights is due.”⁸⁸ Acts of citizenship are inevitably dialogical, Isin argues in so far as it defines a relationship between self and others; between those who have rights and those who do not. The same is true for acts of sacrifice: a subject can only define itself as politically qualified life (*bios*) by negating that which does not possess these qualities (*zoe*). It seems then, that the self as a citizen can only be constituted through an act of citizenship if simultaneously something else is excluded. In order for citizenship to come into being, bare life is sacrificed.

Citizenship as an act that distinguishes politically qualified life seems to be a concept following from the logic of the sovereign power and as such is not a ‘natural’ given.⁸⁹ Rather, Agamben argues, the inartificiality of citizenship is a myth the nation-state aims to uphold in order to safeguard its own survival: by discarding any distinction between birth and nation, rights are attributed in so far as man is born a citizen of the state.⁹⁰ He contends that “the so-called inalienable rights of man prove to be completely unprotected at the very moment it is no longer possible to characterize them as rights of the citizens of the state.”⁹¹ Within the modern sovereign state, the two terms *homme* and *citoyen* seem to have merged into one autonomous form of being.⁹²

58: 2, 242-275, 243; Isin, E. F. (2000). Introduction: democracy, citizenship, sovereignty, politics. In: Isin, Engin F. ed. *Democracy, citizenship, and the global city*, 1–21. London, UK: Routledge, 3.

⁸⁶ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 126-127.

⁸⁷ Isin, E.F. (2008) ‘Theorizing acts of citizenship’, in eds. Isin, E.F. and Nielsen, G.M. *Acts of citizenship*, 15-43. London: Zed Books, 19.

⁸⁸ Isin, E.F. (2008) *Acts of citizenship*, 3-4.

⁸⁹ De Genova, N. (2010) ‘The deportation regime: sovereignty, space and the freedom of movement’, in eds. De Genova, N. and Peutz, N. *The deportation regime: sovereignty, space and the freedom of movement*, 33-65. London: Duke University Press, 44.

⁹⁰ Agamben, G.(1995) ‘We refugees’, in *Symposium*, 49:2, 114-119, 116-117.

⁹¹ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 126-127.

⁹² Agamben, G.(1998), 126-127.

To recapture the above, it is the act of sacrifice upon which humanity distinguishes itself both from mere life and from the realm of the divine. As a result of the sacrificial logic, political subjectivity is rather limited and always already this or that. One of the ways in which this threshold has been given shape in modern day politics is the concept of citizenship. As part of the same logic, acts of sacrifice and acts of citizenship are inherently intertwined and both instantiate sovereign ways of being political. In the next section I will elaborate how the figure of sacred life or the *homo sacer* is present in contemporary Dutch society as the illegal immigrant.

1.3. The illegal immigrant as the *homo sacer*

In order to illustrate the functioning of the sovereign logic in modern day societies, it serves to highlight the subject of the *homo sacer* as the existence of such a figure would reveal the differentiating rationale of the nation-state. Some authors have argued that the figure of the illegal immigrant personifies the *homo sacer* as the illegal immigrant opens up the seemingly natural connection between nativity, citizenship and rights, confronting the sovereign logic of the state with an urgent challenge.⁹³ The illegal immigrant is a disturbing figure “to the extent that it represents a conceptual, empirical and physical breach in the relationship between ‘humans’ and ‘citizens’” Peter Nyers argues.⁹⁴ Whereas there is a wide debate in the literature concerning illegal immigrants, I will refer to them as those persons who are present in a given state’s territory but who lack the legal authorisation of that state to be inside its borders.⁹⁵ By drawing on the

⁹³ Nyers, P. (1998) ‘Refugees, humanitarian emergencies, and the politicization of bare life’, *Refuge*, 17:6, 16-21.

⁹⁴ Nyers, P. (1998) *Refuge*, 20. Nyers uses the word refugee to delineate the space inbetween the citizen and the human being. In effect, refugees have a different status than illegal immigrants with the most important difference being that refugees have not yet been expelled officially from a state. The term ‘illegal’ signifies in this sense a legal relation of abandonment. The argument he constructs around the two concepts (he does refer to illegal immigrants specifically in his other work) however, is the same.

⁹⁵ Nyers, P. (2010) ‘No one is illegal between city and nation’, *Studies in Social Justice*, 4:2, 127-143, 131. For relevant literature on the concept of illegal migration and its definition Catherine Dauvergne’s book is an elaborative starting-point into the logics of immigration and illegality, see, Dauvergne, C. (2008) *Making people illegal: what globalization means for migration and law*. Cambridge: Cambridge University Press. Also the work of Ann McNevin is particularly insightful; see McNevin, A. (2011) *Contesting citizenship: irregular migrants and new frontiers of the*

immigration policy of the Netherlands, I will argue that a zone of the sacred is created both through a) legal provisions and b) through spatial arrangements. My argument here will be that indeed there is a sacred zone of indistinction put in place by sovereign power by putting in place legal and spatial bans. As a result, the forms of being that are available under sovereign power are limited.

1.3.1. A relation of abandonment: legal provisions

In this section I will argue that in line with Agamben's argument, the state of emergency is proclaimed through a legal classification that constitutes the illegal immigrant as the exception that resides outside the law.⁹⁶ In other words, the classification of 'illegal' in effect is a judicial assignment denoting that the legal rights and obligations that come with the status of citizenship cannot be claimed by the immigrant.⁹⁷ When the sovereign power declares the law to no longer be applicable to the exceptional case, it allows for the distinction between forms of life such as 'citizen' and 'outsider'.⁹⁸ Catherine Dauvergne argues that immigration law serves to define the legal categories of belonging; it is through immigration policy that the law defines a community of insiders - and the entitlements, rights and obligations that come with it - from those who are obliged to remain outside.⁹⁹ Dauvergne states therefore that the term 'illegal' as fixating an identity on a person only bears significance in relation to the law.¹⁰⁰ The state, by applying this legal distinction, exercises its power through immigration policies to distinguish *inside* from *outside*, *us* from *them* and *zoe* from *bios*.¹⁰¹ I will illustrate the point that a zone of sacred indistinction is created through legal provision by giving two examples that show how illegal immigrants are included

political. New York: Columbia University Press and McNevin, A. (2007) 'Irregular migrants, neoliberal geographies and spatial frontiers of 'the political', *Review of International Studies*, 33, 655-674; also see Joppke, C. (2008) 'Immigration and the identity of citizenship: the paradox of universalism', *Citizenship Studies*, 12:6, 533-546.

⁹⁶ Dauvergne, C. (2008), 16-17.

⁹⁷ Ibidem.

⁹⁸ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 82.

⁹⁹ Dauvergne, C. (2008) *Making people illegal: what globalization means for migration and law*. Cambridge: Cambridge University Press, 12.

¹⁰⁰ Dauvergne, C. (2008), 16-17.

¹⁰¹ Ibidem, 17.

by their exclusion. The first case deals with a provision in Dutch law that stipulates that illegal immigrants are obliged to leave Dutch territory. The second revolves around a proposal to criminalize the stay of illegal immigrants because due to their presence, they violate the law that compels them to leave.

Firstly, according to the official legal definition held by the Dutch government, illegal immigrants are “foreign nationals present in the Netherlands who are not in possession of a valid residence permit and are therefore obliged to leave the country.”¹⁰² Estimated calculations have assessed that in 2009 there were between 60.667 and 133.624 people on Dutch territory that according to Dutch immigration law had no right to be there.¹⁰³ Even though these people are obliged to leave, many of them cannot return to their country of origin either because they lack official papers needed to travel or the state in question is unwilling to recognize them as its citizens. Others strip their identity on purpose; to make sure they will never have to return to the situation they ran away from. When it is impossible for these persons to exit the territory, they are not by default admitted to the community.¹⁰⁴ It seems indeed that the political distinction between citizen and non-citizen is bound up with the territorial boundaries of a state. Without a valid passport the legal position of a person who is present on any given territory is simply one of non-status; this person is not life that can act politically within that state. What follows is a situation, in which a person is excluded by law from the *polis* and is required to leave, yet has no status that allows her to move across territorial boundaries. Banned by the law and cast as an outsider, she nonetheless remains inside Dutch territory; she is included by her exclusion. This legal paradox results in a zone of indistinction where the life of the immigrant – excluded by law, included by her presence- is undefined. I would argue that in this

¹⁰² Zorgdrager, W. and A. Jorritsma-Lebbink (1997) ‘Brief van de Minister voor justitie en de Minister van verkeer en waterstaat’, *Kamerstuk, 1997-1998, 25237, nr. 2*. Den Haag: Tweede Kamer. Translation by the author.

¹⁰³ Van der Heijden, P. G.M., Cruyff M. en Van Gils G. H.C. (2011) *Schattingen illegaal in Nederland verblijvende vreemdelingen 2009*, WODC, Den Haag: Ministerie van Veiligheid en Justitie.

¹⁰⁴ Spijkerboer, T. (2012) *Vluchtelingenkamp Notweg: hoe het écht zit en hoe het óók kan.*, http://www.youtube.com/watch?v=G-NA5hTyyOg&feature=player_embedded [accessed 30-4-2014].

case, life as such becomes sacred and the illegal immigrant becomes the *homo sacer*.

Secondly, as the Dutch law stipulates that illegal immigrants have a responsibility to leave the Netherlands, some political leaders argue that illegal stay as such therefore should become punishable. The liberal party in the Netherlands, the VVD, issued a bill proposing to criminalize illegality.¹⁰⁵ The idea behind it being that it is not the person who is illegal, but rather the fact that a person is present on Dutch territory that would be considered a crime. It seems to me that the proposal to criminalize illegality in fact serves the very sovereign logic that those rights and obligations are tied up with a specific territory or boundary; one's simple unauthorized presence inside the Netherlands would become a crime in itself. Rather paradoxically, to have no rights inside a given state then becomes illegal in itself whereas it is that very state that withholds such rights in the first place. However, the very fact that illegal presence as such would become punishable¹⁰⁶ includes the illegal immigrant as the outcast subject before the law to whom the punishment is due. The illegal immigrant would thus be excluded by the proposed bill yet also be included as the unlawful subject.¹⁰⁷ In effect, the illegal immigrant resides in an abyss of the law and becomes the *homo sacer*.

The law in these two examples – the obligation to leave and the punishment that could follow if one fails to do so- upholds a kind of agency and a form of subjectivity for the illegal immigrant while it provides at the same time the very basis on which life as such is excluded by labelling it 'illegal'. Therefore, I contend that the illegal immigrant embodies the sacred form of life, the *homo sacer*. Rather than providing multiple ways of being political, the kinds of

¹⁰⁵ A proposal for legislation has been sent to the parliament on the 7th of January this year stipulating that persons who are present in the Netherlands without explicit legal authorisation will have to pay a fine of 3.900 Euro's or will be put in jail for at most four months. Eerste Kamer (2013) *Wetsvoorstel 'strafbaarstelling illegaliteit'*, nr. 33.512, submitted 7 januari 2013.

¹⁰⁶ Eerste Kamer (2013) *Wetsvoorstel 'strafbaarstelling illegaliteit'*, nr. 33.512, submitted 7 januari 2013.

¹⁰⁷ The latest developments are that the bill will not be put up for voting in the foreseeable future due to internal arrangement between the two governing parties, the liberal VVD and the social democratic PvdA. See Unknown author, (2014) 'Geen strafbaarstelling illegaliteit', *NOS*, 1 April 2014, <http://nos.nl/artikel/630578-geen-strafbaarstelling-illegaliteit.html> [accessed 7-8-2014].

subjectivity that are available under sovereign power –either being politically qualified or being politically irrelevant – are, it seems, rather limited.

1.3.2. A relation of abandonment: spatial arrangements

In this section I will argue that the connection between presence, illegality and the zone of sacred life not just has a legal but also a spatial component. Most immigration policies of Western states literally provide specific zones of indistinction through the creation of a deterritorialized space where illegal immigrants reside. I will argue that the spaces that the border defines are not simply limited to an inside and an outside but that these boundaries also give rise to a sacred zone of indistinction in which illegal immigrants reside.

Giorgio Agamben refers to the spatial component of the zone of indistinction as the camp, thereby referring both to refugee camps and the concentration camps that were used during the Second World War.¹⁰⁸ In the camp he claims,

the state of exception which was essentially a temporal suspension of the state of law, acquires a permanent spatial arrangement that, as such, remains constantly outside the normal state of law.¹⁰⁹

When it comes to illegal immigrants, these spaces can be both imaginary - such as no-man's-land constructed at airports and other non-physical ways in which the boundaries of the state function¹¹⁰ - or physical spaces such as detention centers in which illegal immigrants literally reside.¹¹¹ Linda Bosniak elaborates,

¹⁰⁸ Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 95.

¹⁰⁹ Agamben, G. (2000) *Means without ends*. Minneapolis and London: The University of Minnesota Press, 38.

¹¹⁰ The Dutch border does not function in an unequivocal way. It is through measures that are taken outside the Netherlands that the functioning of the border is externalized beyond the physical territory of the country. The externalizing force of the Dutch border is recorded by the former Minister of Foreigners and Integration, Rita Verdonk. In effect, she argues, the physical border is only the 'most inner circle' of the Dutch border regime. The Dutch border policy adheres to "a concept in which the understanding of borders is conceived of as a range of concentric circles (...).The outer circle will be formed by the intelligence services, with an inner circle consisting of consular activities [such as the issuing of visa] where there is physical contact with the stranger for the first time. The next circle is formed through pre-boarding checks and the so-called Immigration Control Officers at flights labelled as risky. The physical border [of Dutch territory] (...), is only the most inner circle, and finally there is internal alien surveillance and control." Verdonk, M.C.F. (2003) 'Brief van de Minister voor vreemdelingenzaken en

[t]he nation state's power of exclusion does not disappear at the moment an individual physically enters the state's territory. (...) the border – conceived as a regulatory sphere – follows the immigrant into the national geographic space.¹¹²

In the Netherlands the border indeed follows the immigrant into Dutch territory as the state established special detention centers 'outside' of its community but inside the country. Whereas it is the personal responsibility of the illegal immigrant to leave the Netherlands as I outlined above, when a person is suspected to impede his return, the government has the right to limit his mobility or to deprive him of his freedom.¹¹³ Annually around 6000 illegal immigrants reside 75 days (on average) in detention centres awaiting their deportation. The efficacy of this freedom-depriving measure remains a subject of dissent, as only half of the people that enter these premises return to their homeland as their non-status complicates the process.¹¹⁴ The detention center functions as the permanent zone of indistinction in which the law does not apply; there is no legal regime that applies specifically to detention centers. Consequently, under the current detention regime illegal immigrants are detained under prison law.¹¹⁵

integratie', *Kamerstuk, 2003-2004, 27925, nr. 103*. Den Haag: Tweede Kamer. Translation by the author.

¹¹¹ De Genova, N. (2010) 'The deportation regime: sovereignty, space and the freedom of movement', in eds. De Genova, N. and Peutz, N. *The deportation regime: sovereignty, space and the freedom of movement*, 33-65. London: Duke University Press, 50; Nyers, P. (2010) 'No one is illegal between city and nation', *Studies in Social Justice*, 4:2, 127-143, 132.

¹¹² Bosniak, L. (2007) 'Being here: ethical territoriality and the rights of immigrants', *Theoretical Inquiries in Law*, 8:2, 389-410, 392.

¹¹³ *Vreemdelingenwet (Alien Act) 2000 art. 59*.

¹¹⁴ Adviescommissie voor Vreemdelingenzaken (2013) *Vreemdelingenbewaring of een lichter middel?* Den Haag: AVCZ; Dienst Justitiele Inrichtingen (2013) *Vreemdelingenbewaring in getal*. Den Haag: Ministerie van Justitie en Veiligheid.

¹¹⁵ This penal regime has far going consequences for the ways in which illegal immigrants can live. They are locked into two-person cells of 10-12 m² for sixteen hours a day and contrary to actual convicted detainees, illegal immigrants are not allowed to practice sports, to follow an education or to do some minor work. They have no right to free movement, to education, to proper healthcare or to privacy. When they need to leave the detention centre to go to the doctor or to her embassy, they are locked into handcuffs and supervised constantly. What is more, they are frequently subjected to disciplining methods - such as isolation, frisk or visitation - when they do not comply with the rules. Rather than it being incidents, detainees are subjected to bodily checks every time they enter or leave the premises. See Brenninckmeyer, A. (2012) *Vreemdelingenbewaring: strafregime of maatregel om uit te zetten. Over respect voor mensenrechten bij vreemdelingenbewaring*. Den Haag: Nationale Ombudsman. For critique on these measures see various Amnesty reports: Amnesty International (2008) *The Netherlands: the*

The detention center enacts the spatial and physical component of the ban that the sovereign power puts in place by creating a space where illegal immigrants are obliged to reside. It can be argued that it is through this internal functioning of the state of exception that territory inside a state is exteriorized, and functions as the foundational inclusive exclusion upon which sovereign power manifests itself and where life can be killed but not sacrificed.

Taken together, the relationship of abandonment that excludes bare life as politically relevant has both a legal and a spatial dimension. The law excludes the illegal immigrant as a non-status subject yet incorporates her as that which should be punished or the person who bears the responsibility to leave the country. Spatially, the border functions as a space where illegal immigrants reside which is illustrated by the detention centers that function as the space where the *homo sacer* is excluded from the *polis* yet remains inside the territory of the sovereign power. Through a complex system of legal rules and spatial regulations a zone of indistinction is created where life as such is sacred and the illegal immigrant blends with the figure of the *homo sacer*. Indeed it seems that the sovereign power thrives on a sacrificial logic that predefines forms of life as already enacted thereby limiting the possible ways of being political in the modern nation state.

1.4. The implications for political subjectivity

In this section I will scrutinize what the implications of Agamben's theory of sovereignty are for the way political subjectivity can be conceived. I would argue that the implications of Agamben's analysis for political subjectivities are three-fold: firstly, the agency for the political subject is lacking to be something other than *zoe*, *bios* or the *homo sacer*. Secondly, due to the ontological dimension of politics, the form of political order and forms of subjectivity are mutually

detention of irregular migrants and asylum seekers. Amsterdam: Amnesty International Nederland; Amnesty International (2010) *Vreemdelingendetentie: in strijd met mensenrechten*. Amsterdam: Amnesty International Nederland; Amnesty International (2011) *Vreemdelingendetentie: het moet en het kan anders*. Amsterdam: Amnesty International Nederland.

dependant. Thirdly, it seems that subjects are ultimately themselves ungrounded, lacking any absolute foundation of being.

As part of the sacrificial machinery, it is very hard for illegal immigrants to present themselves as a being that is politically qualified whilst lacking the status of citizen. It seems indeed that the categories of being human and citizenship are bound up; if you are not a citizen, you are easily excluded from the state's *polis* as a form of *zoe*. Agamben's work on sovereign power "does not in any case take more widely into consideration other forms of being: his anthropogenic machine is confined in its operation to the man/animal distinction," Jenny Edkins argues.¹¹⁶ In fact, Agamben's theory on sovereignty leaves little space for other political subjectivities to exist other than *zoe*, *bios* or *homo sacer*. A much heard critique therefore on Agamben's analysis is that there is no space to resist the disciplining power through which the sovereign decides on these forms of being. Indeed, the possibility of enacting oneself as a form of life that falls outside the sovereign threshold seems to be difficult if not impossible.¹¹⁷ This is so, Ernesto Laclau argues, because for the sovereign logic to function effectively, "bare life needs to be entirely without defence."¹¹⁸ The possibilities for bare life to resist sovereign power need to be remote for if they would be available bare life would quickly become politically relevant, threatening to rupture the foundational exception that sovereign power put in place. If that is the case, the "logic of sovereignty (...) brings us in a historical impasse, where no way out is disclosed."¹¹⁹ W.E. Connolly argues that "Agamben's analysis exacerbates a paradox that he cannot imagine how to transcend."¹²⁰

¹¹⁶ Edkins, J. (2007) 'Whatever politics'. in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press, 72.

¹¹⁷ Bousfield, D. (2005) 'The logic of sovereignty and the agency of the refugee: recovering the political from bare life', *YCISS Working Paper* 36, 3.

¹¹⁸ Laclau, E. (2007) 'Bare life or social indeterminacy?' in eds. by Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press, 18.

¹¹⁹ Edkins, J. and Pin fat, V. (2005) 'Through the wire: relations of power and relations of violence,' in *Millenium*, 34:1, 1-26, 10.

¹²⁰ Connolly, W. (2007) 'The complexities of sovereignty', in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 23-42. Stanford: Stanford University Press, 27.

Non-sovereign ways of being political do not only threaten the survival of sovereign power but also by analogy embody a different political order.¹²¹ In other words, the form of political order and the ways of being that are available are intertwined. Due to the ontological implications of sovereign power Anne McNevin argues that the political order has far reaching consequences for the way forms of being are spatially ‘embodied’.¹²² In effect, when concepts such as citizenship and human being become intertwined through a political decision, “humanity, far from being a neutral concept, is seen to be inextricably connected to our modern understanding of the nature and location of the political” Peter Nyers argues.¹²³ In other words, the potential ways of being are strictly linked to how politics and power are defined. Jenny Edkins argues that indeed “one of the values of Agamben’s discussions is the way in which politics is considered in terms of the subjectivities (...) that it entails.”¹²⁴ One of the implications of Agamben’s theory on sovereign power for how we perceive political subjectivities is thus I suggest that the possibilities of being political are limited or defined through politics.

Thirdly, another implication of Agamben’s analysis of sovereign power for how to understand modern political subjectivity is that in essence by constituting itself on an arbitrary decision, both the sovereign power and the subjects it produces lack any absolute foundation.¹²⁵ The ground upon which being is realized is one of absence, negation and sacrifice. Sacrifice for Agamben is an act that grounds humanity on the exclusion of that which it wishes not to be; bare life. Through this sacrificial act, it attempts to construct a politically qualified being as distinct from all other beings in relation to a constituted ‘humanity’.¹²⁶ Dickinson argues that, “politics is therefore nothing less than a human situatedness founded

¹²¹ DeCaroli, S. (2007) ‘Boundary stones:Giorgio Agamben and the field of sovereignty’, in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 43-69. Stanford: Stanford University Press, 69.

¹²² McNevin, A. (2011) *Contesting citizenship: irregular migrants and new frontiers of the political*. New York: Columbia University Press, 15.

¹²³ Nyers, P. (1998) ‘Refugees, humanitarian emergencies, and the politicization of bare life,’ in *Refuge*, 17:6, 16-21, 20.

¹²⁴ Edkins, J. (2007) ‘Whatever politics’. in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press, 71.

¹²⁵ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 63.

¹²⁶ Dickinson, C. (2011),72.

upon a notion of sacrality.”¹²⁷ I suggest that modern political subjects are realized on nothing other than a decision made by sovereign power on a relationship of abandonment. In this sense as being comes into existence through a negating act I would argue that the ground of being is that which is excluded and thus not something which is present.

In this section I have argued that the implication of sovereign power for how we perceive possible ways of being political are threefold. The political subject that comes into being through an inclusive exclusion put in place by sovereign power seems to have little agency to resist the form of sovereign life. Secondly, it seems that political order and forms of being are mutually dependant, and what is more, being in itself has no other foundation than the negating act of sacrifice.

Conclusion chapter 1

In order to analyse the implications of Agamben’s Pauline messianism for how we understand political subjectivity, it is essential to first denote what Agamben understands as sovereign power and the possible ways of being that come with it. He argues that sovereign power quite clearly identifies two political forms of being: bare life or *zoe* and politically qualified life or *bios*. These subjectivities come into being through a sovereign ban that sacrifices bare life to a zone of indistinction where life is neither *zoe*, nor *bios*. In this space, life as such is sacred. The form of life that resides here is what Agamben refers to as the *homo sacer*.

I argued that modern day practices of sacrifice are linked to and tied up with practices of citizenship as the modern concept through which life become politically relevant. As the subject that bears no citizenship, the illegal immigrant shows that indeed the sovereign nation-state decides on the exception and that a sacred zone of life emerges in-between the judicial definitions of the law and as the included spatial exclusion. Not only does the figure of the illegal immigrant resemble the *homo sacer* and thereby illustrates the sacrificial apparatus of the state, also it shows that indeed modern day political subjectivity is divided into two possible ways of being. As a result, the political subjectivities that are

¹²⁷ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 75.

available under sovereign power are limited and always already this or that. A life in which the subject is free to enact his or her form of being seems to be inaccessible.

The implications of Agamben's analysis of sovereign power are three-fold. Firstly, when excluded from the *polis*, one has little to no agency and it has been noted by many scholars that Agamben offers no clear solution to the sovereign functioning of power. Secondly, the shape political power takes is inherently bound up with the kinds of subjects it produces. Any contestation over forms of life that do not fit within the sovereign distinctions would inevitably imply a challenge to sovereign power. Lastly, forms of being under sovereign power lack any form of absolute foundation as they emerge out of a specific negation.

As sovereign power adheres to its own internal logic and as sovereignty is a broadly accepted characteristic of modern nation-states, it is interesting to see how this kind of power has come into being as dominant and autonomous system. What kind of intellectual and philosophical shifts in thinking have occurred that allow for Agamben to construct his analysis of sovereign power as I outlined here? In the next chapter I will scrutinize how the distinctions between *zoe* and *bios* depend upon the distinction between the mind and the body and between the profane and the divine as the result of a theological revolution.

2. From scholasticism to nominalism: the emergence of a sovereign conception on being political

In the previous chapter I outlined that Giorgio Agamben has situated politics at an intersection, at a decisive moment in which what is at stake is the ontology of the modern political subject. Life is defined where power and subjectivity converge. It is at this crossroad that forms of life are created as *zoe*, *bios* and the *homo sacer* and function as the very condition upon which sovereign power constitutes itself.

In this chapter I will tease out how Agamben was able to formulate his thesis on sovereign power as based on a strict distinction between forms of life. As I outlined in the previous chapter, Agamben argues that the inseparability of the profane and the divine and *zoe* and *bios* in the zone of sacred life allows for their political separation and functions as the foundation of sovereignty. I will argue that indeed a change in religious and theological thinking allowed for a shift in intellectual possibilities through which philosophers were able to construct a world divided in binary oppositions. In the first section I will elaborate how this shift came about. One explanation is that a move away from God towards the human and the political has its starting-point in a theological crisis in the 13th and 14th century. I will argue that the dualism inherent in nominalism, one between the world and God, allowed for the possibility to exclude God from politics and questions of human being altogether. In the second section, I will show how the profane and the divine came to be separated sources of sovereign power. In the third section, I will argue that Agamben was able to make a distinction between *zoe* and *bios* due to an older theological distinction between the mind and the body, a discussion predominantly instigated by René Descartes. In turn, I will show how these intellectual developments allow for Agamben to present his thesis of sovereign power as based on the sacred zone of indistinction. Lastly, I will look into some possibilities to challenge the workings of sovereign power.

All in all, my argument will be throughout this chapter that whereas God became a less legitimate answer to metaphysical questions due to the rise of nominalism, the sacred did not simply disappear and in fact plays a tremendously

important role in Agamben's analysis. Mavelli and Petito argue for example that the state rests on a process of 'migration of the holy'. Both Carl Schmitt and Agamben argue that sovereignty is a theological political concept. What is more, the dualism inherent in nominalist thinking that gives rise to the mind/body distinction "shapes our understanding of subjectivity."¹²⁸ Agamben refers to the distinction between God, man and animals as economic theology. I will argue that this ambiguous aspect of religion and the divine - as being excluded but also included indeed - is what Agamben constructs as the space in between the separate forms of life, as the zone of indistinction. However, I will contend, that a challenge to sovereign power will not succeed by simply reintroducing religion or bare life into the constellation.

2.1. Secularizing tendencies of nominalist ontology

The theological debate of the 14th century exposes the acceptable answers to the fundamental question of the nature of being in accordance with the intellectual possibilities and the philosophical imaginaries of that time. In this section, I will investigate how as a result of nominalist dualism, God came to be excluded as a possible answer to metaphysical questions of ontology. I will argue that this revolutionary alternative to scholastic metaphysics opened up the array of imaginable answers to ontological questions of politics and subjectivity.

The birth of the modern age is often believed to have led to the death of God. The modern state rose under the 'westphalian presumption' or "the notion that religious (...) pluralism cannot be accommodated in international society and must be privatised, marginalized or even overcome (...) if there is to be (...) order."¹²⁹ In effect, the foundation of reality shifted from a world in which God was the centre of attention, towards a locus on the human being and the sovereign state. Signifying the end of bloody religious wars in Europe, the peace of Westphalia in 1648 is believed to go hand in hand with the secularisation of politics. Contrary to

¹²⁸ Mavelli, L. (2012) 'Postsecular resistance, the body, and the 2011 Egyptian Revolution', *Review of International Studies*, 38:5, 1057-1078, 1060.

¹²⁹ Thomas, S. M. (2000) 'Taking religious and cultural pluralism seriously: the global resurgence of religion and the transformation of international society', in *Millennium* 29:3, 815-841, 815.

the idea that the two processes of modernity and secularization are inextricably linked, Michael Gillespie holds that the origin of modernity can be found, not in the Treaty of Westphalia, but in the theological crisis of the 13th and 14th century.¹³⁰ Modernity, for Gillespie is “a series of attempts to answer the fundamental questions that arose out of the nominalist revolution” pertaining to the nature of being.¹³¹ This revolution is most disruptive in its metaphysical ontology: a radical voluntarist *metaphysica generalis* of the individual replaced the scholastic realist ontology of the universal.¹³² This nominalist alternative led to a heated debate over questions pertaining to the nature of being, that relate to what *is* and what *is not*.¹³³ Amongst such questions was the order of what is called *metaphysica specialis* or the ontic realms of being that Gillespie depicts as God, man and nature.¹³⁴ The problem with this, Gillespie argues, is that this ontology of the individual makes it difficult to settle the ontic question of hierarchy; if you focus on God, man becomes irrelevant and if one takes man to be the fundamental starting-point of being and thinking, God is excluded from the metaphysical agreement. According to Gillespie, this discussion over metaphysics is what led modernity to come about as precisely that: as a struggle over multiple responses to questions of being.

This new individual ontology that stirred up the medieval world was based on the theology of William of Ockham. Rather than a rational, reasonable and just conception of God as put forth by scholastic thinkers, for Ockham the divine power was omnipotent. In his view, there was no order in nature based on divine rationalism and man could not know God except through revelation. The world was not a systematically organized whole but a radical chaos, without an end nor purpose.¹³⁵ A utilitarian incentive to act morally was eradicated, as according to Ockham, human will cannot guarantee God's grace.¹³⁶ Whereas this vision gave

¹³⁰ Gillespie, M. A. (2008) *The theological origins of modernity*. Chicago: The University of Chicago Press, 9.

¹³¹ Gillespie, M. A. (2008), 261.

¹³² Moses, J.W. and Knutsen, T.L. (2007) *Ways of knowing: competing methodologies in social and political research*. New York: Palgrave Macmillan, 5.

¹³³ Gillespie, M. A. (2008) *The theological origins of modernity*. Chicago: The University of Chicago Press, 16.

¹³⁴ Gillespie, M. A. (2008), 16.

¹³⁵ *Ibidem*, 25.

¹³⁶ *Ibidem*, 22-23.

rise to a radical human freedom, this free man lacked any assurance of salvation.¹³⁷ Contrary to scholastic realist ontology based on conceptions of complete knowledge and universal truths,¹³⁸ nominalist ontology, argues Gillespie, is rooted in the particular and the individual.¹³⁹

A nominalist ontology consequently results in a dualism of the profane and the divine, in an unbridgeable gap between God and man.¹⁴⁰ This distance arises out of the nominalists belief that God freely chooses to limit himself and established codes and rules for the world.¹⁴¹ Yet, God himself is not bound by them and can change them any time. Due to the voluntarism of nominalism God becomes so distant, that religious beliefs became disposable. As Luther put it: “the self that consciously is, can do absolutely nothing”.¹⁴² Ockham's theology was not reassuring. Rather than religion offering a taken-for-granted destiny of human being as in scholasticism, in nominalism religion as a possible answer to questions of being is a less certain matter.¹⁴³ And so it seems that “when the divine is totally absent, nothing is sacred.”¹⁴⁴

Nominalism therefore presupposes the existence of something that it can never include nor exclude: or to speak in Agamben's terminology it is included by its exclusion.¹⁴⁵ God *exists*, but is radically unknowable. Whereas this leads to an empirical epistemology, it also results in a rejection of *a priori* knowledge.¹⁴⁶ Modernity as a contestation over possible answers to metaphysical questions is problematic as *metaphysica* refers precisely to what nominalist ontology rejects: “that science which is beyond, behind, transcending or at the basis of all

¹³⁷ Gillespie, M. A. (2008) *The theological origins of modernity*. Chicago: The University of Chicago Press, 28.

¹³⁸ Woodhead, L. (2004) *An introduction to Christianity*. Cambridge: Cambridge University Press, 119-121; Gillespie, M. A. (2008) *The theological origins of modernity*. Chicago: The University of Chicago Press, 20.

¹³⁹ Gillespie, M. A. (2008) *The theological origins of modernity*, 20-21.

¹⁴⁰ Hunter, I. (2001) *Rival enlightenments: civil and metaphysical philosophy in early modern Germany*. Cambridge: Cambridge University Press, 26.

¹⁴¹ Taylor, M.C. (2007) *After God*. Chicago: University of Chicago Press, 57.

¹⁴² Taylor, M.C. (2007), 50.

¹⁴³ Berger, P. (1981) *Modernization and religion*. Dublin: Economic and Social Research Institute, 12.

¹⁴⁴ Taylor, M.C. (2007) *After God*. Chicago: University of Chicago Press, 133.

¹⁴⁵ Taylor, M.C. (2007), 57.

¹⁴⁶ *Ibidem*, 57.

sciences.”¹⁴⁷ Nominalism as a result undermines the possibility of metaphysical knowledge.¹⁴⁸ Consequently, the dualism between God and man that is implied by the radical inconceivability of God, leads to the exclusion of any kind of knowledge that is based outside the realms of experience. This indicates that the divine as a way of knowing was no longer conceived as legitimate and religion was depicted as a “prelogical, primitive form of thought and knowledge.”¹⁴⁹

It is through these developments in theological thinking that God comes to be excluded as a source of metaphysical knowledge but also included as that which is radically unknowable. I will argue in the next sections that this theological shift opens up the intellectual possibility to conceptualize new forms of political order and subjectivity. The dualism inherent in nominalism allows for binary oppositions that occur in Agamben’s analysis such as *zoe/bios* and profane/divine to be put in place. In what follows, I show that the state can now be conducted separately from God and the human being can emerge as something more than just a body.

2.2. The divine and the profane

The dualism between God and this world, between ‘this’ world and the ‘other’ world could come into being as a result of nominalist thinking. The distinction between the profane and the divine was as a result easily made, not the least when it came to the state. In this section I will argue that the disappearance of God led to the emergence of a sovereign power as envisaged by Agamben: a state that had no other foundation than the state of emergency. This is what Agamben refers to as political theology, which is the idea that sovereignty derives its power from one single source – either the state or God.¹⁵⁰

¹⁴⁷ Chroust, A.H. (1961) 'The origin of "metaphysics"', *The Review of Metaphysics*, 14:4, 601-616.

¹⁴⁸ Beuchot, M. (2002) 'Nicholas of Autrecourt', in eds Gracia, J.J.E and Noone, T.B *A companion to philosophy in the Middle Ages*, 458-465. Oxford: Blackwell Publishing Ltd, 459.

¹⁴⁹ Casanova, J. (1994) *Public religion in the modern world*. Chicago: University of Chicago Press, 30.

¹⁵⁰ Agamben, G. (2011a) *The kingdom and the glory: for a theological genealogy of economy and government*. Stanford: Stanford University Press, 1.

The intellectual resources available due to the rise of nominalism, made it possible to picture God as removed and distant from the believer. This dualism allowed for a separation between the religious and the secular, not simply between ‘this’ earthly world and the ‘other’ divine world, but more profoundly it divided ‘this’ world itself.¹⁵¹ Such a separation of spheres sprang from Luther’s *Doctrine of the two Kingdoms and the two Governments* in which he portrayed the world as divided into two earthly orders.¹⁵² Inspired by a nominalist individual ontology, Luther’s political theology privatized the realm of God in ‘this’ world as a relationship between the Holy Spirit and the believer’s soul. The secular sphere of ‘this’ world was in turn governed by law and coercion.¹⁵³ Jose Casanova argues, that from such a viewpoint,

Protestantism would be (...) not only a secularizing force, but a form of religious internal secularization, the vehicle through which religious contents would take institutionalized secular form.¹⁵⁴

The transference of religious contents to the secular organizational form of the modern state has been analysed profoundly by Carl Schmitt. According to him, “all significant concepts of the modern theory of the state are secularized theological concepts.”¹⁵⁵ In this light, Agamben agrees with Schmitt that sovereignty can be said to have theological origins and the absolute power of the King to mirror the divine omnipotence of God.¹⁵⁶ In his opinion, “the monarch is identified with God and has in the state a position exactly analogous to that attributed to God in the Cartesian system of the world.”¹⁵⁷ This Schmittian analogy is most apparent in the transcendent supremacy of the lawgiver – be it God or a European monarch -over the laws he himself made. Schmitt famously

¹⁵¹ Casanova, J. (1994) *Public religion in the modern world*. Chicago: University of Chicago Press, 13.

¹⁵² Philpott, D. (2000) ‘The religious roots of modern International Relations’, *World Politics*, 52:2, 206-245, 223.

¹⁵³ Casanova, J. (1994) *Public religion in the modern world*. Chicago: University of Chicago Press, 2.

¹⁵⁴ Casanova, J. (1994), 13.

¹⁵⁵ Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*. Translated by Schwab, G. Chicago: University of Chicago Press, 36.

¹⁵⁶ Schmitt, C. (2007 [1922]) 46; Agamben, G. (2011a) *The kingdom and the glory: for a theological genealogy of economy and government*. Stanford: Stanford University Press, 1.

¹⁵⁷ Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*. Translated by Schwab, G. Chicago: University of Chicago Press 46.

stated that the “sovereign is he who decides on the exception.”¹⁵⁸ The sovereign is entitled to decide whether or not a rule applies. The exception in turn proves the rule; in fact, it allows for the creation of a judicial order.¹⁵⁹ By setting up a legal system in which the illegal immigrant becomes a judicial non-status subject it is possible to create something as a subject with a legal status such as the citizen.¹⁶⁰ Not only did nominalism instigate a transfer of sovereign power from God to the nation state, Luca Mavelli argues, it also led to a sense of chaos and disorder that necessitated a response on behalf of the state.¹⁶¹ The legal system emerges through the state of exception as that which is threatened by the chaos of the emergency. The emergency requiring a response in this case would be the growing number of illegal immigrants residing in the Netherlands due to increased migration flows and globalization. Migration has become ‘securitized’, Jef Huysmans, argued as a threat to public order, domestic integration and depicted as a challenge to the welfare state.¹⁶² According to Schmitt, the whole constellation of laws that mark the inside from the outside, us from them is revealed at the moment the sovereign decides on the exception that is aimed at quelling the emergency. A sense of insecurity that follows from the absence of the nominalist God, then becomes central to the modern secular project of the sovereign nation state.¹⁶³ Schmitt sees a link with biblical revelation and claims

¹⁵⁸ Schmitt, C. (2007 [1922]), 5.

¹⁵⁹ Strong, T.B. (2007) ‘Foreword’, in Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*, vii-xi. Translated by Schwab, G. Chicago: University of Chicago Press, xx.

¹⁶⁰ Strong, T.B. (2007), xx.

¹⁶¹ In this sense Mavelli argues that the secular nation-state did not emerge as a response towards the chaos of religious pluralism, but rather that nominalism thought introduces chaos and disorder to the modern nation state. With the demise of God, it was no longer a divine source of power that would protect people, but rather the state. Mavelli, L. (2011) ‘Security and secularization in International Relations’, *European Journal of International Relations*, 18:1, 177-199, 185.

¹⁶² Huysmans, J. (2000). ‘The European Union and the securitization of migration’, *JCMS: Journal of Common Market Studies*, 38:5, 751-777: 756; The governing liberal party in the Netherlands, the People’s party for Freedom and Democracy (VVD) argues in their election program (2012) that immigrants who commit crimes are not welcome in our country. Also they argue that their claims to social welfare services must be minimal. In order to ‘make space for refugees, we have to limit economic immigration’ and to “reduce disadvantaged migrants” coming in to the Netherlands. See: Volkspartij voor Vrijheid en Democratie (2012) ‘Niet aanpakken maar doorschuiven’, <http://cdn.vellance.com/usmedia/vvd/uploaded/attachment-files/120.pdf>

¹⁶³ Mavelli, L. (2011) ‘Security and secularization in International Relations’, *European Journal of International Relations*, 18:1, 177-199, 188.

that “the exception in jurisprudence is analogous to the miracle in theology.”¹⁶⁴ Sovereignty limits through the exception what *is* and what *is not* and as such depends on metaphysical convictions.¹⁶⁵ In his own analysis, Giorgio Agamben explicitly draws on this Schmittian state of exception as the foundation of sovereign power. It is by deciding on the exclusion that the sovereign distinguishes the forms of life such as *zoe* and *bios*. As the nucleus of modern power, Agamben concurs that this negating act is the sole *raison d’être* of the sovereign.

According to Schmitt, nominalist ontology has had its impact on the concept of sovereignty. As a result of the strict dualism and the separation of the divine and secular realms, the supreme sovereign lawgiver “had been radically pushed aside” and became situated outside ‘this’ world¹⁶⁶ As a result, the people became the sovereign.¹⁶⁷ However, sovereignty according to Schmitt can only be exercised through a personal subject.¹⁶⁸ This subject to him represented the non-abstract manifestation of sovereign power. In earlier times this was the King, or God, and it is what Renato Christi refers to as Schmitt’s “monarchical principle.”¹⁶⁹ But with the people as the sovereign the power to decide over the exception resided with the homogenous masses that were in his eyes incapable of deciding.¹⁷⁰ Schmitt concludes that “the decisionistic and personalistic element in the concept of sovereignty was thus lost.”¹⁷¹ Rather than being confronted with the whimsical determination of an omnipotent sovereign, the human subject is

¹⁶⁴ Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*.

Translated by Schwab, G. Chicago: University of Chicago Press, 36.

¹⁶⁵ Strong, T.B. (2007) ‘Foreword’, in Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*, vii-xi. Translated by Schwab, G. Chicago: University of Chicago Press, xx.

¹⁶⁶ Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*.

Translated by Schwab, G. Chicago: University of Chicago Press, 48.

¹⁶⁷ Schmitt, C. (2007 [1922]), 48.

¹⁶⁸ Christi, R. (2011) ‘Schmitt on constituent power and the monarchical principle’, *Constellations*, 18:3, 353-364, 354.

¹⁶⁹ Christi, R. (2011), *Constellations*, 18:3, 353-364, 354-355.

¹⁷⁰ *Ibidem*, 355.

¹⁷¹ Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*.

Translated by Schwab, G. Chicago: University of Chicago Press, 48.

now completely turned onto itself, resulting in the “mechanization of the anthropological understanding of human being.”¹⁷²

According to Schmitt, a generalized version of human being disallows for the differentiation of groups and therefore resembles an ‘onslaught against the political.’¹⁷³ This impediment of political contestations over who is one’s friend and who is one’s enemy is precisely what makes politics possible according to Schmitt.¹⁷⁴ In other words, the possibility of defining the illegal immigrant from the citizen is an archetypical political act. As a result of the loss of the personalistic and decisionistic elements of sovereignty “the political is in danger of disappearing as a form of life.”¹⁷⁵ What Schmitt conceives of as ‘the political’ is the bordering function of the sovereign itself, it is the moment in which the exception is decided, when the distinction between friend and enemy, inside and outside is put in place.¹⁷⁶ His *Political Theology* is characterised by the realization that ‘the political’ always must take place at a metaphysical level.¹⁷⁷ Due to the processes put in motion by nominalism, “the theistic (...) concepts of God became (...) unintelligible for political metaphysics.”¹⁷⁸ The exclusion of God from metaphysics has direct consequences for the possible forms of political community that can emerge in a certain historical context:

[t]he metaphysical image that a definite epoch forges on the world has the same structure as what the world immediately understands to be appropriate as a form of its political organization.¹⁷⁹ Schmitt therefore pleads, not for a return to theological concepts of the 13th century but for the re-appropriation

¹⁷² Schmitt as quoted by Strong, T.B. (2007) ‘Foreword’, in: Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*, vii-xi. Translated by Schwab, G. Chicago: University of Chicago Press, xxii.

¹⁷³ Strong, T.B. (2007), xvii.

¹⁷⁴ Ibidem, xvii.

¹⁷⁵ Ibidem, xvii.

¹⁷⁶ Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*. Translated by Schwab, G. Chicago: University of Chicago Press, 5.

¹⁷⁷ Strong, T.B. (2007) ‘Foreword’, in: Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*, vii-xi. Translated by Schwab, G. Chicago: University of Chicago Press, xxvii.

¹⁷⁸ Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*. Translated by Schwab, G. Chicago: University of Chicago Press, 49.

¹⁷⁹ Schmitt, C. (2007 [1922]), 46.

of transcendence implied in the moment of exception in order to make a political life possible.¹⁸⁰

Due to the shift from scholasticism to nominalism it thus became possible for sovereign power to enact itself without depending on God or a sovereign king and for a binary opposition between the profane and the divine to come into being. Indeed, the divine is excluded as part of the constellation but included as the ground upon which sovereignty comes into being and as such gives rise to a sacred zone of indistinction. Agamben follows Schmitt in his assertion that a political life is not possible under sovereign power. Indeed, Agamben seems to subscribe to the idea that the power to decide now lies with the masses, arguing that the sovereign exception has now rather become the rule.

2.3. The mind and the body

Not only did the dualism inherent in nominalist thinking introduce a new conception of the state, it also sheds new light on human subjectivity. Of course, nominalism did so by privatizing faith as a personal relationship between the believer and God, by proclaiming the “priesthood of every believer.”¹⁸¹ But more intrinsically, dualism allowed for the separation of the human mind from the animalistic body. This is what Agamben refers to as economic theology, or the power to define forms of life as animal, human or divine.¹⁸² According to Pabst, it is this mind/body distinction that gave “rise to a secular definition of religion.”¹⁸³ I will argue that it is this intellectual dualism that allows Agamben to construct a theory of sovereignty around the concepts of *zoe* and *bios*.

Scholasticism had been struggling to come to terms with the Christian doctrine of the soul’s uniqueness and immortality.¹⁸⁴ The scholastic debate on the relation

¹⁸⁰ Strong, T.B. (2007) ‘Foreword’, in: Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*, vii-xi. Translated by Schwab, G. Chicago: University of Chicago Press, xxv.

¹⁸¹ Taylor, M.C. (2007) *After God*. Chicago: University of Chicago Press, 62.

¹⁸² Agamben, G. (2011a) *The kingdom and the glory: for a theological genealogy of economy and government*. Stanford: Stanford University Press, 1.

¹⁸³ Pabst, A. (2012) ‘The secularism of post-secularity: religion, realism, and the revival of grand theory in IR’, *Review of International Studies*, 38:5, 995-1017,

¹⁸⁴ Pabst, A. (2012) *Review of International Studies*, 38:5, 995-1017, 1000.

between the soul and the body revolved heavily around Aristotelian texts. Aristotle's account proclaimed that matter could not exist without its form. The body, in other words, is nothing without the soul; it "is ensouled matter."¹⁸⁵ Yet in Aristotle's view, the form could neither exist without being the form of some matter. This posed severe problems for the scholastic theologians, as the tradition prescribed "that the soul was an immortal spiritual substance, created for and infused into the body of each individual by God."¹⁸⁶ Saint Thomas Aquinas sought to unite the two positions, and argued that there can be more than one intellectual soul whilst at the same time each body was matter with the soul as its form.¹⁸⁷ In his *Summa Theologia* he purported the human being as a single substance, in which the soul is both a form that actualizes matter, and a rational, immaterial form which "has its own kind of subsistence."¹⁸⁸ It is this immaterial form of the soul that accounts for its immortality and the intellectual activity that signifies the uniqueness of the human being.¹⁸⁹

However, according to William of Ockham, Aquinas' endeavour was unsuccessful in diminishing the distance between Aristotle's texts and the Christian tradition of the immortality of the soul. Whereas Ockham agreed that the soul is "divinely created and infused into human beings," Aquinas's version placed too much agency on the body.¹⁹⁰ The mind and the body, he argued, are truly distinct substances.¹⁹¹ He therefore distinguishes the sentient soul – which related the outer world to the senses - from the intellective soul. Ockham's intellective soul is "immaterial, ingenerable and incorruptible" and "a purely

¹⁸⁵ Crane, T. and Patterson, S. (2000) 'introduction', in eds. Crane, T. and Patterson, S, *History of the mind-body problem*. London: Routledge, 3.

¹⁸⁶ Stone, M.W.F (2000)'The soul's relation to the body: Thomas Aquinas, Siger of Brabant and the Parisian debate on monopsychism', in eds. Crane, T. and Patterson, S, *History of the mind-body problem*. London: Routledge, 36.

¹⁸⁷ Crane, T. and Patterson, S. (2000) 'introduction', in eds. Crane, T. and Patterson, S, *History of the mind-body problem*, 1-13. London: Routledge, 4.

¹⁸⁸ Crane, T. and Patterson, S. (2000) *History of the mind-body problem*, 4.

¹⁸⁹ Stone, M.W.F (2000)'The soul's relation to the body: Thomas Aquinas, Siger of Brabant and the Parisian debate on monopsychism', in eds. Crane, T. and Patterson, S, *History of the mind-body problem*, 34-69. London: Routledge, 47.

¹⁹⁰ Charalampous, C. (2013) 'William of Ockham's mind/body dualism and its transmission to early modern thinkers', *Intellectual History Review*, 1-27, 3.

¹⁹¹ Charalampous, C. (2013), *Intellectual History Review*, 1-27, 3.

spiritual essence” that is self-aware nonetheless.¹⁹² The immateriality and immortality of the intellectual soul is not a question of natural (scholastic) reason, but an act of faith.¹⁹³ As Charalampous eloquently puts it, “in Ockham’s thought, the intellect is an immaterial form *in* the body, not a form *of* the body.”¹⁹⁴

René Descartes believed Ockham’s sentient soul was one step too far; a step that “might ultimately lead to the conclusion that the body can perform intellectual processes.”¹⁹⁵ It would seem as if the corporeal senses have agency and were capable of judgement. In order to retain an uncorrupted distinction between corporeality and the immortal intellect, Descartes abandoned Ockham’s sentient and intellectual souls in favour of an autonomous mind that exists independently of the body. The mind is self-sufficient and its cognition is not derived from the senses, but from innate ideas that are supplied directly by God.¹⁹⁶ Colby Dickinson argues the construction between *bios* and *zoe* Agamben makes is therefore “anything but atheological; it is rather immersed in a wide history of those varied (onto)theological attempts to posit human being as divinely created creatures.”¹⁹⁷

But if mind and body are truly distinct, how do matter and form correspond? Descartes is confronted with a fundamental problem: how to be certain that the intellectual judgements made by the mind correspond to the external world?¹⁹⁸ In other words, how can he be sure that the omnipotent, nominalist God is not fooling him?¹⁹⁹ It becomes vital, that “our creator, the source of these ideas should be shown not to be a deceiver.”²⁰⁰ The simple possibility that a deceiving God exists, renders any kind of truth impossible.²⁰¹ As

¹⁹² Charalampous, C. (2013) ‘William of Ockham’s mind/body dualism and its transmission to early modern thinkers’, *Intellectual History Review*, 1-27, 5.

¹⁹³ Charalampous, C. (2013), *Intellectual History Review*, 1-27,12.

¹⁹⁴ *Ibidem*, 14.

¹⁹⁵ *Ibidem*, 12-14.

¹⁹⁶ Patterson, S. (2000) ‘How Cartesian was Descartes?’ in eds. Crane, T. and Patterson, S, *History of the mind-body problem*, 70-110. London: Routledge, 80.

¹⁹⁷ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 62.

¹⁹⁸ Patterson, S. (2000) ‘How Cartesian was Descartes?’ in eds. Crane, T. and Patterson, S, *History of the mind-body problem*, 70-110. London: Routledge, 73.

¹⁹⁹ Patterson, S. (2000) *History of the mind-body problem*, 73.

²⁰⁰ *Ibidem*, 86, 87.

²⁰¹ Gillespie, M. A. (2008) *The theological origins of modernity*. Chicago: The University of Chicago Press, 193.

a radical move illustrating his deep-seated scepticism, Descartes starts to think of everything as ‘false’.

By losing himself into this abyss of doubt, he discovers his fundamental principle: ‘*cogito ergo sum*’; I think therefore I am. He finds that there is something that *is* thinking everything as false. I exist because I am able to doubt. It is the intellectual activity of the mind that distinguishes the human being from other forms of existence, such as animals. In Descartes’ view, by thinking the mind actualizes the ‘I’ that experiences the intellectual activity of the mind as thinking. This proposition “is a synthetic, *a priori* truth” that characterizes “the I’s self-grounding act, it’s self-creation.”²⁰² In other words, the act of thinking constitutes the subject’s subjectivity as distinct from the body. Indeed, Agamben also argues that “only if there is thought” he says, “only then a form of life can become its own factness and thingness.”²⁰³ An existential doubt on a metaphysical level is turned into a self-affirmation that solely depends on the subject itself as the foundation of reality.²⁰⁴ Doubting one’s own existence serves to delineate the mind from the body. Whereas this initial doubt sprang from the possibility of an omnipotent God in the first place, the human subject comes into being independently and unrestrained by divine power, merely doubting its very own reality.²⁰⁵ In line with Agamben’s argument, the subject exists through an act constituting itself. It is the constant reassurance of thinking, the continuous exclusion of bare life through which the mind or the citizen ensures its own existence, thereby negating the possibility that he is nothing but an animalistic body.

I argue that without a theological distinction between the corporeal body and the cognitive mind, it would have been impossible for Agamben to intellectually separate bare life from politically qualified life. For if philosophically, modern thinkers would have argued that the mind and the body

²⁰² Gillespie, M. A. (2008), 196,197.

²⁰³ Agamben, G. (1996) ‘Form of life’, in eds. Hardt, M. and Virno, P. *Radical thought in Italy, a potential politics*, 151-158. London: Minneapolis, 155.

²⁰⁴ Patterson, S. (2000) ‘How Cartesian was Descartes?’ in eds. Crane, T. and Patterson, S, *History of the mind-body problem*, 70-110. London: Routledge, 77.

²⁰⁵ Gillespie, M. A. (2008) *The theological origins of modernity*. Chicago: The University of Chicago Press, 200.

were different forms of the same matter, it would have been impossible to separate mere life from something more than that. Indeed, nominalist thinkers have argued that the intellectual activity of the mind is what characterizes human being as distinct from animals and as independent from God. Due to nominalism, the distinction between animal, man and God emerged as a viable intellectual possibility and so in effect, the reformulation of a boundary between humans and God also led to a rethinking of the distinction between animals and humans. Agamben refers to such immanent practices of ordering forms of life as economic theology.²⁰⁶ Both in Agamben and in Descartes, the human being constitutes itself on a negating act, in which the mere body is subsequently set aside. It is therefore the negation of both bare life as that which opposes our mind and of the God that we no longer need in order to be, upon which the modern day subject enacts itself. This negation in a very practical way is enacted by the sovereign power through the exclusion of the bodies of illegal immigrants from the political community. By installing spaces where these bodies literally reside, such as the detention centers, it becomes possible to spatially delineate a person who is simply a body from a person who is more than that, with a mind and a personality such as the citizen. As a result, it creates a zone of sacred life where what is excluded is included by its exception.

2.4. The ambiguity of the sacred

The above sections show how God has come to be excluded as a possible answer to questions on the nature of being as a result of the dualism implied in a nominalist ontology. I have argued that the mind/body distinction allows Agamben to classify *zoe* as apart from *bios*, and that whereas formerly God was the source of sovereign power, sovereign power is now able to come into being precisely by excluding the divine as the exception. Indeed, the legal exclusion of the illegal immigrant is possible due to the transmission of the divine power to decide on the state of emergency, to the worldly realms of personalistic and non-metaphysical decision making of the people. Also, due to the theological

²⁰⁶ Agamben, G. (2011a) *The kingdom and the glory: for a theological genealogy of economy and government*. Stanford: Stanford University Press,1.

separation of the mind from the body, it became possible for the sovereign power to quite practically exclude the ‘bodies’ of illegal immigrants from the *polis*. In both cases however, when it comes to sovereign power and the human being, the divine and bare life are banned and included by their exclusion in zone of indistinction. And so it seems that whereas nominalism led to an exclusion of God as an answer to metaphysical questions, the dualisms it gave rise to depend not just on the theological concepts that lie behind the binary oppositions of profane/divine and mind/body, but also on that which is sacrificed. Paradoxically, there seems to be a rejection of the transcendent God as the foundation of sovereignty and human being, but indeed a dependency on a notion of *sacrifice* as the negated ground of being. Whereas God came to be excluded and metaphysics to be rejected as a form of knowledge, the idea of the sacred as separating the profane from the divine and the *zoe* from *bios* nevertheless remains a valuable concept.²⁰⁷ As Adrian Pabst convincingly argues,

[t]he systems of national states (...) did not simply subordinate the sanctity of life (...) to a model of central sovereign power; (...) it also supplanted such older notions of the sacred with a new, secularist simulacrum of sacrality.²⁰⁸

Theological disputes remain “hotspots of intellectual debate for therein lies the much contested ground of what makes us ‘human’ in the first place,” Dickinson argues.²⁰⁹ For Agamben, the threshold between subjectivity and the sovereign power renders life itself sacred, as that which exists prior to any distinctions.

Whereas it now becomes clear how the sovereign logic might have emerged, one result of the sacrificial apparatus is that the forms of being that are open for use are limited. A political life, or a life in which it is possible to define one’s own political subjectivity is not available. What then, might be possible directions in which we might look in an attempt to rupture the functioning of the sovereign anthropological machine? Would it be as simple as to bring back bare

²⁰⁷ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 63.

²⁰⁸ Pabst, A. (2012) ‘The secularism of post-secularity: religion, realism, and the revival of grand theory in IR’, *Review of International Studies*, 38:5, 995-1017, 1001, 1002.

²⁰⁹ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 63.

life into the sphere of politically qualified life or God as a possible answer to metaphysical questions of being? I would argue that neither is the case, for neither would transpose a sovereign decision over forms of life. Firstly, to re-introduce bare life runs the risk of simply shifting or redrawing boundaries between politically relevant life and bare life. Jenny Edkins and Veronique Pin-Fat, however, do propose that it might be effective to challenge sovereign power by *assuming* bare life. By showing the fact of mere life, they argue, a true relation of power can be reinstated.²¹⁰ For example they hold, an asylum seeker who sews her lips constitutes a “re-enactment of sovereign power’s production of bare life on the body of the refugee.”²¹¹ As such, they argue, “the grammar of sovereign power cannot be resisted by challenging or fighting over *where* the lines [between *zoe* and *bios*] are drawn.”²¹² Another good example of assuming bare life I suggest would be the Iranian man who set himself on fire publicly on the Dam in Amsterdam in 2011 in order to protest against his status as an illegal immigrant.²¹³ By burning his body in front of a national memorial he demanded public attention for the fact that as an illegal immigrant he was depicted as nothing more than mere life. Such an act is without a doubt political as it is enacted in public and critiquing the governmental immigration policy in front of a monument that symbolizes the solidarity of the Dutch community - representing misery, resistance and victory.²¹⁴ Whereas in a way this man was sacrificing his own bare life and a sense of agency is implied, I wonder however, if assuming bare life in such a way would indeed not precisely reinscribe the boundaries between *zoe* and *bios* as such. When an illegal immigrant requests to be considered as a political subject, Anne McNevin argues, such an act seems to aim to simply “reinforce the prevailing forms of citizenship”, rather than challenge them.²¹⁵ In line with the

²¹⁰ Edkins and Pin-Fat posit relationships of power as distinct from relationships of violence, following Foucault, see Edkins, J. and Pin fat, V. (2005) ‘Through the wire: relations of power and relations of violence’, *Millenium*, 34:1, 1-26.

²¹¹ Edkins, J. and Pin fat, V. (2005) *Millenium*, 34:1, 1-26, 19.

²¹² *Ibidem*, 15.

²¹³ Greeven, P. (2011) ‘Iraniër verwachtte te worden uitgezet’-, *Nieuwsuur*, 7 April 2011, <http://nieuwsuur.nl/onderwerp/231385-iranier> [accessed 18-9-2014].

²¹⁴ Nationaal comité 4 en 5 mei (2014) ‘Amsterdam nationaal monument op de dam’, http://www.4en5mei.nl/herinneren/oorlogsmonumenten/monumenten_zoeken/oorlogsmonument/1621 [accessed 18-9-2014].

²¹⁵ McNevin, A. (2011) *Contesting citizenship: irregular migrants and new frontiers of the political*. New York: Columbia University Press, 151.

example above, in assuming or sacrificing one's own bare life, the illegal immigrant follows the same sacrificial logic as the sovereign power. Any demand to be considered as a politically relevant subject is addressed at the sovereign bureaucratic order itself and boosts the "symbolic power of that sovereign agent to allocate forms of status (...)." ²¹⁶ I contend that a true challenge of sovereign power will have to transcend the subject of bare life itself and agree with De Genova that a solution "therefore would empathetically not be some kind of romantic return to bare life as an ostensible state of grace." ²¹⁷

A move that brings the nominalist God back into the constellation would neither seem to suffice as it would merely uphold the economic theology between animal, man and God. William E. Connolly argues that a return to God cannot solve the problem of the absence of absolute grounds of being as the ultimate source of being would still be a sovereign God deciding over forms of life. ²¹⁸ In this sense, a return to God would neither open-up possibilities for political subjectivization. What is more, the ultimately nominalist critique on scholasticism held that the immanent purpose of the world they foresaw undermined God's omnipotence. A predesigned plan would implicitly limit the power of a truly sovereign God. And so Connolly argues, the nominalists

subtracted meaning [in terms of the existence of a divine plan] from the world in favour of a God of absolute sovereign power over Being [in an attempt to increase] God's sovereign power by depleting the sovereign purpose to which he conformed. ²¹⁹

Paradoxically, a God that is able to absolutely decide over forms of being as the nominalists would have it, cannot at the same time follow a predefined plan for His creation. God would thus have to limit His supreme purpose in order to gain absolute control over matters of being. A return to the Scholastic God then, would imply that possibilities of being are limited to a predefined divine plan. It seems

²¹⁶ McNevin, A. (2011), 151.

²¹⁷ De Genova, N. (2010) 'The deportation regime: sovereignty, space and the freedom of movement', in eds. De Genova, N. and Peutz, N. *The deportation regime: sovereignty, space and the freedom of movement*, 33-65. London: Duke University Press, 44.

²¹⁸ Connolly, W. (2007) 'The complexities of sovereignty', in eds. by Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 23-42. Stanford: Stanford University Press, 32.

²¹⁹ Connolly, W. (2007) *Giorgio Agamben: sovereignty and life*, 32.

that, one way or another, a return to God will not lead to a more open sphere of being. Indeed Agamben does also not call for a return to religion neither does he reject it altogether. “That” Dickinson argues, “would be two sides of the same coin.”²²⁰ In effect, what is needed is to “engage more deeply with the foundations of all religious ritual and thought, the foundations then, of the human being itself.”²²¹

In order to sufficiently challenge the rationale of sovereign power, one would have to conceive of a political community in which subjectivities are open for use and not pre-defined. As Steven DeCaroli puts it, “the task is not to justify sovereign power but to conceive of a political community that does not presuppose it.”²²² To Agamben the problem with sovereign power seems not to be the logic itself, but the object of it – bare life. Any kind of solution should therefore entail a rethinking of that form of being.²²³ It seems to me that in order to open-up the sphere of being, one would have to return to the metaphysical sphere where forms of being are not predefined. A possible starting-point might therefore be the zone of indistinction where ways of being are prior to any distinctions made. It is the space where “the opposition between life and power collapses and would thereby effectively suspend and transcend the very distinction.”²²⁴ It is a space where being and life are not yet actualized, it is in fact empty and “without any content by which to identify humanity.”²²⁵ It is precisely this quality of the sacred that “in as much as this might threaten to end our standard conceptions of what constitutes a human being; it also serves to bring some flexibility to any supposed definition of what we in essence are.”²²⁶

²²⁰ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 63.

²²¹ Dickinson, C. (2011), 63.

²²² DeCaroli, S. (2007) ‘Boundary stones: Giorgio Agamben and the field of sovereignty’, in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 43-69. Stanford: Stanford University Press, 44.

²²³ Hussain, N. and Ptacek, M. (2000) ‘Thresholds: sovereignty and the sacred’ in *Law and Society Review*, 34:2, 495-515, 511.

²²⁴ De Genova, N. (2010) ‘The deportation regime: sovereignty, space and the freedom of movement’, in eds. De Genova, N. and Peutz, N. *The deportation regime: sovereignty, space and the freedom of movement*, 33-65. London: Duke University Press, 44.

²²⁵ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 62.

²²⁶ Dickinson, C. (2011), 62.

It would therefore serve to further scrutinize this space of undefined being, Connolly upholds, and to “construe the sacred in a more conventional way (...) [so as to set] the stage for a more public and active pluralisation of the sacred.”²²⁷ Such a reconstruction would “help to loosen the nexus between sovereignty and the sacred without eliminating presumptive respect for sovereign decisions.”²²⁸ One good example of such pluralized sacred spaces I suggest are churches in which groups of illegal immigrants reside.²²⁹ In this sense, illegal immigrants continue to be the *homo sacer*, yet reside in a sacred religious building. The illegal immigrant is not excluded spatially from the *polis* and the sacred is pluralized in the sense that it acquires a more traditional religious connotation in addition to the sacred as a zone of indistinction. Another illustrative example in this respect is the Schiphol vigils. A vigil is organized every month in front of the Schiphol detention center. These wakes have a religious character in the sense that they are based on a group coming together to be silent, to commemorate, to sing songs and to read bible texts in an attempt to reflect on and to dwell on the Dutch immigration policy.²³⁰ I suggest that these vigils also loosen the strict separation between *zoe/bios* and profane/divine for two reasons. Firstly, as with the churches, such religious rituals bring back a sense of traditional religiosity to the ‘sacred’ sphere of sovereign indistinction. Also whereas the spatial border between *zoe* and *bios* is held in tact by the walls of the detention center, the ‘insider’ participants of the vigil make contact with the ‘outsiders’, expressing the message ‘you are not outsiders to us.’²³¹ Both these examples show that the clearly defined boundaries

²²⁷ Connolly, W. (2007) ‘The complexities of sovereignty’, in eds. by Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 23-42. Stanford: Stanford University Press, 29.

²²⁸ Connolly, W. (2007) *Giorgio Agamben: sovereignty and life*, 29.

²²⁹ See Vluchtkerk in Amsterdam or the Heilige Sacramentskerk in Den Haag

²³⁰ See for example Hondagneu-Sotelo, P. (2008). *God's heart has no borders: how religious activists are working for immigrant rights*. Berkley: University of California Press, 18, 75. The Schiphol wakes in this sense started after the fire in 2011 in the Schiphol airport detention center where eleven people died. Nowadays these gatherings no longer solely serve to remember the people who died, but are closer to the meaning of a vigil – or a period of purposeful sleeplessness. See for this <http://www.schipholwakes.nl/handleiding-wake.pdf>; here one can find the bible texts used during the vigils: <http://www.schipholwakes.nl/voorbeelden-bijbelteksten-wake.htm>

²³¹ For the history of the movement and their aims and purposes see <http://www.schipholwakes.nl/achtergrondinformatie-schipholwakes.htm>; a video to promote their gathering is available here <http://vimeo.com/89386905>

between the profane and the divine and between *zoe* and *bios* are no longer conceivable in the absence of an strictly demarcated zone of indistinction. Indeed, the sacred seems to be the common denominator between religion and politics, between political and economical theology, and might be a valuable starting-point for an attempt to open-up the closed sphere of being under sovereign power.

Conclusion chapter two

I tried to distil in this chapter how the sovereign conception on ways of being political was able to come about. I have argued that a particular shift in the intellectual imaginaries of a specific historical period has helped to shape the acceptable answers to philosophical questions of ontology. I argued that whereas the nominalist ontology has theological origins, its implied dualism led to the exclusion of God as a possible answer to questions of metaphysics, partially due to the rise of new conceptions of the state and of the human being. As ‘this’ and the ‘other’ world were separated, the state became the supreme lawgiver deciding on the state of exception, and the human being was able to realize itself on grounds no other than itself due to a strict separation of mind and body. What is more, *a priori* knowledge itself was delegitimized, leading both Carl Schmitt and Giorgio Agamben to conclude that a political life is not possible under sovereign power. In terms of illegal immigration, these two developments allowed the state to envisage a legal category of ‘non-status’ subject as distinct from formal citizenship and to create practical zones of indistinction where mere bodies reside.

I aimed to show that the notion of a sovereign power and that of subjects distinct from their bodies come together in Agamben’s philosophy of the sacred zone of indistinction and the *homo sacer*. However secularized, these conceptions maintain a relationship to economic or political theology and are re-inscribed with a notion of sacrality as a result of the sacrificial logic of sovereign power. I suggest that the notions of the political, the divine and the human subject are intrinsically related on an ontological level. In order for the political and humanity to come into being, they need to ground themselves on the sacred. Whereas

hidden and excluded, both bare life and the divine seem to play a decisive role in matters of ontology as the excluded foundation of being.

I argued that in order to open up the possible ways of being political, it would be merely insufficient to shift the dividing lines of profane/divine or *zoe/bios* by bringing bare life or God back into the constellation as the power to decide over forms of being would remain with the sovereign. In the next chapter I will scrutinize if a return to the sacred zone of life might be a way to open-up the sphere of being under sovereign power. Whereas it has been argued that Agamben has not been able to provide a solution to his own analysis of sovereign power, I will tease out how his work on the letters written by the apostle Paul poses a viable challenge to the sovereign logic.

3. Destabilizing it from within: Agamben's Pauline messianism as a challenge to sovereign power

In the previous chapters I argued that this limited options of being political under sovereign power are limited, due to a sovereign logic that emerged out of a theological shift that opened up the possibility of excluding the divine and bare life. I concluded the last chapter by proposing that the zone of sacred life might be a starting-point from where to re-open the ontological and metaphysical sphere of being. In any case, it seems that a successful challenge to sovereign power should entail a reconceptualization of political subjectivity.

It is by drawing on the Christian texts written by the apostle Paul that Giorgio Agamben criticizes the primacy of secular modes of being under sovereign power.²³² He is not the first contemporary philosopher who is inspired by the apostle; Saint Paul has returned as 'our contemporary', as a figure of our age that is of general interest to political philosophy and cultural analysis.²³³ This return to Paul does not originate from religious leaders or theologians but stems from the minds of continental, critical philosophers such as Slavoj Žižek, Alain Badiou and Jacques Derrida.²³⁴ Agamben does not aim to restore the tradition of any specific religion, but rather to arrive at a conceptualization of a messianism that can be envisioned distinct from any historical, cultural or political background.²³⁵ I will argue in this chapter that a response to the separating techniques of sovereign power can be found in a Agamben's study of Paul's letter in his book *The time that remains*.²³⁶

In this chapter, I will elaborate on Agamben's Pauline conception of the messianic condition and argue why it poses a viable alternative manner of conceptualizing the political and political subjectivities. With an emphasis on the

²³² Britt, B. (2010) 'The Schmittian Messiah in Agamben's time that remains', *Critical Inquiry*, 36:2, 262-287.

²³³ Blanton, W. (2007) 'Disturbing politics: neo-paulism and the scrambling of religious and secular identities', *Dialogue: a Journal of Theology*, 46:1, 3-13.

²³⁴ Blanton, W. (2007) *Dialogue: a Journal of Theology*, 46:1, 3-13.

²³⁵ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 87.

²³⁶ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press.

division of divisions that results out of the messianic vocation, a political reality is conceivable in which the binary oppositions between religious/secular, divine/profane and ultimately *zoe/bios* no longer bear any significance. In order to achieve a representation of Agamben's messianism, I will first sketch out why messianic politics has the potential to be a substitute to the sovereign order. Secondly, I will deliberate on Agamben's conception of Pauline messianism in more detail. Thirdly, I will elaborate on the implications of Pauline messianism for a conception of the political and political subjectivity after which I shall offer some brief critique on Agamben's version of Pauline messianism.

My central argument running through this chapter is that indeed - although Agamben does not directly pose his conception on Pauline messianism as a solution to his problematization of sovereign power²³⁷ - it does seem to offer a way out of the sovereign enclosure. Agamben's messianism constructs a radically different approach to power, politics and the possibilities of being that starkly contrasts that of the sovereign order. As my analysis in the previous chapter shows, theology and sovereignty do not stand so far apart. I will argue that precisely because the sovereign system resembles some key theological aspects that are also present in messianic politics – such as the state of exception, the zone of indistinction and the *homo sacer* - Pauline messianism is able to confront the sovereign logic at heart.

3.1. Context

In this section I will elaborate why I think Agamben's messianic politics holds the capacity to function as a challenge to sovereign power. I will start by shortly sketching the relation between religion and sovereignty that follows out of the previous two chapters and why messianic politics in more general terms is able to revise it. In addition, I will sketch out shortly why Pauline messianism in Agamben's opinion is a relevant topic to study.

²³⁷ Mika Ojakangas notes in this respect that “it would have been interesting if Agamben would have included his analysis of bio-power in his excellent study on St. Paul.” Ojakangas, M. (2005) ‘Impossible Dialogue on Bio-Power: Agamben and Foucault’, *Foucault Studies* 2, 2005, 5–28, 21.

Most of the concepts that play a fundamental role in Agamben's theory on sovereignty in one way or another are linked to or traced back to theology. Both theology and sovereignty share some important aspects, as both relate to systems of being that are already predefined which Agamben refers to as economical theology, and both relate to an absolute sovereign source of power, which he defines as political theology.²³⁸ As I concluded at the end of the previous chapter, it would be insufficient to simply 'return to God' or to reintroduce 'bare life' into the political constellation.

It is in this sense that Pauline messianism has indeed the intriguing task to reformulate some of the oldest shared significations between religion and politics. On the one hand, Agamben aims to restore the Pauline letters to their true messianic context. In this sense, John Roberts has argued that “[t]his reading lies much closer to the majoritarian (...) scholarship on Paul which insists on the strong Judaic context of Paul's writing.”²³⁹ At the same time however, he does not situate his study within the broader Christian tradition that canonized the Pauline letters.²⁴⁰ As Dickinson rightly notes, Agamben's affair with theology is “no less a confrontation than a near total reformulation” of Christian theological dogmas.²⁴¹ Indeed, just as with the concept of the sacred, Agamben uses Christian concepts but alters their function and application. That may also mean that an encounter with sovereignty can effectively come from theology. “That is to say,” Colby Dickinson states, “maybe there is a theological vision of Christ's actions that does not defend the anthropological machinery, but in fact, dismantles it from within.”²⁴² With this method of altering and reallocating the function of religious concepts, I will argue that Agamben manages not just to create a common ground between theology and sovereignty for his critique, but also an effective tool to destabilize the separating reasoning inherent in both of them.²⁴³

²³⁸ Agamben, G. (2011a) *The kingdom and the glory: for a theological genealogy of economy and government*. Stanford: Stanford University Press, 1.

²³⁹ Roberts, J. (2008) 'The returns to religion: messianism, Christianity and the revolutionary tradition, Part II: the Pauline tradition', *Historical Materialism*, 16:2, 77-103, 89.

²⁴⁰ Agamben, G. (2002) 'The time that is left', *Epoché*, 7:1, 1-14.

²⁴¹ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 9, 86.

²⁴² Dickinson, C. (2011), 80.

²⁴³ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 119.

The relevance Agamben attributes to the Pauline texts lies in their capacity to challenge secular forms of governance and sovereign power by transforming them beyond their own limits.²⁴⁴ What Agamben searches for “is nothing less than thinking ontology and politics beyond the limit relation that is the sovereign ban.”²⁴⁵ Agamben draws inspiration from Paul’s letters to dislocate the closed-off boundaries of being set by sovereignty in order to re-open the political sphere. Slavoj Žižek puts forth that “if this messianic dimension means anything at all, it means that ‘mere life’ is no longer the terrain of politics.”²⁴⁶ Agamben turns to Paul in search of “a more general ontological standpoint from where to re-conceive the stakes and possibilities of the political” in order to vitalize new forms of political subjectivity.²⁴⁷ In his reading of the Pauline letters, Agamben uses the texts to undermine the secular/religious distinction upon which the sovereign rests, making the religious and the secular collapse into each other.²⁴⁸ As Ward Blanton notes “this particular rendition of Paul is one that scrambles those all important boundaries that demarcate the ‘inside’ and the ‘outside’ (...).”²⁴⁹ I will argue that Agamben is able to confront the binary logic that is active in sovereign politics successfully. As a result, by turning to Paul, Agamben ultimately seems to find a different “set of ontological possibilities [that are] able to resanctify the world by renewing its political promise” Christopher Fox argues.²⁵⁰ In other words, Agamben turns to Paul in order to come to a radically divergent understanding of political subjectivity - one that might just ‘make a political life possible.’²⁵¹

²⁴⁴ Britt, B. (2010) ‘The Schmittian Messiah in Agamben’s time that remains’, *Critical Inquiry*, 36:2, 262-287.

²⁴⁵ Agamben, G. (1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 47.

²⁴⁶ Žižek, S. (2002) *Welcome to the desert of the real*. London: Verso, 100.

²⁴⁷ Fox, C. (2007) ‘Sacrificial pasts and messianic futures: religion as a political prospect in René Girard and Giorgio Agamben’, *Philosophy Social Criticism* 2007 33:5, 563-595, 564-566.

²⁴⁸ Blanton, W. (2007) ‘Disturbing politics: neo-paulism and the scrambling of religious and secular identities’, *Dialogue: a Journal of Theology*, 46:1, 3-13, 9.

²⁴⁹ Blanton, W. (2007) *Dialogue: a Journal of Theology*, 46:1, 3-13, 3.

²⁵⁰ Fox, C. (2007) ‘Sacrificial pasts and messianic futures: religion as a political prospect in René Girard and Giorgio Agamben’, *Philosophy Social Criticism* 2007 33:5, 563-595, 581.

²⁵¹ Fox, C. (2007) *Philosophy Social Criticism*, 581.

3.2. The messianic event

In this section, I will outline four of the most apparent concepts present in Agamben's study of the Pauline texts: the vocation, the law, the subject and the time. I will argue that resemblances and analogies can be found between sovereign power and messianic politics; both conceptualize a zone of indistinction, the exclusion as a subject and both envisage a state of exception. Precisely because Agamben's messianism and his analysis of sovereign power share similar starting-points, I will argue that messianic politics is able to fundamentally alter the signification of these concepts; the zone of indistinction does not produce difference but a division of differences, the *homo sacer* is not undivided life but life divided onto itself, the law is not just suspended but also fulfilled in the state of exception, and time is no longer chronological but operational. As a result, Pauline messianism, I argue, is able to challenge sovereign logic at its heart.

3.2.1. The vocation

The word 'vocation' is how Agamben translates the Greek word *klesis* that Paul uses in his letters to describe the situation or the event that characterizes the coming of the Messiah. The messianic event itself is rather ambiguous for according to Paul it has already happened in the resurrection of Christ, but it is also still to come, as the moment when Christ returns to the earth to announce the end of times. As living in between these two happenings that nevertheless represent a singular event, Pauline messianism expresses a certain contradictory tension between what has 'already happened' and that which has 'not yet' occurred'.²⁵² To live in this in-between life, Agamben argues, means that one is 'called' by the Messiah. This specific calling refers to a "particular transformation that every juridical status and worldly condition undergoes because of, and only because of its relation to the messianic event."²⁵³ This relation to the messianic event in the form of a call indicates a shift inside each and every subject or

²⁵² Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 69.

²⁵³ Agamben, G. (2005), 22.

condition simply because each is being 'called'. Agamben quotes Walter Benjamin in order to clarify this peculiarity:

Just as our room is now, so will it be in the world to come; where our babies sleep now, there too will they sleep in the other world. (...) Everything will be as it is now, just a little different.²⁵⁴

This little difference then is not "a state of things" but rather relates to "their sense and their limits" Agamben explains.²⁵⁵ It is not a positive change in the sense that something is added onto the worldly condition as some kind of transcendent attribution. Rather this tiny shift introduces a difference within the subject itself, whilst it stays the same.²⁵⁶ As Paul writes in 1 Corinthians 7:17-22:

Let every man abide in the same calling wherein he was called. Art thou called being a slave? Care not for it: but if thou mayest be free, use it rather. For he that is called in the Lord being a slave, is the Lord's free man. Likewise, also he that is called being free, is slave of the Messiah.²⁵⁷

The 'call' or the relation of every worldly condition to the messianic event is thus one of sameness and of difference at the same time.²⁵⁸ It is the same in the sense that the messianic vocation does not differ from the world as it is before the coming of the Messiah; "it is nothing but the repetition of those same factual or juridical conditions in which or as which we are called" Agamben argues.²⁵⁹ But

²⁵⁴ Benjamin as quoted by Agamben in Agamben, G. (1993) *The coming community*. Minneapolis: University of Minnesota Press, 53.

²⁵⁵ Agamben, G. (1993), 54.

²⁵⁶ Agamben, G. (2002) 'The time that is left', *Epoché*, 7:1, 1-14, 1.

²⁵⁷ Paul as quoted in Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 191.

²⁵⁸ This concept of difference is what I believe is the fundamental difference between Agamben's theorizing of messianic being and whatever being. With regard to the latter he says, whatever being "is the thing with all its properties none of which however constitutes difference." In Agamben, G. (1993) *The coming community*. Minneapolis: University of Minnesota Press, 18. Whatever being is so he says, "without remainder" (CC, 28) As I have argued, in his work on the letters of Paul he refers to messianic being as nothing but a remnant. In order to avoid confusion, I will stick to his analysis of the messianic vocation primarily. The relationship between messianic being and whatever being would deserve a closer study and falls outside the scope of this dissertation.

²⁵⁹ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 23.

messianism also “radically puts into question” the legitimacy of adhering to these worldly conditions.²⁶⁰ As Colby Dickinson argues,

what the messianic force does as it moves through the given representation of our world is precisely to hollow them out, to eradicate their content and restore them to a place of pure potentiality beyond the reaches of any sovereign power.²⁶¹

The content of the messianic vocation is thus non-existent, “it is nothing but a repetition” of what already was, it is a “movement *sur place*” that in fact nullifies all worldly identities.²⁶² “That which according to the law made one man a Jew and another a free man, is now annulled by the vocation.”²⁶³ The messianic event, Agamben argues, is therefore a ‘calling of the calling’ or a ‘revocation of every vocation.’²⁶⁴ The relation between a worldly condition and the messianic event is thus one of sameness as it applies to all conditions equally, but also one of difference, because it revokes the very ground upon which these vocations come into being.

It does not mean that the vocations that are ‘revoked’ will be replaced by a set of new conditions, rather, the messianic event dwells in this annulment of sovereign divisions. “The vocation calls the vocation itself, nullifying it in the very gesture of maintaining and dwelling in it” Agamben analyses this Pauline move.²⁶⁵ A zone of indistinction is thereby put in place – not by way of a ban as under the premises of sovereign power– but as a result of the tiny displacement.²⁶⁶ “The messianic vocation is” Agamben explains, “a zone of absolute indiscernibility between immanence and transcendence, between this world and

²⁶⁰ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 23.

²⁶¹ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 89.

²⁶² Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 22-23.

²⁶³ Agamben, G. (2005), 23.

²⁶⁴ *Ibidem*, 23.

²⁶⁵ *Ibidem*, 24.

²⁶⁶ Fox, C. (2007) ‘Sacrificial pasts and messianic futures: religion as a political prospect in René Girard and Giorgio Agamben’, *Philosophy Social Criticism* 2007 33:5, 563-595, 581.

future world.”²⁶⁷ It is this zone of undecidability that seems to inhabit both the sovereign and the messianic order. But rather than allowing for differences to be made between forms of life, the displacement introduced by the messianic event gives rise to a fundamental difference of differences. The messianic shift is nothing but a division of divisions.²⁶⁸ Dividing what *already is divided* renders every division insignificant.²⁶⁹ Agamben’s messianism is, so it seems, quite deconstructive.²⁷⁰ When identities are no longer inscribed with meaning, a community can only be on a shared experience and no longer on a fact of life or a form of being.²⁷¹ This form of belonging therefore radically differs from associative politics based on predefined identities as under sovereign power. To be part of the messianic vocation therefore ultimately means to be part of this world, not of any other transcendental reality; all remains the same but all is at the same time radically turned onto itself through the messianic displacement.

The annulment of all worldly conditions means that there are no longer forms of being that can be politically relevant or irrelevant. A zone of indistinction can be said to be a shared common ground between messianic politics and sovereign power. However, by dividing the sovereign divisions, messianic power is able to confront the inner logic of sovereignty. Ultimately, what the messianic subject shares with other messianic subjects, is this experience of being ‘as not’ being. I will turn to this in the next section.

3.2.2. The subject

As I outlined in the previous section, the tiny displacement that characterizes the messianic vocation, results in a situation where the subject remains as it is, but is nonetheless something it was not before. As a result, it can no longer coincide

²⁶⁷ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 25.

²⁶⁸ Baker, G. (2013) ‘The revolution is dissent: reconciling Agamben and Badiou on Paul’, *Political Theory* 4:2, 312-335, 320.

²⁶⁹ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 93.

²⁷⁰ Baker, G. (2013) ‘The revolution is dissent: reconciling Agamben and Badiou on Paul’, *Political Theory* 4:2, 312-335, 314-15.

²⁷¹ Blanton, W. (2007) ‘Disturbing politics: neo-paulism and the scrambling of religious and secular identities’, *Dialogue: a Journal of Theology*, 46:1, 3-13, 8.

with its form or any other identity. This remainder that is introduced into the subject itself is the messianic ‘as not’, Agamben argues, quoting 1 Corinthians 7:29-32:

The rest is, that even those having wives may be *as not* having, and those weeping *as not* weeping, and those rejoicing *as not* rejoicing (...) for passing away is the figure of this world.²⁷²

This *hos me*, Agamben pleases, is the ultimate experience of the messianic vocation.²⁷³ It is the ‘as not’ that sets the subject against itself but at the same time does not refer to an ‘other’ or ‘elsewhere’.²⁷⁴ Rather “it revokes the factual condition and undermines it without altering its form.”²⁷⁵ What is passing away quite literally is the *figure* of this world. Any form of identity is dismantled and replaced by what is but a mere experience of difference. “The messianic does not simply cancel out this figure but it makes it pass, it prepares its end.”²⁷⁶ And so, the messianic does not create a new figure in an advanced world, but rather makes the figure pass in *this* world.²⁷⁷ To live in the messianic, means to experience the expropriation of juridical and factual conditions. Or in Agamben’s words, “the messianic vocation dislocates and above all nullifies the entire subject.”²⁷⁸

When the subject is annulled, what does it mean to live in *klesis*? How does one experience the ‘as not’ and how does the division of divisions play out?²⁷⁹ Agamben answers these questions by referring to the distinction most apparent in Judaic law, namely that between Jews and non-Jews. Judaic law neatly divides all persons into either one of these two categories, “without leaving a remainder of remnant.”²⁸⁰ Paul subversively cuts this very division in two, introducing a new division between Jews of the flesh and Jews of the breath. This

²⁷² Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 23.

²⁷³ Agamben, G. (2005), 23.

²⁷⁴ *Ibidem*, 24.

²⁷⁵ *Ibidem*.

²⁷⁶ *Ibidem*, 25.

²⁷⁷ *Ibidem*.

²⁷⁸ *Ibidem*, 41.

²⁷⁹ *Ibidem*, 28. Agamben notes that the slave in the time of Paul was already a form of life with no juridical status.

²⁸⁰ *Ibidem*, 49.

division is not one that corresponds to that of the Jew/non-Jew, but is not unrelated to it either; “instead it divides the division itself.”²⁸¹ Agamben’s point here is that the primary division between Jew/non-Jew does not encompass all possibilities of being, as the cut of the law “is no longer clear or exhaustive, for there will be some Jews who are not Jews and some non-Jews who are not non-Jews” he argues.²⁸² Consequently, the boundaries between forms of being put forth by the law do not remain intact, but are transgressed and blurred.²⁸³ The messianic event therefore gives rise to a fundamental remnant or remainder implicated in any form of life that is defined by law, for the previous division between Jews and the non-Jews is “not all” and fails to grasp *all* possibilities of being.²⁸⁴ This division of divisions then introduces a third term to the ontological constellation by way of a double negation: the *non non-Jew*.²⁸⁵ To live in the messianic vocation, to experience the division of divisions therefore means to live as a remnant, to live as the non non-subject.

The term ‘remnant’ is used by Agamben in his other work to refer to the *homo sacer* and unsurprisingly, other authors have hinted at a relationship between the messianic remnant and the *homo sacer*.²⁸⁶ As Gideon Baker puts it,

this identification with the remnant of every people is of a piece with Agamben’s earlier unveiling, in *Homo Sacer*, of political belonging as pure violence, as an operation of inclusive exclusion or a “zone of indistinction” between inside and outside.²⁸⁷

John Milbank even takes this analogy a step further, linking the *homo sacer* to the ultimate messianic subject, Jesus Christ himself:

²⁸¹ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 49.

²⁸² Agamben, G. (2005), 49.

²⁸³ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 78.

²⁸⁴ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 49.

²⁸⁵ Agamben, G. (2005), 51.

²⁸⁶ See for example Agamben, G. (1999) *Remnants of Auschwitz: the witness and the archive*. New York: Zone Books.

²⁸⁷ Baker, G. (2013) ‘The revolution is dissent: reconciling Agamben and Badiou on Paul’, *Political Theory* 4:2, 312-335, 322.

We live in Christ because Christ as *homo sacer* was archetypically a human being as a creature and not simply the *bios theoretikos* who is both inside and outside the *polis* – half animal of passions, half man [sic] of political reason.²⁸⁸

To *live in Christ* is what, according to Paul, characterizes the experience of the messianic life, and in his letters the Greek words he uses to describe this life in Christ are *zoe tou Iesou*. This *zoe tou Iesou* is then no longer the bare life produced by the sovereign decision but rather life for which what is at stake is not a form of life *but a life in Christ as the as not*, as that which remains when all identities are nullified.

This life in Christ that arises out of this division of divisions does not replace the identities of the law with something new, but nevertheless presents in itself a new kind of political subjectivity. As Gideon Baker puts it, “even though Agamben sees in the Pauline messianic the very destruction of subjectivity, it is instructive that he nonetheless finds a political subject in Paul.”²⁸⁹ The messianic remnant does not replace any identity, but rather is political in that it divides all conditions the sovereign ban puts in place. “Messianism then” Gideon Baker argues, “is not constituted *by* a politics, but rather gathers up the *remainder* of every political identity.”²⁹⁰ The political task of the messianic remnant is however never completed, as it functions not to discard identity, but to ‘make it pass’. To live in *klesis* and to experience the ‘as not’ results in a situation where every identity can never be possessed as it is always in the process of passing away.²⁹¹ The messianic vocation results in an open sphere of being where

²⁸⁸ Milbank, J. (2003) *Being reconciled: ontology and pardon*. London: Routledge, 103. For a more elaborative account on this similarity, see his article ‘Christ the Exception’ (2001), in which he argues that Christ was three times excluded from the law; by the angry mob, by Roman law and by Jewish law and that in effect Christ died an arbitrary death, “the death which any of us under sovereign authority, in exceptional cases which always prove the rule, may possibly die.” (pg. 550). What is all the more interesting in this sense, is that Milbank analyses that the New Testament does not speak of the death of Jesus as sacrifice’ in the rabbinic meaning of the term as atoning for sins. This ties in nicely with Agamben’s argument that the sacred is not that which is sacrificed, but rather that which allows for the distinction between the profane and the divine.

²⁸⁹ Baker, G. (2013) ‘The revolution is dissent: reconciling Agamben and Badiou on Paul’, *Political Theory* 4:2, 312-335, 315.

²⁹⁰ Baker, G. (2013) *Political Theory*, 321.

²⁹¹ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 26.

identities can be *used*.²⁹² As Agamben holds, “the *hos me* therefore does not only have a negative content; rather for Paul, this is the only possible *use* of worldly situations.”²⁹³

The illegal immigrant as the ‘as not’ in this sense means that she is not just the *homo sacer* that resides in the sacred zone of indistinction, but that falls outside of the *zoe/bios* dichotomy altogether. A good example of this might be what Leerkes et al refer to as *a shadow society*. These are communities of illegal immigrants that do not exist on the radar of the state, but nevertheless live their lives not as insiders of the Dutch community either. Thomas Spijkerboer has argued that by creating some kind of parallel order amongst illegal immigrants, they are able to challenge the very notions of community and citizenship the state is based on.²⁹⁴

Messianic political subjectivity that is realized through the ‘as not’ has the capacity to overturn the distinctive forms of being imposed by the sovereign ban. Consequently, the messianic remnant does not offer a new universal identity, but it does offer a way of being that turns the ontological dichotomies because their limits as defined by the law are no longer exhaustive. Whereas both the messianic subject and the *homo sacer* can be seen as the remnant, the messianic remainder does not dwell in a zone of indifference but rather embodies the very division of divisions itself and confronts the sovereign machine with its own limits.

3.2.3. The law

As outlined in the previous section, Paul’s messianism revolves around the legal division between Jews and non-Jews as prescribed in Judaic law that is divided from within. “The Messiah,” Agamben argues, “is actually the instance *par excellence* for a conflict with the law.”²⁹⁵ As a consequence of the introduction of the messianic remnant, the distinctions made by the law are no longer exhaustive

²⁹² Baker, G. (2013) ‘The revolution is dissent: reconciling Agamben and Badiou on Paul’, *Political Theory* 4:2, 312-335, 314-315.

²⁹³ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 26, my emphasis.

²⁹⁴ Spijkerboer, T. (2012) ‘Het uitzetten lukte dus niet’, *NRC*, 5 november 2012.

²⁹⁵ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 49.

and lose their significance. The law as a result is deactivated and rendered inoperative by the coming of the Messiah.²⁹⁶ This means that the law does not cease to exist and is not destructed - as the world remains exactly as it is when it is called by the Messiah – but that the differentiating functioning of it is ineffectual. Agamben argues that,

[t]he Messiah is the figure in which the great monotheistic religions sought to master the problem of law, and (...) in Judaism, as in Christianity or Shiite Islam, the Messiah's arrival signifies the fulfilment and the complete consummation of the law.²⁹⁷

The law that functions to define forms of being in Agamben's eyes can be severely challenged by a messianism that does not limit itself to a traditional religious context. To illustrate his point, Agamben refers to 1 Corinthians 15:24 where Paul writes that "the Messiah will render all rule, authority and power inoperative."²⁹⁸ All constituted forms of power and law will become inoperable through the messianic calling. Gideon Baker argues, "politically speaking, the messianic revelation of the inoperativity of the law brings to light the fundamental illegitimacy of the powers that be."²⁹⁹ To live in the messianic therefore does not mean to live outside the law or even to exist in a relationship of abandonment to it. Rather it means that the authority of sovereign power is inherently questioned *precisely* because the law – as the foundation of that very power – *is made inoperative*. Consequently, the relationship between the law and the *polis* that characterizes Agamben's analysis of sovereign power is cracked, introducing a remnant or distance if you will, between sovereign power and political subjectivity.³⁰⁰ Where formerly the law defined the forms of being – through a set of inclusive exclusions put in place by a ban - and consequently determined who

²⁹⁶ Agamben, G. (2011) *Paul, Augustine and the will* [Youtube], 7 April 2012. Available at: <https://www.youtube.com/watch?v=xMDAP0B2M3o> [Accessed 3 July 2014]; Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 97.

²⁹⁷ Agamben, G. (1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 37.

²⁹⁸ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press.

²⁹⁹ Baker, G. (2013) 'The revolution is dissent: reconciling Agamben and Badiou on Paul', *Political Theory* 4:2, 312-335, 324.

³⁰⁰ Baker, G. (2013) *Political Theory*, 322.

counted as a citizen and who did not, the deactivation of the law results in a radically cleared relationship between notions of political belonging and forms of political order.

The deactivation of the law does in fact resemble a similar state of exception that sovereign power proclaims in order to constitute itself on divisions of life however only 'perfect messianism' is also able to fulfil the law. What is a state of exception, Agamben asks, if not "a law that is in force but does not bear any significance"?³⁰¹ The days of the Messiah, he argues, are also characterized by the state of exception "in which we live" he argues.³⁰² Consequently, "the hidden foundation of the law comes to light and the law itself enters into a state of perpetual suspension."³⁰³ He characterizes the contemporary, sovereign state of exception as a form of *imperfect* or *paralyzed messianism*;

We can compare the situation of our time to that of a *petrified* or *paralyzed* messianism that, like all messianism, nullifies the law but then maintains it (...) in a perpetual and indeterminable state of exception.³⁰⁴

Whereas the sovereign exception resembles *imperfect* messianism, only *perfect* messianism is able to not just suspend the law, but also to fulfil it.³⁰⁵ The law is effectively fulfilled when messianism "does not (...) let validity survive beyond its meaning but instead (...) succeeds in finding redemption in the overturning of nothing."³⁰⁶ A fulfilled law in essence would be nothing other than "a commandment that commands nothing."³⁰⁷ The state of exception in messianism ergo does not relate to any sovereign decision on forms of being but in fact exists as its subversion.³⁰⁸ A subversion that nonetheless never reaches any final ground;

³⁰¹ Agamben, G. (1999a) *Potentialities: collected essays in philosophy*. Stanford: Stanford University Press, 170.

³⁰² Agamben, G. (1999a), 162.

³⁰³ Ibidem, 162.

³⁰⁴ Some scholars have argued that this distinction between perfect and imperfect nihilism is the same as Nietzsche's passive and active nihilism as one finds in his work *The will to power*. See for example Mills, C. (2004) 'Agamben's messianic politics: biopolitics, abandonment and happy life', *Contretemps*, 5, 42-62, 60.

³⁰⁵ Agamben, G. (1999a) *Potentialities: collected essays in philosophy*. Stanford: Stanford University Press, 171.

³⁰⁶ Agamben, G. (1999a), 171.

³⁰⁷ Ibidem, 166.

³⁰⁸ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 91.

the law is not replaced by a new law but is continuously deactivated and rendered inoperative.³⁰⁹ As the messianic event does not do away with the law, it remains “open for subjective use.”³¹⁰

This subjective use of the law I suggest can also be found within the shadow societies I referred to above. There exist parallel markets, Leerkes et al argue, next to the regular and legal markets for housing, social capital and labour.³¹¹ These informal markets are quite common in the larger cities of the Netherlands and are organized in a way that the state has no grip on them. Precisely because illegal immigrants are not registered as a legal subject of the state, their ways are hard to track down.³¹² In this sense, they continue to be illegal, yet they live a ‘normal’ life. In other words, whereas the law still applies to them, it cannot get a hold on them; rather they render it inoperative.

And so it seems that the messianic fulfilment of the law renders the dividing function of the law inoperative. The state of exception through which the divine and bare life are excluded no longer bears any significance. Because Agamben’s Pauline messianism takes the sovereign state of exception as its starting-point, but then takes it further, it turns the limits of the law onto itself so that it deactivates its functioning as distinguishing between forms of life. A fulfilled law restores all identities to a zone of potentiality where they are all open for use.³¹³

3.2.4. The time

Agamben argues that in order to restore the Pauline letters to their original context, what is of the utmost importance is to “attempt to understand the meaning and internal form of the time he [Paul] defines as the time of the now.”³¹⁴ As

³⁰⁹ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 52.

³¹⁰ Baker, G. (2013) ‘The revolution is dissent: reconciling Agamben and Badiou on Paul’, *Political Theory* 4:2, 312-335, 325.

³¹¹ Leerkes, A., Engbersen, G., & Van San, M. (2007). ‘Shadow places: patterns of spatial concentration and incorporation of irregular immigrants in the Netherlands’, *Urban Studies*, 44:8, 1491-1516, 1497.

³¹² Leerkes, A., Engbersen, G., & Van San, M. (2007) *Urban Studies*, 1493.

³¹³ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 98.

³¹⁴ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 1.

outlined above, there is a certain tension between the messianic event that has already happened and that which is yet to come. “The messianic event has already happened, salvation is already accomplished, and yet, in order to be really achieved, it needs a supplementary time” Agamben argues.³¹⁵ This supplementary time is what Paul refers to as the time that remains, or the time that is left. Messianic time is neither the apocalyptic time of the end nor is it chronological, secular time.³¹⁶ It is not outside chronological time, but it represents a time where history and future, past and present are contracted, collapse into each other and begin to end. “Messianic time is that part of secular time which undergoes an entirely transformative contraction” Agamben states.³¹⁷ The messianic event introduces a *zone of indistinction* into time itself, in which the past arrives into the present and where the present reaches on into the past.³¹⁸

Again, it seems that the messianic event introduces a remnant into the world that separates time from itself. The time of the now does not stand outside chronological time however it can never coincide with it either. It seems that messianic time implies a fundamental paradox, Agamben argues, because,

Another world and another time must make themselves present in this world and time. This means that historical time cannot simply be cancelled and that messianic time moreover, cannot be perfectly homogenous with history. The two times must instead accompany each other.³¹⁹

When the two times accompany each other, time becomes graspable and representable, Agamben holds. He draws on Guillaume’s realization that it takes time to construct an image of time. One’s thoughts have to pass through several steps in order to conceive of such a representation.³²⁰ Operational time is, in other

³¹⁵ Agamben, G. (2002) ‘The time that is left’, *Epoché*, 7:1, 1-14, 1.

³¹⁶ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 63.

³¹⁷ Agamben, G. (2005), 64.

³¹⁸ *Ibidem*, 77.

³¹⁹ Agamben, G. (1999a) *Potentialities: collected essays in philosophy*. Stanford: Stanford University Press, 168

³²⁰ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 65.

words, “*the time the mind takes to realize a time image.*”³²¹ In order to develop a chronological conceptualization of time, another time is therefore always implied and present, a time that unavoidably delays the image of chronological time taking-place. It is in this sense that the “thought of time and the representation of time can never coincide,” Agamben argues,

(...) for in order to form the words in which thought is expressed and in which a certain time-image is realized, thought would have to take recourse to an operational time, which cannot be represented in the representation in which it is still implicated.³²²

Messianic time then, is not added onto chronological time, or something that comes after it. It is implied within it, as an operational time within man himself between the thoughts he is thinking and the images and representations he constructs.³²³

Messianic time in other words is the time that time takes to end and the only real time that is available to us. “Or more precisely” Agamben states, it is “the time we take to bring to an end, to achieve our representation of time.”³²⁴ As the time man takes to formulate a perception of chronological time, operational time is the only real time in which man is not an “impotent spectator” of his own representation of chronological time. It is therefore “the only real time, the only time we have” and as Paul refers to it, “the time of the now.”³²⁵ Consequently, the messianic event never coincides with a moment that is representable in chronological time. It is thus never possible to construct a time-image of when the messianic event will happen – as it already has happened and will happen again– but not in relation to a chronological past or future. “The Messiah always already had his time” as it presents itself within another time, “meaning he simultaneously makes time his and brings it to fulfilment.”³²⁶ It is in this sense that messianic time “is not the end of time but the time of the end; it is the time that remains

³²¹ Agamben, G. (2005), 66.

³²² Ibidem, 6.

³²³ Ibidem, 67.

³²⁴ Ibidem, 67-68.

³²⁵ Ibidem, 68.

³²⁶ Ibidem, 71.

between time and its end” Agamben argues.³²⁷ Messianic time takes the world as it is as its point of departure, yet transforms it from within by introducing a rupture by which it accomplishes the very representation of that time. This opens up space to define or draw up the image of chronological time in a different way, thereby restoring it to its own potentiality.

As an illustration to the way messianic time functions, Agamben refers to poetry. A poem he argues, is messianic in the sense that from the start it is tensed towards its end, “A poem is—in this perspective—something that you know from the beginning will necessarily end at a certain given point.”³²⁸ There is an “eschatology internal to the poem.”³²⁹ Another time is thus at work inside the poem itself, not one that is outside chronological time, but “it is the same chronological time that, through its internal pulsations, transforms and organizes itself to produce the specific time of the poem.”³³⁰ Operational time then, is the time the poem takes to end. Within the words of the poem, time is contracted, in rhyme and recapitulation, ordering them in new sequences throughout the text. Look for example at this poem written by an illegal immigrant in the Netherlands. Time itself plays a role in it as a theme, as well as that the end of the poem is implied from the outset:

My heart beats for me and for you,

For our life and for our children,

And for our future.

Warm with you and close to you,

Guard our children and our future.

Our children are our soul and our blood,

³²⁷ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press 62.

³²⁸ Agamben, G. (2002) ‘The time that is left’, *Epoché*, 7:1, 1-14. [Accessed online; <http://www.egs.edu/faculty/giorgio-agamben/articles/the-time-that-is-left/>, page numbers missing.

³²⁹ Agamben, G. (2002)

³³⁰ *Ibidem*.

Our blood is inside us, our blood is inside our children.

Don't.

Never forget our youth,

.And think

About our children and our future.

Future is our children

Our children

Our children.

*Jusuf Smajić*³³¹

Indeed, the way the poem begins and ends, not only follows a certain internal rhythm of repetition and rhyme, but also the main theme is time or the way past and future are related. Time contracts, repeats itself, but all is directed towards a future that will always be to come, always be installed in what is still young and immature, our children. By not forgetting -as a memory - the past is possible in the future, but will never be truly accomplished and will remain operative, but it does allow for the author to grasp the present, to grasp his current life.

The conceptualization of messianic time as the time of the now implies that the messianic event is not something outside our chronological time but implied in it as that which makes it representable. As such, it will always operate from within the worldly conditions of sovereign power as it accompanies secular time. Indeed, again, messianism takes the world as it is as its starting-point, but fulfils it from within, making time come to an end. It is in this sense that messianic time is able to destabilize sovereign power and chronological time from within.

³³¹ Smajić, J. (2003) 'Untitled', in eds. Moerbeek, S. and Den Hoedt, E. *Licht in mijn leven: gedichten van oudere vluchtelingen*. http://www.stichtingbmp.nl/cms/projecten/levensloop-oudere-vluchtelingen/artikel/licht-in-mijn-leven#/Chapter_1, 8. Translation by the author.

In this section I have outlined the most basic concepts Agamben puts forth in his study of the letters of the apostle Paul. I have argued that messianic concepts are correlated to sovereign power but that messianism is able to dismantle them from within. The zone of indistinction that emerges as a result of the messianic vocation is not used to separate forms of life, but offers the possibility to divide the sovereign forms of life further. Indeed, as opposed to the *homo sacer*, the messianic remnant is able to separate the distinctions put in place by sovereign power. The state of exception is then not just a response to emergency but rather offers the opportunity to fulfil the law within a time that is always contracting and operative instead of chronological.

3.3. Messianic politics

In order to find out if Agamben's messianism could offer a viable alternative to sovereign power, it is interesting to tease out what kind of politics and possible ways of being political the messianic event would give rise to. Therefore, I would like to delve a bit deeper into some of the aspects of Agamben's work on the messianic namely the relationship between actuality and potentiality, and weakness as power or inoperativity.

One of the interesting things I take from Agamben's analysis of the messianic event is that it allows me to think differently about the relationship between ontology and politics. He states that "until a new and coherent ontology of potentiality has replaced the ontology founded on the primacy of actuality (...) a political theory freed from the aporias of sovereignty remains unthinkable."³³² The ontology of actuality that sovereignty is founded on, is expressed through or realized by the sovereign decision that actualizes reality as based on the exception. "In the sovereign act" Jenny Edkins therefore argues, "potentiality suspends itself, maintaining itself in a relation of ban (or abandonment) in order to realize itself as absolute actuality."³³³ The problem with the primacy of actuality

³³² Agamben, G.(1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 46.

³³³ Edkins, J. (2007) 'Whatever politics'. in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press.

is that in order for something to be actualized it automatically has to exclude what it is not, which I referred to in the previous chapters as acts of sacrifice.³³⁴ In other words, in order for something to be, it has to set aside its own potential not to be. Whereas sovereign power sacrifices potentiality in exchange for actuality, I would argue that messianism gives back potentiality to that which is already actualized. In effect, that might be the best way to go, Agamben argues, as “we are always in a certain reality. We are always confronted with facts.”³³⁵ Through the ‘as not’, the messianic event restores potentiality to what has been actualized under modern premises of sovereignty by showing that the forms of life as defined under sovereign power are not exhaustive.³³⁶ The conditions of the law, the subject and time are opened up by the tiny displacement of messianism.³³⁷ It shows that potentiality is not exhausted in or by the sacrificial act of the sovereign; in the messianic vocation potentiality is still present as the ‘as not’ implied within the sovereign binary oppositions.³³⁸ “There is a *remnant* of potentiality that is not consumed in the act but is conserved in it each time it dwells there” Agamben argues.³³⁹ The messianic remainder as dwelling in its own potentiality, as being inherently that which it is not, it has the capacity to concede to its own incompleteness and to turn that which it is not back onto itself. The messianic subject then is not the spectator of humanity but rather the subject who experiences its own contingency and the very emptiness or inoperability that is implied in any form of being.³⁴⁰

According to Agamben, this potentiality that the ‘as not’ returns to worldly conditions is a form of weakness that makes it powerful. Paul writes in 2 Corinthians 12:9 that “power realizes itself in weakness (...) when I am weak I am

³³⁴ Agamben, G. (1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press 46, 47.

³³⁵ Agamben, G. (2011) *Paul, Augustine and the will* [Youtube], 7 April 2012. Available at: <https://www.youtube.com/watch?v=xMDAP0B2M3o> [Accessed 3 July 2014].

³³⁶ Agamben, G. (1998) *Homo sacer: sovereign power and bare life*. Stanford: Stanford University Press, 45.

³³⁷ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 97.

³³⁸ Agamben, G. (2005), 98.

³³⁹ *Ibidem*, 137.

³⁴⁰ Agamben, G. (2011a) *The kingdom and the glory: for a theological genealogy of economy and government*. Stanford: Stanford University Press, 246.

powerful”³⁴¹ In other words, when messianic power is realized, it acts in the form of weakness. Agamben argues that,

this potentiality finds its *telos* in weakness means that it does not simply remain suspended in infinite deferral; rather turning back towards itself it fulfils and deactivates the very excess of signification over every signified.³⁴²

The messianic potentiality of the ‘as not’ challenges the central significations of sovereign power and can therefore be seen as a space for resistance to the sovereign delineations that result out of the sovereign exception. The *hos me* seen as a potentiality introduced by the messianic remnant is therefore more powerful in its very weakness than that which is already actualized, Agamben argues.³⁴³ Messianic power “acts in its own weakness rendering the word of the law inoperative, in de-creating and dismantling the states of fact or of law; making them freely available for use.”³⁴⁴

The supreme power of messianic weakness lies in its ability to render all worldly conditions insignificant or inoperative. It is this form of inoperativity that Agamben characterizes as the core messianic activity.³⁴⁵ “The inoperativity that takes place here is not mere inertia or rest; on the contrary, it is the messianic operation *par excellence*.”³⁴⁶ In this sense, Agamben argues, inoperativity is or impotentiality means that one can be master over what he or she cannot do and over what he or she is not. Just as one has the power to actualize something, it is equally important that one has the power *not* to actualize something he argues.³⁴⁷ Paradoxically, the capacity of choosing not to do something is an act in itself and

³⁴¹ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 97.

³⁴² Agamben, G. (2005), 137.

³⁴³ *Ibidem*, 41.

³⁴⁴ *Ibidem*, 137.

³⁴⁵ Agamben, G. (2011a) *The kingdom and the: for a theological genealogy of economy and government*. Stanford: Stanford University Press, 248-249.

³⁴⁶ Agamben, G. (2011a), 248-249.

³⁴⁷ Agamben, G. (2011) *Paul, Augustine and the will* [Youtube], 7 April 2012. Available at: <https://www.youtube.com/watch?v=xMDAP0B2M3o> [Accessed 3 July 2014].

inoperativity is a form of *potenza*.³⁴⁸ As such, messianic inoperativity would seem to make a life of power available:

By rendering the specific functions of the living inoperative, opens them to possibility. Contemplation and inoperativity are, in this sense, the metaphysical operators of an anthropogenesis which, by liberating the living man from his biological or social destiny, assign him to that indefinable dimension that we are accustomed to call 'politics'.³⁴⁹

In casting inoperativity as an act of *potenza*, Agamben restores the metaphysical aspect of being to the realm of the political. Holding the capacity *not* to act then challenges the sovereign power *thereby* allowing modern political subjects to move away from the divisions sovereign power makes between *zoe* and *bios* and between the profane and the divine. The messianic subject is then not simply *weak* in the sense that it lacks the power to act politically, but restores to itself a form of political agency or resistance through the act of not acting. In essence, "the perfect act (...) comes not from a power to [act] but from an impotence that turns back on itself and in this way comes to itself as a pure act."³⁵⁰ The political in this sense becomes the realm that "is neither a *zoe* nor a *bios* but the dimension that the inoperativity of contemplation, by deactivating linguistic and corporeal, material and immaterial praxes, ceaselessly opens up and assigns to the living."³⁵¹ A political life in which the political is open to contestations over metaphysical forms of being by rendering the established ones inoperative by *not acting* then becomes available and identities, forms of life and the political subject itself become accessible for new possible usage.³⁵²

One good example of such acts through not acting is when a group of illegal immigrants resided in front of the building where the labour party was

³⁴⁸ Agamben, G. (2011a) *The kingdom and the glory: for a theological genealogy of economy and government*. Stanford: Stanford University Press, 250.

³⁴⁹ Agamben, G. (2011a), 251.

³⁵⁰ Agamben, G. (1993) *The coming community*. Minneapolis: University of Minnesota Press, 37.

³⁵¹ Agamben, G. (2011a) *The kingdom and the glory: for a theological genealogy of economy and government*. Stanford: Stanford University Press.

³⁵² Agamben, G. (2011a), 252.

organizing a congress discussing the criminalization of illegality.³⁵³ As they lay outside in sleeping bags, they were not actively protesting or using violence against the politicians. Rather their presence and non-violence became their prime political act. Maria Stephan and Erica Chenoweth have argued that non-violent campaigns achieved success 53% of the time, as opposed to 26% of cases of violent resistance.³⁵⁴ Non-violence enhances legitimacy and “undermines the regime’s main sources of political and economic means.”³⁵⁵ I suggest that just as non-violent resistance, messianic non-acts are organized through alternative political channels, “making it distinct from other nonviolent protests such as lobbying, electioning and legislating.”³⁵⁶ By not acting, by not using violence, power is enacted through collective noncooperation.³⁵⁷ Residing in the space of sacred indistinction, the illegal immigrants who lay down in front of the congress center, used their weakness as power. As such, they could no longer be defined as politically irrelevant – surely these acts are political at heart as they challenge the social ordering of sovereign power. By confronting the sovereign logic by being present in political spaces – quite literally being present at the building where a political party will decide on the criminalization of illegality – they enact themselves as messianic subjects, as neither *zoe* nor *bios*, but as the *homo sacer* whose acts divide the sovereign distinctions further.

In terms of politics, it seems that the capacity of the messianic vocation to restore potentiality to actualized worldly conditions and the conceptualization of power as weakness means that through the act of not acting, a political life becomes available in which ways of being are not already predefined. In order to reach this point though, one has to dig deep into the philosophical depths of Agamben’s work. Whereas the outcome of it looks promising to me, it cannot however, be accepted without posing some critical remarks.

³⁵³ Van der Laan, S. (2013) ‘Illegalen protesteren in slaapzakken bij PvdA-congres’, *Elsevier*, 27 April 2013, <http://www.elsevier.nl/Nederland/nieuws/2013/4/Illegalen-protesteren-in-slaapzakken-bij-PvdA-congres-1242725W/> [accessed 18-9-2014].

³⁵⁴ Chenoweth, E., & Stephan, M. J. (2011). *Why civil resistance works: The strategic logic of nonviolent conflict*. Columbia University Press, 8.

³⁵⁵ Chenoweth, E., & Stephan, M. J. (2011), 9.

³⁵⁶ *Ibidem*, 10.

³⁵⁷ *Ibidem*.

3.4. Critique

Whereas at first glance Agamben's version of Pauline Messianism seems to offer a way out of the biopolitical system sovereign power imposes, there are some critical notes that can be placed with his analysis. Some authors have argued that Agamben's messianism is rather nihilistic. For how is it practically possible to envisage a law that does exist but that is not in force? Or how can an identity not be annulled but also not bear any significance? How can you use an identity but nevertheless keep its use open at the same time?³⁵⁸ And how can powerlessness mean that one indeed has power? How can not acting be an act? Everything about messianism is, to say the least, very paradoxical. It overthrows everything yet at the same time preserves reality just as it is.³⁵⁹ As Dickinson states, "this is a terribly difficult thing to imagine (let alone to achieve) for a humanity that depends on its usage daily."³⁶⁰

Mika Ojakangas argues that sovereign politics that decides over life and messianic politics are not two contradictory rationalities, but that "the messianic revolution can be seen as a historical precondition of the development of biopolitics."³⁶¹ This is so, she argues, because the deactivation of the law makes it possible for biopolitics to envisage a zone in which life itself is indistinguishable from the citizen, or in other words, where "every *bios* is its own *zoe*."³⁶² Sovereign politics has therefore already moved into this sphere that Agamben puts forward as the solution, she argues. I think she is right in that sovereign power and the messianic vocation share some similar starting-points, amongst which most pressing a zone of indistinction as she describes. But I also argued that Pauline messianism is able to turn these concepts onto their own limits, thereby effectively challenging the rationale of sovereign power. Ojakangas also asserts that the messianic revolution is nothing more than a catalyst for processes of

³⁵⁸ Baker, G. (2013) 'The revolution is dissent: reconciling Agamben and Badiou on Paul', *Political Theory* 4:2, 312-335, 326.

³⁵⁹ Fox, C. (2007) 'Sacrificial pasts and messianic futures: religion as a political prospect in René Girard and Giorgio Agamben', *Philosophy Social Criticism* 2007 33:5, 563-595, 581.

³⁶⁰ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 83.

³⁶¹ Ojakangas, M. (2005) 'Impossible dialogue on bio-power: Agamben and Foucault', *Foucault Studies* 2, 2005, 5-28, 23.

³⁶² Ojakangas, M. (2005) *Foucault Studies* 2, 11.

secularization as law and politics lose their distinctive relationship to the divine.³⁶³ To a certain extent she is right it seems to me, in so far as the Pauline messianism that is put forward by Agamben is neither strictly theological nor simply secular. But as I have tried to argue, that is precisely the reason why messianism seems to be able to challenge the binary oppositions on which sovereignty establishes itself. What is more, messianism is *of this world*; it does not add or supplement the profane with a transcendental reality. What it *does do*, however I contend, is open up the spheres of being to a transcendental aspect, namely the possibility of defining life differently on a metaphysical level where potentiality is not (yet) actualized.

Brian Britt has argued that in his study of Paul, Agamben takes Carl Schmitt's statement that all political concepts are secularized theological concepts a step too far.³⁶⁴ Britt argues that Agamben takes Paul out of his historical background without positing him in our own social and cultural context. He quotes Talal Asad's statement who argues that

[i]t is not enough to point to the structural analogies between pre-modern theological concepts and those deployed in secular constitutional

³⁶³ Ojakangas, M. (2005) 'Impossible dialogue on bio-power: Agamben and Foucault', *Foucault Studies* 2, 2005, 5–28, 11.

³⁶⁴ Britt has the impression that Agamben applies this line of thought to Paul's letters directly, but thereby unavoidably does more justice to the secularization thesis than it deserves. Britt argues that secularization should be less seen as a "permanent condition of Western history." Britt, B. (2010) 'The Schmittian Messiah in Agamben's time that remains', *Critical Inquiry*, 36:2, 262-287, 273. I would agree with Britt in that secularism has not been as absolute or as widespread as the secularization thesis once predicted. I also agree with him that as far as sovereignty concerns, as I tried to outline in the second chapter of this dissertation, the relationship between theology and sovereignty is rather more complex than one would at first sight suspect. Not all sovereignty is secular and secularism is not restricted to sovereignty. However, in opposition to Britt, I suggest secularism is much more complex than a relation of abandonment between sovereignty, religion and the law. See for example José Casanova who argues that "secularism refers more broadly to a whole range of modern secular worldviews and ideologies that may be consciously held and explicitly elaborated into philosophies of history and normative-ideological state projects, into projects of modernity and cultural programs. Or, alternatively, it may be viewed as an epistemic knowledge regime that may be unreflexively held and phenomenologically assumed as the taken-for-granted normal structure of modern reality, as a modern doxa or as an "unthought." In Casanova, J. (2009) 'The secular and secularisms', in *Social Research*, 76: 4, 1049-1066, 1050.

discourse (...) because the practices these concepts facilitate and organize differ according to the historical formations in which they occur.³⁶⁵

I could not agree more with Britt and Asad, which is why when using Agamben's messianism as an analytical tool one should be sensitive both towards the historical context in which Paul wrote the letters and be reflexive with regard to the unique conditions of our contemporary time. That is why I like the idea of Paul 'our contemporary' in which continental philosophers do not deploy the Pauline texts as a roadmap that will lead us towards a brighter future but rather *draw inspiration* from these centuries-old letters to think of new philosophical possibilities that might be useful and relevant for the political questions that we confront today. In this sense I think it is very interesting to see how Agamben uses Paul to conceive the current day political community and political subjectivity differently, an argument I will illustrate in the next chapter. I think both Agamben and Britt would agree with me that the emphasis that Agamben puts on the messianic event as unrepresentable in historical time (but as operational time) does not mean that any such theory of messianism should also stand outside any historical context. What Agamben's theory of messianism does allow for, is the space to think about how we ourselves conceive of our role in history in relation to constituted forms of power. This would allow precisely for the reflexivity Talal Asad calls for.

Conclusion chapter three

Throughout this dissertation I have argued that sovereign power limits and predefines forms of being as a result of binary oppositions between *zoe* and *bios* and the profane and the divine. In this chapter I argued that Agamben's Pauline messianism is able to confront the logic of sovereign power because of the tiny displacement that the messianic event gives rise to. This little difference opens up the possibilities of being under sovereign power and shows that the binary oppositions upon which sovereign power realizes itself are not exhaustive. As a result, it destabilizes the grounds upon which sovereign power established an

³⁶⁵ Talal Asad as quoted in Britt, B. (2010) 'The Schmittian Messiah in Agamben's time that remains', *Critical Inquiry*, 36:2, 262-287, 279.

inclusive exclusion and restores all worldly conditions to their own potentiality. This chapter illustrates how Agamben's Pauline conception of the messianic event can help to rethink contemporary forms of political power and political subjectivity. The messianic vocation eliminates the signification of the distinction between forms of life the sovereign power distinguishes. By opening up the possible use of all identities, messianism allows for a re-conceptualization of the political subject and ultimately makes a political life possible.

In doing so, messianism does not function outside of sovereign power neither is it a supplement to it. Rather, it shares some important aspects with sovereignty that allows messianism to destabilize the workings of the sovereign anthropological machine. The zone of indistinction functions as a similar concept in both sovereign power and in the messianic vocation, but whereas it is the ground upon which sovereign power distinguishes differences, in the messianic the zone of indistinction divides differences further. Both the messianic remnant and the *homo sacer* are outsiders to the sovereign constellation, but whereas the *homo sacer* remains indistinguishable, the messianic 'as not' turns the sovereign distinctions onto themselves and confronts them with their own limits. And when it comes to the state of exception, both in the sovereign power and the messianic condition the law is suspended, but it is however only fulfilled by perfect messianism.

I argued that it is because Agamben's Pauline messianism shares some important characteristics with sovereign power that it is able to confront its logic from within. It turns the distinctions of the sovereign ban onto themselves by re-introducing potentiality to actuality through a division of divisions. The 'as not' provides the possibility to the messianic remnant to act by not acting. Through the power of weakness, messianism renders every worldly condition inoperative and all actualized identities insignificant. As a result, the sphere of the political is opened-up to contestations over forms of being on a metaphysical level where binary oppositions such as *zoe/bios*, divine/profane, religious/secular carry no meaning – as I illustrated with the example of the illegal immigrants residing in front of a congress organized by the labour party on the criminalization of illegality. The presence of these illegal immigrants and the way in which their

weakness is turned into political agency means that they no longer fit in the neatly defined categories of political being set up by sovereign power. The application of Paul's letter to the contemporary issue of sovereign power has led Agamben to find a way out of the seemingly insurmountable impasse of sovereign power. It disentangles the sovereign norms and conditions from within, acting from within the very representations that sovereignty itself discloses, thereby shedding light on its deficiencies. To quote Colby Dickinson one more time, "there is life beyond the sacred as you have known it yet to be lived in the time that remains."³⁶⁶ In the next chapter I will analyze what the implications of Agamben's Pauline messianism are for the possible ways of being political under sovereign power.

³⁶⁶ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 175.

4. Opening up the possibilities of being political: the implications of Agamben's Pauline messianism for political subjectivity

I started out my interrogation of Agamben's Pauline messianism, by asking what would be the implications of such a philosophical stance for the way in which we conceive forms of life as political possibilities. In other words, is Agamben's messianism able to offer different ways of being political that are not limited to those that sovereign power produces? The first two chapters of this dissertation highlight that in order to be effective, a challenge to sovereign power has to question the sacrificial apparatus of abandonment and reconceptualise political subjectivity. In the last chapter I argued that Agamben's Pauline messianism is able to successfully confront the sovereign logic at heart as it destabilizes the binary oppositions upon which sovereignty is realized from within.

In the first chapter of this dissertation I argued that due to the sacrificial logic of sovereignty only limited forms of being were available under sovereign power. As a result, it seemed that being was founded upon an arbitrary decision of exclusion. What is more, bare life under sovereign power seemed to have little options to act politically. The third implication sovereign power had for political subjectivity I argued, was that ways of being and the specific political order turned out to be neatly bound up and under sovereign power the citizen and the human being became one and the same subject. In this chapter, I will investigate what the implications of Agamben's Pauline messianism are for the possible ways of being political under sovereign power. In order for messianism to effectively challenge sovereign power then, it will have to offer a different conception on life and on the way that being becomes political. A conception in which whether or not one can act politically is not reserved for any specific form of life and where the political is reflexive towards the contingency that is implied in any political act through which reality is actualized. To be effective, Agamben's Pauline messianism will have to take a relational stance towards the ways in which we have become what we are, what we do and what we think but also towards the

probable ways in which we can become what we are now not, do what we have not done, and think what we did not yet think.³⁶⁷

I suggest Agamben's Pauline messianism offers a viable challenge to sovereign power. In this chapter I will argue that Agamben's Pauline messianism can effectively open up the possibilities of being political under sovereign power for three reasons. Firstly, it renders the binary oppositions upon which sovereign power comes into being – religion/politics and mind/body – inoperative and consequently gives rise to a new relationship between religion and politics and to a new conception of human being that are not tied to a specific form of political order. Secondly, because messianism is able to challenge sovereign power as it takes sacred life as its starting-point, new forms of resistance and agency can be uncovered in the zone of indistinction, and new forms of political belonging can emerge. Thirdly, messianism restores politics to the political, thereby opening up identities for use, restoring forms of being to their own metaphysical potential and recovering power as fluid and originating from multiple sources.

As such, I will argue that whereas ways of being were formerly grounded upon an arbitrary sovereign exclusion of both the divine and bare life, the human being now becomes separated from the citizen on the basis of a shared experience of being negated and that the relation between the profane and the divine is no longer one of separation but becomes operative. Secondly, whereas agency seemed to be absent under sovereign power, the concept of weakness as power and the ideal of a community formed on the basis of an experience give rise to new forms of political agency and political belonging. Lastly, whereas formerly politics defined forms of being, now both being and politics are restored to the metaphysical realm of the political as a result of the potentiality that messianism re-introduces.

³⁶⁷ Mavelli, L. (2012) 'Postsecular resistance, the body, and the 2011 Egyptian Revolution', *Review of International Studies*, 38:5, 1057-1078, 1066.

4.1. The binary oppositions are rendered inoperative.

The first reason why I think Agamben's messianism is able to open up the available kind of political subjectivity under sovereign power is because it renders the dichotomies upon which sovereignty constitutes itself inoperative. The separation of 'this' world from the 'other' divine world, led to the emergence of a new conception of sovereign power in which the state became the one to decide on the exception, and in which the human was able to define itself on a distinction between the mind and the body. As a result of the coming of the Messiah, these binary oppositions are never exhaustive and always the 'not all'. Messianism is able to defy sovereign power, I would argue, precisely because it reconceptualises the link between the profane and the divine no longer as separate but as overlapping and operative, breaking down the walls between animals, man and God. In addition, it offers a conception of the human being that is not linked to the sacrificial logic of sovereignty and as such cracks the convergence of human being and citizenship.

4.1.1. A different relationship between the divine and the profane

The first binary opposition that Agamben's messianism renders inoperative is the distinction between the divine and the profane. The coming of the Messiah introduces a rupture or a crack in the dual logic that separates this and the 'other' world. This is so because the coming of the Messiah introduces a third term into the constellation; the vocational reality where every worldly condition is 'called' by the Messiah. As a result, the binary opposition between the divine and the profane is not exhaustive.³⁶⁸ Agamben argues that

This is why Protestant theology which clearly separates the profane world from the divine is both wrong and right; right because the world has been consigned irrevocably by revelation to the profane sphere; wrong because it will be saved precisely insofar as it is profane.³⁶⁹

³⁶⁸ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 49.

³⁶⁹ Agamben, G. (1993) *The coming community*. Minneapolis: University of Minnesota Press, 91.

What is saved by the coming of the Messiah in this sense, Agamben argues is nothing but the being in this world. In other words, precisely because of the profane character of the worldly condition, the world can be called by the Messiah ‘just as it is’.³⁷⁰

The relationship between the divine and the profane is then no longer one of separation and distinction, but one in which the profanity is what makes the world graspable for the divine. The Messiah functions as the operative aspect which is not outside the divine or the profane, but which allows the two terms to become representable. However, just as the past collapses into the future and all that remains is the present time of the now, Agamben argues that “the messianic announcement means that these walls have come down, that a division no longer exists between man or between man and God.”³⁷¹ It seems indeed that “the saving God is the God who abandons him [man]” in the sense that as a result of the messianic operative condition, God and man no longer exist as fixed forms of being.³⁷² In this sense, Christopher Fox argues, Agamben unifies the former break between politics and religion upon which the power to decide over the exception came to be placed within the modern sovereign state.³⁷³ Agamben’s messianism then seems to open up the space to think differently about the relationship between sovereignty, modern day politics and theology.³⁷⁴ Messianism “offers a new critical edge to reconsider (...) the boundary between the secular and the religious, turning this boundary into a space in which new forms of embodied political agency and imagination may be observed.”³⁷⁵ Indeed, not only is the distinction upon which the sovereign grounds itself – that between the profane and the divine – rendered inoperative by the coming of the Messiah, it also offers new possibilities of political subjectivity that do not emerge out of the sovereign

³⁷⁰ Agamben, G. (1993) *The coming community*. Minneapolis: University of Minnesota Press, 91.

³⁷¹ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 44.

³⁷² Agamben, G. (2005), 42.

³⁷³ Fox, C. (2007) ‘Sacrificial pasts and messianic futures: religion as a political prospect in René Girard and Giorgio Agamben’, *Philosophy Social Criticism*, 33:5, 563-595, 574.

³⁷⁴ Agamben’s messianism does not aim to make any claims about the nature of God or the world – as that would quickly result in sovereign practices of defining forms of being - but it is able to show in my opinion, that all political claims that result in distinctions between forms of being can be displayed to be arbitrary, not fixed and can be subject to criticism.

³⁷⁵ Mavelli, L. (2012) ‘Postsecular resistance, the body, and the 2011 Egyptian Revolution’, *Review of International Studies*, 38:5, 1057-1078, 1078.

exception. I will show in the next section that a new concept of human being can be distilled out of Agamben's messianism that is not linked to the concept of citizenship.

4.1.2. A new conception of human being

The second binary opposition that the messianic event renders inoperative is the division between the mind and the body. As a result of the new relationship between the profane and the divine, the boundaries between animal and human being or between human being and the divine become insignificant.³⁷⁶ As these "walls have come down", a distinction made on the basis of such an economic theology of being would become meaningless.³⁷⁷ Distinguishing the human mind as distinct from our 'animalistic' body would therefore be an irrelevant division; such boundaries are no longer inscribed with any meaning due to the displacement that the messianic event generates. When the foundation upon which sovereign power manifests itself becomes inoperative, it inherently becomes ineffective to decide upon the exception; to politicize one form of being as politically qualified and depoliticize another form as politically irrelevant seems to become a futile endeavour.³⁷⁸

As a result, the challenge Agamben's messianism offers to sovereign power, opens up the space to rethink the signification of political subjectivity, citizenship and human being.³⁷⁹ Rethinking the political significance of being is indeed important, Jenny Edkins argues, because "being as currently conceived, as sovereign being, is trapped within the principle of sovereignty" and so in her eyes, "any attempt to rethink politics beyond sovereignty requires a rethinking of being as such."³⁸⁰ Agamben has argued that any kind of messianic human being that acts politically can never be a sovereign identity that is already predefined, but always has to be the form of being that *remains*. In his own words, Agamben illustrates

³⁷⁶ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 89.

³⁷⁷ Dickinson, C. (2011), 89.

³⁷⁸ Edkins, J. (2007) 'Whatever politics'. in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press, 79.

³⁷⁹ Fox, C. (2007) 'Sacrificial pasts and messianic futures: religion as a political prospect in René Girard and Giorgio Agamben', *Philosophy Social Criticism*, 33:5, 563-595.

³⁸⁰ Edkins, J. (2007) 'Whatever politics'. in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press, 77.

what rethinking of human being that is not erected around the concept of sovereignty would look like:

[t]he human being can survive the human being, the human being is what remains after the destruction of the human being. Not because somewhere there is a human essence to be destroyed or saved, but because the place of the human is divided, because the human being exists in the fracture (...) between the inhuman and the human.³⁸¹

The human being is that kind of subject that lacks the kind of being that it is when the human is “infinitely destroyed.”³⁸² When the sphere of being is opened up by the messianic event, the subject of man “is a being who is infinitely missing himself and is already divided against himself.”³⁸³ And when it is man that is always destroyed, something else must remain; “and that man is this remnant.”³⁸⁴ To cast the human being as the messianic remnant gives back potentiality to humanity, in the sense that it is no longer predefined by sovereign power. As a result, it can therefore never be the object of politics because this messianic form of human being is what prevents the human and the inhuman from perfectly coinciding; there simply is no graspable identity that can be politicized.³⁸⁵ As such, Agamben theorizes that the remnant is the only real political subject.³⁸⁶ Conceptualizing human being in this messianic way, it becomes apparent that the sovereign apparatus will no longer have the power to define political subjectivity. That is so, because this conception of being does not rest on a new articulation of an identity that is already this or that; the messianic *hos me* does not refer to an

³⁸¹Agamben, G. (1999) *Remnants of Auschwitz: the witness and the archive*. New York: Zone Books, 134.

³⁸²Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 53.

³⁸³Agamben, G. (2005), 53.

³⁸⁴Ibidem.

³⁸⁵Agamben, G. (1999) *Remnants of Auschwitz: the witness and the archive*. New York: Zone Books, 134.

³⁸⁶Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 57. As such, It does not give rise to a new kind of universalism, Agamben argues, “for Paul it is not a matter of ‘tolerating’ or getting past the differences in order to pinpoint a sameness of a universal beyond.” No new universal man can be found, he argues, all that remains is the messianic remnant. What messianism affirms is not a universal man that is to be distilled out of Paul’s letters, “neither as an end nor principle” Agamben warns, “all that is left is a remnant and the impossibility of the Jew or the Greek to coincide with itself.” Pg. 57.

elsewhere or a more authentic vocation.³⁸⁷ Human being is therefore no longer linked to a definition of citizenship or to a form of politically relevant life.

Agamben's messianism is able to open up the possible ways of being political under sovereign power because the binary oppositions upon which sovereignty stabilizes itself - profane/divine and mind/body - are rendered inoperative. As a result, the forms of life that come into being through the sovereign exception, *zoe* and *bios*, no longer carry any meaning and new possibilities arise to reconceptualize the relationship between religion and politics as no longer simply exclusionary or *oikonomia* as the walls between animals, man and God started to crumble. What is more, the human being is no longer intrinsically bound up with a conception of citizenship, but can be cast as the experience of the lack that the 'as not' introduces.

4.2. Messianism takes the sovereign exception and 'sacred' life as its starting-point

The second reason why messianism is able to offer multiple possibilities of being political under sovereign power is because it does not act outside sovereign power but delegitimizes it from within, giving rise to new forms of political agency and political belonging. "In political terms" Christopher Fox argues, "the overthrow of the [sovereign] distinction will proceed by undermining it from within rather than overtly attacking it."³⁸⁸ Because messianism is able to act from within the divisions of the sovereign power, it is able to confront it with its own arbitrary logic and to turn it onto its own limits. In that sense, any study of the implications Agamben's Pauline messianism has for political subjectivity should not focus on attacking the functioning of the sovereign decision by continuing to look for the *homo sacer* in spaces of contemporary exception. Rather, it seems to me that it would make more sense to focus on those subjects who are excluded by sovereign power yet advance to act politically and thereby destabilize sovereign power from

³⁸⁷ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 24.

³⁸⁸ Fox, C. (2007) 'Sacrificial pasts and messianic futures: religion as a political prospect in René Girard and Giorgio Agamben', *Philosophy Social Criticism*, 33:5, 563-595,581.

within and enact themselves as political subjectivities. I will illustrate this point by showing how new forms of a) political agency and of b) political belonging emerge that challenge sovereign power from within.

4.2.1. New forms of political agency

The first way by which I would like to illustrate that messianic power acts from within the sovereign apparatus and opens up new ways of being political is by shedding light on the political acts on behalf of illegal immigrants. One of the main problems with referring to illegal immigrants as nothing more than mere life is that spaces to act politically seem to be extinct.³⁸⁹ For how can mere life that is the object of political power ever be the subject that challenges it?³⁹⁰ I would argue however, that taking the non-status subject as the starting-point and seeing him or her through the lenses of Agamben's messianism, a space for political contestation is opened up. To act messianically is primarily defined by how one lives as the messianic subject within the time that remains Agamben argues. It is defined by one's use of *klesis*; "how one acts in the period of its in-between time, is the key to living within this state of exception."³⁹¹ To remain in the messianic vocation in the form of the 'as not' indeed "means to not ever make the calling an object of ownership, *only of use*."³⁹² The possibility of 'using' *klesis* in turn gives agency to the messianic subject, "whether in the form of a new subjectivity that is open to all or through the (...) use of existing, now denaturalized subjectivities" Gideon Baker argues.³⁹³ To focus on the use of *klesis* then, means to assert the

³⁸⁹ As Peter Nyers puts it, "non-status people not only lack the full range of citizenship rights but they are also denied the opportunity to express themselves as political beings." Nyers, P. (1998)'Refugees, humanitarian emergencies, and the politicization of bare life', *Refuge*, 17:6, 16-21, 18.

³⁹⁰ Mavelli, L. (2012) 'Postsecular resistance, the body, and the 2011 Egyptian Revolution', *Review of International Studies*, 38:5, 1057-1078, 1064.

³⁹¹ Roberts, J. (2008) 'The returns to religion: messianism, Christianity and the revolutionary tradition, Part II: the Pauline tradition', *Historical Materialism*, 16:2, 77-103, 96-97.

³⁹² Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 26.

³⁹³ Baker, G. (2013) 'The revolution is dissent: reconciling Agamben and Badiou on Paul', *Political Theory* 4:2, 312-335, 324. Baker however argues that the political messianic subject is made a subject and does not enact itself as a messianic subject. This is so, he argues in so far as that you cannot make the messianic event happen. I would argue that the messianic event is indeed

importance of the act Dan Bousefield holds, and so “we can recover agency: both from sides inside the logic of sovereignty and in the spaces of exclusion.”³⁹⁴ Indeed, as I argued in chapter one, the act can be seen as that through which being comes into existence. It seems, Jenny Edkins argues, that a successful challenge to the sovereign apparatus, cannot be accomplished philosophically, but must be played out in practice.³⁹⁵ As Agamben has argued, the power to act as the messianic subject, lies in its ability *to not act*. The messianic subject operates through the weakness of power, by rendering the actualized conditions inoperative and by retaining a relation not simply to potentiality but also to impotentiality.³⁹⁶ How then, does one ‘use’ the messianic calling? How do you enact power as weakness? I will give two examples of acts illegal immigrants engage in that I think would classify as messianic acts of contestation; identity-stripping and hunger strikes.

Identity- stripping

A good example of this kind of messianic subjectivity I think, is the act of identity-stripping that immigrants undertake. Whereas citizens will rarely destroy the papers that prove their identity, many migrants do away with them.³⁹⁷ Indeed, without official travel papers or proof that a person is from a specific state, the receiving country cannot send someone back.³⁹⁸ Out of the 11.440 illegal immigrants that ‘left’ the Netherlands in 2012, 5850 left “without surveillance”, meaning that they did not have the proper papers to be deported to their country of origin and necessarily remain on Dutch territory whilst lacking any legal

always to come but has also always already happened. In this sense, it is not a matter of chronological time in which the Messiah would ‘be’ here.

³⁹⁴ Bousfield, D. (2005) ‘The logic of sovereignty and the agency of the refugee: recovering the political from bare life’, *YCISS Working Paper* 36, 3.

³⁹⁵ Edkins, J. (2007) ‘Whatever politics’. in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 70-91. Stanford: Stanford University Press, 83.

³⁹⁶ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 137.

³⁹⁷ Blokker, B. (2012) ‘Er ligt een niemandsland in het Nederlands asielbeleid; Ondertussen in Amsterdam’, *NRC*, 4 december 2012.

³⁹⁸ Ellermann, A. (2010) ‘Undocumented migrants and resistance in the liberal state’, *Politics and Society*, 38:3, 408-429, 414.

permission.³⁹⁹ Rather than casting these undocumented migrants as *homo sacers*, one could also argue that the purposeful act of identity-stripping is a political act that undermines the sovereign grasp on the immigrant.⁴⁰⁰ In this sense, a subject seems to be aware of its own potentiality and impotentiality to be under the influence of the state. This reflexivity allows her to choose to not want to belong to either of the two. In that case, it is not the state that produces the illegal immigrant as ‘illegal’ rather it is an act of choice in which (to a certain extent) agency is implied. Whereas the zone of illegality should not be romanticized,⁴⁰¹ the sovereign state has no grasp on the messianic subject that both chooses to lose the possibility to have the right to have rights (residency applications cannot be started without identity papers)⁴⁰² and to not have rights (she will not be rejected the right to stay). She becomes the bare life as not bare life; she is not under state control and therefore cannot be defined by the state as the exclusion whilst she lives inside the country’s territory without permission. She is therefore present within the territory of the sovereign state, yet does not fall within the legal spheres in which the state foresees, either through inclusion or exclusion. Illegal immigrants as messianic subjects hold the power to be present, regardless of any legal status as defined by sovereign law.⁴⁰³

In this sense, the illegal immigrant would live as the ‘as not’ dividing the categories of bare life and citizenship further. Precisely because the messianic remnant does not fall within any of these sovereign categories, the state has no grip on it. As a result undocumented migrants are “able to very effectively frustrate the administrative processing of return programs.”⁴⁰⁴ As the state wants to name, classify and render subjectivities legible, the act on behalf of the illegal

³⁹⁹ Blokker, B. (2012) ‘Er ligt een niemandsland in het Nederlands asielbeleid; Ondertussen in Amsterdam’, *NRC*, 4 december 2012.

⁴⁰⁰ Ellermann, A. (2010) ‘Undocumented migrants and resistance in the liberal state’, *Politics and Society*, 38:3, 408-429, 414.

⁴⁰¹ Ellermann, A. (2010) *Politics and Society*, 425.

⁴⁰² The official requirements to file a request for a residence permit in the Netherlands include a valid travel document. See for example:

<http://www.rijksoverheid.nl/onderwerpen/immigratie/immigratie-vreemdelingen>.

⁴⁰³ McNevin, A. (2011) *Contesting citizenship: irregular migrants and new frontiers of the political*. New York: Columbia University Press, 153.

⁴⁰⁴ Broeders, D. and Engbersen, G. (2007) ‘The fight against illegal migration: identification policies and immigrants’ counterstrategies’, *American Behavioral Scientist*, 50:12, 1592-1609, 1598.

immigrant to make herself nameless, unclassified and illegible proves very effective.⁴⁰⁵ In effect, such an act would be messianic but not outside sovereign power; it precisely destabilizes it from within, marking its very limit.⁴⁰⁶ Remarkably, as Antje Ellermann eloquently notes, “it is those individuals who have the weakest claims against the liberal state that are most able to constrain its exercise of sovereignty.”⁴⁰⁷ As Agamben is inspired by the letters of Paul, he argues that messianic power is weakness. It seems that indeed in this case the weakness that comes with having very little political claims towards the sovereign power turns out to be a powerful tool *vis-a-vis* the sovereign state and allows the illegal immigrant to enact a kind of messianic political subjectivity that does not fit within the predefined forms of being set up by the state.⁴⁰⁸

Hunger strikes

In addition, I would argue that hunger strikes can also constitute a political act through which illegal immigrants enact a kind of messianic political subjectivity. “The power of the hunger strike might be its utility when other means of protest are not possible or ineffective, that is, when a political inopportunitiy structure exists that limits the emergence or effectiveness of other tactics in such a context” Scanlan, Stoll and Lumm argue.⁴⁰⁹ A structure of *inopportunitiy* exists of course in the case of illegal immigrants, in the sense that they are not politically qualified. Yet, the impotentiality this gives rise to is precisely the kind of power that the messianic remnant uses to render inoperative the divisions of the law. A hunger strike in essence means to *not* eat and so it seems, one acts by *not* acting. The

⁴⁰⁵ Ellermann, A. (2010) ‘Undocumented migrants and resistance in the liberal state’, *Politics and Society*, 38:3, 408-429, 425.

⁴⁰⁶ McNevin, A. (2011) *Contesting citizenship: irregular migrants and new frontiers of the political*. New York: Columbia University Press, 57.

⁴⁰⁷ Ellermann, A. (2010) ‘Undocumented migrants and resistance in the liberal state’, *Politics and Society*, 38:3, 408-429, 408.

⁴⁰⁸ Ellermann, A. (2010) *Politics and Society*, 408-429.

⁴⁰⁹ Scanlan, S.J., Cooper Stoll, L., and Lumm, K. (2008) ‘Starving for change: The hunger strike and nonviolent action 1906–2004’, *Research in social movements, conflicts and change*, 28, 275 - 323, 288.

decision to go on strike is highly political but also highly personal.⁴¹⁰ Due to the inoperativity and the personalistic element, to go on hunger strike seems to me to be a typical messianic act of political subjectivization. The subject that acts is reflexive of its (im)potentiality when she stops eating; eating becomes something which he could potentially do and at the same time it is that which he could do but does not do. Hunger strikes seem to be an instrument of power for those who are at first glance powerless and “turn seemingly nonexistent opportunities into a meaningful challenge for authorities.”⁴¹¹

Around 6,6 % of the total amount of hunger strikes between 1906 and 2004 worldwide concern immigrant and asylum cases.⁴¹² In May 2013 a large group of illegal immigrants in two detention centers in the Netherlands went on a hunger strike. Around 111 persons went on strike in Rotterdam and 21 in the detention center of Airport Schiphol.⁴¹³ Their aim was not to be recognized as citizens rather they protested against the regime that is in place in detention centers which is more restrictive than the ‘regular’ administrative system that is in function in Dutch prisons.⁴¹⁴ On behalf of all the prisoners in Rotterdam, S. Kamerman wrote a letter to the Dutch parliament. “We do not want to work against the Dutch laws, it is not that we do not accept them, but we ask for your attention for our situation,” he opens his letter. “The laws that you make are not executed in the way they are intended.”⁴¹⁵ The exception as put in place by the sovereign power through a law of abandonment is what he puts in question. Indeed, he does

⁴¹⁰ Scanlan, S.J., Cooper Stoll, L., and Lumm, K. (2008) ‘Starving for change: The hunger strike and nonviolent action 1906–2004’, *Research in social movements, conflicts and change*, 28, 275 - 323, 288-289.

⁴¹¹ Scanlan, S.J., Cooper Stoll, L., and Lumm, K. (2008) *Research in social movements, conflicts and change*, 305.

⁴¹² Ibidem, 296.

⁴¹³ Kamerman, S. (2013) ‘Dorststaker: ik wil hier uit desnoods in een kist’, *NRC*, 5 May 2013, <http://www.nrc.nl/nieuws/2013/05/13/dorststaker-tegen-zijn-zin-naar-ziekenhuis/> [accessed at 6-8-2014]; Vogel, C. (2013) ‘Groepasielzoekers op Schiphol in hongerstaking’, Elsevier, 6 May 2013, <http://www.elsevier.nl/Nederland/nieuws/2013/5/Groep-asielzoekers-op-Schiphol-in-hongerstaking-1247925W/> [accessed 6-8-2014].

⁴¹⁴ Kamerman, S. (2013) *NRC*, 5 May 2013.

⁴¹⁵ Manuels, S. (2013) ‘Brief van hongerstakers van detentiecentrum Rotterdam aan de leden van de Tweede Kamer’, <http://www.schipholwakes.nl/brief%20hongerstaker%20rotterdam%20migrantengevangenis.pdf>, translation by the author.

not request to become a citizen as opposed to the position of outsider he has now, rather he claims “we are humans too, even though we are not treated as such.”⁴¹⁶

Unsurprisingly, the act of hunger striking is not seen as political acts by the Dutch government; precisely because the sovereign power defines what can count as ‘politics’ and as acceptable resistance, it will not allow a ‘political act’ on behalf of politically unqualified life. Indeed, Minister Teeven argued that the hunger strikers would not be granted the right to stay because of these acts of resistance.⁴¹⁷ Whereas Teeven’s point seems to make sense from the perspective of the sovereign power, from the viewpoint of the illegal immigrant it completely “sidesteps the issue.”⁴¹⁸ What is at stake here is not that illegal immigrants want to be recognized as politically relevant subjects.⁴¹⁹ By not eating they shed light on “the way in which sovereign power (...) relies on violence and exclusion.”⁴²⁰ To act messianically in this sense means to reveal that the arbitrary distinctions that the state makes between inside and outside, citizen and non-citizen are not exhaustive.⁴²¹ As a result, the logic of sovereignty is reversed and rendered inoperative.⁴²² “Politically speaking,” Gideon Baker argues, “the messianic revelation of the inoperativity of the law brings to light the fundamental illegitimacy of the powers that be.”⁴²³ By acting through a hunger strike, the illegal immigrant introduces a messianic absence or a crack into the constellation of “human” and “citizen.”⁴²⁴ By acting in their weakness through the act of *not*

⁴¹⁶ Manuels, S. (2013) ‘Brief van hongerstakers van detentiecentrum Rotterdam aan de leden van de Tweede Kamer’, <http://www.schipholwakes.nl/brief%20hongerstaker%20rotterdam%20migrantengevangnissen.pdf>, translation by the author.

⁴¹⁷ Dool, van den, P. (2013) ‘Teeven: hongerstaking geen grond voor verblijfsvergunning’, *NRC*, 5 May 2013, <http://www.nrc.nl/nieuws/2013/05/15/teeven-hongerstaking-geen-grond-voor-verblijfsvergunning/> [accessed 6-8-2014].

⁴¹⁸ Edkins, J. and Pin fat, V. (2005) ‘Through the wire: relations of power and relations of violence’, *Millenium*, 34:1, 1-26, 21.

⁴¹⁹ Edkins, J. and Pin fat, V. (2005) *Millenium*, 21.

⁴²⁰ *Ibidem*, 19.

⁴²¹ Baker, G. (2013) ‘The revolution is dissent: reconciling Agamben and Badiou on Paul’, *Political Theory* 4:2, 312-335, 323.

⁴²² Bousfield, D. (2005) ‘The logic of sovereignty and the agency of the refugee: recovering the political from bare life’, *YCISS Working Paper* 36, 10.

⁴²³ Baker, G. (2013) ‘The revolution is dissent: reconciling Agamben and Badiou on Paul’, *Political Theory* 4:2, 312-335, 323.

⁴²⁴ Nyers, P. (1998) ‘Refugees, humanitarian emergencies, and the politicization of bare life’, *Refuge*, 17:6, 16-21, 20.

eating the undocumented migrants show in my opinion that what is ‘human’ is political.

What I aim to illustrate with the examples of identity-stripping and hunger striking is that a messianic stance towards life can be very practical and might be available to illegal immigrants precisely because they function as the modern day *homo sacer*. “Ironically” Antje Ekkermann argues, “it is the undocumented migrants’ extreme powerlessness that is at the root of resistance and presents a potential threat to the exercise of state power.”⁴²⁵ It seems to be precisely *because* the forms of being in which the law foresees are not exhaustive that such possibilities of resistance are revealed.⁴²⁶ By *restoring agency to the homo sacer though the messianic ‘as not’*, the illegal immigrant can further divide the division between bare life and politically qualified life from within the sovereign distinctions themselves. It can be an autonomous choice to negate all statist identities or a choice to not eat.⁴²⁷ Indeed, it seems that Agamben’s Pauline messianism enable the illegal immigrant to enact a kind of messianic political subjectivity that does not fall within the limited forms of life in which the sovereign state provides

4.2.2. New kinds of political belonging

The second manner in which I think illegal immigrants act messianically and are thereby able to open up the available ways of being political under sovereign power from within, is through the new ways of political belonging they enact. When all identities are rendered meaningless by the coming of the Messiah, all forms of belonging can no longer be grounded on the basis that persons share a specific identity. Just as ‘humanity’ is no longer based on the fact that human being can be separated from animal being but based on the messianic calling of the ‘as not’, any form of political belonging can only be grounded on the

⁴²⁵ Ellermann, A. (2010) ‘Undocumented migrants and resistance in the liberal state’, *Politics and Society*, 38:3, 408-429, 410.

⁴²⁶ Leerkes, A.S. (2007) *Illegaal verblijf en veiligheid in Nederland*. Amsterdam: Universiteit van Amsterdam, 20.

⁴²⁷ McNevin, A. (2011) *Contesting citizenship: irregular migrants and new frontiers of the political*. New York: Columbia University Press, 154.

experience of the time that remains.⁴²⁸ “What the state cannot tolerate in any way” Agamben argues, “is a community that is formed without defining its identity.”⁴²⁹ This is precisely the task Agamben sees fit for Pauline messianism, which is to “think a human community that would not have the figure of the law.”⁴³⁰ The messianic community belongs together precisely because each person lacks “a representable condition of belonging,” and as such poses a sincere threat to the sovereign state that so neatly aims to define who is inside and outside the *polis*.⁴³¹ A new form of belonging can be instigated under Agamben’s messianism simply by forming a group in the basis of not belonging. In this sense, one does not simply dwell in the zone of indistinction, but one uses one’s powerlessness, one’s impotentiality to belong as a new ground for a political community, one that the state cannot control or grasp. In this sense, the messianic remnant ‘passively’ enacts itself as the not non-subject for it refuses to stay within the dichotomies of ‘inside’ and ‘outside’ the *polis* by creating its own new community that is not evicted around the sovereign decision.

A good example is provided by *de Vluchtkerk* in the Netherlands. At the end of 2012, a group of squatters decided to occupy an empty church, the Saint Joseph Church in Amsterdam so that it could function as a refuge for illegal immigrants. Around the Church, a group of helpful people arranged itself, and the movement – soon referred to as ‘*de Vluchtkerk*’⁴³² gained widespread support and received much attention in local and national media. As with the immigrants that went on hunger strikes in the Dutch detention centres, the aim of the illegal immigrants in *de Vluchtkerk* was not so much to acquire a residence permit but rather to make the problem of illegality visible, to give a face to these persons that resided in the voids of the law.⁴³³ Rather than being helpless people in need of shelter, they wanted to show themselves as political actors, sending the message

⁴²⁸ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 23.

⁴²⁹ Agamben, G. (2000) *Means without ends*. Minneapolis and London: The University of Minnesota Press, 135-136.

⁴³⁰ Agamben, G. (2000), 135-136.

⁴³¹ Agamben, G. (1993) *The coming community*. Minneapolis: University of Minnesota Press, 86.

⁴³² Literally translated ‘Church of Refuge’.

⁴³³ Stronks, M. (2012) ‘De paradox van de zichtbare illegaal’, *De Groene Amsterdammer*, 5 december 2012.

‘we are here.’⁴³⁴ To proclaim such a kind of presence, Anne McNevin argues, “is a claim to belong in ways that exceed the normal allocation of citizenship and legal residence.”⁴³⁵ Thomas Spijkerboer has elaborated nicely, that by no longer asking the state for admission to its traditional society, and by creating some kind of parallel order amongst themselves, they are able to contest the very notions of community and citizenship the state is based on.⁴³⁶

Within the messianic event, I would argue that indeed, political communities can only be formed on the shared experience of the ‘as not’ that continuously ruptures and divides the statist divisions further. By introducing a rupture within the statist limits, such forms of belonging are instigated not on a form of being such as citizen or non-citizen, “but emerge out of a series of every day encounters that potentially question [these] statist distinctions.”⁴³⁷ I contend that this kind of political belonging that is grounded upon the absence of a shared identity encounters such statist distinctions simply by revealing that they are not exhaustive, by returning them to their potentiality, and destabilizing them from within.

What is more, in the *Vluchtkerk* project many religious actors are involved, and the building in which the illegal immigrants found refuge in the Netherlands was a former Church. One of the supporters said that with the occupation of *de Vluchtkerk*, the church regained its old function, as offering safety and help to the oppressed.⁴³⁸ Indeed, the concept of sanctuary has strong religious connotations. Rather than analysing these –albeit very interesting – ways in which religious

⁴³⁴ ‘We are here’ is the slogan the movement has used. It pops up at their website and they have named the band that emerged out of the group of immigrant after it. See <http://www.devluchtkerk.nl/blog/vluchtkerk-band-we-are-here-opnieuw-in-paradiso> [accessed 6-8-2014] or www.wijzinhier.org (the Dutch translation for we are here). Vluchtkerk, de (2012) ‘update en opiniestuk NRC next’, <http://www.devluchtkerk.nl/blog/update-opiniestuk-nrcnext>.

⁴³⁵ McNevin, A. (2011) *Contesting citizenship: irregular migrants and new frontiers of the political*. New York: Columbia University Press, 106.

⁴³⁶ Spijkerboer, T. (2012) ‘Het uitzetten lukte dus niet’, *NRC*, 5 november 2012.

⁴³⁷ Squire, V. and Darling, J. (2013) ‘The “minor” politics of rightful presence: justice and relationality in *City of Sanctuary*’, *International Political Sociology*, 7:1, 59-74, 62.

⁴³⁸ Vluchtkerk, de (2012) ‘update en opiniestuk NRC next’, <http://www.devluchtkerk.nl/blog/update-opiniestuk-nrcnext>.

communities offer hospitality to strangers,⁴³⁹ my point here is that such initiatives are religious and yet act within the profane sphere of the sovereign state. As a result they seem to be able to formulate a sense of belonging precisely within this *sacred* sphere of being that the state envisages as the zone of indistinction. As a result, such initiatives start from the sovereign state of exception and then through a sense of messianism form a new kind of political belonging that has no grounds other than the fact that identities are discarded. The messianic gives rise to “a new sort of membership that no longer takes the determinations of inside/outside, friend/enemy as exhaustive or final.”⁴⁴⁰ The messianic event succeeds in organizing a community that is not erected around sovereign principles, but one in which those who are bound to remain without identification can coexist.⁴⁴¹ In this sense, a community is formed that sovereignty cannot grasp and that confronts it with its own limits

In this section I argued that by taking the zone of the sacred as its starting-point, Agamben’s Pauline messianism opens up the space for ways of being political that are different from those that are available under the sovereign order. Both acts of political agency and forms of political belonging that are enacted by messianic political subject show that the ways of being sovereign power provides are not exhaustive. By acting messianically under sovereign power, illegal immigrants lay bare the arbitrary ways in which sovereign power takes as its political object bare life and the human being. It is precisely because they have little space to act politically that their weakness becomes a form of power that destabilizes the sovereign power effectively.

⁴³⁹ See for example Wilson, E.K. (2013) ‘Be welcome: religion, hospitality and statelessness in international politics,’ In ed. Baker, G., *Hospitality and world politics*, 145-172. New York: Palgrave Macmillan.

⁴⁴⁰ Fox, C. (2007) ‘Sacrificial pasts and messianic futures: religion as a political prospect in René Girard and Giorgio Agamben’, *Philosophy Social Criticism* 2007 33:5, 563-595x, 584-585.

⁴⁴¹ DeCaroli, S. (2007) ‘Boundary stones: Giorgio Agamben and the field of sovereignty’, in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 43-69. Stanford: Stanford University Press, 44.

4.3. The messianic event restores politics to the political

Thirdly, I would argue that messianism gives rise to new political subjectivities that are open for use under sovereign power because it restores the possible ways of being to the metaphysical sphere of the political. In this sense, it opens up the strict relation between a specific form of politics and limited forms of being that are available as a result of it.

The problem with sovereignty, as Carl Schmitt identified, is that with the loss of God as an answer to metaphysical questions, metaphysics itself came to be excluded from politics.⁴⁴² Ironically enough, he argued, because as it decides on ontology and on ontic hierarchies, politics is always a metaphysical endeavour. As I argued throughout this dissertation, a political life would become available when politics would be opened up to a sense of the metaphysical, to that space where being is not yet actualized but still retain a sense of potentiality. As Agamben argues, a true political life is available when forms of being are no longer already this or that as defined by politics, but when they retain a link to their own (im)potentiality.⁴⁴³ In order for messianism then to attain this kind of reflexivity towards being political, it has to open-up the possibility to problematize and question the rules that sovereignty sets as politics and investigate the ways in which these are maintained and legitimized.⁴⁴⁴ “What is absent from [sovereign] politics,” Veronique Pin-Fat argues, “is the possibility of questioning and challenging the rules themselves because it is ‘politics’ that regulates what shall count as a legitimate challenge itself.”⁴⁴⁵ As the political is the sphere where such rules come to be defined, a return to the political is unavoidable if one aims to destabilize sovereignty. To restore sovereign politics to its own potentiality, means that one is able to provoke the “relatively enduring and routinized ways of being” that come with politics, Engin Isin argues.⁴⁴⁶ To understand how ‘politics’

⁴⁴² Schmitt, C. (2007 [1922]) *Political theology: four chapters on the concept of sovereignty*. Translated by Schwab, G. Chicago: University of Chicago Press, 5.

⁴⁴³ Agamben, G. (1996) ‘Form of life’, in eds. Hardt, M. and Virno, P. *Radical thought in Italy, a potential politics*, 151-158. London: Minneapolis.

⁴⁴⁴ Pin-Fat, V. (2010) *Universality, ethics and International Relations*. New York: Routledge, 25.

⁴⁴⁵ Pin-Fat, V. (2010), 25.

⁴⁴⁶ Isin, E.F. (2008) ‘Theorizing acts of citizenship’, in eds. Isin, E.F. and Nielsen, G.M. *Acts of citizenship*, 15-43. London: Zed Books, 36.

become politics means to also be aware of the other potential kinds of politics that the political harbours.⁴⁴⁷

The political is what reveals itself as potential possibilities of being when the very legitimacy of the setting up of boundaries is deactivated.⁴⁴⁸ The fact that divisions no longer bear any significance in the messianic time means that any form of ontology cannot come into being on the exclusion of a metaphysical concept such as God or bare life. “In our tradition, a metaphysical concept, which takes as its moment a foundation and origin, coexists with a messianic concept which focuses on a moment of fulfilment”, Agamben argues.⁴⁴⁹ In other words, the moment of exclusion or the moment that the sovereign decides on the exclusion now exists at the same time as in which the messianic ‘operational’ time is brought to an end and in which it is fulfilled. When no form of ontology can be excluded within the messianic condition as the basis upon which our reality comes into being, all metaphysical options are returned to the space of the political during the time that remains. Colby Dickinson argues: “Agamben’s ability to detect the essence of the ‘political’ in the midst of what could be considered (...) the movement from potential to act, is what gives his work a particular rootedness in the metaphysical.”⁴⁵⁰ It is precisely through the ‘as not’ that the potentiality is restored to the world with the arrival of the Messiah and that politics as that which is already enacted is restored to the potentiality of the political. It seems almost paradoxical, but the messianic event does away with the functioning of metaphysics as the ground for existence and at the same time renders all metaphysical options open for use. “The metaphysical displacement effected by messianism is such that only paradoxical formulations can convey it” Christopher Fox argues.⁴⁵¹

The rupture that the messianic event introduces into this world is not one that gives rise to a new kind of universal subject or to a new political order with a

⁴⁴⁷ Pin-Fat, V. (2010) *Universality, ethics and International Relations*. New York: Routledge, 25.

⁴⁴⁸ Fox. C. (2007) ‘Sacrificial pasts and messianic futures: religion as a political prospect in René Girard and Giorgio Agamben’, *Philosophy Social Criticism* 2007 33:5, 563-595, 581.

⁴⁴⁹ Agamben, G. (2005) *The time that remains: A commentary on the letters of Paul*. Stanford: Stanford University Press, 103.

⁴⁵⁰ Agamben, G. (2005), 47.

⁴⁵¹ Fox. C. (2007) ‘Sacrificial pasts and messianic futures: religion as a political prospect in René Girard and Giorgio Agamben’, *Philosophy Social Criticism* 2007 33:5, 563-595, 583.

new set of laws and norms. Rather, it leads “to a disruption that remains open.”⁴⁵² To think of an open sphere as the political then, means to see subjects and objects not as sources of meaning in the sovereign sense, but as ‘open texts’ that are always being written in the time that remains, and at the same time challenged through acts of contestation than continuously render the inscribed significance inoperative.⁴⁵³ This means that rather than relating the practices of being to one sovereign source, there are multiple power relations through which forms of being *political* emerge and are enacted, which are sometimes harmonious but might also be conflictive, but that are nonetheless fluid and moving.⁴⁵⁴ As Michel Foucault writes:

we must abandon the juridical model of sovereignty. (...) Rather than looking for the single point from which all forms of power [and life] derive, (...) we must begin to let them operate in their multiplicity, their differences, their specificity and their irreversibility; we must therefore study them as relations of force that intersect, refer to one another, converge or on the contrary, come into conflict and strive to negate one another.⁴⁵⁵

Messianism thus does not offer us a new kind of order or a new kind of politics;⁴⁵⁶ it does give us however the analytical tools to problematize the ways of being that we are taking for granted, in an attempt to open-up the space for other possible ways of being political. I suggest, that to understand what it means to live a political life of messianic potentiality, we will have to adjust ourselves more empathetically towards the ambivalence of being and shift towards the acceptance

⁴⁵² DeCaroli, S. (2007) ‘Boundary stones:Giorgio Agamben and the field of sovereignty’, in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 43-69. Stanford: Stanford University Press, 57.

⁴⁵³ Ashley, R.K, and Walker, R.B.J. (1990a) ‘Conclusion: reading dissidence/writing the discipline: crisis and the question of sovereignty in International Studies’, *International Studies Quarterly*, 34:3, 367-416, 379.

⁴⁵⁴ See his essay ‘The subject and power’ in Foucault, M. (1994) *Power: Essential Works of Foucault 1954-1984*. London: Penguin, 326-348.

⁴⁵⁵ Foucault, M. (2004) *Society must be defended*. London: Penguin Books, footnote 9, 265-267.

⁴⁵⁶ For messianism then, it is simply impossible to offer an alternative political order, as the ground upon which to base it is nothing but the absence of a ground for being as the ‘as not’. The only foundation messianism offers lies in the shared experience of the time that remains and the restoration of politics to its pure (im)potentiality.

that to be political implies disruption, change and surprise.⁴⁵⁷ It seems to me that what has been missing is reflexivity towards the instability that lies beneath the very possibility of being political. As the messianic subject, illegal immigrants seem to be able to deal with this aspect of disorder and unpredictability that comes with an undefined way of political being. A letter published in a newsletter of the No Border Network reads,

Brothers and Sisters in Africa! When we, migrants have chosen to leave Africa, we did so as free women and men. Some used to say that we are victims of hunger, wars, poverty, that we were forced to escape. It is often true. But we always decided to move because we had and we have a project, we want a possibility, we want to keep our future in our own hands. When we have chosen to migrate, we wanted to free ourselves from those who pretend that some are rich and others poor, some European, the others African, to free ourselves from a system of exploitation which has no borders, while it builds up borders and wars in order to exploit our needs and projects, in Africa as well as in Europe.⁴⁵⁸

This quotation shows that illegal immigrants want to retain the potentiality that is given to them, and want the agency to decide on their own future. They want to free themselves from borders between countries, but also from borders between rich and poor. In this sense, the disorder that resulted out of a nominalist conception of God does not require a sovereign response in terms of a state of exception that reinstalls borders and spheres of belonging. In the eyes of these illegal immigrants, the disruption and change implied in the political, and the absence of borders that comes with it, is something to celebrate and to actively demand.

Moreover, Agamben's Pauline messianism is able to open up the possible ways of being political under sovereign power because it restores the possible ways of being to their own potential. In returning to the sphere of the political, messianism

⁴⁵⁷ DeCaroli, S. (2007) 'Boundary stones: Giorgio Agamben and the field of sovereignty', in eds. Calarco, M. and DeCaroli, S. *Giorgio Agamben: sovereignty and life*, 43-69. Stanford: Stanford University Press, 15.

⁴⁵⁸ As quoted in McNevin, A. (2011) *Contesting citizenship: irregular migrants and new frontiers of the political*. New York: Columbia University Press, 122.

turns politics back onto the metaphysical realm in which forms of life are inherently shaped, created, negated and contested. As a result, identities no longer are fixed and predefined, but are open for use. Messianism then, is not outside power, it rather refuses to sanctify one absolute source of power or one form of being. Politics then becomes political in the sense that power and the subject become fluid and reflexive towards matters of being

Conclusion chapter four

I have argued in this chapter that as a result of Agamben's Pauline messianism the limits of sovereign power are revealed and the taken-for-granted modes of subjectivity that sovereign power establishes are opened up to new possible ways of being political. In this chapter I argued that Agamben's Pauline messianism is able to introduce new kinds of political subjectivity for three reasons. Firstly, because the binaries upon which sovereign power rests, such as profane/divine and mind/body are rendered inoperative. The distinction between animals, man and God becomes insignificant and a new relationship between the profane and the divine can be conceptualized as operative. What is more, the link between citizenship and human being can be dissolved and humanity comes to be grounded upon a shared experience. Secondly, because Agamben's messianism and sovereign power share a similar starting-point, new forms of political agency and of political belonging can emerge by conceptualizing weakness as power. As a result, a kind of messianic political subjectivity is enacted that does not fit within the parameters set by sovereign power. And thirdly, because messianism restores potentiality of being to the metaphysical sphere of the political, it opens up the 'use' of identities.

By shedding light on the contingent limits of sovereignty and by opening up the convergence between the citizen and the human being, it becomes possible to ask different questions that transgress and transpose the logic of sovereignty by returning to the sphere of the political rather than the sphere of politics. It is by returning to potentiality and impotentiality that Agamben's messianism unlocks the multiple ways of being that are available under sovereign power and as a

result become open for use. Because messianism renders all worldly conditions ungraspable for sovereignty, political subjectivity as a result cannot be limited to specific forms of life by a specific form of politics; it simply is no longer possible to politicize or depoliticize a form of life. Indeed, this is nicely illustrated by an illegal immigrant who is under sovereign power classified as the *homo sacer* lacking any political agency, but who by enacting her weakness as power nevertheless finds the space to act politically and to ‘use’ messianic *klesis*. Not by acting simply as an outsider to that community, as that would merely fit within the logic upon which the sovereign thrives. Rather, these messianic subjectivities are not the everyday subjectivities excluded by sovereign power and find ways of dividing the divisions of life further from within the sacred zone of indistinction. As a result, Agamben’s Pauline messianism gives rise to new political subjectivities that are able to disrupt the grounds upon which sovereign power decides who or what is politically qualified. The point of living messianically then, is not to take up a new kind of rigid identity through which one acts within the foreclosed sovereign sphere of politics. Rather, it is to take on a reflexive stand towards being, both towards what is, what is not and towards what can be but is not.

Conclusion

A return to the letters of Paul allowed Agamben to successfully formulate a theory that is able to confront the logic of sovereign power. Whereas Agamben has never posited his work on Pauline messianism directly as a challenge to the problems of sovereignty, I have argued in this dissertation that it has the potential to function as an analytical tool to destabilize the sacrificial apparatus upon which sovereign power thrives.

In the first chapter of this dissertation I provided an overview of Agamben's analysis of sovereign power. I showed how the sacrificial logic operated as the sovereign decision that decides upon the exclusion. I outlined how Agamben argues that the modern human being has become indistinguishable from politically qualified life or citizenship. I illustrated the anthropological dividing mechanisms of sovereignty by showing how illegal immigrants are excluded from the modern *polis* of the state, both through legal provisions and spatial arrangements. In line with Agamben's thought, I argued that the ways of being that are available under sovereign power are rather limited. The implications of sovereignty on how to perceive ways of being political were in my opinion three-fold: political subjectivity is grounded upon an act of negation, agency on behalf of the excluded was lacking and the political order and ontology turned out to be closely related. In the second chapter I showed how this conception of sovereignty came about as a result of a theological shift from scholasticism to nominalism. The nominalist thinkers envisioned God as omnipotent and distant, creating a gap between the human world and the divine world. As a result, it became possible to establish a binary opposition between the divine and the profane which led to the transference of sovereignty from God to the state. In effect, the divine came to be excluded as the ground upon which the sovereign state came into being. Also the nominalist theology gave rise to a distinction between the mind and the body which upheld at the same time a distinction between animals, man and God. The human being became able to realize itself on the grounds of his own action, excluding both his animalistic body and God from the constellation. I argued that these exclusions gave rise to the sacrificial logic of the sovereign and a zone of

sacred life. As they emerge out of a theological shift, Agamben has referred to these developments as political and economic theology. In the third chapter I outlined Agamben's interpretation of the letters of Saint Paul. I argued that because sovereign power and messianism share some important aspects, messianism is able to confront the sovereign logic at its heart. What is more, I argued that Agamben's messianism gives potentiality back to actuality and thereby restored politics to the political. In addition, to see weakness as power opened up the space for new kinds of agency on behalf of those political subjectivities that formerly had not opportunity to act politically. In the last chapter then, I outlined that the three problematic implications that sovereign power had for ways of being political could be turned around by Agamben's messianism. I argued that as a result, a form of human being could be envisaged that was not linked to sovereign power and that the relationship between the profane and the divine became operative instead of exclusive. I also illustrated how political acts on behalf of illegal immigrants could be messianic, by showing how the use of their weakness as power could be enacted for example by stripping their identities or by going on a hunger strike. Also I showed how new forms of political belonging emerged that are grounded on a shared experience rather than on the sovereign decision. And lastly, I explained why Agamben's Pauline messianism is able to return politics to the metaphysical sphere of the political where forms of being retain a relation to their own potentiality.

The problem with most challenges to sovereign power I held was that they do not conceptualize ways of being political that would fall outside the predefined forms of sovereignty. My contribution hopefully has shown that the messianic remnant can never coincide with sovereign ways of being political simply because it is constituted as that which remains, as the leftover of these very sovereign identities. As a result, I argued, messianism is able to open-up the possible ways of being political under sovereign power. Also, whereas it has been noted that Agamben's analysis on the letters of Paul could potentially pose a challenge to sovereign power, it had not yet been posed as such to my knowledge. I hope I have in that sense filled this theoretical gap. Whereas there might be more possible solutions to the problem of sovereignty that might be successful in the

sense that I outlined above, I hope my analysis showed that any such endeavour will have to at least break open the strict relationship between being and politics as it functions under sovereign power. Whereas politics will in my opinion always be a metaphysical undertaking, it need not necessarily close off any ontological possibilities. In this sense, a non-sovereign kind of politics would have to leave space open for contestation over subjectivity and matters of being *on a political level* and not be grounded upon a decision over life.

One of my former professors gave me the advice to, whenever I felt that I had come up with an academically valid argument, ask the question ‘so what?!’ Indeed, what are the implications of my research and of the argument I have just presented? Agamben’s messianism at least helps I think to avoid envisaging the current political sovereign system as an unquestionable fact or as an aspect of reality that stands above or outside politics. What is more, the return to Paul by contemporary philosophers in an attempt to re-visualise political possibilities might encourage other scholars to look for sources outside of the established realms of political theory to gain new insights into power and political subjectivity. What is more, it seems to me that it becomes even more interesting to look for the spaces where as defined under sovereign power agency should be absent, but where nonetheless subjects are able to act politically. Not by asking to be considered as a subject of the state, but by acting precisely as the kind of subjectivity that cannot be grasped by the state – such as the group of migrants who asked for a world in which borders bear no significance. Also, Agamben’s messianism might shed new light on questions of humanity. When the right to have rights is no longer linked to the fact that I possess a Dutch passport, there might be other ways in which human rights for example could be depicted. If being human no longer is understood as being considered a subject of the state, what does it mean when illegal immigrants call for a more humane treatment? Indeed, I feel that some of these questions can be looked at from a different angle when approaching them messianically as it were.

However, my analysis of Agamben’s messianism as a solution to sovereign power also raises some questions. Of course, it remains problematic in a sense that the moment of the coming of the Messiah cannot be represented in

chronological time. My analysis remains rather abstract and while it can be applied to certain political acts on behalf of illegal immigrants, the question is whether it could be applied more broadly as a frame of reference to our contemporary political reality. It also in a way seems to remain emancipatory, as the conceptualization of the time that remains rests on an event that will happen in the future. Again, one would run into the problem of formulating this kind of messianism as an historical event. In this sense, any analysis of messianism and the forms of being that it accompanies or even opens up can only ever be worked out on an abstract, philosophical and theological level. When it comes to everyday politics, one could question its very usefulness. As I outlined in the first chapter, if we follow Agamben's theory closely any kind of political subjectivity that would be enacted outside the categories set up by the state would threaten the survival of the sovereign power. Whereas I do think that the relationship between politics and ontology can be reconceptualised with the help of Agamben's Pauline messianism, it seems to go a bit far to assume that sovereign power would be challenged in such a profound way that the state as a political entity would dissolve.

In terms of further research it might be interesting to investigate what the implications of Agamben's messianism are for the possible ways of thinking about the relationship between religion and politics. I hope to have shown in this dissertation that this relationship is anything but straightforward. Whereas I hinted at a possible new relationship between the divine and the profane, it would seem all too hasty to make any bold claims about such a complicated issue at this point. Also the relationship between messianic political acts and acts of citizenship could be looked into further. As acts of sacrifice are no longer necessary, what could be the relation between acts that constitute the messianic remnant and acts of citizenship? Will the concept of citizenship indeed remain relevant when the link between being and politics can be ruptured? Another direction in which it might be interesting to pursue additional research in my opinion is the link between the messianic subject that negates all forms of being and negative theology, as Agamben links both concepts to a double negation of being.⁴⁵⁹ It

⁴⁵⁹ Agamben, G. (1993) *The coming community*. Minneapolis: University of Minnesota Press, 93.

seems to me that it might be interesting to see if he refers to negative theology as a religious concept and again alters its meaning radically, or if there would be a link between the way Agamben conceptualizes messianic political subjectivity and more mainstream accounts of negative theology.

All in all, it seems that Agamben's analysis of sovereign power comes forth out of a collapse of metaphysics and the consequential exclusion of the divine and the human body from the sphere of politically relevant being. A solution to the problem I argued can be found in Agamben's study of the letters of Saint Paul which allows for a return to the metaphysical sphere of the political and opens up the possibilities of being under sovereign power. To quote Colby Dickinson one more time, "there is life beyond the sacred as you have known it yet to be lived in the time that remains."⁴⁶⁰

⁴⁶⁰ Dickinson, C. (2011) *Agamben and theology*. London: T&T Clark International, 175.

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