

## **Agamben's Logic of Exception and Its Apophatic Roots and Offshoots**

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### **Abstract**

My contention is that apophatic or negative theology is a classic tradition of interpretation of what Agamben is (not) talking about but of what is silently manifest in the phenomena he analyzes. Negative theology happens to be lucidly revealing of the logic of exception that the political-juridical history reconstructed by Agamben also reveals. I advocate negative theology as a model for understanding Agamben's logic of exception because it has a certain precedence historically and serves as matrix for later, more secularized forms of thinking. It is itself a decisive first step on the path of secularization. It remains conversant with both theology and its negations—and precisely negation is foundational for so many distinctively modern approaches to reality.

Yet apophatic postures of thinking are most natural to Asian philosophical and religious traditions. Deeply probing apophatic insight has been developed from earliest times in Asian currents of culture such as Taoism, Advaita Vedanta, and Mahayana Buddhism. The not very well acknowledged apophatic thrust of Agamben's thinking is thus one axis aligning it with the Asian traditions that are generally excluded from his otherwise exceptionally wide-ranging interests and allusions. I maintain that exposing apophatic thinking as the underlying (a)logic and driving inspiration of Agamben's thinking shows him to be in unexpected proximity with millennial tendencies of thought running deep in Asian philosophy and culture. Fittingly, the deep and far-reaching significance of Agamben's own work is thereby revealed by what it ostensibly excludes—or at least leaves largely out of account.

### **Keywords**

Apophasis, negative theology, sovereignty, logic of exception, Asia, *homo sacer*

## I. *Homo sacer* or the Apophatic Logic of Sovereignty

The critique of universality, for example, of universal human rights, and even of universality as an epistemological possibility, has been nourished increasingly in recent debate by the reflections of Giorgio Agamben. Among Agamben's own acknowledged predecessors, Walter Benjamin and Michel Foucault figure prominently as thinkers who have fundamentally challenged traditional discourses of universality and ushered in alternatives for conceiving of something else in its place—or perhaps, more accurately, for conceiving of universality otherwise. Together with Alain Badiou and Slavoj Žižek, Agamben occupies a leading position among a new generation of thinkers who have endeavored to radically revise our ways of thinking and of practicing the claim to universality that seems to remain, nevertheless, indispensable to almost any conceivable form of social existence. All these thinkers are concerned with probing viable models of the political suited for understanding and coping with a complex and conflictual universe of different, often disparate societies interacting with one another in today's globalized world. How can there be any form of universality of rights, let alone of outlooks and values, in this complex and often conflictual situation?

Agamben begins his *Homo sacer* with a searching examination of the “logic of sovereignty.”<sup>1</sup> This turns out to be a logic of exception and therewith, at least implicitly, a negative or apophatic logic. A logic of what is neither within nor outside of any order, a logic based on the “state of exception,” is, as revealed by Agamben, constitutive of sovereignty. Agamben follows Carl Schmitt (*Politische Theologie: Vier Kapitel zur Lehre der Souveränität* 1922) in postulating that sovereignty consists in the power of making an exception to the order of law over which it reigns.<sup>2</sup> Only the sovereign is above the law and so has the right to decide upon a state of exception to it—in effect, the option to suspend the law. Precisely this power of making an exception is what makes power sovereign rather than just a subordinate faculty of executing dictates or applying norms within an already given regime of law. The sovereign has the power to decide what may be exempt from the application of the law: that is what makes him “sovereign” in the etymological sense of *supra regnum* (literally “above reign”).

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<sup>1</sup> *Homo sacer: Il potere sovrano e la vita nuda*. Throughout I translate directly from the Italian, and the citations of Agamben, unless otherwise indicated, are from this volume.

<sup>2</sup> Agamben, however, does not follow Schmitt in the latter's conservative conclusions. In *Stato di eccezione*, Agamben develops his analysis to include an extended critique of Schmitt.

Agamben maintains that this state of exception of the sovereign is constitutive of the entire political realm. There is an arena or a realm of power, of ordered rule rather than just lawless force, precisely so far as this sovereign power of exception holds sway. Of course, this order paradoxically is itself based in turn on the arbitrary force exercised by the sovereign (at least potentially) precisely in his holding the power to make an exception. He can suspend the law, placing himself outside and above it, and thus authorize otherwise unlawful force—even murder with impunity. The paradoxes entailed here are poignantly dramatized, for example, by Albert Camus's *Caligula* (1944) in the iconic figure of the youthful Roman Emperor capriciously putting patricians to death with chilling gaiety.

A symmetrical counterpart to the sovereign, the *homo sacer* is the one who lives or dies in a state of exception with respect to every legal jurisdiction by being below rather than above the rule of law. The sovereign ban placed on the *homo sacer* (“accursed man”) exposes him to being killed summarily by anyone. He is beneath every legal status and is *homo sacer* precisely so far as this condition of being without any legal status reaches. He may be killed with impunity, but not in sacrifice, for neither the divine law (as represented by the institution of sacrifice) nor the human law recognizes him or his life as having any determinate status. The awesome power of sovereignty to decide an exception to universal right and law, whether human or divine, is more formidable than the power of priests to sacrifice. Priests must observe the rules of the sacred rite: there is a norm beyond them by which they are bound. Their power is, to this extent, not fully or truly sovereign.

A life given over in sacrifice, moreover, has a determinate significance, even a transcendent significance, as offered to the gods, and so cannot be disposed of arbitrarily by sovereign power. The sacrificial victim, as consecrated and thus as belonging to the gods, is, in a certain sense, inviolable for all mortal beings. In general, human lives protected by laws against homicide have a defined significance and legal standing. They are not just bare life (“*vita nuda*”) without qualification. It is the power to make an exception, to declare and render a life bare life with no further status or significance, which reveals the incomparable privilege that constitutes sovereignty. Sovereignty is the faculty to dispose of life without any constraints and as having no intrinsic inviolability of its own. Sovereignty, to this extent, consists in a power of erasure of all significance and of reduction of a living being to nothing beyond bare life. Sovereign power in this way defies the gods and so becomes itself, in a sense, theological: it claims to be itself the exception even to all supposedly transcendent significance.

Such is the mysterious, awesome potency that Agamben traces from its ancient, immemorial sources to its modern political apotheoses in order to reveal the secret wellsprings and mechanisms of political power in human society. The simple power of deciding an exception to the rule, which violates and in the same act creates the universal, is the most absolute power that humans can wield, and it is this power that Agamben follows from the obscure origins of humanity to its modern manifestations in order to diagnose the threat of catastrophe that hangs over our contemporary world in a permanent state of crisis.

Fascinating in Agamben's analysis is that it reveals even the most crass and crushing forms of power, the brute and brutal force exercised by a tyrannical government or dictator, to be based on nothing positive and present like a solid rock that can grind down enemies or an iron rack used for torturing political prisoners. Power is based rather on something indefinable, on a neither/nor, a betwixt-and-between. The secret seat of political authority is something of this elusive and at least *prima facie* mysterious nature. It remains invisible behind all overt manifestation of force. The power of exception is a negative, a void dwelling in the midst of the immense, impregnable fortress of the state as an apparatus designed usually to impress and often to intimidate by its ostentatious might and menacing presence. Yet it is only as an exception and through the possibility of making an exception that this power exists. Not being anything in and for itself, sovereignty has the power to be what every actual regime of power and effective force is not—and as such it is supreme over all other powers, even those possessing an air of sacredness in the religious sense.

Agamben's analyses suggest ways of thinking the entire positive system of human right and politics as grounded on nothing positive but rather on the negation of positive law and order, precisely on the exception to it. Agamben is developing a logic, the "logic of sovereignty," that is founded on negation, but negation in such a fundamental sense that it is neither metaphysical nor social nor even "human": a negation that cannot be categorized or qualified, perhaps not even, finally, as "negative." Such indefinable, ultimately not even negative negation of every possible definition or determination, positive or negative, is what I call "apophatic." It can be expressed in a variety of rhetorical forms including anacoluthon, ellipsis, litotes, neither-nor constructions, and contradiction. In this regard, it is rather like Maurice Blanchot's "neuter" (*le neutre*). Unlike Blanchot, however, Agamben develops his logical notion neither speculatively nor literarily so much as through minute excavation and dissection of documentary history as sedimented in language.

The exception embodied in the sovereign ban is itself a kind of contradiction that can be detected in the very vocabulary of banishment. A *ban* on something or someone is an *exclusion* making that person or thing unlawful within the jurisdiction of the ban. However, the effect of the ban is ambiguous in that it inadvertently includes what it expressly excludes. It places the excluded under the sanction of death *within* the realm that excludes him—thus applying to him the force of the law. Such a contradiction dwells etymologically in the notion of the ban or expulsion across many linguistic registers and semantic fields. *Bando* in Italian means both banished or excluded and also announced to all, for example, a position open for applications (*bando di concorso*) or a banquet prepared for invited guests (*mensa bandita*). In traditional English, likewise, a wedding *banns* is a public announcement making known to all a couple's intention to marry but at the same time inviting anyone with knowledge that could be considered as barring the legitimacy of the marriage to make a public declaration. The dialectic of inclusion and exclusion works in the various senses of these and other cognate words riddled with contradictions, and its effects can be traced in correspondingly paradoxical and enigmatic aspects of social existence. In these words, something that cannot as such be stated is nevertheless elicited and exposed as holding sovereign sway over people's lives.

Rather than positing something objectively existing as the object of thought, there is at bottom always something that does not objectively appear itself but is nevertheless determining for the sense of everything that does appear—or, in other words, for every object. The notion of bare life, on which the entire project of *homo sacer* pivots, is just such a “phenomenon” that does not as such appear. It is like “pure being,” in the domain of metaphysics, that never appears as pure or unqualified but only in the qualified forms of specific beings. In this respect, Agamben's thinking has some intriguing affinities with that of the contemporary French theological phenomenologists of the invisible in the wake of the so-called “theological turn.”

Following Merleau-Ponty's discovery of the invisible as something non-objectifiable on the horizon of any perceptual field of visibility (*Le visible et l'invisible* 1964), thinkers like Jean-Luc Marion, Michel Henry, and Jean-Louis Chrétien have imparted to phenomenology a “theological turn,” turning it towards the invisible.<sup>3</sup> The negativity of the non-appearing, which is nevertheless the source and foundation of all phenomena, finds an archetype in the notion of God. God can

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<sup>3</sup> For selected translations from these and other relevant authors, see Janicaud, et al., *Phenomenology and the “Theological Turn.”*

be thought of only in terms of some relatively positive attribute and not purely as such, since God cannot be grasped *as* anything, *except* perhaps as being or essence without qualification, which is then not even “essence” or “being” in any specifiable, and certainly not in any “univocal,” sense.<sup>4</sup>

What is so intriguingly apophatic about the notion of bare life (“*la vita nuda*”) is that it posits no content of its own but is defined only by subtraction from what is not it. We should avoid imagining that bare life is anything definite that can serve as a baseline for various forms of life or as their underlying substrate. On the contrary, it can itself be grasped only as their negation. And yet neither is bare life simply excluded from any form of life whatsoever: on the contrary, it is the necessary basis for them all. It is the null cipher that is more fundamental and paradoxically more powerful than any positive determination of life can be. All life and power is based on it in a manner that cannot be grasped except by mythifying it in ways that always need to be demythologized. In this respect, “bare life” operates exactly like “God” in its own spheres of discourse. The difference is that the universality of bare life is limited in its scope to the realm of the living, whereas the realm of God is even more extensive and rich and comprehensive and impossible to delimit.

Inherent in the paradox of the logic of exception is that the exception is not simply absent or missing from the law. It is rather constitutive of it. Sovereign rule is thus suspended from or dependent on precisely what does not come under it. The whole positive system of force and law presupposes something that cannot as such be forced or ruled but can only be excluded—and thereby escapes the rule. The intrinsic contradiction of sovereignty is starkly revealed in this paradox. And yet this manner of being outside the rule is itself a way of being determined by it—even of being fatally condemned by it in the case of the *homo sacer*.

Just as the *homo sacer*, as banned from the civic order, is placed outside of it, and yet this very banning keeps him within this order *as* one who is excluded from it, so, symmetrically, the sovereign is paradoxically within and outside the juridical order, since the sovereign can make the exception that grounds the whole order. This might seem to lend sovereignty itself a “sacred” aura. However, Agamben eschews narrowly religious formulations and insists rather that *Sacer esto* is “the originary political formulation of the imposition of the sovereign bond” (“la formulazione politica originaria dell’imposizione del vincolo sovrano”; 95). This seems to privilege political over religious categories. However, crucial here is

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<sup>4</sup> I treat the classic controversies concerning univocity that devolve from Duns Scotus in *A Philosophy of the Unsayable*, 215.

actually the “double exception”: the sacred is in the “zone of indecision” belonging to neither the human nor the divine. This entails a negation of traditional, positive religious *and* political categories alike. Just such a suspension of all positive categories and attributions (for the sake of liberating the unlimited possibilities and power which they delimit) is also precisely the characteristic defining gesture of the apophatic.

### Negative Theology in Agamben’s *Homo sacer* Project

Apophatic or negative theology (“apophasis” is the Greek word for “negation”) is a classic tradition of interpretation of what Agamben is (not) talking about in his analysis of sovereignty. Negative theology happens to be lucidly revealing of the logic of exception that the political-juridical history reconstructed by Agamben also reveals. Negative theology can serve as a model here partly because historically it served as matrix for virtually all later, more secularized forms of critical thinking, eminently that of philosophy. Negative theology is born of the spirit of critique (even of “unlimited critique”) by exposing the inadequacy of any and every name and description, every pretension of human logos to grasp divinity.<sup>5</sup> It is itself a decisive first step on the path of secularization, exposing a logic of negation behind all positive, mythic formulations of the divine and its putative power. Negative theology remains conversant with both theology and its negation—precisely the negation which is (secretly or imperceptibly) foundational for any possibility of theological discourse and more generally for any distinctively modern approach to reality. It thus retains what it excludes—just like Agamben’s “inclusive exclusion,” which is similarly foundational for any possibility of a non-mystified discourse on power and its political origins.<sup>6</sup>

The “sacredness” of which Agamben writes is beyond the religious—or before it (“*sacer* ci presenta l’enigma di una figura del sacro al di qua o al di là del religioso”; 12). It constitutes rather the “first paradigm of the political space of the West.” Of course, apophatic or negative theology likewise aims at what is beyond or before all figures of the religious and even of the sacred. My thesis is that

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<sup>5</sup> I excavate and reconstruct this tradition historically and theoretically in *On What Cannot Be Said: Apophatic Discourses in Philosophy, Religion, Literature, and the Arts*, Vol. 1: *Classical Formulations*; Vol. 2: *Modern and Contemporary Transformations*.

<sup>6</sup> The later volumes of *Homo sacer*, in particular *Il regno e la gloria* and *Altissima povertà*, have pursued the analysis onto a programmatically theological terrain, thus confirming this intuition which I gathered from the early volumes alone.

Agamben shows us how to read apophatics as revealing the unrevealable secret source of (our) being from a specifically political point of view. In apophatic thinking, it is ultimately mistaken to oppose the theological to the political—or to the immanent or human, for that matter. Precisely this oppositional logic is surpassed by an apophatic logic that can and needs to be expressed, in Agamben's terms, as a logic of exception.

Thinking non-oppositionally is also the “way” of traditional Chinese wisdom and of other kindred Asian traditions, which is one reason why Agamben turns out to be so unexpectedly pertinent in the Asian cultural context, even though he generally ignores Asia in his writings, at least at a thematic level. This issue will be taken up in the conclusion. It should, however, be emphasized that unlike classical Asian wisdom from the Upanishads to Laozi's *Book of Tao (Tao Te Ching)*, the tenor of Agamben's discourse is rather anti-mystical. In any case, it is against all forms of mystification. His thrust is to demystify the myths of political sovereignty and social power so as to strip them down to their basis in bare life.

The “inclusive exclusion” of bare life of the *homo sacer* in the juridical-political realm is the originary foundation of the political order: this order depends on what can be neither in it nor outside it. Agamben does not wish to mystify this unspeakable origin in the terms of any theology or religious anthropology, but to expose it in terms of his analysis of *homo sacer* as a “juridical-political phenomenon” (94). The sacredness of life is precisely the “unsacrificeable killability of the *homo sacer*” (“l'insacrificabile uccidibilità dell'*homo sacer*”; 94). And yet this analysis has the same critical and iconoclastic function as does negative theology. It undercuts every purportedly adequate or definitive conceptualization, while at the same time sanctioning all sorts of poetic imagination in the approach to the divine. What is left after all such rigorous critiques—what bare life is or how it is to be lived—remain infinitely open questions to be explored by the imagination. There is, after all, something of a mystery here: this is the *arcanum imperii* that is expressly recognized by Agamben.

In a sort of addendum at the end of the first section of his “Logic of sovereignty,” Agamben himself draws the parallel to negative or apophatic theology that I am suggesting here. Just as, according to Giambattista Vico's theory of jurisprudence, the exception transcends and suspends positive right (*ius theticum*), so negative or mystical theology—“teologia negativa (o mistica)” —with its “neither . . . nor” negates and suspends all possible attributions to God. However, rather than being simply outside of theology, negative theology rather “functions as the principle that founds the possibility in general of anything such as theology”



(“Essa non è, tuttavia, al di fuori della teologia, ma funziona, a ben guardare, come il principio che fonda la possibilità in generale di qualcosa come una teologia”; 21). Only by being presupposed negatively as what remains outside of every possibility of predication can the “divinity” become the subject of predications. “In an analogous manner, only because the validity of positive right is suspended in the state of exception can it define the normal case as the ambit of its proper validity” (“In modo analogo, solo perché la validità del diritto positivo è sospesa nello stato di eccezione, esso può definire il caso normale come l’ambito della propria validità”; 21). In both cases—theology and law—the exception founds the rule, along with the whole positive, normative system as such.

### **Language and the Apophatic**

The key role of language in Agamben’s thinking is another confirmation of its apophatic basis, since apophasis, too, gives priority to language as the site of negation—even in driving towards a surpassing of language. Apophasis, as unsaying or unsayability at the limits of language, nevertheless requires language and its failures in order to register at all.

Language is, to this extent, paradoxically both within and outside the order that it establishes. The order of language must be the order of things, at least if language is to be true. And yet language must not be just a thing: it is rather an order of meaning in which things take on significance relative to one another. As Agamben, taking cues from Georg Wilhelm Friedrich Hegel, expounds it, this inconsistency inherent in language as belonging and also not belonging to the order of things lies at the mystical roots of literature and law alike. Agamben attributes to Hegel an understanding of language as the permanent exception to the norm that it establishes: language is both within and outside of its own order, the order of things that it establishes.

Agamben writes of a “relation of exception” as that extreme form of relation that includes something uniquely by means of its exclusion (22). The capacity to maintain its relation to an exteriority even constitutes the “vigor of the rule” (22). Just as the law presupposes what is non-legal, namely, violence, so language presupposes what is not-language—an object, or a world to which it can refer (25). Language is like sovereignty itself—in a permanent state of exception—opening the realms to which it refers by its own signifying activity, which is operative between things. The boundary between the two orders, that of language and that of things, is

not finally discernible. This is demonstrated especially well by the performative structure of the oath, as Agamben shows in *Il sacramento del linguaggio*.

It is the nature of language to make things what they are by how it defines them. The outside of language is included within it because what language refers to does not simply remain what it is but is reshaped by how it is taken up into language. Language ordinarily, or at least in principle, functions by effacing itself in the face of what it designates or signifies. However, is there any reality for language to refer to before and without language? If there is, language can approach it best not by what it designates or signifies but rather by what it *is*—by recursively pointing to itself, as in allegory and in other strongly self-referential poetic figures. Highlighting the mediating role of language and of conceptualization in constructing reality in any form whatever in which we apprehend it lies at the heart of the methodological reflections of Agamben, and this, too, draws him near to the iconoclastic type of critique that has been developed by negative theology since its inception as a form of anti-idolatry.

### **Agamben's Methods and Apophatic Theology**

Agamben fashions a language to speak in historical and material terms about an uncategorizable reality that eludes any terms introduced to schematize and control it, including terms such as “matter” and “history.” Considered psychologically, this reality may be something like the Lacanian “real” (“le réel”) beyond the reach of every symbolic order. Agamben pushes such an ungraspable instance into the political arena as preceding the formation of individual subjects, and, moreover, he avoids naming or conceptualizing it. He writes always in concrete, historical terms, and yet negates and voids those terms of significant content by probing and exposing their limits. Definite content is signified necessarily by a binary logic (A or not-A), but Agamben seeks to divulge something that such binaries inevitably conceal. His method is consistently to employ and to work from significant binaries, but to show where they break down and confound what they were supposed to distinguish and separate. Only the negation and dismantling of a positive law, or of significant institutional ordering, can reveal where such structures have really come from and how they are grounded.

The exception is the negation of the rule that alone establishes it in the medium of relations that constitute our reality as human beings. We are constituted and created by such negativity, and it is the purpose of Agamben's methods to recover some sense or implicit grasp of this negative ontology or negative theology

that underlies and undergirds all that we are and experience. The unspecified reality of negative relations, which Agamben deals with and evokes without naming it, is not positively given as such in objective form. It can be elicited only by means of negations. However, it and it alone is all-powerful and has the incontrovertible presence and indestructibility of reality. It is signaled to us by what is lacking in the reality that we experience and know and articulate in our language.

The importance of Agamben's work for apophatic philosophy is that it shows us how to think in terms of negative theology without becoming trapped by the abstraction of Nothing—of the purely and emptily negative. Agamben's analyses begin always from the factuality of positive, significant distinctions, on which culture is based, such as the distinction between the sovereign and the accursed, or between the sacred and the profane. But these putative facts are referred always to something that is not as such factually manifest and indeed cannot be. A good symbol for this predicament is the empty throne that becomes a central theme in *Il regno e la gloria*. This image renders symbolically visible the fact that power is definitively vested not in any identifiable subject but in what is lacking. The valence of such facts needs, then, to be interpreted according to the methods that Agamben outlines in his theoretical discussions signally of paradigms, of the signatures of things, and of philosophical archeology.<sup>7</sup>

The paradigm imposes and generates itself as exemplary in a series that is supposed to exist already independently and not only as a result of the paradigm itself. The logic of the paradigm thus presupposes its own inexistence—even as, in effect, it becomes the generating principle and rule for all the phenomena that are organized with reference to it. Similarly, the signature, without any significant content of its own and therefore not even being a sign, nevertheless refers things to something or someone. Things are marked by a “signature” as beholden to or as indexed to something or someone else in a kind of relationality even before any determinate signification with a definite content can be assigned. Traditionally, this indexing of things was considered to reside in their being created and in their bearing the vestiges of the Creator—yet in some inexplicit way that escapes the semiology of signs. A philosophical archeology, finally, works by projection of an origin that does not exist independently of its own discursive construction: it illuminates how relations to a hypothetical origin are invented. Agamben's philosophical archeology, in this sense, excavates the inexistent or unsignifiable origins of things and of culture as a whole.

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<sup>7</sup> Agamben expounds these methods in *Segnatura rerum: Sul metodo*.

Agamben's thought adheres always to precise, generally textual, facts and phenomena in order to read their limits and inherent negativity as disclosing what they themselves cannot say or manifest as such. By his use of this method, Agamben practices what I call negative theology at the level of analysis of the political and social archives of humanity. Every fact and phenomenon is determined by an exception that does not itself appear as such but remains a virtuality holding sway over every aspect of the significance of our world, both of its contents and of its consciousness.

The titular case of the signature (from *Segnatura rerum*) has historically been a widespread epistemological frame of reference in the West. A "signature" is not a sign but rather a mark that indicates an interpretive ambit, a context or register, in which interpretation of the sign so marked is to take place. "Secularity," for example, is a signature marking certain concepts as to be interpreted in a profane rather than a sacred frame of reference—that is, as *not* having reference to God or providence or other such theological postulates (*Il regno e la gloria* 16). Traditionally, as we noted, signatures were most typically used to displace concepts in the other direction—from the mundane to the religious order. Beyond all their essential properties, things were thought to bear the signature of their origin—the Creator, in a monotheistic, creationist ontology. Such a view was deployed, for example, by Jacob Böhme and was developed by Paracelsus based also on Greek notions of Galen and ultimately on Aristotle's "privations."

This perspective presupposes a general analogical logic that spans the entire Creation. Things, for example, plants like *Lungwort* or *Bloodroot*, were seen as bearing a visible likeness to their essential medicinal, healing properties. The *Mandrake*, too, was read as having a man-like form, with its forked "legs," and as magically inducing sexual desire. Such analogical thinking employs a poetic logic that begins always from an order of things that we can only imagine rather than reasoning simply from the positively given objects themselves. All things are marked in a way that refers them beyond themselves to some other reality which is alluded to and evoked but which cannot be apprehended as such. For Paracelsus, this other reality was none other than the paradisiacal state. Signatures are, in this sense, "transcendental": they refer to a realm that cannot as such be known but that nevertheless operates as a condition of the possibility of knowing.

This kind of hyper-signification can be discerned as a sort of logic of thinking peculiar to the humanities. It is based especially on an age-old theological conviction that we are always thinking about what cannot be defined except negatively. In this sense, the theology in question is a negative theology. Indeed, the

reality in question is inevitably missed by any possible definition of the object. Agamben's thinking is very aware of this. His method is to think from precise facts but to probe what they do not manifest—except negatively. This is the case with the exception, and it is also the nature of the *segnatura* as a reference to a non-present, non-specifiable reality that transcends the order of beings that are positively present within the known frame of nature.

Traditionally, as we have said, the *segnatura* was interpreted as a theological mark. “Theology,” so understood, is not a sign but a “segnatura” operating in the absence of specifiable content as the exigency of infinite significance that no specific signified could fulfill. Discourse, as theological, is marked as belonging to someone Other—and thereby as, for human beings, a gift. As signature, moreover, theology operates in the absence of content and as the exigency of infinite significance to which no finite signified can answer. It is a transcendental, a dimension of all discourse rather than a specific discourse distinct from others. Similarly, God is not really a distinct entity among others: “he” is distinguished only by being *indistinct* from all other beings, as Eckhart and Cusanus taught.<sup>8</sup> Theology bears the consciousness of discourse of itself as the infinite openness of discourse to unlimited relations with all that is. Theology, so conceived, is not *a* (distinct) discourse but rather the opening of all discourse infinitely to its own unlimited possibilities of signifying.

Symmetrically, “secularization” is a signature that marks concepts as exceeding themselves towards what they cannot have conceived: they are beholden to a theological anteriority that they have voided or erased. The self-signifying of the signature does not grasp itself: it is a self-signifying trace in its very self-cancellation. This is the movement that negative theology traces in every attempt to signify God. In reviving such an epistemological model, Agamben positions himself with respect to deconstruction understood as the thought of the signature as pure writing. He annexes the Derridean indefinite deferral of significance (by *différance*), as well as Foucauldian genealogy or archeology, for which there is no pure sign without a signature. Benjamin's version of the philosophy of signatures points it more explicitly back towards its theological matrices in Creationist paradigms, specifically the myth of Creation by the Word. Benjamin also understands language as a magic-mimetic element, and yet the negativity of

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<sup>8</sup> See, for example, Eckhart's Sermons or “Predigten” 7, 42 and 48 in *Die deutschen und lateinischen Werke* and Cusanus's *Dialogue on the Hiddenness of God (Dialogus de Deo abscondito)*.

language remains primary even here: language, as an archive of non-sensible similitudes, also liquidates magic.

The archive of signatures collects together a mass of non-semantic material that forms the condition for every significant discourse. There is no origin to be sought here. Signature and event are reciprocal. For Foucault and Agamben, the only origin is the discursive act itself. Speaking is praxis: it is doing something, and this is where “archeology” comes in as a distinctive method of producing significance specifically by pointing to what does not exist independently of or prior to the signifying act itself. Here, too, a creationist paradigm (*creatio ex nihilo*) is at work, and it operates by negation of what is, so as to open up a space for what is new and other.

## **II. Contemporary Apophatic Applications: From Theology to Politics**

We have seen that Agamben takes up the enigma of the *homo sacer*, starting from the archaic Roman law stipulating that anyone can kill him without committing homicide (“sed qui occidit, parricidi non damnatur”) but also that he cannot be sacrificed (“neque fas est eum immolari,” *Homo Sacer* 79). This is enigmatic because the *homo sacer* appears to be and, at the same time, *not* to be protected by the gods. The traditional interpretations of the *homo sacer* are able to explain, according to Agamben, *either* the license to kill him *or* the interdiction to sacrifice him, but not both. It seems that the *homo sacer* does and does not belong to the gods. Essential for Agamben is that the *homo sacer* is outside human *and* divine law alike: only so can he illuminate the limits and mutual relations of *ius divinum* and *ius humanum*.

For this reason, the condition of being *homo sacer* is often taken to function like a taboo; it is so understood in ethnology. However, Agamben refuses to explain the double exceptionalism of the *homo sacer* in terms of such a purported originary ambiguity of the sacred. Agamben wishes rather to assert an originally *political* structure that precedes the distinction between the sacred and the profane. He thus argues against the widely diffused theory of the intrinsic ambiguity of the sacred and profane, which began in the Victorian Age with Robertson Smith’s theses on the indistinction of what he considered to be two species of taboo. The presumed ambiguity of the taboo or ban as a consecration/condemnation expressing veneration/horror was taken up by a whole series of anthropologists, including Marcel Mauss, Henri Hubert, and Wilhelm Wundt—and thence passed into the

theory of sacred horror articulated in terms of the *numinous* by Rudolf Otto in *Das Heilige* (1917). This, for Agamben, reduces religion to a trivial emotional *frisson*. Such an account he attributes to times in which modern culture has completely lost touch with the word as revealed and as more than just a tool of instrumental reason.

Freud, too, propagated the taboo theory, and he accordingly embraced a theory of the linguistic ambivalence of *sacer* as meaning at once “holy” and “accursed.” But Agamben argues that *sacer* had already, early on, lost the meaning lent it by its original contexts of use, so that it could then be invested with any and even with contradictory senses. The problem with the thesis of the equivocal meaning of *sacer* is that it includes *homo sacer* under a religious norm that absorbs the ambiguity and normalizes it in line with the notion of taboo generally in religions, whereas Agamben sees at play here rather the exception: the *non*-inclusion of the *homo sacer* in *either* the religious *or* the profane order. The secret and inexplicable abides in the *dis*application of all available categories rather than in the application of any given category rendered ambiguous by desemanticization over time.

Not simply semantics, furthermore, but real mechanisms, by which power is effectively exerted, even without transparent understanding on the part of those involved, determine the significances of words as they emerge from historical processes underway within human institutions. But since power derives ultimately always from the power of exception, its springs remain generally invisible, or at least hidden. They cannot be positively stated. The exception, *qua* exception, is a lack that comes to exist only in relation to what it is not. The exception, as a lack, exists only for subjects who will and project what is *not* given as such. Such an inexistent thing is not delimited or localizable, yet it can for that very reason open up a realm without limits in and around what it projects as lacking. This is the nature of the new, apophatic universality that Agamben, together with other thinkers in the postmodern age, is bringing to light. He brings out, by his “archeological” analysis, the unsuspected operation of such a purely negative universality specifically in the archaic origins of political sovereignty in human communities. Agamben’s point is that “not simple, natural life but rather life exposed to death—bare life or sacred life—is the originary political element” (“Non la semplice vita naturale, ma la vita esposta alla morte (la nuda vita o vita sacra) è l’elemento politico originario”; 98). Such life is politically produced, and it conditions all, even natural life as we are able to apprehend it negatively from our own position within society. Such bare life is, in effect, created by the logic of exception that should be understood, I am arguing, as an apophatic logic.

Agamben repeatedly stresses that sovereign power is constituted not by any kind of positive bond or norm but rather by the dissolution (*scioglimento*) of all such positive expressions. He draws here from Badiou's notion in *Être et événement* of "déliaison" or the untying of social bonds as constitutive of the state. All forms creating social cohesion beyond bare life are dissolved as having any intrinsic power that could stand over and against the sovereign, and sovereign power is constituted as power over this latter (bare life) in the zone of indistinction between human and animal life, *bíos* and *zoé*, which turn out to be mutually constitutive by mutual exclusion (101). These mutual exclusions bring out a "between" that binds even in unbinding, and it is here alone that a truly unconditional power emerges. Bare life as such cannot be placed directly under the jurisdiction of any authority without being transformed into something defined and qualified. There is no power over bare life as such. Yet the power of life and death (*vitae necisque potestas*) that a sovereign wields gives power indirectly over what otherwise no human being can command. This is power such as belongs normally only to a Creator.

We have seen that the *vita sacra*, which exposes bare life to death, is not to be simply identified with *zoé* because it is rather the "zone of indistinction" in which political *bíos* and natural *zoé* constitute each other by mutual implication and exclusion ("la vita sacra è la zona di indistinzione in cui, implicandosi ed escludendosi l'un l'altro, essi si costituiscono a vicenda"; 101). As such, bare life or *vita sacra* is, in fact, a perfect figure for the apophatic as the indefinable that is between all positive entities and is indeed their essence or life, but without conceptual limitations. Bare life, as inexpressible and "sacred," is life in the infinite potency of its indifferentiation from every form of life. This is life in its universal communion with—and its undelimited contamination of—everything else, insofar as all else relates to life. Bare life is, in effect, *not not life* because it is itself no specific form of life. Hence, *not* life in any of its stateable forms, it is nevertheless presupposed by every form of life and thus is *not* not present and included in any life whatsoever in any and all of its manifest forms.

### **Modern Incarnations of Biopolitics in Light of the Apophatic Logic of Exception**

A key to understanding the deeper springs of Agamben's thought is thus to see his work as exposing this submerged apophatic logic of double negation that governs human society and culture in its emergence. The emergence of which he writes, however, is not historical or pre-historical any more or less than it is



absolutely contemporary. Society is ever in emergence in our midst, and the logic of exception is at work presently as its invisible structuring principle.

According to Agamben, the supposed exclusion of natural life or *zoé* (as in *zoology*) from the ancient state based rather on *bíos* or personal history (as in *biography*) has yielded in modern “democratic” societies to its generalized inclusion. All life, including the natural bodily life of its citizens, becomes the concern of the state, which, by excluding no level of life from its sphere of influence, includes all in the condition of absolute subjection to sovereign power and in effect turns all life into *vita sacra*. The modern state in this manner makes explicit the archaic “secret bond” (“il vincolo segreto”; 9) between political power and bare life. The “absolute killability” of bare life was the exception in the ancient political order that protects its citizens, but in modern states it becomes the rule: there is no longer any natural difference between *zoé* and *bíos*, and exclusion and inclusion enter into a zone of indifferentiation (12). Modern states live thus in a permanent state of exception.

State discipline and democratic liberation of *zoé* converge in modern democracy, where bare life is supposedly transformed from signifying servitude to a form of liberty and fulfillment. However, despite this emancipatory appearance, in reality bare life is more threatened than ever in today’s decadent democracies (13). This means, for example, that in consumer societies the pleasures and comforts offered to bodies as such are at the same time the means of their domination and subjection to a kind of servitude to the capitalist system. Bare life in the common person’s body seems to be liberated to fulfill itself and its own desires: it is free from all alienating ascetic morality or religious discipline and austerity. But at the same time it is manipulated in every imaginable way so as to serve the purposes of economic exploitation and development. The very difference between granting full liberty to individuals for unbridled hedonistic indulgence of their desires and total subjection of every level of life and desire, leaving no sphere outside the control of political power, becomes unclear and even indiscernible. All pleasure and entertainment, like everything else in this modernized state, is part of the system regulated by advertising images and commercial markets and media spectacles as instruments of the biopolitics of the State.

In modernity, simple life becomes part of the political calculus—part of what generates “biopolitics.” There is no longer anything “sacred” or set apart about life—nor any real difference between living and dead, between organism and machine, no unsurpassable threshold, neither of life nor of the holy. The cyborg could be taken as one symbol of this generalized amalgamation and breaking-down

of difference between the biological and the mechanical. The modern subject has taken control over life itself, including its own, with all the attendant self-destructive powers pertaining thereto. This leads to a totalizing of science with no ethical limits and eventually makes possible the Holocaust.

All clear oppositional distinctions break down vis-à-vis a more fundamental, enigmatic phenomenon of historical humanity that cannot be explained by any merely immanent principles but needs to be teased out by a negative method and so be made to release its secrets. In modern democracies, say, since the French revolution, with its toppling of class hierarchies, bare life is liberated and becomes itself in some sense sovereign. The constitution of the United States of America extends and materializes this liberation: the pursuit of happiness by individuals independently of larger social bodies and purposes is promoted as a value in and for itself. Yet, since bare life itself becomes specifically the object of sovereign power in modern biopolitics, this “liberation” in reality coincides with state control and discipline, which has never before been so pervasive and powerful over everything and everyone without qualification or limits. One consequence is that there is no longer any clear separation between public and private spheres. Through mediatization, the private lives of political figures become fully integral to their public role and service.

More generally, there is no longer any level of merely natural life (*zoé* for Aristotle) at least ambiguously outside the historical-juridical life (*bíos*) and so not expressly subject to state power. Bare life in classical politics was the exception: natural life or death was subjected to political authority only exceptionally in the form of the *homo sacer*, who no longer had any legal status. But in the modern biopolitical state, this exception has become the rule, as bare life in all is the object of a totalizing state apparatus. Liberation and subjection of bare life thus become indistinguishable. The Nazi regime first revealed in its full horror this new configuration of power in our modern world of nation states in crisis. By an inadvertent complicity, modern democracy in its decadence is converging upon the totalitarian states that have generally been supposed to be its worst enemy (13).

On this basis, Agamben proposes an incisive revision of the foundations myths of the modern state. Typically, such myths attempt to justify certain forms of government as natural. Classical rights theories of politics since the seventeenth and eighteenth centuries have been built on a hypothetical state of nature. But the state of nature is in reality apprehended only negatively as a state of exception in which the order of the city and the rule of law are momentarily suspended or hypothetically dissolved. Thus nature is never really apprehended independently of

or prior to the state. Establishing state power is not simply natural but entails a deliberate, artificial foundation and indeed requires continual *refoundation* by sovereign decision. Agamben shows that this decision is taken in relation not to the free will of consenting subjects, as in contract theories of the founding of society, but rather in view of bare life that is neither natural, reproductive life nor biographical, juridically recognized life but rather a sort of life that lies between the two in an in-between of indifferentiation between man and beast.

A most revealing figure for this ambiguous state in the collective unconscious and popular imagination is the werewolf (*wargus*, *lupo mannaro*, *loup garou*, *Homo sacer* 121, sec. 6.3). The werewolf is one who passes secretly between the state of being a peaceful member of the community and being a murderous predator upon it. This figure of popular imagination witnesses to the uncannily frightening power of such in-between states in the collective unconscious. Popular legends and myths like *Zeus linceo* (recorded in Plato's *Republic* 565d-566b) or Marie de France's *Bisclavret* register the closeness and collusion of the werewolf with the sovereign, who is revealed thereby as a vestigial form of the wolf within the city. In Marie de France's *lai*, the werewolf is deprived of the ability to change back into a man because his wife has sent her lover to steal his clothes from their hiding place in the forest, at the spot where he changes back and forth. A year later, when chased down in the hunt by the king and his courtiers, the werewolf shows itself to be tame and civilized by approaching the sovereign in a fawning manner with supplicating bows and gestures. It is adopted into the marveling court and eventually changes back to a man *in the bed of the sovereign*. This obliquely suggests the complicity between sovereign rule and savage, predatory nature that is a secret dwelling at the foundation of the social order and that cannot become fully conscious without undermining the bases of legitimacy of the State.

## **Breakdown of Distinctions and Slide toward Indistinction**

What Gianni Vattimo in his postmodern hermeneutic philosophy hails as “dissolution of objectivities” is signaled by Agamben as a breakdown of constitutive differences. I suspect that any process of reflection carried far enough eventually annuls the very distinctions on which it is based. In and through reflection, all terms of distinction are mediated to the point of becoming virtually identical in the dynamic of mediation itself. Hegel called this the identity of identity and difference. This is what happens concretely in history, too, to oppositional terms in the evolution of society. For example, contemporary capitalist societies are

in many ways divided no longer into qualitatively distinct classes, with different cultures and traditions and goals, but simply into groups quantitatively differentiated by their degree of wealth or penury—rich and poor. Real functional and qualitative distinctions are erased, being absorbed into the all-conquering, indifferent, anonymous power of money.

In the end, what Agamben emphasizes most—the only result he can claim as genuinely new in our own age—is the total break-down of distinctions between the political and the biological, between the realms of right and of life, between the public and the private, between values and facts. And this sort of removal of distinctions as only relative and of no ultimate validity is eminently characteristic of apophasis as well. But apophatic thought, for example, in the tradition stretching from Dionysius the Areopagite to Meister Eckhart and Nicholas Cusanus, tends to place the emphasis on the positive potential that is liberated thereby. Apophatics endeavors to point to the enabling ground beyond all positive, differentiating characterizations and their inevitable exclusions and contradictions. Verbally articulated distinctions are all relativized as mere artifice in the face of the absoluteness of the real and determining grounds that remain unsayable and which are, of course, not even properly “grounds” at all.

A theological or religious view of this predicament would be apt to stress that there are no more distinctions because all explicit distinctions are only humanly instituted and are therefore always discardable. Only what is somehow recognized as transcending human distinctions and as a difference that is not man-made can stand against the universal leveling that Agamben finds to be gaining ground everywhere today. Heidegger sought this point of resistance in terms of the ontological difference between Being (“das Sein”) and beings (“das Seiende”). Radically Orthodox theologians seek it in terms of the “Christian” difference between Creator and creation (Burrell 207–14). But all terms are inadequate, which is what I mean to express by suggesting that the difference in question is unqualifiable or “apophatic.”

In the modern world, all supposedly given or natural distinctions collapse and become mere instituted conventions. Agamben’s paradigm case is the concentration camp and emblematically the figure of the *musulmano* (not Jew, not Western), in whom there is no longer any distinction between fact and right, life and norm, nature and politics (207). The same logic stretches to the other end of the power hierarchy, where the charismatic *Führer* represents the life of the people immediately (206). His sovereignty is not an office but is one with his very physical being. His biological life is as such political, the body of the state. There are no

longer two king's bodies, the one natural (a human corpus) and the other political (the body politic), as in medieval political theology.

Agamben underlines as particularly symptomatic the indifferenciation in which the *production* and the *application* of norms are no longer distinguishable (194-95). The application of the norm *is* its production in the case of the *Führer* in Nazi Germany, but also in the mediatized society of the spectacle, such as we witness it today, in which the real and the virtual blur. The mere fictive image produced, for instance, by a video game, of destructive and violent acts like random, mass shootings, can impose itself, especially on immature imaginations, as a norm and model to be followed and enacted.

In the logic of sovereignty that was fully exposed by the Nazi regime, it is the decision of the sovereign which makes the law. "The sovereign decision from one instance to the next renews the threshold of indifference between external and internal, exclusion and inclusion, *nómos* and *phýsis*, . . . His decision is the positing of undecidability" (33). Very near the beginning of Western tradition, Pindar's fragmentary hymn to the sovereign law, "*Nómos basileús*," underlines the conjunction between violence and right or killing and justice, even to the point of their indistinguishability (36ff). Sovereignty is indeed constituted precisely in a moment of indifference between violence and right (38).

By pointing out this originary indifferenciation, Agamben calls into question all the mythical structures that are built on the purportedly clear separation between evil and good, violence and right. Beyond the articulated discourses separating one antithetical category from another, there is always a common origin in negation or exception that is being forgotten and erased. This is a fundamentally apophatic insight, one which Agamben is striving to recover. He does so in a critical spirit, without claiming it as a positive paradigm that delivers the truth, although he does employ a language of unveiling secrets (*arcana*). He uses his insight into the logic of exclusion, or into the negativity at the origin of every system of right, of every politics and its accompanying discourse, in order to expose ideologies and their contradictions. This procedure is at least compatible with critical Marxism and may even coincide with messianic Marxism, particularly that of Walter Benjamin.

And yet, it is very difficult to make Agamben take sides on any decidable issues of contemporary politics because he is concerned above all to expose the aporiae from which contradictory positions spring. The issues and moral dilemmas for the state originate in its necessarily ambiguous founding in difference and negation as embodied in the state of exception. This is the level at which Agamben's analysis operates, bringing to light the grounds of the aporiae. The

importance and potential of such a negative outlook becomes evident especially in its applications to our enigmatic life in society and the world, where more straightforward explanations in terms of positive power are inevitably distorting, however politically attractive and seductive they may be. More deeply considered, every constituted power and every positive bestowal of “right” is founded on exclusions. This is what such power wishes to occult, and it is the secret that Agamben endeavors to divulge. However, the exclusions are at the same time inclusions. And this is why bare life, as the excluded, in founding the unconditional power of the state becomes also the very object of its totalizing biopolitical management and manipulation.

The goal or final significance of Agamben’s work is not always clear, or at least not unequivocal. It remains open in many directions. The precision of his analyses does not narrowly limit their potential applications and wider implications. However, they are remarkably consistent in finding some negative logic of an absent or, more precisely, banished element as the secret spring of each phenomenon of power that he examines. This is what I mean by “apophatic” (literally “negative”) *al*ogic, and it is crucial to the underlying character and strategy of Agamben’s thinking.

I do not mean to imply that apophatic thought is always or necessarily positive for Agamben or that it is consistently advocated by him. Apophasis can also turn up as complicit in and indeed as radicalizing the “logic of domination” that is typical of the metaphysical tradition. However, Agamben’s notion of “impotentiality” does clearly enshrine the fecundity of the nothing, and this suggests that his critique applies only to certain ways of appropriating the apophatic or of using the Nothing as a ground once again to name and control the field of definable, disposable objects or entities. Impotentiality is a constant concern in the essays gathered under the title *La potenza del pensiero: Saggi e conferenze*. This problematic is worked out most provocatively by Agamben in relation to Melville’s story “Bartleby, the Scrivener.” The reservoir of potentiality in Bartleby’s simple formula, the constant refrain “I would prefer not to,” with its undecidability as to whether he is refusing or is simply unable, is understood to be more than either a state of being (able) or of not being (able): it is the source from which both spring. Only a power capable of potency *and* impotency is supreme potency. Bartleby’s reticence, his not saying, is quintessentially apophatic, and this is the heart of the mystery that implacably attracts Agamben in his most teasing reflections.

## Universality East and West

Agamben's thought on the exception impinges on the status of the universal. Specifically, it brings out the nature of the universal as constructed by negativity. The provocative phrase "The West and the Rest" is a particular example that renders patent how a single Pole (the West) functioning as a norm can organize a discursive space on the basis of what it is not, of what it leaves undefined and indeterminate, namely, "the rest." Such an "apparatus" (in Foucault's sense), spanning numerous different registers, is used to control and manage what can be identified only as an exception to the rule that it defines.

Applied to the geopolitical sphere, Agamben's logic of exception doubles the logic of negation upon itself, so that Asians, in our globalized world, are *not not* Westerners. Asian societies and cultures are so thoroughly invaded by materials and ideas of Western provenance that Asians, even as non-Westerners, are nevertheless formed and configured by the West and in this sense are *not not*-Western. Conversely, considering the West's construction of itself, through the whole history of colonization and postcolonialism, in symbiosis with and in dependence upon and profit from the East, geographical Westerners likewise cannot but be considered as *not not*-Eastern. That is, the Orient enabled the West to become the dominant power on the world scene and is, as such, constitutive (whether consciously so or not) of Westerners' self-understanding of themselves as Western. In this sense, Westerners must recognize themselves as beholden to the East for their identity, so that they are *not not*-Eastern: they are indeed constituted by this relation, even if geographically they belong to an area that is separate and distanced from the East. This is true for all, and it is consciously so for those who recognize this constitutive cultural hybridity and acknowledge it as opening a level of insight beyond the simple platitude of East is East and West is West and never the twain shall meet.

It is crucial to observe in the context of this meditation on Agamben's thought as an outstanding transmission of apophatic logic in the Western tradition that precisely these apophatic postures of thinking are most natural to Asian philosophical and religious traditions. This is exactly the sort of insight that has been developed from earliest times in Asian currents of culture such as Chinese Taoism, Advaita Vedanta, and Mahayana Buddhism. The *Mulamadhyamakakarika* of Nagarjuna (*circa* 150-250), for example, the fundamental text of the Madhyamaka school of Mahayana Buddhism, is a relentless deconstruction of any sort of concept of stable or self-subsistent identity. It works like the logic of exception to dismantle all apparently self-standing essences and to show their dependence on what they nominally exclude. The sources for such reflection are

inexhaustible. They can be found also in classical Chinese wisdom right from the *Book of Changes (I Jing)*: such a logic is modeled in the inclusive exclusiveness of *yin* and *yang*.

The not very well acknowledged apophatic thrust of Agamben's thinking is one axis aligning it with the Asian traditions that are generally excluded from his otherwise remarkably wide-ranging allusions. At one point in his *Homo sacer* series, Agamben explicitly avows that he limits his historical data "essentially to the Greco-Roman arena" ("limitiamo per l'essenziale all'ambito greco-romano"; *Il sacramento del linguaggio* 16). I maintain that exposing apophatic thinking as the underlying *allogic* and the driving inspiration of Agamben's thinking shows him to stand in unexpected proximity to millenary tendencies of thought running deep in Asian philosophy and culture. Fittingly, the deep and far-reaching significance of Agamben's own work is thereby revealed by what it ostensibly excludes—or at least leaves largely out of account.

The apophatic cast and inspiration of Agamben's thought was already patent well before the *Homo sacer* project. It is, in effect, Agamben's starting point in his first major book, *The Man Without Content (L'uomo senza contenuto* 1970), with its focus on what is often mistakenly taken to be theorized by Hegel as the "death of art" but is actually art's indefinite continuation in a self-annulling mode. The apophatic can be clearly described, again, in the "thirty-three short philosophical treatises and eleven dialectical images" of Agamben's *Idea della prosa* (1985). With essays on authors ranging from Damascius, in whom ancient Neoplatonic apophaticism culminates, to Nagarjuna, one of the most subtle and potent expressions of apophatic thinking in Eastern traditions, this collection probes the silence that inheres in the word and traces its becoming visible, particularly in the human face and its beauty. In an inevitably fragmentary manner, Agamben expounds the guiding insights at the foundations—or more exactly in the cracks in the foundations—of the traditions he explores throughout his subsequent *oeuvre*. The wider potential or, we might say, destiny of his *oeuvre* to extend its range eastward to Asia shows through between the fragments at this pre-*Homo sacer* stage in Agamben's thinking.

A contemporary apophatic thinker—again, in my interpretation rather than in his own self-understanding—who could be evoked in order to supplement Agamben's analyses with analyses drawn explicitly from and based on Eastern sources is François Jullien. Jullien's work deserves notice as an important precedent working between Eastern and Western approaches to apophaticism, bringing out some of their uncanny parallels and convergences through working (in strikingly



apophatic manner) from the gaps and intervals (“les écarts”) between them. The universal that is fecund for dialogue between cultures becomes in effect the *common* as opposed to the *uniform* (*De l’universel: De l’uniforme, du commun et du dialogue entre les cultures*).<sup>9</sup> Agamben similarly defines a process of “profanation,” which consists in returning the exception to the common: one discovers common humanity at the bottom of all exceptions and their apparent transcendences. The transcendent, in the end, is simply what all bear in common, although it cannot be individuated and grasped as such.

Jullien’s work, in attempting to mediate between Eastern and Western approaches to apophaticism, comes to insist on this aspect of the common (“le commun”) as a shared fund of understanding (“fonds d’entente”) that lies between various cultures and enables them to interact with each other across the distance of the gap. It is ungraspable and unformulatable in any given culture or language: in other words, it is apophatic. It enables their understanding, even in disagreeing with, one another. In these terms, I submit, Agamben’s questioning of universality cannot be followed out to its furthest consequences *except* in relation to Asia and to the rest of the world that his thought may have seemed to overlook.

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