Colloquium on Violence and Religion, University of Notre Dame
Notre Dame, Indiana, 30 June - 4 July 2010

'The end of representation: The figure of the *homo sacer* in Giorgio Agamben and its affinity with the work of René Girard'

Abstract

Though the work of René Girard has brought a special significance to the study of the interrelations between sacrifice and sacrality in our contemporary world, it has yet to be fully reckoned with the work of Italian theorist Giorgio Agamben and his project on the *Homo Sacer*. For Agamben, the *homo sacer*, as the 'sacred man', is that figure of the ancient Roman world which has the most relevance for understanding our contemporary state of biopolitics. This figure is the opposite image of the sacred-sovereign power which claims political authority and legitimacy precisely through its exclusion of the *homo sacer*, thus constituting the realm of the political as a whole. Agamben's work, for its part, foresees how a re-envisioning of the figure of the *homo sacer* can actually lead to the end of political and cultural representations in general, a sign of the 'coming community' as he terms it. In this sense, his work contains the seeds for portraying the marginalized figures of society as those persons who must *not* become central to communal self-identity, but rather as those who should maintain a privileged position as that figure most capable of ending the violence of political representations as a whole. In this paper, I hope to demonstrate how Agamben's formulations of sacrifice and the *homo sacer* maintain an interesting, and often critical, alignment with Girard's work, yet with an increased focus being placed upon the political implications. It is perhaps also, and here lodging a possible critique of Agamben, to contrast the role of sacrifice in the realm of the political with that of sacrifice in the religious, something which Girard's nuanced stance taken in relation to sacrifice throughout his career might help further elaborate.

[Introductory note: As will be clear from what follows, this paper, which was presented at the COV&R conference at Notre Dame, forms only a portion of the intended research trajectory. Rather than focus on Girard's work to an audience no doubt more familiar with it than with Agamben, I am here turning directly to a portion of Agamben's work, staged here in relation to Benjamin, that has a deep resonance with Girard.]

Mimesis and gesture

In 1933, Walter Benjamin wrote a short unpublished treatise entitled 'On the Mimetic Faculty' in which he spoke of humanity's 'highest capacity' for producing similarity as likewise the basis for producing common understandings.[1] From the play of children to the history of dance, and from magic to our core religious sentiments, Benjamin began to sketch what a cohesive analysis of mimetic behavior might resemble in light of the fact that, as he put it, '[t]here is perhaps not a single one of his higher

---

[1] Walter Benjamin, 'On the Mimetic Faculty', in Michael W. Jennings, Howard Eiland and Gary Smith, eds., *Selected Writings*, vol. 2 (trans. Edmund Jephcott, Cambridge, MA: Harvard University Press, 1996) 720-722.

functions in which his mimetic faculty does not play a decisive role'.[2] By highlighting the singular significance of the mimetic faculty in relation to the 'law of similarity' which has governed over 'both microcosm and macrocosm' for centuries, Benjamin notes how our propensity for recognizing similarities through the use of our mimetic faculty has evolved over the years, indicating in this fashion as well something of its fragility and mutability. By viewing this faculty thus, he is able to discern the heart of human behavior within its mimetic capacity as foundational for all human institutions, a discernment which has unfortunately been lost (or hidden) as time progressed. And so, now, '…the perceptual world of modern man contains only minimal residues of the magical correspondences and analogies that were familiar to ancient peoples'.[3]

Through a reference to astrology, though the whole of ancient (and perhaps modern) religious practice lies within these same roots, Benjamin quickly steers the discussion toward the most recognizable form in which 'nonsensuous similarity' is yet produced today, that of language. Despite references to the rise of language as a form of imitative onomatopoeia, and as the tie that binds what is said to what is meant, the spoken and the written, language largely has not received its due share of attention with regard to its mimetic origins, something which Benjamin here sought to correct. 'From time immemorial, the mimetic faculty has been conceded some influence on language. Yet this was done without foundation—without consideration of a further meaning, still less a history, of the mimetic faculty'.[4] It is just such a foundation, however, which Benjamin here begins to conceive. 'In this way,' we are told, 'language may be seen as the highest level of mimetic behavior and the most complete archive of nonsensuous similarity: a medium into which the earlier powers of mimetic production and comprehension have passed without residue, to the point where they have liquidated those of magic'.[5] The increased precision of language proportionately advanced in relation to a decrease in the realm of magic. A focus, then, is placed upon language such that myth finds itself on the verge of dissolving entirely; such was elsewhere Benjamin's stated project.[6] Such also is what came about through the ancient attempt to 'read what was never written', in the stars or in an animal's entrails, tasks which seemingly morphed into a more normative usage of the mimetic faculty, the rise and establishment of language.

Benjamin's proximity to theories on the origin of language is a heavily traversed terrain, yet one not often linked to these reflections on language's mimetic origins, or the larger cultural implications of

---

[2] Benjamin, 'On the Mimetic Faculty', 720.
[3] Benjamin, 'On the Mimetic Faculty', 721.
[4] Benjamin, 'On the Mimetic Faculty', 721.
[5] Benjamin, 'On the Mimetic Faculty', 722.
[6] Cf. the 'dialectical materialism' he espoused as contrary to myth in his celebrated theses 'On the Concept of History' in Howard Eiland and Michael W. Jennings, eds., *Selected Writings*, vol. 4 (trans. Harry Zohn, Cambridge, MA: Harvard University Press, 2003) 389f.

mimetic desiring. In general, it is more common to focus on his connection between divine language (and its affiliation to the priority of the biblical narrative) and human language as he does in his highly influential essay 'On Language as Such and on the Language of Man'.[7] What is tentatively produced here, however, is a link between mimetic desire, a common understanding, a quest for cultural similarity and the rise of language, a connection united under the quest to read that which has not been written, something which Benjamin emphasized as well in his notes and sketches in his 'Theses on History' at the end of his life.[8] Just as his remarks on divine violence cannot be read apart from his development of a divine language, so too must these albeit too brief comments on mimesis be read in conjunction with his formulations that would seem to point beyond the realm of mimesis altogether, that is, the realm of non-similar gestures.

What is perhaps the most intriguing element of this work on the origins of the mimetic faculty at the base of the connection between language and religion, however, is that this linkage between language and religion will return precisely at the moment when he is given over to considerations of their hollowing out, such as in his essay on the work of Kafka. In this context, the mimetic faculty 'evolves' as it were out of sight entirely, yielding to another realm, one of the alienated, non-similar and thus non-mimetic gesture.[9] This 'de-contextualized experience of the self', then, as Deborah Levitt has called it, becomes a world freed of mimetic desiring, one in which the individual is suspended as it were.[10] Recalling both Benjamin's notion of a divine language and its conjunction with a form of 'divine violence' that he finds analogous to the 'strike', or a suspension of all normal economic relations, we are poised to locate the fundamental realm of gesture as the entrance of a truly new ethical paradigm. It is a paradigm, however, toward which contemporary writers, such as Kafka point, with their alienated protagonists lost in a land without context, bumping into characters devoid of content, pure forms that are encountered more and more in zones without clear definition or boundary, what Paolo Bartoloni refers to as 'interstital spaces'.[11] It is one wherein the de-activation (inoperability) of the law that the messianic act works within history, if Benjamin's theses on history are to be read in conjunction with these remarks,

---

[7] Walter Benjamin, 'On Language as Such and on the Language of Man' in Marcus Bullock and Michael W. Jennings, eds., *Selected Writings*, vol. 1 (trans. Edmund Jephcott, Cambridge, MA: Harvard University Press, 1996) 62-74.

[8] Cf. Benjamin's notes on the 'Theses on History' which also include references to reading things not written. The consideration here then lies between that suggestion and his earlier remarks on mimesis.

[9] Walter Benjamin, 'Franz Kafka: On the Tenth Anniversary of His Death', *Selected Writings*, vol. 2, 794-818.

[10] Deborah Levitt, 'Notes on Media and Biopolitics: 'Notes on Gesture', in Justin Clemens, Nicholas Heron and Alex Murray, eds., *The Work of Giorgio Agamben: Law, Literature, Life* (Edinburgh: Edinburgh University Press, 2008) 205.

[11] Cf. Paolo Bartoloni, *Interstitial Writing: Calvino, Caproni, Sereni and Svevo* (Market Harborough: Troubador, 2003). See also his *On the Cultures of Exile, Translation, and Writing* (West Lafayette, IN: Purdue University Press, 2008).

becomes manifest as intricately intertwined with the hollowing out of traditional forms of language and religion.

If the mimetic faculty was that which produced a realm of social and cultural similarity in unison with the earliest forms of religious aspiration (i.e. magic, astrology, etc), then the motion made toward the realm of gesture would be the signal given by Kafka (among others) toward a plane devoid of this religious content, one not merely secularized as it were, but rather profaned. Though Benjamin does not as such address the nature of mimetic desiring, as I hope to make clear in what follows, it is Giorgio Agamben's picking up of these more or less loose strands in Benjamin's thought that allows him to unite the realm of gesture to the coming political task of profanation, something which he deems as essential to the messianic vocation of humanity and which seemingly moves beyond the realm of the religious (or, the theological).

Giorgio Agamben's turn to the body

In a fragment dating from 1936, a sign that his reflections on the mimetic faculty had not abated some three years after his initial formulations on mimesis, Benjamin further conceived how 'The knowledge that the first material on which the mimetic faculty tested itself was the human body should be used more fruitfully than hitherto to throw light on the primal history of the arts'.[12] In this way, Benjamin seems to be hinting toward the manner in which any foundational approach to the history of mimetic desiring must approach its subject matter: through the bodies which display and perpetuate its significance and force. Undoubtedly aware of this fragment, as well as the implications it contains for re-conceiving the history of humanity (or of humanity's self-constitution), Agamben will enter our horizon precisely at this point where the body subjected to mimetic desiring becomes intertwined with its exposure to another (an *other*), its sheer nudity illuminated nowhere more forcefully than through the figure of the *homo sacer* or the being stripped to the point of exhibiting nothing but its 'bare life'. As Agamben will make clear on more than one occasion, to see things thus is to re-examine the role of sacrality in our world entirely, as well as its interaction with what we have come to regard as the 'human being'.[13]

---

[12] Walter Benjamin, 'The Knowledge That the First Material on Which the Mimetic Faculty Tested Itself', *Selected Works*, vol. 3, 253.

[13] Cf. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford: Stanford University Press, 1998) in juxtaposition with his later work *Profanations* (trans. Jeff Fort, New York: Zone, 2007). On the subject of the human being, see also his work *The Open: Man and Animal* (trans. Kevin Attell, Stanford: Stanford University Press, 2004).

Already in *Language and Death*, written in 1982, that is, thirteen years before he was to engage more fully with the figure of the *homo sacer* (his work bearing that title wasn't published until 1995), Agamben anticipates the fundamental trajectory behind this later line of inquiry which I will here explore before linking it to the realms of mimesis and gesture which are central to this paper's presentation of a way to juxtapose the sacred and the profane.[14]

> However one interprets the sacrificial function, the essential thing is that in every case, the action of the human community is grounded only in another action; or, as etymology shows, that every *facere* is *sacrum facere*. At the center of sacrifice is simply a determinate *action* that, as such, is separated and marked by exclusion; in this way it becomes *sacer* and is invested with a series of prohibitions and ritual prescriptive. Forbidden action, marked by sacredness, is not, however, simply excluded; rather it is now only accessible for certain people and according to determinate rules. In this way, it furnishes society and its ungrounded legislation with the fiction of a beginning: that which is excluded from the community is, in reality, that on which the entire life of the community is founded, and it is assumed by the society as an immemorial, and yet memorable, past. Every beginning is, in truth, an initiation, every *conditum* is an *abs-conditum*. (LD 104-105)

Remarking on the ambiguity and circularity of the concept of the 'sacred', Agamben here defines the rough, initial terrain whereby his later studies on the figure of the *homo sacer* will take root. Essentially, the 'ungroundedness' of the human being, which is likewise the basic platform from which humanity has sought to establish its distinction from its animality (cf. O ?), becomes the source of an exclusive or divisive action intended to ground humanity in its legal forms, and to remain as 'that which, remaining unspeakable (*arreton*) and intransmissible in every action and in all human language, destines man to community and to tradition' (LD 105). It is the 'unwritten' that one attempts to read then, Benjamin's foundation for all mimetic operations.

This 'fiction of a beginning' that is undisclosed on some level ('immemorial') and yet solidified as the foundation of a particular community, is something which society attempts to give to itself, an act which it then masks through the institution of a founding violence, according to Agamben. Explaining the violent nature of communal foundations, as they are often begun with a seminal murder or sacrifice lying at their origins, Agamben discerns in this founding violence the myriad attempts of humanity to posit itself as humanity, an ontological ruse as it were, and something inherently violent as well:

---

[14] Giorgio Agamben, *Language and Death: The Place of Negativity* (trans. Karen E. Pinkus and Michael Hardt, Minneapolis, MN: University of Minnesota Press, 1991).

Violence is not something like an originary biological fact that man is forced to assume and regulate in his own praxis through sacrificial institution; rather it is the very ungoundedness of human action (which the sacrificial mythogeme hopes to cure) that constitutes the violent character (that is *contra naturam*, according to the Latin meaning of the word) of sacrifice. All human action, inasmuch as it is not naturally grounded but must construct its own foundation, is, according to the sacrificial mythogeme, violent. And it is this *sacred* violence that sacrifice presupposes in order to repeat it and regulate it within its own structure. (LD 105-106)

Violence appears in our world as a result of our separation from our animality, and sacrifice results from this primary artificial scission of the human from the animal. Sacrifice is thus precisely that which (falsely) promises to hold our self-definition (as being 'human') together. It would seem then that the mechanisms of this anthropological machinery, as he will elsewhere label it, dictate specific representations of the human being that are caught up entirely within the violent logic of sacrificial rites as ancient as the origins of what we have come to call 'humanity'.[15] They are the foundation for any ontological claims and are given their legitimation through theological assertions. This is, in essence, the origin of any ontotheology. In general, then, Agamben can conclude that there is a certain 'unnaturalness' to human violence, yet it is in another sense viewed as a foundational necessity, the origin of religious desiring (from its magical and astrological phases to its more contemporary religious forms). And therefore, he concludes that '*The foundation of violence is the violence of the foundation*' (LD 106).

In this early effort by Agamben to move away from this logic of sacrificial violence, he isolates philosophy as capable of 'absolving' human beings from their indebtedness to this cyclical logic, a philosophy which, as we will soon see, is defined as a movement into the realm of gestures beyond mimesis. He makes it clear at this point, however, that any attempt to think beyond this logic will most certainly appear as excluded from all of our common (shared, or similar) articulations (cf. LD 106). How we are to express our common humanity beyond the unifying force of sacrifice and the logic of the excluded other (the one sacrificed in order to maintain the foundations of any conceived 'humanity') is a defining political task for the 'coming community' which Agamben clearly situates in relation to the excluded figure of the *homo sacer*. In essence, then, 'We must…ask why Western politics first constitutes itself through an exclusion (which is simultaneously an inclusion) of bare life. What is the

---

[15] This thesis, of course, shares a remarkable similarity with the work of René Girard on the relationship between violence, religion and sacrifice, a similarity which Agamben has not yet taken up directly as such. If Girard's thesis can likewise be read as an attempt to conceive of the Christian message as one ultimately doing away with the 'false sacred' within our world, a sort of 'secularization' thesis as found in the work of Gianni Vattimo, for example, then perhaps Agamben's attempt to 'profane' our world can be understood as a similarly-minded gesture.

relation between politics and life, if life presents itself as what is included by means of an exclusion?' (HS 7).

Agamben is seemingly given over nearly entirely to understanding how the human being in its full bodiliness has been constituted by the 'anthropological machinery' of our world, a machinery which ceaselessly dictates the boundaries of inclusion and exclusion, hence how it sits precariously, undefinably on the borders of the human and the animal as well as the human and the divine. In so many words, this is how one can read his *Homo Sacer* project as well as the accompanying studies on animality conducted in *The Open*. Yet these studies are also nothing if not first philosophy for Agamben, hence caught up in the fundamental transition from potentiality to actuality formulated in Aristotle's work that Agamben reconsiders as the central problematic of all identity construction.[16] The zone of indifference where the anthropological machinery operates is the same zone wherein sovereignty (and its accompanying political power) is constituted, though it is also a space where we need not do so, where we might actually reside within our pure potentiality. Not only are we thus capable of living without a sovereign politics, enslaved to our mimetic heritage; we are, if we were to embrace it, capable of living in a realm of pure gestures.

This same thread of gestures which we find operative in Benjamin's work utilized to contrast with the realm of mimesis is hereby further articulated through Agamben's expansion of it. Gesture is for Agamben, as Deborah Levitt describes it, '…an exhibition, a process of making visible, a revelation device, and what it makes visible is the *medium*, the *milieu* of human beings'.[17] She immediately qualifies this expression of our potential situatedness in the realm of gesture: 'Such a *milieu* refers not only to the medium that human beings are *in*, but equally to the medium that human being *is*'. It is what survives after the constructed image of the 'human being' that the anthropological machinery created has been rendered inoperative. In this manner, then, 'bare life' itself lives on in pure gesture, '…like creatures bathed in the light of the Last Day, surviving the ruin of their formal garment and their conceptual meaning'.[18]

As can be heard echoing throughout this suggestively rich passage, Agamben is referring to a realm of gesture beyond its historical-theological guise, to '...a wholly profane mystery in which human beings, liberating themselves from all sacredness, communicate to each other their lack of secrets as their most proper gesture'.[19] It is then a mark of profanation, an experience 'of mediality as the ethical dimension of human beings'.[20] And this is politics in its purest form, as a 'means without ends' that

---

[16] Cf. the collection of essay devoted almost exclusively to this topic *Potentialities: Collected Essays in Philosophy* (trans. Daniel Heller-Roazen, Stanford: Stanford University Press, 2000).
[17] Levitt, 'Notes on Media', 202.
[18] Giorgio Agamben, 'Kommerell, or On Gesture', *Potentialities*, 80.
[19] Agamben, 'Kommerell', 85.
[20] Levitt, 'Notes on Media', 203. Cf. Giorgio Agamben, *Means without Ends: Notes on Politics* (trans. Vincenzo Binetti and Cesare Casarino, Minneapolis, MN: University of Minnesota Press, 2000) 57.

thereby avoids becoming a mimetically scripted attempt at forming some sort of totalitarian schema whether that be a political or theological configuration of some sovereign form. This is the case because gesture, in Agamben's words, 'breaks with the false alternative between ends and means that paralyzes morality and presents instead means that, *as such*, evade the orbit of mediality without becoming, for this reason, ends'.[21] Politics, in this sense, is capable of becoming a 'sphere of the full, absolute gesturality of human beings', that is, philosophy.[22]

Conclusion

In conclusion, there are two main theses which Agamben seems to be pointing toward: first, that violence arises from our separation from our animality and that any potential form of divinity must accessed through this truth (hence, a sort of pantheism emerges at times in his work); and, second, that we must return to a form of animality (of life itself then) that is expressible only as a realm of pure gestures beyond mimetic behavior. For Agamben, this analysis opens our ethical thinking toward paradigms of thought that move beyond a logic of exclusion, a movement from particularity to particularity that escapes the universal/particular dichotomy. In short, we are presented with 'forms of life' that function through examples and not exclusions, allowing the full range of non-similar gestures to be respected as the absolute singularities that they are, beyond all mimetic desiring. If sacrality has been historically established and justified in its existence as a bid to legitimate sovereign power through the mechanism of sacrifice, then it has been given over to the realm of mimesis as its supreme foundational principle. Agamben's project of moving beyond, because before, language and so before religion, to a realm of pure gesture beyond mimetic articulation, however, thus becomes a task of putting an end to the sacrifical logic at work in our world, hence a task of pure profanation. This is a task, then, of tearing open all veils that conceal an otherwise empty space that once was said to contain the holiest of holies.

---

[21] Agamben, *Means Without Ends*, 57.
[22] Agamben, 'Kommerell', 85.