BIOS | Biopolitics and Philosophy

Roberto ESPOSITO

Translated and with an Introduction by Timothy Campbell

CARY WOLFE, SERIES EDITOR

5 *Dorsality: Thinking Back through Technology and Politics*
David Wills

4 *Bíos: Biopolitics and Philosophy*
Roberto Esposito

3 *When Species Meet*
Donna J. Haraway

2 *The Poetics of DNA*
Judith Roof

1 *The Parasite*
Michel Serres

Bíos

Biopolitics and Philosophy

Roberto Esposito

Translated and with an Introduction by Timothy Campbell

posthumanities 4

University of Minnesota Press
Minneapolis
London

The University of Minnesota Press gratefully acknowledges the assistance provided for the publication of this book by the McKnight Foundation.

Originally published as *Bíos: Biopolitica e filosofia*. Copyright 2004 Giulio Einaudi editore s.p.a., Turin.

Published by the University of Minnesota Press
111 Third Avenue South, Suite 290
Minneapolis, MN 55401-2520
http://www.upress.umn.edu

Library of Congress Cataloging-in-Publication Data

Esposito, Roberto, 1950–
[Bíos. English.]
Bíos : biopolitics and philosophy / Roberto Esposito ; translated and with an introduction by Timothy Campbell.
p. cm. — (Posthumanities series ; v. 4)
Originally published: Bios: Biopolitica e filosofia.
Includes bibliographical references and index.
ISBN-13: 978-0-8166-4989-1 (hc : alk. paper)
ISBN-10: 0-8166-4989-8 (hc : alk. paper)
ISBN-13: 978-0-8166-4990-7 (pb : alk. paper)
ISBN-10: 0-8166-4990-1 (pb : alk. paper)
1. Biopolitics. 2. Political science—Philosophy. I. Title.
JA80.E7713 2008
320.01—dc22 2007045837

Printed in the United States of America on acid-free paper

The University of Minnesota is an equal-opportunity educator and employer.

15 14 13 12 11 10 09 08 10 9 8 7 6 5 4 3 2 1

Contents

Bíos

CHAPTER TWO

The Paradigm of Immunization

Immunity

For my part, I believe I've traced the interpretive key in the paradigm of "immunization" that seems to have eluded Foucault. How and in what sense can immunization fill that semantic void, that interval of meaning which remains open in Foucault's text between the constitutive poles of the concept of biopolitics, namely, biology and politics? Let's begin by observing that the category of "immunity," even in its current meaning, is inscribed precisely in their intersection, that is, on the tangential line that links the sphere of life with that of law. Where the term "immunity" for the biomedical sphere refers to a condition of natural or induced refractoriness on the part of a living organism when faced with a given disease, immunity in political-juridical language alludes to a temporary or definitive exemption on the part of subject with regard to concrete obligations or responsibilities that under normal circumstances would bind one to others. At this point, however, we still remain only at the outermost side of the question: many political terms of biological derivation (or at least of assonance) such as those of "body," "nation," and "constitution" come to mind. Yet in the notion of immunization something more determines its specificity when compared with the Foucauldian notion of biopolitics. It concerns the intrinsic character that forces together the two elements that compose biopolitics. Rather than being superimposed or juxtaposed in an external form that subjects one to the domination of the other, in the immunitary paradigm, *bíos* and *nomos*, life and politics, emerge as the two constituent elements of a single, indivisible whole that assumes meaning from their interrelation.

Not simply the relation that joins life to power, immunity is the power to preserve life. Contrary to what is presupposed in the concept of biopolitics—understood as the result of an encounter that arises at a certain moment between the two components—in this perspective no power exists external to life, just as life is never given outside of relations of power. From this angle, politics is nothing other than the possibility or the instrument for keeping life alive *[in vita la vita]*.

Yet the category of immunization enables us to take another step forward (or, perhaps better, laterally) to the bifurcation that runs between the two principal declinations of the biopolitical paradigm: one affirmative and productive and the other negative and lethal. We have seen how the two terms tend to be constituted in an alternating and reciprocal form that doesn't take into account points of contact. Thus, either power negates life or enhances its development; or violates life and excludes it or protects and reproduces it; objectivizes life or subjectifies it—without any terms that might mediate between them. Now the hermeneutic advantage of the immunitary model lies precisely in the circumstance that these two modalities, these two effects of sense—positive and negative, preservative and destructive—finally find an internal articulation, a semantic juncture that organizes them into a causal relation (albeit of a negative kind). This means that the negation doesn't take the form of the violent subordination that power imposes on life from the outside, but rather is the intrinsically antinomic mode by which life preserves itself through power. From this perspective, we can say that immunization is a negative [form] of the protection of life. It saves, insures, and preserves the organism, either individual or collective, to which it pertains, but it does not do so directly, immediately, or frontally; on the contrary, it subjects the organism to a condition that simultaneously negates or reduces its power to expand. Just as in the medical practice of vaccinating the individual body, so the immunization of the political body functions similarly, introducing within it a fragment of the same pathogen from which it wants to protect itself, by blocking and contradicting natural development. In this sense we can certainly trace back a prototype to Hobbesian political philosophy: when Hobbes not only places the problem of the *conservatio vitae* at the center of his own thought, but conditions it to the subordination of a constitutive power that is external to it, namely, to sovereign power, the immunitary principle has virutally already been founded.

Naturally, we must not confound the objective genesis of a theory with that of its self-interpretation, which obviously occurs later. Hobbes, and with him a large part of modern political philosophy, is not fully cognizant of the specificity (and therefore also of the contrafactual consequences) of the conceptual paradigm that he in point of fact also inaugurates. In order for the power of the contradiction that is implicit in an immunitary logic to come to light, we need to turn away from the level of irreflexive elaboration to that of conscious reflection. In other words, we need to introduce Hegel into the discussion. It has been noted that Hegel was the first to assume the negative not just as the price—an unwanted residue, a necessary penalty—paid for the positive to be realized, but rather as the motor of the positive, the fuel that allows it to function. Of course, Hegel doesn't adopt the term or the concept of immunization as such. The life to which the Hegelian dialectic refers concerns that of reality and of thought in their constitutive indistinctness, rather than that of animal-man assumed as individual and as species (even if the constitution of subjectivity in some of his fundamental texts occurs thanks to a challenge with a death that is also biological).[1] The first knowingly to use such a transition is Nietzsche. When Nietzsche transfers the center of the analysis from the soul to the body—or better, when he assumes the soul as the immunitary form that protects and imprisons the body at the same time—the paradigm acquires its specific critical weight. Here we are dealing not only with the metaphor of a virulent vaccination that Nietzsche imparts to the common man, contaminating him with man's own madness, but also with the interpretation of an entire civilization in terms of self-protection and immunity. All of knowledge and power's *dispositifs* play the role of protective containment in the face of a vital power *[potenza]* that is led to expand without limits. What Nietzsche's judgment might be about such an epochal occurrence—double, ambivalent—we will see shortly. The fact remains, however, that with Nietzsche, the category of immunization has already been completely elaborated.

From that moment on, the most innovative part of twentieth-century culture begins to make implicit use of the paradigm. The negative—that which contradicts order, norms, values—is taken on not only as an indispensable element of human history in all its singular or social configurations that it assumes periodically, but indeed as history's productive impulse. Without that obstacle or lack represented by the negative, the life of the individual and of the species would never find enough energy to develop

on its own. Instead it would remain dominated by the jumble of natural impulses from which it needs to free itself in order to be able to open itself to the sphere of greater performance *[prestazioni]*. Thus Émile Durkheim refers precisely to immunology when considering an ineliminable and functional polarity of human behavior that appeared as pathological in a social environment:

> Smallpox, a vaccine of which we use to inoculate ourselves, is a true disease that we give ourselves voluntarily, yet it increases our chance of survival. There may be many other cases where the damage caused by the sickness is insignificant compared with the immunities that it confers upon us.[2]

But it is perhaps with the philosophical anthropology developed in Germany in the middle of the last century that the lexical horizon in which the dialectical notion of *compensatio* acquires its most explicit immunitarian valence. From Max Scheler to Helmuth Plessner, ending with Arnold Gehlen, the *conditio humana* is literally constituted by the negativity that separates it from itself.[3] It is precisely for this reason that the human is placed above other species that surpass the human on the level of those natural elements required to live. In ways different from Marx, not only can the alienation of man not be reintegrated, but indeed it represents the indispensable condition of our own identity. And so the man whom Herder had already defined as an "invalid of his superior forces" can be transformed into the "armed combatant of his inferior forces," into a "Proteus of surrogates" who is able to turn his own initial lack into a gain.[4] It is precisely these "transcendences in the here and now"—what Gehlen defines as institutions—that are destined to immunize us from the excess of subjectivity through an objective mechanism that simultaneously liberates and deprives *[destituisce]* us.[5]

Yet if we are to recognize the immunitary semantics at the center of modern self-representation, we need to move to the point of intersection between two rather different (albeit converging) hermeneutic lines. The first is that which extends from Freud to Norbert Elias along a theoretical line marked by the knowledge of civilization's necessarily inhibiting character. When Elias speaks of the transformation of hetero-constrictions into self-constrictions that characterize the move from the late-classical period to the modern one, he doesn't simply allude to a progressive marginalization of violence, but rather to its enclosure within the confines of the individual psyche. Thus, while physical conflict is subjected to a social regulation

that becomes always more severe, "at the same time the battlefield, is, in a sense, moved within. Part of the tensions and passions that were earlier directly released in the struggle of man and man, must now be worked out within the human being."[6] This means that on one side the negative, in this case conflict, is neutralized with respect to its most disruptive effects; on the other that the equilibrium arrived at in such a way is for its part marked by a negative that undermines it from within. The life of the ego, divided between the driving power of the unconscious and the inhibiting one of the superego, is the site in which such an immunitary dialectic is expressed in its most concentrated form.

The scene doesn't change if we shift our attention to the outside. As was already noted, this is what results when other lines intersect with the first (albeit less critically). I am referring to the critical route that leads us to Parson's functionalism and Luhmann's systems theory. That Parsons himself linked his own research to the "Hobbesian problem of order" is in this sense doubly indicative of its immunitary declension: first because it directly joins up with the philosopher with whom our genealogy began, namely, Hobbes; and second for the semantic and conceptual slippage that occurs vis-à-vis Hobbes, relative to the overcoming of the acute alternative between order and conflict and the regulated assumption of conflict within order. Just as society needs to integrate into itself that individual who negates its essence, so too is order the result of a conflict that is both preserved and dominated.[7]

Niklas Luhmann is the one who has derived the most radical consequences from immunization, particularly regarding terminology. To affirm, precisely as he does, that "the system does not immunize itself against the no but with the help of the no" or, "to put this in terms of an older distinction, it protects through negation against annihilation," means getting right to the heart of the question, leaving aside the apologetic or at least the neutral connotations with which the author frames it.[8] His thesis that systems function not by rejecting conflicts and contradictions, but by producing them as necessary antigens for reactivating their own antibodies, places the entire Luhmannian discourse within the semantic orbit of immunity.[9] Not only does Luhmann affirm that a series of historical tendencies point to a growing concern to realize a social immunology from the onset of modernity, particularly from the eighteenth century onwards, but he pinpoints "society's specific immunitary system" in the legal system.[10] When the internal development of a true immunological science—beginning at

least with the work of Burnet—doesn't just offer an analogical border to this complex of argumentations but something more, then the immunitary paradigm comes to constitute the neuralgic epicenter between intellectual experiences and traditions of thinking that are rather different.[11] While cognitive scientists such as Dan Sperber theorize that cultural dynamics can be treated as biological phenomena and therefore become subject to the same epidemiological laws that regulate living organisms, Donna Haraway, in critical dialogue with Foucault, comes to argue that "the immune system is a plan for meaningful action to construct and maintain the boundaries for what may count as self and other in the dialectics of Western biopolitics."[12] Similarly, whereas Odo Marquard interprets the aestheticization of postmodern reality as a form of preventive anesthetization, incipient globalization furnishes another area of research, or rather the definitive background to our paradigm.[13] Just as communicative hypertrophy caused by telematics is the reverse sign of a generalized immunization, so too the calls for immunized identities of small states are nothing but the counter-effect or the crisis of an allergic rejection to global contamination.[14]

The new element that I have proposed in this debate concerns what appears to me to be the first systematic elaboration of the immunitary paradigm held on one side by the contrastive symmetry with the concept of community—itself reread in the light of its original meaning—and on the other by its specifically modern characterization.[15] The two questions quickly show themselves to be intertwined. Tracing it back to its etymological roots, *immunitas* is revealed as the negative or lacking *[privativa]* form of *communitas.* If *communitas* is that relation, which in binding its members to an obligation of reciprocal donation, jeopardizes individual identity, *immunitas* is the condition of dispensation from such an obligation and therefore the defense against the expropriating features of *communitas. Dispensatio* is precisely that which relieves the *pensum* of a weighty obligation, just as it frees the exemption *[l'esonero]* of that onus, which from its origin is traceable to the semantics of a reciprocal *munus.*[16] Now the point of impact becomes clear between this etymological and theoretical vector and the historical or more properly genealogical one. One can say that generally *immunitas,* to the degree it protects the one who bears it from risky contact with those who lack it, restores its own borders that were jeopardized by the common. But if immunization implies a substitution or an opposition of private or individualistic models with a form of communi-

tary organization—whatever meaning we may wish to attribute to such an expression—the structural connection with the processes of modernization is clear.

Of course, by instituting a structural connection between modernity and immunization, I do not intend to argue that modernity might be interpretable only through an immunitary paradigm, nor that it is reducible only to the modern. In other words, I do not deny the heuristic productivity of more consolidated exegetical models of use such as "rationalization" (Weber), "secularization" (Löwith), or "legitimation" (Blumenberg). But it seems to me that all three can gain from a contamination with an explicative category, which is at the same time more complex and more profound, one that constitutes its underlying premise. This surplus of sense with respect to the above-mentioned models is attributable to two distinct and linked elements. The first has to do with the fact that while the modern epoch's self-interpretive constructions—the question of technology *[tecnica]* in the first case, that of the sacred in the second, and that of myth in the third—originate in a circumscribed thematic center, or rather are situated on a unique sliding axis, the immunization paradigm instead refers us to a semantic horizon that itself contains plural meanings—for instance, precisely that of *munus.* Investing a series of lexical areas of different provenance and destination, the *dispositif* of its neutralization will prove to be furnished by equal internal articulations, as is testified even today by the polyvalences that the term of immunity still maintains.

But this horizontal richness doesn't exhaust the hermeneutic potential of the category. It also needs to be investigated—and this is the second element noted above—by looking at the particular relation that the category, immunity, maintains with its antonym, community. We have already seen how the most incisive meaning of *immunitas* is inscribed in the reverse logic of *communitas:* immune is the "nonbeing" or the "not-having" anything in common. Yet it is precisely such a negative implication with its contrary that indicates that the concept of immunization presupposes that which it also negates. Not only does it appear to be derived logically, but it also appears to be internally inhabited by its opposite. Certainly, one can always observe that the paradigms of disillusion, secularization, and legitimation—to remain with those cited above—presupposed in a certain way their own alterity: illusion, the divine, and transcendence, respectively. But they also assume precisely that which at various times is consumed, which

then lessens or at least changes into something different. For its part, the negative of *immunitas* (which is another way of saying *communitas*) doesn't only disappear from its area of relevance, but constitutes simultaneously its object and motor. What is immunized, in brief, is the same community in a form that both preserves and negates it, or better, preserves it through the negation of its original horizon of sense. From this point of view, one might say that more than the defensive apparatus superimposed on the community, immunization is its internal mechanism *[ingranaggio]:* the fold that in some way separates community from itself, sheltering it from an unbearable excess. The differential margin that prevents the community from coinciding with itself takes on the deep semantic intensity of its own concept. To survive, the community, every community, is forced to introject the negative modality of its opposite, even if the opposite remains precisely a lacking and contrastive mode of being of the community itself.[17]

But the structural connection between modernity and immunization allows us to take another step forward with reference to the "time" of biopolitics. I noted earlier how Foucault himself oscillates between two possible periodizations (and therefore interpretations) of the paradigm that he himself introduced.[18] If biopolitics is born with the end of sovereignty—supposing that it has really come to an end—this means that the history of biopolitics is largely modern and in a certain sense postmodern. If instead, as Foucault suggests on other occasions, biopolitics accompanies the sovereign regime, constituting a particular articulation or a specific tonality, then its genesis is more ancient, one that ultimately coincides with that of politics itself, which has always in one way or another been devoted to life. With regard to the second case, the question is, why did Foucault open up a new site of reflection? The semantics of immunity can provide us with an answer to this question to the degree in which immunity inserts biopolitics into a historically determined grid. Making use of the immunitary paradigm, one would then have to speak about biopolitics beginning with the ancient world. When does power penetrate most deeply into biological life if not in the long phase in which the bodies of slaves were fully available to the uncontrolled domination of their masters, and when prisoners of war could be legitimately run through with a victor's sword? And how can the power of life and death exercised by the Roman paterfamilias with respect to his own children be understood if not biopolitically?[19] What distinguishes the Egyptian agrarian politics or the politics of hygiene and

health of Rome from protective procedures and the development of life set in motion by modern biopower? The only plausible response would, it seems to me, have to refer to the intrinsic immunitarian connotations of the latter, which were absent in the ancient world.

If one moves from the historical to the conceptual level, the difference appears even more evident. Consider the greatest philosopher of antiquity, Plato. In perhaps no one more than Plato can we identify a movement of thought that would seem to be oriented toward biopolitics. Not only does he take eugenic practices that Sparta adopted with respect to frail babies, and more generally with regard to those not seen as suitable for public life, as normal, indeed even as expedient, but—and this is what matters more—he enlarges the scope of political authority to include the reproductive process as well, going so far as to recommend that methods of breeding for dogs and other domestic animals be applied to the reproduction of offspring *(paidopoiia* or *teknopoiia)* of citizens or at least to the guardians *[guardiani]:*

> It follows from our conclusions so far that sex should preferably take place between men and women who are outstandingly good, and should occur as little as possible between men and women of a vastly inferior stamp. It also follows that the offspring of the first group shouldn't [reproduce]. This is how to maximize the potential of our flock. And the fact that all this is happening should be concealed from everyone except the rulers themselves, if the herd of guardians is to be as free as possible from conflict.[20]

Some have noted that passages of this sort—anything but rare if not always so explicit—may well have contributed to a biopolitical reading that Nazi propaganda took to an extreme.[21] Without wanting to introduce the rantings of Bannes or Gabler regarding the parallels between Plato and Hitler, it's enough merely to refer to the success of Hans F. K. Günther's *Platon als Hüter des Lebens* in order to identify the interesting outcome of a hermeneutical line that also includes authors such as Windelband.[22] When Günther interprets the Platonic *ekloge* in terms of *Auslese* or *Zucht* (from *züchten*), that is, as "selection," one cannot really speak of an out-and-out betrayal of the text, but rather of a kind of forcing in a biological sense that Plato himself in some way authorizes, or at a minimum allows (at least in *The Republic,* in *Politics,* and in *Laws,* unlike in the more avowedly dualistic dialogues). Undoubtedly, even if Plato doesn't directly state what happens to "defective" babies with an explicit reference to infanticide or to their

abandonment, nevertheless, when seen in the context of his discourses, one can clearly infer Plato's disinterest toward them; the same holds true for the incurably ill, to whom it's not worthwhile devoting useless and expensive care.[23] Even if Aristotle tends to moderate the deeply eugenic and thanatopolitical sense of these texts, it remains the case that Plato revealed himself as sensitive to the demand for keeping pure the *genos* of the guardians and more generally of the governors of the polis according to rigid Spartan customs handed down by Critias and Senophone.[24]

Should we conclude from Plato's proximity to a biopolitical semantics that one can trace a Greek genesis for biopolitics? I would be careful in responding affirmatively, and not only because the Platonic "selection" does not have a specific ethnoracial inflection, nor more precisely a social one, but instead an aristocratic and aptitudinal one. Moreover, instead of moving in an immunitary direction, one that is oriented to the preservation of the individual, Plato's discourse is clearly directed to a communitarian sense, extended namely to the good of the *koinon*. It is this collective, public, communal, indeed immunitary demand that keeps Plato and the entire premodern culture more generally external to a completely biopolitical horizon. In his important studies on ancient medicine, Mario Vegetti has shown how Plato harshly criticizes the dietetics of Herodicus and Dione, precisely for this lacking, individualistic, and therefore necessarily impolitical tendency.[25] Contrary to the modern biocratic dream of medicalizing politics, Plato stops short of politicizing medicine.

Naturally, having said this, it's not my intention to argue that no one before modernity ever posed a question of immunity. On a typological level, the demand for self-preservation, strictly speaking, is far more ancient and long-lasting than the modern epoch. Indeed, one could plausibly claim that it is coextensive with the entire history of civilization from the moment that it constitutes the ultimate precondition, or better, the first condition, in the sense that no society can exist without a defensive apparatus, as primitive as it is, that is capable of protecting itself. What changes, however, is the moment one becomes aware of the question, and therefore of the kind of responses generated. That politics has always in some way been preoccupied with defending life doesn't detract from the fact that beginning from a certain moment that coincides exactly with the origins of modernity, such a self-defensive requirement was identified not only and simply as a given, but as both a problem and a strategic option. By this it is understood that all civilizations past and present faced (and in some way

solved) the needs of their own immunization, but that it is only in the modern ones that immunization constitutes its most intimate essence. One might come to affirm that it wasn't modernity that raised the question of the self-preservation of life, but that self-preservation is itself raised in modernity's own being *[essere]*, which is to say it invents modernity as a historical and categorical apparatus able to cope with it. What we understand by modernity therefore in its complexity and its innermost being can be understood as that metalanguage that for a number of centuries has given expression to a request that originates in life's recesses through the elaboration of a series of narrations capable of responding to life in ways that become more effective and more sophisticated over time. This occurred when natural defenses were diminished; when defenses that had up to a certain point constituted the symbolic, protective shell of human experience were lessened, none more important than the transcendental order that was linked to the theological matrix. It is the tear that suddenly opens in the middle of the last millennium in that earlier immunitarian wrapping that determines the need for a different defensive apparatus of the artificial sort that can protect a world that is constitutively exposed to risk. Peter Sloterdijk sees the double and contradictory propensity of modern man originating here: on the one side, protected from an exteriority without ready-made shelter, on the other, precisely because of this, forced to make up for such a lack with the elaboration of new and ever stronger "immunitary baldachins," when faced with a life not only already exposed *[denudata]* but completely delivered over to itself.[26]

If that is true, then the most important political categories of modernity are not be interpreted in their absoluteness, that is, for what they declare themselves to be, and not exclusively on the basis of their historical configuration, but rather as the linguistic and institutional forms adopted by the immunitary logic in order to safeguard life from the risks that derive from its own collective configuration and conflagration. That such a logic expresses itself through historical-conceptual figures shows that the modern implication between politics and life is direct but not immediate. In order to be actualized effectively, life requires a series of mediations constituted precisely by these categories. So that life can be preserved and also develop, therefore, it needs to be ordered by artificial procedures that are capable of saving it from natural risks. Here passes the double line that distinguishes modern politics; on one side, from that which precedes it, and, on the other, from the condition that follows it. With regard to the first, modern

politics already had a clear biopolitical tendency, in the precise sense that it is emphasized, beginning with the problem of *conservatio vitae*. Yet differently with respect to what will happen in a phase that we will call for now second modernity, the relationship between politics and life circulates through the problem of order and through historical-conceptual categories—sovereignty, property, liberty, power—in which it is innervated. It is this presupposition of order with respect to living subjectivity from which it objectively is generated that determines the aporetic structure of modern political philosophy; indeed, the fact that its response to the question of self-preservation from which it is born emerges not only as deviated but, as we will see soon enough, as also self-contradictory, is the consequence or the expression of a dialectic that is already in itself antinomic, as is the immunitary dialectic. If modern political philosophy is given the task of protecting life, which is always determined negatively, then the political categories organized to express it will end up rebounding against their own proper meanings, twisting against themselves. And that notwithstanding their specific contents: the pretense of responding to an immediacy—the question of *conservatio vitae*—is contradictory to the mediations, which are precisely the concepts of sovereignty, property, and liberty. That all of them at a certain point in their historical-semantic parabola are reduced to the security of the subject who appears to be the owner or beneficiary, is not to be understood either as a contingent derivation or as a destiny fixed beforehand, but rather as the consequence of the modality of immunity through which the Modern thinks the figure of the subject.[27] Heidegger more than anyone else understood the essence of the problem. To declare that modernity is the epoch of representation, that is, of the *subjectum* that positions itself as an *ens in se substantialiter completum* vis-à-vis its own object, entails bringing it back philosophically to the horizon of immunity:

> Representation is now, in keeping with the new freedom, a going forth—from out of itself—into the sphere, first to be made secure, of what is made secure . . . The *subjectum,* the fundamental certainty, is the being-represented-together-with—made secure at any time—of representing man together with the entity represented, whether something human or non-human, i.e. together with the objective.[28]

Yet to link the modern subject to such a horizon of immunitary guarantees also means recognizing the aporia in which the same experience remains captured: that of looking to shelter life in the same powers *[potenze]* that interdict its development.

Sovereignty

The conception of sovereignty constitutes the most acute expression of such a power. In relation to the analysis initiated by Foucault, sovereignty is understood not as a necessary compensatory ideology vis-à-vis the intrusiveness of control *dispositifs* nor as a phantasmal replica of the ancient power of death to the new biopolitical regime, but as the first and most influential that the biopolitical regime assumes. That accounts for its long persistence in a European juridical-political lexicon: sovereignty isn't before or after biopolitics, but cuts across the entire horizon, furnishing the most powerful response to the modern problem of the self-preservation of life. The importance of Hobbes's philosophy, even before his disruptive categorical innovations, resides in the absolute distinctness by which this transition is felt. Unlike the Greek conception—which generally thinks politics in the paradigmatic distinction with the biological dimension—in Hobbes not only does the question of *conservatio vitae* reenter fully in the political sphere, but it comes to constitute by far its most prevalent dimension. In order to qualify as such, to deploy in its forms, life must above all be maintained as such, be protected as such, and be protected from the dissipation that threatens it. Both the definition of natural right, that is, what man can do, and that of natural law, that is, what man must do, account for this original necessity:

> The Right of Nature, which Writers commonly call Jus Naturale, is the Liberty each man hath, to use his own power, as he will himselfe, for the preservation of his own Nature; that is to say, of his own Life; and consequently, of doing any thing, which in his own Judgement, and Reason, hee shall conceive to the aptest means thereunto.[29]

As for natural law, it is "a Precept, or generall Rule, found out by Reason, by which a man is forbidden to do that, which is destructive of his life, or taketh way the means of preserving the same, and to omit, that, by which he thinketh it may be best preserved.[30]

Already the setting up of the argumentation situates it in a clearly biopolitical frame. It's not by chance that the man to whom Hobbes turns his attention is one characterized essentially by the body, by its needs, by its impulses, and by its drives. And when one even adds the adjective "political," this doesn't qualitatively modify the subject to which it refers. With respect to the classic Aristotelian division, the body, considered politically, remains closer to the regions of *zōē* than to that of *bíos;* or better, it is situated

precisely at the point in which such a distinction fades and loses meaning. What is at stake, or, more precisely, what is in constant danger of extinction, is life understood in its materiality, in its immediate physical intensity. It is for this reason that reason and law converge on the same point defined by the pressing demands of preserving life. But what sets in motion the argumentative Hobbesian machine is the circumstance that neither one nor the other is able by itself to achieve such an objective without a more complex apparatus in condition to guarantee it. The initial attempt at self-preservation *(conatus sese praeservandi)* is indeed destined to fail given the combined effects of the other natural impulses that accompany and precisely contradict the first, namely, the inexhaustible and acquisitive desire for everything, which condemns men to generalized conflict. Although it tends to self-perpetuation, the fact is that life isn't capable of doing so autonomously. On the contrary, it is subjected to a strong counterfactual movement such that the more life pushes in the direction of self-preservation, the more defensive and offensive means are mobilized to this end, given the fundamental equality among men, all of whom are capable of killing each other and thus, for the same reason, all capable of being killed:

> And therefore, as long as this naturall Right of every man to every thing endureth, there can be no security to any man, (how strong or wise soever he be), of living out the time, which Nature ordinarily alloweth men to live.[31]

It is here that the immunitary mechanism begins to operate. If life is abandoned to its internal powers, to its natural dynamics, human life is destined to self-destruct because it carries within itself something that ineluctably places it in contradiction with itself. Accordingly, in order to save itself, life needs to step out from itself and constitute a transcendental point from which it receives orders and shelter. It is in this interval or doubling of life with respect to itself that the move from nature to artifice is to be positioned. It has the same end of self-preservation as nature, but in order to actualize it, it needs to tear itself from nature, by following a strategy that is opposed to it. Only by negating itself can nature assert its own will to live. Preservation proceeds through the suspension or the alienation *[estraneazione]* of that which needs to be protected. Therefore the political state cannot be seen as the continuation or the reinforcement of nature, but rather as its negative converse. This doesn't mean that politics reduces life to its simple biological layer—that it denudes it of every qualitative form,

as one might argue only by moving Hobbes to a lexicon in which he doesn't belong. It is no coincidence that he never speaks of "bare life," but on the contrary, in all his texts, implies it in terms that go well beyond simply maintaining life. If in *De Cive* he argues that "[B]ut by safety must be understood, not the sole preservation of life in what condition soever, but in order to its happiness," in *Elements* he stresses that with the judgment *(Salus populi suprema lex esto)* "must be understood, not the mere preservation of their lives, but generally their benefit and good," to conclude in *Leviathan* that "by safety here is not meant a bare preservation, but also all other contentments of life, which every man by lawful industry, without danger or hurt to the Commonwealth, shall acquire to himself."[32]

Nor does this mean that the category of life in the modern period replaces that of politics, with progressive depoliticization as its result. On the contrary, once the centrality of life is established, it is precisely politics that is awarded the responsibility for saving life, but—and here is the decisive point in the structure of the immunitary paradigm—it occurs through an antinomic *dispositif* that proceeds via the activation of its contrary. In order to be saved, life has to give up something that is integral to itself, what in fact constitutes it principal vector and its own power to expand; namely, the acquisitive desire for everything that places itself in the path of a deadly reprisal. Indeed, it is true that every living organism has within it a sort of natural immunitary system—reason—that defends it from the attack of external agents. But once its deficiencies, or rather its counterproductive effects, have been ascertained, it is substituted with an induced immunity, which is to say an artificial one that both realizes and negates the first. This occurs not only because it is situated outside the individual body, but also because it now is given the task of forcibly containing its primordial intensity.

This second immunitary (or better, meta-immunitary) *dispositif,* which is destined to protect life against an inefficient and essentially risky protection, is precisely sovereignty. So much has been said about its pactional inauguration and its prerogatives that it isn't the case to return to them here. What appears most relevant from our perspective is the constitutively aporetic relation that ties it to the subjects to whom it is directed. Nowhere more than in this case is the term to be understood in its double meaning: they are subjects of sovereignty to the extent to which they have voluntarily instituted it through a free contract. But they are subjects to sovereignty because, once it has been instituted, they cannot resist it for precisely the

same reason: otherwise they would be resisting themselves. Because they are subjects of sovereignty, they are subjected to it. Their consensus is requested only once, after which they can no longer take it back.

Here we can begin to make out the constitutively negative character of sovereign immunization. It can be defined as an immanent transcendence situated outside the control of those that also produced it as the expression of their own will. This is precisely the contradictory structure that Hobbes assigns to the concept of representation: the one representing, that is, the sovereign, is simultaneously identical and different with respect to those that he represents. He is identical because he takes their place *[stare al loro posto]*, yet different from them because that "place" remains outside their range. The same spatial antinomy is seen temporally, that is, that which the instituting subjects declare to have put in place eludes them because it logically precedes them as their own same presupposition.[33] From this point of view, one could say that the immunization of the modern subject lies precisely in this exchange between cause and effect: he, the subject, can be presupposed, self-insured in Heidegger's terms, because he is already caught in a presupposition that precedes and determines him. It is the same relation that holds between sovereign power and individual rights. As Foucault explains it, these two elements must not be seen in an inversely proportional relationship that conditions the enlargement of the first to the shrinking of the second or vice versa. On the contrary, they mutually implicate themselves in a form that makes the first the complementary reverse of the other: only individuals who are considered equal with others can institute a sovereign that is capable of legitimately representing them. At the same time, only an absolute sovereign can free individuals from subjection to other despotic powers. As a more recent, discriminating historiography has made clear, absolutism and individualism, rather than excluding or contradicting each other, implicate each other in a relation that is ascribable to the same genetic process.[34] It is through absolutism that individuals realize themselves and at the same time negate themselves; presupposing their own presupposition, they are deprived insofar as they are constituted as subjects from the moment that the outcome of such a founding is nothing other than that which in turn constructs them.

Behind the self-legitimating account of modern immunization, the real biopolitical function that modern individualism performs is made clear. Presented as the discovery and the implementation of the subject's autonomy, individualism in reality functions as the immunitary ideologemme

through which modern sovereignty implements the protection of life. We shouldn't lose sight of any intermediate passage in this dialectic. We know that in a natural state men also relate to each other according to a modality of the individual that leads to generalized conflict. But such a conflict is still always a horizontal relation that binds them to a communal dimension. Now, it is exactly this commonality—the danger that derives to each and every one—that is abolished through that artificial individualization constituted precisely by the sovereign *dispositif*. Moreover, the same echo is to be heard in the term "absolutism," not only in the independence of power from every external limit, but above all in the dissolution projected onto men: their transformation into individuals, equally absolute by subtracting from them the *munus* that keeps them bound communally. Sovereignty is the not being *[il non essere]* in common of individuals, the political form of their desocialization.

The negative of *immunitas* already fills our entire frame: in order to save itself unequivocally, life is made "private" in the two meanings of the expression. It is privatized and deprived of that relation that exposes it to its communal mark. Every external relationship to the vertical line that binds everyone to the sovereign command is cut at the root. Individual literally means this: to make indivisible, united in oneself, by the same line that divides one from everyone else. The individual appears protected from the negative border that makes him himself and not other (more than from the positive power of the sovereign). One might come to affirm that sovereignty, in the final analysis, is nothing other than the artificial vacuum created around every individual—the negative of the relation or the negative relation that exists between unrelated entities.

Yet it isn't only this. There is something else that Hobbes doesn't say explicitly, as he limits himself to letting it emerge from the creases or the internal shifts of the discourse itself. It concerns a remnant of violence that the immunitary apparatus cannot mediate because it has produced it itself. From this perspective, Foucault seizes on an important point that is not always underlined with the necessary emphasis in the Hobbesian literature: Hobbes is not the philosopher of conflict, as is often repeated in regard to "the war of every man against every man," but rather the philosopher of peace, or better of the neutralization of conflict, from the moment that the political state needs preemptively to insure against the possibility of internecine warfare.[35] Yet the neutralization of conflict doesn't completely provide for its elimination, but instead for its incorporation in the immunized

organism as an antigen at once necessary to the continuous formation of antibodies. Not even the protection that the sovereign assures his subjects is exempt. Especially here is manifested the most strident form of antibody. Concurrently, in the order of instruments adopted to mitigate the fear of violent death that all feel toward the other, it remains a fear that is more acceptable because it is concentrated on one objective (though not for this reason essentially different from the one already overcome). In a certain sense, the asymmetric condition intensifies this fear, a condition in which the subject *[suddito]* finds himself vis-à-vis a sovereign who preserves that natural right deposited by all the other moments of the entrance into the civil state. What occurs from this, as a result, is the necessary linking of the preservation of life with the possibility—always present even if rarely utilized—of the taking away of life by the one who is also charged with insuring it. It is a right precisely of life and death, understood as the sovereign prerogative that cannot be contested precisely because it has been authorized by the same subject that endures it. The paradox that supports the entire logic lies in the circumstance that the sacrificial dynamic is unleashed not by the distance, but, on the contrary, by the assumed identification of individuals with the sovereign who represents them with their explicit will. Thus, "nothing the Soveraign Representative can doe to a subject, on what pretense soever, can properly be called an Injustice, or Injury: because every Subject is Author of every act the Soveraign doth."[36] It is exactly this superimposition between opposites that reintroduces the term of death in the discourse of life:

> And therefore it may and does often happen in Common-wealths, that a Subject may be put to death, by the command of the Soveraign Power, and yet neither doe the other wrong: As when Jeptha caused his daughter to be sacrificed: In which, and the like cases, he that so dieth, had Liberty to doe the action, for which he is neverthelesse, without Injury put to death. And the same holdeth also in a Soveraign Prince, that putteth to death an Innocent Subject.[37]

What emerges here with a severity that is only barely contained by the exceptional character in which the event appears circumscribed is the constitutive antinomy of the sovereign immunization, which is based not only on the always tense relationship between exception and norm, but on its normal character of exception (because anticipated by the same order that seems to exclude it). This exception—the liminal coincidence of preservation and capacity to be sacrificed of life—represents both a remainder

that cannot be mediated and the structural antinomy on which the machine of immunitary mediation rests. At the same time, it is the residue of transcendence that immanence cannot reabsorb—the prominence of the "political" with respect to the juridical with which it is also identified—and the aporetic motor of their dialectic. It is as if the negative, keeping to its immunitary function of protecting life, suddenly moves outside the frame and on its reentry strikes life with uncontrollable violence.

Property

The same negative dialectic that unites individuals to sovereignty by separating them invests all the political-juridical categories of modernity as the inevitable result of their immunitary declension. This holds true in the first instance for that of "property." Indeed, one can say that property's constitutive relevance to the process of modern immunization is ever more accentuated with respect to the concept of sovereignty. And this for two reasons. First, thanks to the originary antithesis that juxtaposes "common" to "one's own" *[proprio]*, which by definition signifies "not common," "one's own" is as such always immune. And second, because the idea of property marks a qualitative intensification of the entire immunitary logic. As we just observed, while sovereign immunization emerges transcendent with respect to those who also create it, that of proprietary immunization adheres to them—or better, remains within the confines of their bodies. It concerns a process that conjoins making immanent *[immanentizzazione]* and specialization: it is as if the protective apparatus that is concentrated in the unitary figure of sovereignty is multiplied to the degree that sovereignty, once multiplied, is installed in biological organisms.

At the center of the conceptual transition will be found the work of John Locke. Here, just as in Hobbes, what is at stake is the preservation of life (*preservation of himself, desire of self-preservation* [trans: in English]), which Locke from the beginning declares to be "the first and strongest God Planted in Men,"[38] but in a form that conditions it to the presence of something, precisely the *res propria*, that contemporaneously arises from and reinforces it.

> For the desire, strong desire of Preserving his Life and Being having been Planted in him, as a Principle of Action by God himself, Reason, which was the Voice of God in him, could not but teach him and assure him, that pursuing that natural Inclination he had to preserve his Being, he followed the Will of his Maker, and therefore had the right to make use of those

> Creatures, which by his Reason or Senses he could discover would be serviceable thereunto. And thus Man's Property in the Creatures, was founded upon the right he had, to make use of those things, that were necessary or useful to his Being.[39]

The right of property is therefore the consequence as well as the factual precondition for the permanence in life. The two terms implicate each other in a constitutive connection that makes of one the necessary precondition of the other: without a life in which to inhere, property would not be given; but without something of one's own—indeed, without prolonging itself in property—life would not be able to satisfy its own primary demands and thus it would be extinguished. We mustn't lose sight of the essential steps in the argument. Locke doesn't always include life among the properties of the subject. It is true that in general he unifies *lives, liberties, and estates* [trans: in English] within the denomination of property, so that he can say that "civil goods are life, liberty, bodily health and freedom from pain, and the possession of outward things, such as lands, money, furniture, and the like."[40] But in other passages property assumes a more restricted sense, one that is limited to material goods to which life doesn't belong. How does one explain such an incongruence? I believe that to understand them less in obvious fashion, these two enunciative modalities should not be juxtaposed but integrated and superimposed in a singular effect of sense: life is contemporaneously inside and outside property. It is within from the point of view of having—as part of the goods with which everyone is endowed *[in dotazione]*. But beyond that, life is also the all of the subject if one looks at it from the point of view of being. Indeed, in this case it is property, any kind of property, that is part of life. One can say that the relationship and the exchange, which from time to time Locke sets up between these two optics, define his entire perspective. Life and property, being and having, person and thing are pressed up together in a mutual relation that makes of one both the content and the container of the other. When he declares that the natural state is a state of "Liberty to dispose, and order, as he lists, his Person, Actions, Possession, and his whole property, within the Allowance of those Laws under which he is; and therein not to be subject to the arbitrary Will of another, but freely to follow his own," on the one hand, he inscribes property in a form of life expressed in the personal action of an acting subject; on the other, he logically includes subject, action, and liberty in the figure of "one's own."[41] In this way it

emerges as an "inside" that is inclusive of an "outside" that in turn subsumes it within.

The resulting antinomy will be found in the logical difficulty of placing property before the ordering regime that institutes it. Unlike in Hobbes (but also differently than Grozio and Pufendor), Locke's notion of property precedes sovereignty, which instead is ordered to defend it.[42] It is the presupposition and not the result of social organization. Yet—and here appears the question with which Locke himself explicitly begins—what if property is not rooted in a form of interhuman relation, in which property finds its own foundation within a world in which it is given in common? How can the common make itself "one's own" and "one's own" subdivide the common? What is the origin of "mine," of "yours," and of "his" in a universe of everyone? It is here that Locke impresses on his own discourse that biopolitical declension that folds it in an intensely immunitarian sense:

> Though the Earth, and all inferior Creatures be common to all Men, yet every Man has a Property in his own Person. This no Body has any Right to but himself. The Labour of his Body and the Work of his Hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his Labour with, and joyned to it something that is his own, and thereby makes it his Property.[43]

Locke's reasoning unravels through concentric circles whose center does not contain a political-juridical principle, but rather an immediately biological reference. The exclusion of someone else cannot be established except as part of the consequential chain that originated in the metaphysical proviso of bodily inclusion. Property is implicit in the work that modifies what is naturally given as work, which in turn is included in the body of the person who performs it. Just as work is an extension of the body, so is property an extension of work, a sort of prosthesis that through the operation of the arm connects it to the body in the same vital segment; not only because property is necessary for the material support of life, but because its prolongation is directed to corporeal formation. Here another transition is visible, indeed, even a shift in the trajectory with respect to the subjective self-insurance identified by Heidegger in the modern *repraesentatio:* the predominance over the object isn't established by the distance that separates it from the subject, but by the movement of its incorporation. The body is the primary site of property because it is the location of the first property, which is to say what each person holds over himself *[ha su se stesso]*. If the world was given

to us by God in common, the body belongs solely to the individual who at the same time is constituted from it and who possesses it before any other appropriation, which is to say in originary form. It is in this exchange—together both a splitting and a doubling—between being (a body) and having one's own body that the Lockean individual finds its ontological and juridical, its onto-juridical foundation for every successive appropriation. Possessing one's own corporeal form *[persona],* he owns all his performances, beginning with the transformation of the material object, which he appropriates as transitive property. From that moment every other individual loses the right over it, such that one can be legitimately killed in the case of theft. Seeing how through work the appropriate object is incorporated into the owner's body, it then becomes one with the same biological life, and is defended with the violent suppression of the one that threatens it as the object has now become an integral part of his life.

Already here the immunitary logic seizes and occupies the entire Lockean argumentative framework: the potential risk of a world given in common—and for this reason exposed to an unlimited indistinction—is neutralized by an element that is presupposed by its same originary manifestation because it is expressive of the relation that precedes and determines all the others: the relation of everyone with himself or herself in the form of personal identity. This is both the kernel and the shell, the content and the wrapping, the object and the subject of the immunitary protection. As property is protected by the subject that possesses it, a self-protecting capacity, preserved by the subject through his *proprium* and of that *proprium* through himself (through the same subjective substance), extends, strengthens, and reinforces it. Once the proprietary logic is wedded to a solid underpinning such as belonging to one's own body, it can now expand into communal space. This is not directly negated, but is incorporated and recut in a division that turns it inside out into its opposite, in a multiplicity of things that have in common only the fact of being all one's own to the degree they have been appropriated by their respective owners:

> From all which it is evident, that though the things of Nature are given in common, yet Man (by being Master of himself, and *Proprietor of his Person,* and the Actions or Labour of it), had still in himself the great foundation of Property; and that which made up the great part of what he apllyed to the Support or Comfort of his being, when Invention and Arts had improved the conveniences of Life, was perfectly his own, and did not belong in common to others.[44]

Earlier I noted that we are dealing with an immunitary procedure that is much more potent than that of Hobbes because it inheres in the same form—though one could say in the material—of the individual. The increment of functionality that derives from it is nonetheless paid with a corresponding intensification of the contradiction on which the entire system rests, which is no longer situated in the point of connection and tension between individuals and the sovereign, as in the Hobbesian model, but in the complex relation that moves between subjectivity and property. What is at stake isn't only a question of identity or of difference—the divergence that is opened in the presupposed convergence between the two poles—but also and above all in the displacement of their prevalent relation. It is defined generally according to the following formulation: if the appropriated thing depends on the subject who possesses it such that it becomes one with the body, the owner in turn is rendered as such only by the thing that belongs to him—and therefore he himself depends on it. On the one hand, the subject dominates the thing in the specific sense that he places it within his domain. But, on the other hand, the thing in turn dominates the subject to the degree in which it constitutes the necessary objective of his acquisitive desire *[tensione]*. Without an appropriating subject, no appropriated thing. But without any appropriated thing, no appropriating subject—from the moment it that doesn't subsist outside of the constitutive relation with it. In this way, if Locke can hold that property is the continuation of subjective identity—or the extension of subjective identity outside itself—one sooner or later can respond that "with private property being incorporated in man himself and with man himself being recognized as its essence . . . carries to its logical conclusion the denial of man, since man himself no longer stands in an external relation of tension to the external substance of private property, but has himself become the essence of private property": its simple appendage.[45] We must not lose track of the reversible features that unite both conditions in one movement. It is precisely the indistinction between the two terms—as is originally established by Locke—that makes the one the *dominus* of the other, and which therefore constitutes them in their reciprocal subjection.

The point of transition and inversion between the two perspectives—from the mastery of the subject to that of the thing—is situated in the private *[privato]* character of appropriation.[46] It is through it that the appropriating act becomes at the same time exclusive of every other act, thanks to the thing itself: the privacy *[privatezza]* of possession is one with the

subtraction *[privazione]* that specifies in whom privacy is not shared with the legitimate owner, which means the entire community of nonowners. From this point of view—not an alternative to, but speculative of the first—the negative clearly begins to prevail over the positive, or better, to manifest itself as its internal truth. It is "one's own" that is not common, that does not belong to others. The passive sense of every appropriation subtracts from every other one the appropriative *jus* toward the thing that has already been appropriated in the form of private property. But then also in the active sense, such that the progressive increase in individual property causes a progressive decrease in the goods that are at the disposition of others. Internecine conflict, exorcized from within the proprietary universe, in this way is clearly moved outside its confines, in the formless space of non-property. It is true that in principle Locke institutes a double limit to the increase of property in the obligation to leave for others the things necessary for their maintenance *[conservazione]* and in the prohibition of appropriating for oneself what isn't possible to consume. But then he considers it inoperative at the moment when goods become commutable into money and therefore infinitely capable of being accumulated without fearing that they might be lost.[47] From that point on, private property conclusively breaks down the relation of proportionality that regulates the relation of one to another, but it also weakens that which unites the owner of property to himself. This occurs when property, both private and subtractive *[privativa]*, begins to be emancipated (from the body from which it seems to depend) to take on a configuration of purely juridical stamp. The intermediate point of this long process is constituted by the breaking of the link, introduced by Locke, between property and work. As we know, it was precisely this that joins *proprium* within the confines of the body. When such a connection begins to be considered as no longer necessary—according to a reasoning set in motion by Hume and perfected by modern political economy—one witnesses a true and particular desubstantialization of property, theorized in its most accomplished form in the Kantian distinction between *possessio phaenomenon* (empirical possession) and *possessio noumenon* (intelligible possession), or, as it is also defined, *detentio* (possession without possession). At this point, what will be considered truly, even definitively, one's own is only that which is distant from the body of him who juridically possesses it. It is not physical possession that testifies to complete juridical possession. Originally thought within an indissoluble

link with the body that works, property is already defined by its extraneousness to its own sphere.

> I can only call a corporeal thing or an object in space mine, when even though in physical possession of it, I am able to assert that I am in possession of it in another real non-physical sense. Thus, I am not entitled to call an apple mine merely because I hold it in my hand or possess it physically; but only when I am entitled to say "I possess it, although I have laid it out of my hand, and wherever it may lie.[48]

Distance is the condition, the testimonial of the duration of possession for a temporality that goes well beyond the personal life to whose preservation it is also ordered. Here already the contradiction implicit in proprietary logic fully emerges. Separated from the thing that it also inalienably possesses, the individual proprietor remains exposed to a risk of emptying out that is far more serious than the threat that he had tried to immunize himself from by acquiring property, precisely because it is the product of acquiring property. The appropriative procedure, represented by Locke as a personification of the thing—its incorporation in the proprietor's body—lends itself to be interpreted as the reification of the person, disembodied of its subjective substance. It is as if the metaphysical distance of modern representation were restored through the theorization of the incorporation of the object, but this time to the detriment of a subject who is isolated and absorbed by the autonomous power of the thing. Ordered to produce an increment in the subject, the proprietary logic inaugurates a path of inevitable desubjectification. This is a wild oscillation logic in the movement of self-refutation that seizes all the biopolitical categories of modernity. Here too in this case, but in a different form, with a result that converges with that of sovereign immunization, the proprietary paradigm's immunitary procedure is able to preserve life only by enclosing it in an orbit that is destined to drain it of its vital element. Where before the individual was displaced *[destituito]* by sovereign power that he himself instituted, so now too does the individual proprietor appear expropriated by the same appropriative power.

Liberty

The third immunitary wrapping of modernity is constituted by the category of liberty *[libertà]*.[49] As was already the case for those of sovereignty and property, and perhaps in a more pronounced manner, its historical-

conceptual sequence is expressed by the general process of modern immunization, in the double sense that it reproduces its deportment and amplifies its internal logic. This may sound strange for a term so obviously charged with accents so constitutively refractory for every defensive tonality, and if anything oriented in the sense of an opening without reserve to the mutability of events. But it is precisely in relation to such a breadth of horizon—still protected in its etymon—that is possible to measure the process of semantic tightening and also of loss of meaning *[prosciugamento]* that marks its successive history.[50] Both the root *leuth* or *leudh*—from which originates the Greek *eleutheria* and the Latin *libertas*—and the Sanskrit root *frya,* which refers instead to the English freedom and the German *Freiheit,* refer us to something that has to do with an increase, a non-closing *[dischiudimento],* a flowering, also in the typically vegetative meaning of the expression. If then we consider the double semantic chain that descends from it—which is to say that of love (*Lieben, lief,* love, as well as, differently, *libet* and *libido*) and that of friendship (friend, *Freund*)—we can deduce not only a confirmation of this original affirmative connotation: the concept of liberty, in its germinal nucleus, alludes to a connective power that grows and develops according to its own internal law, and to an expansion or to a deployment that unites its members in a shared dimension.

It is with respect to such an originary inflection that we should interrogate the negative reconversion that the concept of liberty undergoes in its modern formulation. It's certainly the case that from the beginning the idea of "free" *[libero]* logically implicates the contrastive reference to an opposite condition, that of the slave, understood precisely as "non-free."[51] But such a negation constitutes, more than the presupposition or even the prevailing content of the notion of liberty, its external limit: even though it is tied to an inevitable contrary symmetry, it isn't the concept of slave that confers significance on that of the free man, but the reverse. As it both refers to the belonging to a distinct people and to humanity in general, what has prevailed in the qualification of *eleutheros* has always been the positive connotation with respect to which the negative constitutes a sort of background or contour lacking an autonomous semantic resonance. And, as has repeatedly been brought to light, this relation is inverted in the modern period, when it begins to assume increasingly the features of a so-called negative liberty, with respect to that defined instead as "positive," as in "freedom from." What nevertheless has remained obscured in the ample literature is the fact that both meanings understood in this way—

compared to their initial meaning—in fact emerge within a negative horizon of meaning. If we assume the canonical distinction as Isaiah Berlin elaborates it, indeed not only does the first liberty—understood negatively as an absence of interference—but also the second, which he reads positively, appear quite distant from the characterization, both affirmative and relational, fixed at the origin of the concept:

> The "positive" sense of the word "liberty" derives from the wish on the part of the individual to be his own master. I wish my life and decisions to depend upon myself, *not* on external forces of whatever kind. I wish to be the instrument of my own, not of other men's, acts of will. I wish to be a subject, *not* an object . . . I wish to be somebody *not nobody.*[52]

The least that one can say, in relation to such a definition, is that it is manifestly unable to think liberty affirmatively in the modern conceptual lexicon of the individual, in terms of will and subject. It is as if each of these terms—and still more when placed together—irresistibly pushes liberty close to its "not," to the point of dragging it inside itself. Qualifying liberty—understood as the mastery of the individual subject over himself—is his not being disposed to, or his not being at the disposition of others. This oscillation or inclination of modern liberty toward its negative gives added significance to an observation of Heidegger's, according to which "not only are the individual conceptions of positive freedom different and ambiguous, but the concept of positive freedom as such is indefinite, especially if by positive freedom we provisionally understand the not-negative *[nicht negative]* freedom."[53] The reason for such a lexical exchange, which makes the positive, rather than affirmative, simply a nonnegative, ought to be sought in the break, which is implicit in the individualistic paradigm, of the constitutive link between liberty and otherness (or alteration).[54] It is that which encloses liberty in the relation of the subject with himself: he is free when no obstacle is placed between him and his will—or also between his will and its realization. When Thomas Aquinas translated the Aristotelian *proairesis* with *electio* (and the *boulēsis* with *voluntas*), the paradigmatic move is largely in operation: liberty will rapidly become the capacity to realize that which is presupposed in the possibility of the subject to be himself—not to be other than himself. Free will as the self-establishment of a subjectivity that is absolutely master of its own will. From this perspective, the historical-conceptual relation comes fully into view, which joins such a conception of liberty with other political categories of modernity,

from that of sovereignty to that of equality. On the one hand, only free subjects can be made equal by a sovereign who legitimately represents them. On the other hand, such subjects are themselves conceived as equally sovereign within their own individuality—obliged to obey the sovereign because they are free to command themselves and vice versa.

The immunitary outcome—but one might also say the presupposition—of such a move cannot be avoided. In the moment in which liberty is no longer understood as a mode of being, but rather as a right to have something of one's own—more precisely the full predominance of oneself in relation to others—the subtractive or simply the negative sense is already destined to characterize it ever more dominantly. When this entropic process is joined to the self-preserving strategies of modern society, the overturning and emptying of ancient communal liberty *[libertates]* into its immune opposite will be complete. If the invention of the individual constitutes the medial segment of this passage—and therefore the sovereign frame in which it is inscribed—its absolutely prevailing language is that of protection. From this point of view, we need to be careful in not distorting the real sense of the battle against individual or collective *immunitates* fought on the whole by modernity. It isn't that of reducing but of intensifying and generalizing the immunitary paradigm. Without losing its typically polyvalent lexicon, immunity progressively transfers its own semantic center of gravity from the sense of "privilege" to that of "security." Unlike the ancient *libertates*, conferred at the discretion of a series of particular entities—classes, cities, bodies, convents—modern liberty consists essentially in the right of every single subject to be defended from the arbiters that undermine autonomy and, even before that, life itself. In the most general terms, modern liberty is that which insures the individual against the interference of others through the voluntary subordination to a more powerful order that guarantees it. It is here that the antinomical relation with the sphere of necessity originates that ends by reversing the idea of liberty into its opposites of law, obligation, and causality. In this sense it is a mistake to interpret the assumption of constricting elements as an internal contradiction or a conceptual error of the modern theorization of liberty. Instead, it is a direct consequence: necessity is nothing other than the modality that the modern subject assumes in the contrapuntal dialectic of its own liberty, or better, of liberty as the free appropriation of "one's own." The famous expression according to which the subject in chains is free is to be interpreted in this way—not in spite of but in reason of: as the self-dissolving

effect of a liberty that is ever more overcome by its purely self-preserving function.

If for Machiavelli "a small part of the people wish to be free in order to command, but all the others who are countless, desire liberty in order to live in safety," Hobbes remains the most consequential and radical theoretician of this move: liberty preserves itself or preserves the subject that possesses it, losing itself and as a consequence losing the subject to the extent the subject is a subject of liberty.[55] That in him liberty is defined as "the absence of all impediments to action, that are not contained in the nature and the intrinsic quality of the agent," means that it is the negative result of a mechanical game of force within which its movement is inscribed and which therefore in the final analysis coincides with its own necessity.[56] In this way—if he who puts liberty to the test can do nothing other than what he has done—his de-liberation *[de-liberazione]* has the literal sense of a renouncing indeterminate liberty and of enclosing liberty in the bonds of its own predetermination:

> Every Deliberation is then sayd to end when that whereof they Deliberate is either done, or thought impossible; because till then wee retain the liberty of doing, or omitting according to our Appetite, or Aversion.[57]

As for Locke, the immunitary knot becomes ever more restrictive and absolute: as was already seen, it doesn't move through the direct subordination of individuals to the sovereign—on the contrary, their relation now begins to include a right of resistance—but rather through the dialectic of a preserving self-appropriation. It is true that, with respect to Hobbes's surrender of liberty, liberty for Locke is inalienable, but exactly for the same reasons we find in Hobbes, which is to say because it is indispensable to the physical existence of he who possesses it.

Consequently, it emerges as joined in an indissoluble triptych formed with property and life. On more than one occasion, Hobbes connects liberty and life, making the first a guarantee for the permanence of the second. Locke pushes even more resolutely in this direction. Indeed, liberty is "so necessary to, and closely joyned with a Man's Preservation, that he cannot part with it, but by what forfeits his Preservation and Life together."[58] Certainly, liberty isn't only a defense against the infringements of others; it is also the subjective right that corresponds to the biological-natural obligation to preserve oneself in life under the best possible conditions. That it is enlarged to include all other individuals according to the precept that no

one "ought to harm another in his Life, Health, Liberty, or Possessions" doesn't alter the strictly immunitary logic that underpins the entire argument, which is to say the reduction of liberty to preserving life is understood as the inalienable property that each one has of himself.[59]

Beginning with such a drastic semantic resizing, which makes of liberty the biopolitical coincidence between property and preservation, its meaning tends to be stabilized ever nearer the imperative of security, until it coincides with it. If for Montesquieu political liberty "consists in security, or, at least, in the opinion that we enjoy security," it is Jeremy Bentham who takes the definitive step: "What means liberty? . . . Security is the political blessing I have in view; security as against malefactors, on the one hand, security as against the instruments of government on the other."[60] Already here the immunization of liberty appears as definitively actualized according to the dual direction of defense by the state and toward [the state]. But what qualifies it better still in its antinomical effects is the relation that is installed with its logical opposite, namely, coercion. The point of suture between the expression of liberty and what negates it from within—one could say between exposition and imposition—is constituted exactly by the demand for insurance *[assicurativa]:* it is what calls forth that apparatus of laws which, though not directly producing liberty, constitute nonetheless the necessary reversal: "Where there is no coercion, neither is there security . . . That which lies under the name of Liberty, which is so magnificent, as the inestimable and unreachable work of the Law, is not Libertà but security."[61] From this point of view, Bentham's work marks a crucial moment in the immunitary reconversion to which modern political categories seem to entrust their own survival. The preliminary condition of liberty is to be singled out in a control mechanism that blocks every contingency in the *dispositif* that anticipates it beforehand. The design of the famous Panopticon expresses most spectacularly this oscillation in meaning excavated in the heart of liberal culture.

As we know, it was Foucault who furnished a biopolitical interpretation of liberalism that would bring to light the fundamental antinomy on which it rests and which reproduces its power. To the degree that it isn't limited to the simple enunciation of the imperative of liberty but implicates the organization of conditions that make this effectively possible, liberalism contradicts its own premises. Needing to construct and channel liberty in a nondestructive direction for all of society, liberalism continually risks destroying what it says it wants to create.

> Liberalism, as I understand it, this liberalism that can be characterized as the new art of governing that is formed in the eighteenth century, implies an intrinsic relation of production/destruction with regard to liberty... With one hand it has to produce liberty, but this same gesture implies that with the other hand it must establish limitations, checks, coercions, obligations based on threats, etc.[62]

This explains, within the liberal governmental framework, the tendency to intervene legislatively, which has a contrafactual result with respect to the original intentions: it isn't possible to determine or define liberty except by contradicting it. The reason for such an aporia is obviously to be found in liberty's logical profile. But it is also revealed more tellingly when we consider the biopolitical frame in which Foucault from the beginning had placed it. Earlier Hannah Arendt gathered together the fundamental terms: "For politics, according to the same philosophy [of liberalism], must be concerned almost exclusively with the maintenance of life and the safeguarding of its interests. Now, where life is at stake all action is by definition under the sway of necessity, and the proper relation to take care of life's necessities."[63] Why? Why does the privileged reference to life force liberty into the jaws of necessity? Why does the rebellion of liberty against itself move through the emergence of life? Arendt's response, which in singular fashion adheres to the Foucauldian interpretive scenario, follows the passage, within the biopolitical paradigm, from the domain of individual preservation to that of the species:

> The rise of the political and social sciences in the nineteenth and twentieth centuries has even widened the breach between freedom and politics: for government, which since the beginning of the modern age had been identified with the total domain of the political, was now considered to be the appointed protector not so much of freedom as of the life process, the interests of society and its individuals. Security remained the decisive criterion, but not the individual's security against "violent death," as in Hobbes (where the condition of all liberty is freedom from fear), but a security which should permit an undisturbed development of the life process of society as a whole.[64]

The stipulation is of particular interest: it is the same culture of the individual—once immersed in the new horizon of self-preservation—that produces something that moves beyond it in terms of vital complex process. But Arendt doesn't make the decisive move that Foucault does, which consists in understanding the relation between individual and totality in terms

of a tragic antinomy. When Foucault notes that the failure of modern political theories is owed neither to theory nor to politics but to a rationality that forces itself to integrate individuals within the totality of the state, he touches on the heart of the question.[65] If we superimpose his discourse on that elaborated by the anthropologist Luis Dumont regarding the nature and the destiny of individual modernism, we have a confirmation that takes us even further in the direction we are moving here. Asking after the reason first for the nationalistic and then the totalitarian opening *[sbocco]* of liberal individualism (which represents a further jump in quality), Dumont concludes that the political categories of modernity "function," which is to say they discharge the self-preserving function of life to which they are subordinated, including their own opposite or vice versa, or incorporating themselves in it. At a certain point, the culture of the individual also incorporates that which in principle is opposed to it, which is to say the primacy of all on the parts which it gives the name of "olism." The pathogenic effect that ever more derives from it is, according to Dumont, due to the fact that, when placed against its opposite, extraneous paradigms, such as those of individualism and "olism," these intensify the ideological force of their own representations so much that they give rise to an explosive mix.[66]

Tocqueville is the author who seems to have penetrated most deeply into this self-dissolving process. All of his analyses of American democracy are traversed by a modality that recognizes both the inevitability and the epochal risk of such a process. When he delineates the figure of the *homo democraticus* in the point of intersection and friction between atomism and massification, solitude and conformity, and autonomy and heteronomy, he does nothing other than recognize the entropic result of a parabola that has at its uppermost point precisely that self-immunization of liberty in which the new equality of conditions reflects itself in a distorted mirror.[67] To hold—as he does with the unparalleled intensity of a restrained pathos—that democracy separates man "from his contemporaries . . . it throws him back forever upon himself alone, and threatens in the end to confine him entirely within the solitude of his own heart," or that "equality places men side by side, unconnected by any common tie," means to have understood deeply (and with reference to its origin), the immunitary loss of meaning that afflicts modern politics.[68] At the moment when the democratic individual, afraid not to know how to defend the particular interests that move him, ends up surrendering "to the first master who appears," the itinerary will already be set in motion, one not so different from another which will

push biopolitics nearer its own opposite, that of thanatopolitics: the herd, opportunistically domesticated, is already ready to recognize its willing shepherd.[69] At the end of the same century, it is Nietzsche who will be the most sensitive witness to such a process. As for freedom—a concept that seemed to Nietzsche to be "yet more proof of instinctual degeneration," he no longer has any doubt: "There is no one more inveterate or thorough in damaging freedom than liberal institutions."[70]