René Girard and Giorgio Agamben: The Thematisation of Violence and the Sacred

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> All men are equal, not under law, but in fact. We must thus make decisive choices: there will soon be no institutions, rituals or "differences" for regulating our behaviour. We have to destroy one another or love one another, and humanity, we fear, will prefer to destroy itself.[1]

Human history is characterised by violence. Even though humankind has become more civil, and violence is channelised by the developments of law, organisations, and institutions, humankind fails to overcome (categorical) violence.[2] Instead, the greatest horrors and destructions of humankind occurred in our modern history; the period when *liberté*, *égalité*, and *fraternité* should have been the highest values of social order. How is it possible that these horrors occur in this 'advanced stage' of human development? It seems that modern (Western) culture and its institutions do not overcome violence and confuse the regulation (or channelisation) of violence with progress and development.[3] Therefore, violence should be approached from a radically different perspective. While many scholars have addressed modern violence by exploring its social, institutional, economic, and political context, only a few have addressed the question of violence in its metaphysical context. Taylor's (phenomenological) endeavour of understanding violence "through the matrices of meaning which give them shape in our lives…"[4] directs our attention to Italian philosopher Giorgio Agamben (1942-) and French anthropologists René Girard (1923-2015), who critically analyse the role of violence in our modern society.

Agamben and Girard depart from the hypothesis that violence is embedded in the structures of our Western societies. Therefore, they thematise violence and discuss its essential function in human culture (Girard) and politics (Agamben). Interestingly, the sacred appears to be a core element in their thematisation of violence. For Girard, violence *is* the sacred, whilst for Agamben, the sacred is a feature of the central figure of his political philosophy. Furthermore, the definition of *the* central concept of Agamben's political philosophy, the ancient figure *homo sacer,* shares a striking

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[1] René Girard, and Benoît Chantre, *Battling to the End: Conversations with Benoît Chantre*, Studies in Violence, Mimesis, and Culture Series, trans. Mary baker, (East Lansing: Michigan State University Press, 2010), 48-49.

[2] In this state-of-the-art article, violence refers to categorical violence as discussed in Charles Taylor's (1931-) *A Secular Age*: "Categorical violence, in the form of war, goes deep in human history… (The irony is that "progress" has meant greater destruction, because of "rational" action.) And then there is the rich and varied history of human sacrifice. So not only our struggles to control unchained sexual desire and violence need to be understood in meta-biological terms; these "drives" themselves have to be grasped *through the matrices of meaning which give them shape in our lives* [emphasis added]." Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), 660.

[3] Optimists point out that much has changed since World War II. The establishment of organisations, e.g., United Nations (1945) and the North Atlantic Treaty Organisation (1949), safeguard the relative peace of the modern (Western) world. However, the necessity of these organisations demonstrates that violence is quelled rather than overcome.

[4] Taylor, *A Secular Age*, 660.

resemblance to Girard's *sacred victim* of the scapegoat mechanism. The similarity consists in the ambivalent definition of the sacred victim. According to Agamben:

> "The sacred man is the one whom the people have judged on account of a crime. It is not permitted to sacrifice this man, yet he who kills him will not be condemned for homicide; in the first tribunitian law, in fact, it is noted that "if someone kills the one who is sacred according to the plebiscite, it will not be considered homicide."
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> (At homo sacer is est, quem populus iudicavit ob maleficium; neque fas est eum immolari, sed qui occidit, parricidi non damnatur; nam lege tribunicia prima caventur "si quis eum, eo plebei scito sacer sit, acciderit, parricidia ne sit.")[5]

According to Girard, the sacred consists of an ambivalence:

> "because the victim is sacred it is criminal to kill him – but the victim is sacred only because he is to be killed
>
> (*Il est criminel de tuer la victime parce qu'elle est sacrée… mais la victime ne serait pas sacrée si on ne la tuait pas*)." [6]

So, even though Agamben's political philosophy and Girard's fundamental anthropology thematise violence *and* the sacred, the attentive reader notes a fascinating asymmetry in Agamben's and Girard's formulation of the sacred victim. Agamben claims the *homo sacer* cannot be sacrificed but may be killed, whereas Girard claims the victim is sacred because he cannot be killed, but because he is sacred, he must be killed. This asymmetry, at the heart of Agamben's and Girard's theory, demands further exploration. Therefore, a comprehensive discussion of Girard's and Agamben's thematisation of violence and the sacred is necessary, and the possibility of a complementary approach concerning this topic will be explored. This exploration of the Girard-Agamben nexus concerning their thematisation of violence and the sacred will shed light on the question of violence and the structures of our Western society.

This state-of-the-art article contains of three parts. In part one, Girard's mimetic theory will be discussed. First, a general overview of his mimetic theory will be given. This will outline the general structure of Girard's thoughts and hypotheses necessary to situate Girard's mimetic theory. Then, Girard's *Violence and the Sacred* (1972) and *Things Hidden Since the Foundation of the World* (1995)[7] will be critically discussed. In this discussion the core hypotheses of Girard's thought concerning the thematisation of violence and the sacred will be discussed in more detail. This will clarify that, according to Girard, society appoints an arbitrary victim that becomes divinised. Therefore, the connection between violence and the sacred is established in a sacrificeable victim. This sacrificeable victim is not a singular event but describes a foundational anthropogenetic mechanism as the *arché* of our Western societies.

Part two begins with a general overview of Agamben's political philosophy that allows us to situate Agamben's hypotheses against the background of his political philosophy. Then, Agamben's *Homo Sacer: Sovereign Power and Bare Life* (1995), *State of*

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[5] Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life,* in *The Omnibus Homo Sacer,* Giorgio Agamben trans. Daniel Heller-Roazen (Meridian: Crossing Aesthetics. Stanford, California: Stanford University Press, 2017), 61.

[6] René Girard, *Violence and the Sacred*, Bloomsbury Revelations, trans. Patrick Gregory (London: Bloomsbury Academic, an imprint of Bloomsbury Publishing Plc, 2017), 1/13. The number after the slash refers to the French original: René Girard, *La Violence Et Le Sacré* (Paris: Grasset, 1972).

[7] René Girard, Jean-Michel Oughourlian, and Guy Lefort, *Things hidden since the foundation of the world*, trans. Stephen Bann and Michael Metteer (London: Continuum, 2003).

Exception (2005)[8], and *The Sacrament of Language: An Archaeology of the Oath* (2010)[9] will be critically discussed. This discussion will demonstrate that Agamben's thematisation of violence and the sacred is connected to a violent ontology. The *homo sacer* and *sovereign power,* mark two extremes of this violent political-metaphysical paradigm. By analysing these 'marks' Agamben describes the anthropogenetic development of this violent ontology to reveal the *arché* of our Western societies.

The third part will explore the possibility of a complementary approach on Girard and Agamben concerning the thematisation of violence and the sacred by highlighting some fundamental similarities and situating their differences. The possibility of a Girard-Agamben nexus will be affirmed by reviewing secondary literature concerning this topic. Nevertheless, pertinent academic literature concerning the Girard-Agamben nexus is scarce. Therefore, this state-of-the-art article reveals a research gap concerning the Girard-Agamben nexus on violence and the sacred. The exploration of this research gap could help us understand crucial parts of our Western societies regarding philosophy, theology, metaphysics, and politics.

[8] Giorgio Agamben, *State of Exception*, in *The Omnibus Homo Sacer,* trans. Kevin Attell (Meridian: Crossing Aesthetics. Stanford, California: Stanford University Press, 2017).
[9] Giorgio Agamben, *The Sacrament of Language: An Archaeology of the Oath*, in *The Omnibus Homo Sacer,* trans. Daniel Adam Kotsko (Meridian: Crossing Aesthetics. Stanford, California: Stanford University Press, 2017).

Part I: René Girard's Mimetic Theory: From Mimetic Desire to a Theory of Culture and Religion

In 2005, René Girard[10] was inaugurated into the prestigious *Académie française*. During his inauguration, philosopher Michel Serres (1930-2019) referred to him as 'the Darwin of human sciences.' Despite this acknowledgement, philosophical explorations of Girard's mimetic theory are not self-explanatory. Perhaps, the difficulty in situating Girard amongst the different disciplines and his imposing claims works against him in this regard. After all, Girard's mimetic theory relates to literary criticism, history, theology, sociology, anthropology, ethnology, ethology, psychology, and philosophy. However, this should not restrain us from our philosophical exploration of the Girard-Agamben nexus.

In *Deceit, Desire and the Novel: Self and Other in Literary Structure,* Girard discusses literary classics such as Cervantes (app. 1547-1616), Stendhal (1783-1842), Flaubert (1821-1880), Proust (1871-1922), and Dostoyevsky (1821-1881). He argues that the novels of these novelists describe that 'people desire according to the desires of others' (also referred to as *triangular desire*, *mimetic desire* (*désir mimétique*)). Secondly, these novelists (unknowingly) describe a process of revelation, which concerns the understanding of 'the romantic lie' (*mensonge romantique*), moving towards a romanesque truth (*vérité romanesque*).

> Thus the most diverse forms of triangular desire are organized into a universal structure. There is no aspect of desire, in any novelist, which cannot be linked with other aspects of his own novel and with all other novels. Desire thus appears as a dynamic structure extending from one end of novelistic literature to the other. This structure can be compared to an object falling in space, whose shape is always changing because of the increasing speed given it by the fall. Novelists, situated at different levels, describe this object as it appears to them. Usually, they have only a suspicion of the various changes it has undergone and will yet undergo. They do not always see the connection between their own observations and those of their predecessors. The task of revealing that connection is incumbent upon a "phenomenology" of the novelistic work. This phenomenology does not have to observe the divisions between the various novels – moving freely from one to another it attempts to espouse the very movement of the metaphysical structure: it seeks to establish a "topology" of imitative desire.
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> (Les formes les plus diverses du désir triangulaire s'organisent donc en une structure universelle. Il n'est pas un aspect du désir, chez un romancier quelconque, qui ne puisse se rattacher à d'autres aspects de son œuvre et à toutes les œuvres. Le désir apparaît donc comme une structure dynamique se déployant d'un bout à l'autre de la littérature romanesque. On peut comparer cette structure à un objet qui tombe dans l'espace et dont la forme se modifie sans cesse en raison de la vitesse croissante imprimée par la chute. Les romanciers, placés à des niveaux différents, décrivent cet objet tel qu'il s'offre à leurs regards. Ils ne font que soupçonner, le plus souvent, les métamorphoses qu'il vient de subir et qu'il doit subir encore. Ils ne voient pas toujours les rapports entre leurs propres observations et celles de leurs

[10] Girard was born in Avignon (France) and moved to the United States of America after his study in Paris. He was a contemporary of Jean-Paul Sartre (1905-1980) and was intrigued by his existentialism. In his early work, Girard engaged with existentialism and wrote several articles on this topic, e.g., "Existentialism and Criticism" (1955), and "Memoirs of a Dutiful Existentialist" (1961). In the '50s and '60s, Girard was employed at different universities in the United States of America and developed his expertise in literary criticism. During this period, he published his first great work is *Mensonge romantique et vérité romanesque* (1961). In the '70s, Girard published his major anthropological works that defined his mimetic theory *La violence et la sacré* (1972), *Des choses cachées depuis la fondation du monde* (1978). In the late '70s and from the '80s onwards Girard kept developing his theory and turned to Biblical literature. *Le bouc émissaire* (1982), *Je vois Satan tomber comme l'éclair* (1999), are examples of this turn to biblical literature.

There have been favourable reviews of Girard as well as sceptical reviews. Girard's claims are grotesque and often contrary to common opinions. Girard's provocations to the cultural relativist, his rejection of postmodernism, his claim of truth in novels and his bold theological claims did not always make him popular amongst his contemporaries.

> devanciers. C'est à une « phénoménologie » de l'œuvre romanesque qu'incombe la tâche d'élucider ces rapports. Cette phénoménologie n'a plus à tenir compte des frontières entre les diverses œuvres. Passant de l'une à l'autre en toute liberté elle cherche à épouser le mouvement même de la structure métaphysique ; elle cherche à établir une « topologie » du désir selon l'Autre.)"[11]

The romanesque truth that these writers eventually comprehend is the phenomenological revelation of the metaphysical structure of *imitative desire* (an existential-metaphysical structure). This means that romanesque novelists (indirectly) put desire as a metaphysical structure at display because they demonstrate that desire is not the desire for objects but the desire for Being. This desire for Being is the desire according to the other (*désir selon l'Autre*). In this regard, the other functions as the model of desires. However, if the desires modelled by the other cannot be shared, e.g., sexual desires or social status, the other becomes an obstacle. In this triangular structure of desire (subject-model-object), desire reveals itself as an ontological structure.[12] To illustrate this, Girard refers to the imaginary world of Don Quixote. Quixote's quest for the princess derives from his purely imitative desire for Amadís de Gaula. At the end of the novel, Quixote comes to his senses and understands that his desire for Amadís de Gaule was nothing but a delusional idea.

In *Violence and the Sacred,* Girard's theory takes an anthropological turn by exploring the concepts of *mimetic rivalry* and *mimetic crisis* in the context of ancient mythology and the function of sacrifice. According to Girard, ancient myths describe how ancient culture and religion dealt with the metaphysical structure of desire. The anthropological study of sacrifice and ancient myths demonstrate that sacrifice evolved as a ritual to liberate social groups from the destructive force of mimetic desire. Social groups appointed an arbitrary victim, e.g., a *scapegoat.* The sacrifice of this victim unites the social group and allows them to imitate the reconciliatory effect of the sacrifice. Hence, the social groups transform their *negative mimesis* (deriving from mimetic rivalry) into *positive mimesis* (deriving from the all-against-one-structure[13]). Consequential to the sacrifice, the social group deifies the victim because the victim saved society from the mimetic crisis. However, the guilt of killing an arbitrary victim remains present in the deification of the scapegoat, which creates an ambivalent attitude toward the sacred.[14] In this respect, Girard understands the constitution of religion and culture as a consequence of the mechanism of scapegoating, which is a response to the mimetic crisis, mimetic rivalry, and mimesis. An important element in this scapegoat mechanism is delusion (*méconnaissance*[15]). The social group does not comprehend the function and structure of violence; therefore, the mechanism is persistent. If people did realise the function of the scapegoat mechanism, the reconciliatory effect would disappear because the scapegoat would be revealed as an innocent victim; yet, according to Girard, this is what happens in the romanesque truth.

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[11] Girard, *Deceit, Desire and the Novel: Self and Other in Literary Structure,* 95/113.

[12] The ontological structure of Girard's desire according to the Other can be situated against the background of Sartre's existentialism from *Being and Nothingness.* For more information see: Wolfgang Palaver, *René Girard's Mimetic Theory* Studies in Violence, Mimesis, and Culture, trans. Gabriel Borrud (East Lansing: Michigan State University Press, 2013), 73-88, 133.

[13] In this respect one could also find similarities between Girard's all-against-one-structure and Carl Schmidt's friend-enemy dichotomy. For more information see: Palaver, *René Girard's Mimetic Theory*, 112-113, 119, 172, 175, 225, 252, 254, 281-282, 284, 290, 293, 296.

[14] According to Girard, his study of the relation between violence and sacrifice explains the theory of the ambivalence of the sacred. This theory has had a large influence in French sociology, anthropology, and philosophy. The theory of the ambivalence of the sacred originated in the Victorian period and learned that the sacred consists of two opposing aspects.

[15] Girard, *Violence and the Sacred,* 6/19.

In his *Things Hidden Since the Foundation of the World*,[16] Girard explores what he calls 'texts of persecution,' which, just as the discussed novels from *Deceit, Desire and the Novel,* reveal the metaphysical structure of mimetic desire and, more importantly, the mechanism of scapegoating. According to Girard, ancient myths and tragedies already reveal the limits of mimetic desire but are unable to transcend the system that holds them. Therefore, Girard turns to the Bible, especially the Gospels, which, according to him, shift the perspective of persecution. Whereas ancient myths display the scapegoat mechanism from the mob perspective, the Bible display the scapegoat mechanism from the victim perspective. Thereby the Bible reveals the mimetic structure of the scapegoating, whilst ancient myths conceal the scapegoat mechanism.

The revelation of this mechanism takes an apocalyptical form in *Battling to the End*, where Girard gives a reading of Carl von Clausewitz' (1780-1831) *Vom Kriege* (1832) [17]. Girard interprets Clausewitz's text and argues that Clausewitz describes an intensification and acceleration of violence. According to Girard, revealing the scapegoat mechanism is a violent event because the disappearance of the sacrificial logic of the scapegoat mechanism problematises the channelisation of violence required for the existence of social groups. Hence, he warns for the danger of *the sacrificial crisis,* e.g., a return to a social crisis due to the lack of sacrificial logic. In this revelation of Christian truth, humanity is confronted with choosing to return to true rationality and love its enemies or destroy itself in the battle of metaphysical desire.[18]

1.1 Sacrifice and the Sacrificeable Victim

The first topic Girard addresses in his introduction of *Violence and the Sacred* is the ritual of sacrifice and the character of the sacrificeable victim. In this context, Girard refers to Henri Hubert (1872-1927) and Marcel Mauss (1872-1950), who described the character of the sacrificial victim in their "Essay on the Nature and Function of Sacrifice" [19]. Fascinating in their description of the victim is the ambivalent character of the victim:

> "Because the victim is sacred, it is criminal to kill him – but the victim is sacred only because he is to be killed. Here is a circular line of reasoning that at a somewhat later date would be dignified by the sonorous term *ambivalence.*
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> (Il est criminel de tuer la victime parce qu'elle est sacrée… mais la victime ne serait pas sacrée si on ne la tuait pas. Il y a là un cercle qui recevra un peu plus tard et qui conserve de nos jours le nom sonore d'ambivalence.)"[20]

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[16] Whereas *Violence and the Sacred* is a theoretical exploration of sacrifice, anthropology, and mythology, *Things Hidden Since the Foundation of the World* is a conversation between Girard and psychiatrists Jean-Michel Oughourlian (1940) and Guy Lefort. Even though the core remains the same, book I of *Things hidden since the foundation of the World* adds new information (and elaborations). For more information, please see *Girard René, and Andreas Wilmes. Violence, the Sacred, and Things Hidden: A Discussion with René Girard at Esprit (1973),* translated by Andrew J McKenna. Breakthroughs in Mimetic Theory (East Lansing: Michigan State University Press), 2022 that describes the development of Girard's ideas from *Violence and the Sacred* to *Things Hidden Since the Foundation of the World.*

[17] Carl von Clausewitz, *Vom Kriege*, (Bonn: Ferd. Dümmler, 1973).

[18] For more information concerning Girard's mimetic theory, please see: Wolfgang Palaver, *René Girard's Mimetic Theory,* Studies in Violence, Mimesis, and Culture, trans. by Gabriel Borrud (East Lansing: Michigan State University Press, 2013), René Girard, and James G. Williams, *The Girard Reader.* A Crossroad Herder Book (New York: Crossroad, 1996), and James Alison, and Wolfgang Palaver, eds, *The Palgrave Handbook of Mimetic Theory and Religion* (New York: Palgrave Macmillan, 2017).

[19] Henri Hubert and Marcel Mauss, *Sacrifice: Its Nature and Function* (Chicago, 1968).

[20] Girard, *Violence and the Sacred,* 1/13.

This ambivalent character of the victim is explored in the *theory of the ambivalence of the sacred*. During the Victorian period, anthropological studies flourished, and the ambivalence of the sacred was a trending topic. Even though several scholars tried to explain the ambivalent character of the sacred, e.g., Emile Béneviste (1902-1976), William Robertson Smith (1846-1894), and Sigmund Freud (1856-1939), a satisfactory conclusion remains absent. Girard discusses the ambivalence of the sacred from the perspective of the sacrificial rite and the nature of the sacrificial victim in relation to violence. According to Girard, there is a connection between violence and the sacrificial rite. Therefore, the sacrificial rite must have a function related to this violence. To comprehend this function, it is necessary to look at the arbitrary and surrogate nature of the sacrificeable victim.[21] The surrogate nature of the victim demonstrates that the victim substitutes a member of society.[22] Secondly, the victim is arbitrary and not necessarily determined by guilt or expiation because:

> "society is seeking to deflect upon a relatively indifferent victim, a "sacrificeable" victim, the violence that would otherwise be vented on its own members, the people it most desires to protect.
>
> (La société cherche à détourner vers une victime relativement indifférente, une victime « sacrifiable », une violence qui risque de frapper ses propres membres, ceux qu'elle entend à tout prix protéger.)"[23]

'The violence that would otherwise be vented on its own members' refers to the violence that originates through mimetic desire, mimetic rivalry and the mimetic crisis. Hence, a relatively indifferent victim is appointed to save society from the violence that would otherwise destroy it. To illustrate this thesis of the substitute victim, Girard refers to the story of Jacob and Esau.

According to this biblical story, Rebekah slaughters two 'children' – animals substitute humans for Girard in pastoral communities – from the family flock, which Jacob uses to betray his brother and lie to his father. Jacob wraps himself in the animal's skin to deceive his father, using the animal skin to prevent direct contact with his father, which would have caused violence. The animal skin saves Jacob from violence, just as sacrifice saves society from its destruction.[24] The 'relative indifference' of the victim balances on a thin line on which the surrogate victim resembles human categories excluded from the realm of 'sacrificeable' but is yet distinct enough to confuse it as a sacrifice.[25] Therefore, the victims of sacrifice are often animals representing human beings or human beings living on the fringes of society: prisoners of war, slaves, children who did not yet undergo the rites of initiation, kings, etcetera. Even though they portray very different societal roles, they are affiliated with the social group whilst being distinguished. Therefore, killing these relatively indifferent victims opens the possibility of reconciliation rather than initiating new cycles of violence.[26]

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[21] Girard, Violence and the Sacred, 2.
[22] According to Girard, this is demonstrated in the anthropological study of the Dinka by E.E. Evans-Pritchard (1902-1973) (Evans-Pritchard claimed that to understand the Dinka, one had to look at the cows). Girard, Violence and the Sacred, 3.
[23] Ibid., 4/17.
[24] Ibid., 5. The attentive reader remarks the concept of misunderstanding (méconnaissance) (p.6/19) required to appoint a relatively indifferent victim.
[25] Ibid., 12.
[26] Ibid., 14.

1.2 The Function of Law and the Vicious Cycle of Violence

From the perspective of contemporary society, this view on sacrifice and its essential function seems far-fetched; yet Girard argues that its traces can be found in our contemporary world. He turns to a familiar and comprehensible system for us: the system of juridical power and law. According to Girard, the establishment of juridical institutions and law can be traced back to a single and common denominator: the prevention of *violent doubles,* i.e., the prevention of (the possibility of) imitation.[27] In primitive societies, elements that produced the possibility of imitation (or reciprocity, or *doubling*), e.g., mirrors, twins, blood feuds, are connected to violence and mimesis. Therefore, these elements are prohibited or approached with extreme caution. In this regard, prohibitions function to 'regulate' the possibility of imitation and are, therefore, *antimimetic* in character. Hence, the institution of law functions as an antimimetic application of prohibition.[28] This could be demonstrated from an analysis of vengeance.

Prohibitions (law) succeed in breaking the cycle of vengeance. The judicial system transforms private vengeance into a public system and deals with it on behalf of society. In this regard, violence or vengeance practised by the judicial system must be accepted as a form of sovereign power, a form of power superior to personal vengeance.[29] In this acceptance of sovereign power, a core element of modern civilisation becomes visible. Whereas primitive societies turned to sacrifice and prohibitions to control violence, modern societies have developed (powerful) institutions and laws to control violence. Therefore, the problem of mimesis and violence remains present. Both the ritual practice of sacrifice and the constitution of institutions are rooted in violence, and it is merely a thin layer of rationalisation that distinguishes modern and primitive societies.[30]

> "While acknowledging the differences, both functional and mythical, between vengeance, sacrifice, and legal punishment, it is important to recognize their fundamental identity. Precisely because these three institutions are essentially the same they tend to adopt the same types of violent response in times of crisis. Seen in the abstract, such an assertion may seem hyperbolic or simply unbelievable. It can only be appreciated by means of concrete examples. Only then will the utility of the comparison become apparent; customs and institutions that have remained incomprehensible, unclassifiable, and "aberrant" heretofore make sense when seen in the light of this identity.
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> (Derrière la différence à la fois pratique et mythique, il faut affirmer la non-différence, l'identité positive de la vengeance, du sacrifice et de la pénalité judiciaire. C'est bien parce que ces trois phénomènes sont les mêmes qu'ils tendent toujours, en cas de crise, à tous retomber dans la même violence indifférenciée. Cette assimilation peut paraître exagérée, et même invraisemblable tant qu'on la formule dans l'abstrait. Il faut l'envisager à partir d'illustrations concrètes ; il faut mettre sa puissance explicative à l'épreuve. De nombreuses coutumes et institutions qui restent inintelligibles, inclassables, « aberrantes » en son absence, s'éclairent à sa lumière.)"[31]

Therefore, the religious practice of sacrifice or the establishment of a judicial system does not solve the problem of violence, and the comprehension of the nature of violence disintegrates the institutions meant to control it. Whereas the disintegration of the 'mechanism of violence' sheds light on the nature of our institutions, it forces us to face reciprocal violence. However, the rationalisation of the violent mechanism

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[27] Girard, *Things Hidden,* 12-13.
[28] Ibid., 10-19.
[29] Girard, *Violence and the Sacred,* 18.
[30] Ibid., 25.
[31] Ibid., 27/43.

caused modern society to neglect the contagious nature of violence. Whereas primitive societies understood this contagious nature and approached violence with the utmost caution, rationalisation seems to deceive modern societies and throw them into a new violent crisis.[32]

1.3 Cultural Development and the Unity of all Rites in a Common Denominator

As clarified, Girard understands the institution of the juridical order from the antimimetic character of prohibition. Thus, prohibition aims to quell violence, just as the religious ritualistic practice of sacrifice aimed to quell violence by using violence. But how is it possible for institutions to derive from 'impure violence' (reciprocal violence) while performing 'pure violence' (channelising violence)?[33]

According to Girard, the study of 'Sacred Kingship and Central Power' is illuminating in this context. It might be difficult to imagine that a king is a victim. However, according to Girard, the institution of kingship is another form of rationalisation of sacrifice.[34] We agreed that the practice of sacrifice demands a victim to substitute society's disorder (violence) and that society unites in this sacrifice. However, if the sacrificial act is prolonged, the victim becomes a political institution. In the time between the collective appointment of a victim and the victim's sacrifice, this victim enjoys the collective power of society. Society is dependent on this victim. Kings enjoy political power over society by the grace of the people. However, the political power of the king has its drawback. While the king, on the one hand, represents the collective positive mimesis of society, he represents the negative mimesis on the other hand. Therefore, the king exists as an ambivalent figure. In this light, it becomes possible to understand the deification of a king as well as his dismissal. On the one hand, the political power of a king becomes divinised; on the other hand, a king must perform criminal acts, e.g., the act of royal incest.[35]

The act of royal incest present in (some) pastoral or primitive societies demonstrates this ambiguity. The king does not stand above the prohibition of incest but must break these laws to become the thing he resembles, a guilty victim. To become a guilty victim, the ritualistic procedure of royal transgression is (often) paired with eating forbidden foods, committing acts of violence and in some instances, even literally bathing in blood.[36] The realisation of this structure underlying kingship sheds light and strengthens the argument for a single denominator of rituals, religion and

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[32] Girard compares violence with epidemics and fire, raging through societies, causing destruction and havoc. Epidemics, fire, and miasma are also frequently represented in mythology as destructive forces. If the social function of sacrificial mechanisms begins to fade, "impure" violence will mix with the "sacred" violence. This means that whereas sacred violence functioned according to a structure, a coherent and purificatory process, impure violence increases reciprocity and the possibility of imitation and contaminates society. This digression plunges society into a violent crisis in which the logic of the sacrifice is missing. Girard refers to this situation as the *sacrificial crisis.* (p. 43-48) According to Girard, Greek tragedy describes the sacrificial crisis: "The tragedians portray men and woman caught up in a form of violence too impersonal in its workings, too brutal in its results, to allow any sort of value judgement, any sort of distinction, subtle or simplistic, to be drawn between "good" and "wicked" characters." (p.52) The disappearance between good and wicked characters confirms the sacrificial crisis, and, in this regard, the sacrificial crisis is a crisis of indistinction (indifference). Distinctions and differences are required for the sacrificial logic to function properly: "Order, peace, and fecundity depend on cultural distinctions." (p.55) Whereas the modern mind experiences difficulties understanding the importance of cultural differentiation and abstinence of imitation, it was self-explanatory for primitive minds.

[33] Girard, *Things Hidden,* 50.

[34] Ibid., 51.

[35] Ibid., 54.

[36] Girard, *Violence and the Sacred*, 116-123.

institutions.[37] Therefore, even though there is a polyvalence of rituals, the study of sacrifice creates the possibility to trace all rites back to the victim itself. In this regard, cultural development, religion, and political institutions should be traced back to the single denominator.[38]

1.4 Fundamental Anthropology: The Interpretation of Myths

Girard believes that mythology and religious texts have a (social) function at their origin. In this context, Girard refers to Levi-Strauss (1908-2009) and his book *Totemism*[39]. According to Girard, Levi-Strauss' structuralism pays attention to the intrinsic meaning of the myth.[40] However, contrary to Levi-Strauss, Girard connects the intrinsic meaning of myths to an underlying event, original to myths. There are two characteristics Girard traces back to mythological texts: (1) the collective participation against a single victim,[41] and (2) the exclusion of the victim from society.[42] To phrase it in Levi-Strauss' terminology: mythology describes a logic of exclusion and (radical) elimination.[43] Therefore the question that needs to be addressed is: 'how could it be that these elements are so abundantly clear in mythology?'

According to Girard, these elements appear because myths describe the sacrificial logic from the mob's perspective. For example, the myths analysed by Levi-Strauss describe a negative and a positive aspect of the victim. The negative is that the victim is responsible for violence in society; the positive is that by killing or expiating the victim, society is redeemed of its violence. This positive view on the act of sacrifice or expiation could only be understood from the perspective of the accusers. Moreover, since this perspective of the accuser is so strongly and widely represented in mythology, it must refer to an actual event, a founding murder, described by the mob.[44] Sigmund Freud (1856-1939), contrary to Levi-Strauss, also recognised an actual fundamental murder at the origin of culture.[45] Girard argues that Freud's hypothesis is correct, but he situates the murder wrongly. Freud understands the foundational murder from his psychoanalytical and psychosexual theory, whereas Girard approaches the foundational murder from his mimetic theory.[46] Girard interprets mythology as a description of the process of development and humanisation. The key element in this process is the mechanism of violence, which we can now finally understand as *the scapegoat mechanism*. At this point, a connection can be made between rituals, institutions, religion, culture, and myths.

> "R.G:… In myth as well as in ritual, then, the victim—the hero—is killed as the one responsible for crimes that are synonymous with the disintegration of the community. Just as in ritual the central action is often the collective murder of the victim, so in myth the central scene is the murder, again often collective, of the divine hero.

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[37] For more information on this topic, please see the work of Simon Simonse, *Kings of Disaster, Dualism, Centralism and the Scapegoat King in the Southeastern Sudan*, (Leiden/New York/Copenhagen/Cologne: E.J Brill, 1992).

[38] For more information please see: Girard, *Things Hidden,* 68-84.

[39] Claude Lévi-Strauss, *Totemism*, (Beacon Paperback, 157. Boston: Beacon, 1962).

[40] Palaver, *René Girard's Mimetic Theory,* 180.

[41] Girard, *Violence and the Sacred,* 113

[42] Ibid., 115.

[43] Girard, *Things Hidden,* 109.

[44] Ibid., 112-118

[45] For more information see: Sigmund Freud, *Totem Und Tabu: Einige Übereinstimmungen Im Seelenleben Der Wilden Und Der Neurotiker*. Leipzig: Heller, 1913.

[46] For more information please see: Girard, *Violence and the Sacred,* 191-252, Frost K.M, "Freud, *Moses and Monotheism*, and the Conversation Between Mimetic Theory and Psychoanalysis," in Alison J., Palaver W. (eds) *The Palgrave Handbook of Mimetic Theory and Religion* (Palgrave Macmillan, New York) 2017.

> (R. G. : … Aussi bien dans les mythes que dans les rituels, en somme, la victime – le héros – se fait tuer en tant que responsable de crimes qui ne font qu'on avec la désintégration de la communauté. De même que l'action centrale des rituels est le meurtre, souvant collectif, de la victime, la scène centrale des mythes est le meurtre, souvent collectif, du héros divinisé.)"[47]

Thus, all rituals and myths point in the same direction: the victim's direction. From the founding murder and prohibitions to the resolution of the crisis and its depiction in myths and rituals, the mechanism of the victim is characterised by the sacred. Hence, violence is not a product of the sacred, but the sacred *is* violence.[48]

[47] Girard, *Things Hidden,* 38.
[48] Ibid., 32.

Part 2: Giorgio Agamben's Political Philosophy: From A Violent Ontology to the *Homo Sacer*

In 1995, Giorgio Agamben[49] (re)introduced the concept of the *homo sacer* in his book *Homo Sacer: Sovereign Power and Bare Life*. The *homo sacer* is a figure from ancient Roman law that appears paradoxical: the *homo sacer* may not be sacrificed but may be killed.[50] According to Agamben, this figure originates in a state of exception in which sovereign power reduces the potentiality of human life to bare existence. The violence that thereby surfaces in the figure of the sovereign and the *homo sacer* is demonstrative of a harmful (metaphysical) development in the history of humankind.

The first part of Agamben's *Homo Sacer: Sovereign Power and Bare Life*: "The Logic of Sovereignty," traces this metaphysical trail back to Aristotle's *Metaphysics* Book Theta. Aristotle discusses *actuality* and *potentiality* regarding the metaphysical problem of whether things exist as they exist (actuality) or things exist as a possibility (potentiality).[51] According to Agamben, the history of Western metaphysics developed according to the primacy of actuality over potentiality.[52] This development harmed the autonomous existence of potentiality and thereby reduced *being(s)* to stereotypical actualities. Therefore, Agamben aims to establish a revaluation of potentiality.[53] Agamben's *Homo Sacer: Sovereign Power and Bare Life* describes the consequences of the primacy for actuality in modern politics and demonstrates its harmfulness for humanity. Agamben explains that sovereign power exists in the primacy for actuality, whereas the foundational ontology of being (including politics) exists in the realm between actuality and potentiality. Sovereign power, therefore, exists on an illegitimate ontological ground. This is problematic because if political power becomes actuality, it annihilates the potentiality of human beings. Actuality tends to reduce everything to meaning-given stereotypical conceptualisations. Thereby, human life is reduced to a political-meaning-given concept.

The second part of Agamben's *Homo Sacer: Sovereign Power and Bare Life* discusses the figure of the *homo sacer*. The *homo sacer* defines the category of human beings subjected to sovereign power. In reducing human beings to definable categories, political power penetrates the *being* of humanity and reduces humanity to political concepts. The *homo sacer* demonstrates that this category of human beings – submitted to sovereign power –appeared in Roman law. Therefore, Agamben tries to uncover

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[49] Agamben, born in 1943 in Rome, originally wanted to become a poet. However, after following some seminars from Martin Heidegger in 1966 and 1968, he changed his vocation and became a philosopher. Heidegger remains to have a central role in his philosophy. Carl Schmitt (1888-1985), Walter Benjamin (1892-1940), Hannah Arendt (1906-1975), and Michel Foucault (1926-1984) also have a central function in his philosophy. In the '70s and '80s, Agamben moves to Paris as a professor of linguistics and medieval culture. Until thus far, his work is mainly characterised by language and aesthetics. This changes when he publishes *The Coming Community* (1990). In 1995, Agamben receives international attention with his *Homo Sacer: Sovereign Power and Bare Life*. In this book, Agamben makes some critical claims concerning modern politics that tend to overshadow the rigorousness of his political analysis. Furthermore, this book forms the foundation of what will later become 'The Homo Sacer Series,' a collection of nine books concerning his political philosophy over the span of more than 20 years.

Besides his work on language and politics, his philosophy is closely related to law and theology, although he receives his primary academic interest from (political) philosophers. Agamben is known for his criticism on modern politics and his work is often controversial. However, this is also one of the reasons for his success and popularity.

[50] Agamben, *Homo Sacer,* 70.

[51] For more information see: Aristotle, *Metaphysics Theta,* trans. Stephen Makin (Oxford University Press, Incorporated, 2006), 1-15, https://ebookcentral.proquest.com/lib/ubnru-ebooks/detail.action?docID=431089#.

[52] For more information see: Giorgio Agamben and Daniel Heller-Roazen, *Potentialities: Collected Essays in Philosophy* (Meridian. Stanford, CA: Stanford University Press, 1999).

[53] For more information see: Giorgio Agamben, "On Potentiality," in *Potentialities.*

whether this figure has an original political structure located in the zone prior to the distinction between the sacred and the profane; or in other words, Agamben tries to retrace whether there is a pre-political structure in which primacy was not yet given to actuality. To do so, Agamben explores what constitutes the sacredness of the *homo sacer,* and consequently, he deducts that there must be a zone of indistinction prior to the political structure. This zone of indistinction shows us that there are other possibilities to shape our world.

In part three, Agamben describes examples from recent history in which this development of biopolitical power can be discovered. Sacredness constitutes how human life is reduced to bare life. Thus, it becomes clear that *violence,* in the Agambian context, refers to an ontological-metaphysical injustice, resulting in the violent acts against humanity both in the metaphysical context of *being* and the physical act of killing.

In *State of Exception* (2003)[54], Agamben delves into the political and juridical enigma of Carl Schmitt's (1888-1985) *state of exception.* In this exploration, Agamben addresses the legitimacy of the state of exception by questioning whether there is something 'beyond the law.' Because, if there exists a structure beyond the law, it might be possible to retrieve a different kind of political constitution that is not grounded in actuality. In this regard, Agamben responds to a discussion between Schmitt and Benjamin concerning the possibility of violence beyond the law. This possibility of violence beyond the law would be a "pure" form of violence, which refers to the purity that balances the actuality and potentiality of *being.* In other words, Agamben searches, in accordance with Benjamin, for a pre-political and pre-juridical domain that establishes another *use* of law.

> Politics has suffered a lasting eclipse because it has been contaminated by law, seeing itself, at best, as constituent power (that is, violence that makes law), when it is not reduced to merely the power to negotiate with the law. The only truly political action, however, is that which servers the nexus between violence and law. And only beginning from the space thus opened will it be possible to pose the question of a possible use of law after the deactiviation of the device that, in the state of exception, tied it to life. We will then have before us a "pure" law, in the sense in which Benjamin speaks of a "pure" language and a "pure" violence. To a word that does not bind, that neither commands nor prohibits anything, but says only itself, would correspond an action as pure means, which shows only itself, without any relation to an end. And, between the two, not a lost original state, but only the use and human praxis that the powers of law and myth had sought to capture in the state of exception."[55]

Therefore, restoring the purity of *being* is the underlying structure of Agamben's political philosophy. A structure liberated from divisions of thought or captivated in actualised concepts. *State of Exception* demonstrates that the distinction between norm and exception is fictitious,[56] and we now live in this state of exception that has become the norm. Therefore, Agamben's project is to undo these by actuality determined concepts, divisions of thought, and fictions.

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[54] Giorgio Agamben, *State of Exception*, in *The Omnibus Homo Sacer,* trans. Kevin Attell (Meridian: Crossing Aesthetics. Stanford, California: Stanford University Press, 2017).

[55] Agamben, *State of Exception*, 242.

[56] Collin McQuillan argued that *fiction* play's a crucial role in Agamben's philosophy which is often overlooked. In his article "Agamben's Fiction's,' McQuillan explains that fiction for Agamben means the shaping (forming) of 'artificial' distinctions, e.g., life-death, human-animal, *zoe-bios*, *homo sacer*-sovereign, and norm-exception, which have become murderous and genocidal in the 20th century. For more information please see: Collin McQuillan, "Agamben's Fictions," *Philosophy Compass* 7, no. 6 (2012): 376–87. https://doi.org/10.1111/j.1747-9991.2012.00490.x.

In *The Sacrament of Language: An Archaeology of the Oath* (2010)[57], Agamben studies the definition of the *Oath*. This inquiry aims to retrace the concept to an earlier stage in human development. Thereby, Agamben will critically reflect upon the development of language, religion, and law in the context of anthropogenesis. This demonstrates that Agamben's archaeology is a method to dissect actualised concepts. Concerning the archaeology of the oath, Agamben argues that the development of the oath describes the development of human beings becoming linguistically expressive beings and linguistically meaning-giving beings. Violence, religion, and law play a crucial part in this development. Therefore, this book is the anthropogenetic demonstration of Agamben's archaeological method. Agamben's archaeological method and restoration of pure potentiality is not a glorification of the past but encourages the restoration of ethical politics and gives humanity the task to restore a pure form of life. Agamben's *The Time That Remains: A Commentary on the Letter to the Romans* (2000)[58], *The Highest Poverty: Monastic Rules and Form-of-Life* (2013)[59], and *The Use of Bodies* (2016)[60] explores this ethical dimension and restoration of a pure form-of-life.[61]

2.1 An Ontology of Violence: The Logic of Sovereignty

In the introduction of the *Homo Sacer: Sovereign Power and Bare Life,* Agamben distinguishes two forms of life: *zoē* (natural life) and *bios* (political life). Whereas human beings used to be able to be indifferent concerning politics in natural life, modernity incorporates human beings in political life through the act of *biopolitics*.[62] Biopolitics is the act of reducing human life to political use; it is the politicisation of life.[63] This politicisation of life is the act of sovereign power. According to Agamben, sovereignty exists as a paradox. On the one hand, the sovereign exists inside the juridical order, e.g., by establishing laws; on the other hand, the sovereign exists outside the juridical order by proclaiming and operating in the state of exception – by declaring a state of exception, the sovereign suspends the validity of the norm.[64] The sovereign exceeds the law and the state of exception by its monopoly of choice. Therefore, he creates the law wherever he goes. In this sense, norm and exception function as a dialectic structure. The norm does not disappear but exists as the fundamental ground of the

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[57] Giorgio Agamben, *The Sacrament of Language: An Archaeology of the Oath*, in *The Omnibus Homo Sacer,* trans. Daniel Adam Kotsko (Meridian: Crossing Aesthetics. Stanford, California: Stanford University Press, 2017).

[58] Giorgio Agamben and Patricia Dailey, *The Time That Remains: A Commentary on the Letter to the Romans,* Meridian, (Stanford, CA: Stanford University Press, 2015).

[59] Giorgio Agamben, *The Highest Poverty: Monastic Rules and Form-of-Life,* in *The Omnibus Homo Sacer,* trans. Daniel Adam Kotsko (Meridian: Crossing Aesthetics. Stanford, California: Stanford University Press, 2017).

[60] Giorgio Agamben, *The Use of Bodies,* in *The Omnibus Homo Sacer,* trans. Daniel Adam Kotsko (Meridian: Crossing Aesthetics. Stanford, California: Stanford University Press, 2017).

[61] This is just a very brief and selective overview of Agamben's political philosophy, for it only mentions three parts of his 'Homo Sacer Series' consisting of: Book I: *Homo Sacer: Sovereign Power and Bare Life* (1995). Book II: *State of Exception* (2003), *Stasis: Civil Was as a Political Paradigm* (2015), *The Sacrament of Language: An Archaeology of Oath* (2010), *The Kingdom and the Glory: For a Theological Genealogy of Economy and Government* (2011), *Opus Dei: An Archaeology of Duty* (2013). Book III: *Remnants of Auschwitz: The Witness and the Archive* (2002). Book IV: *The Highest Poverty: Monastic Rules and Form-of-Life* (2013), *The Use of Bodies* (2016). Nevertheless, it indicates the general structure and outline of Agamben's political philosophy revolving around the concept of the *homo sacer* and the metaphysical discussion of actuality and potentiality. For more information on Agamben and his philosophy please see: *Giorgio Agamben: A Critical Introduction* (2009), Agamben *and Theology* (2011), *Agamben and Politics: A Critical Introduction* (2014), and *Agamben and the Existentialist* (2021).

[62] Agamben, *Homo Sacer,* 7.

[63] Ibid., 10.

[64] Ibid., 17.

exception's existence because the exception can only exist in the suspension of a norm.[65] Just like, for example, negative theology can only exist in relation to theology. In this dialectical structure, the sovereign exists as the point of indistinction between the norm and the exception. Therefore, the sovereign exists inside the norm (law) while being outside the law.[66] In other words, the sovereign is included by its exclusion and thereby marks the threshold where the norm and execution are exceeded in the topological zone of indistinction.

> The state of exception is thus not so much a spatio-temporal suspension as a complex topological figure in which not only the exception and the rule but also the state of nature and law, outside and inside, pass through one another. It is precisely this topological zone of indistinction, which had to remain hidden from the eyes of justice, that we must try to fix under our gaze.[67]

The best way to approach this topological zone of distinction and fix it under our gaze is to address the problem of *constituting power* and *constituted power*. The problem is that "*the constitution* [power] *presupposes itself as constituting power*."[68] In this way, it demonstrates itself in the same way as the paradox of sovereignty. Sovereign power divides itself in constituting power and constituted power and places itself at the point of indistinction. But there is more at risk in this analysis of power. Agamben notes that constituting power perceived in its radicality becomes an ontological category because it concerns the ontological discussion of things that *are* (actuality) and things that *could be* (potentiality).[69]

The ontological categories of potentiality and actuality refer to Aristotle's *Metaphysics* book theta. There, Aristotle affirms the autonomous existence of potentiality in relation to actuality. The implication of this autonomous existence supposes the existence of a form of potentiality that does not always immediately pass over into actuality. Aristotle refers to this potentiality as a potentiality-not-to-be or im-potentiality. This potentiality that exists as im-potentiality 'maintains itself in relation to actuality in the form of its suspension'.[70] The sovereign acts the same way as this im-potentiality since it exists as the suspension of its potentiality. However, if sovereignty exists as the suspension of its potentiality, this implies another form of potentiality, the potentiality of not-not-to-be; or simply put, a free being in potentiality instead of sovereignty.[71]

> Instead one must think the existence of potentiality without any relation to Being in the form of actuality – not even in the extreme form of the ban and the potentiality not to be, and of actuality as the fulfilment and manifestation of potentiality – and think the existence of potentiality even without any relation to being in the form of the gift of the self and of letting be. This, however, implies nothing less than thinking ontology and politics beyond every figure of relation, beyond even the limit relation that is the sovereign ban. Yet it is this very task that many, today, refuse to assume at any cost.[72]

Thinking the existence of potentiality without any relation to being in the form of actuality, is necessary because the ontological structure of actuality is a violent structure. Since the sovereign exists on the point of indistinguishability between norm

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[65] Agamben, *Homo Sacer,* 19.
[66] Ibid., 20.
[67] Ibid., 35.
[68] Ibid., 37.
[69] Ibid., 39-40.
[70] Ibid., 41.
[71] Ibid., 42.
[72] Ibid., 42.

and exception, constituting power and constituted power, violence that posits law and violence that preserves the law, it incorporates all these categories. This means that the sovereign is the norm and the exception, constitutes and is constituted, and uses violence to posit the law and to preserve the law.[73] In this regard, sovereign violence is situated in the zone of indistinction. Here it needs no justification since it is its own justification. "Sovereign violence opens a zone of indistinction between law and nature, outside and inside, violence and law. And yet the sovereign is precisely the one who maintains the possibility of deciding on the two to the very degree that he renders them indistinguishable from each other."[74] Thus, as long as violence exists in this dialectic, it remains an essential characteristic of the sovereign decision. Submitted to sovereign violence are the subjects which appear as "bare life" (*bloßes Leben*) before the ruler.

2.2 An Ontology of the Sacred: The Logic of the *Homo Sacer*

The connection between bare life and the violent ontology is explicated in Agamben's figure of the *homo sacer*. In *De Verborum Significantione,* Roman grammarian Pompeius Festus discusses the definition of the *homo sacer* in the context of the *sacer mons* (sacred mount)[75]:

> The sacred man is the one whom the people have judged on account of a crime. It is not permitted to sacrifice this man, yet he who kills him will not be condemned for homicide; in the first tribunitian law, in fact, it is noted that "if someone kills the one who is sacred according to the plebiscite, it will not be considered homicide." This is why it is customary for a bad or impure man to be called sacred.
>
> (At homo sacer is est, quem populus iudicavit ob maleficium ; neque fas est eum immolari, sed qui occidit, parricidi non damnatur ; nam lege tribunicia prima cavetur "si quis eum, qui eo plebei scito sacer sit, occiderit, parricidia ne sit." Ex quo quivis homo malus atque improbus sacer appellari solet.)[76]

This definition clarifies that *being sacred* is not a positive thing since killing the sacred man is unpunishable; in other words, it is licit to kill the sacred man. But how can it be licit to kill a sacred man while the act of killing is illicit? What does *being sacred* (being in *sacratio*) mean? Typical responses to this question can be divided into two separate groups. First are those who understand *sacratio* as a weakened residue of secularisation. Their premise is that *sacratio* is a mixture of the religious act of sacrifice and the death sentence in penal law. The second group considers *sacratio* to represent the ambiguity of the victim. Whereas the first group can understand the killing without conviction, they cannot explain why 'it cannot be sacrificed.' Inversely, the second group understands that the *homo sacer* cannot be sacrificed (because of sacrilege) but cannot

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[73] Agamben's discussion of violence that posits the law and violence that preserves the law refers to Benjamin's discussion of violence in his "Critique on Violence." Benjamin's essay inquires whether a "pure" form of violence exists beyond the violence that posits the law and violence that preserves the law. The third category of violence that Benjamin poses to break the dialectic of the previous two forms of violence is divine violence. Benjamin situates the divine violence in the zone of indistinguishability. This type of violence shows the connection between violence that posits the law and violence that preserves it while being suspended.

[74] Agamben, *Homo Sacer,* 55.

[75] For a critical discussion of Agamben's reference of the homo sacer is in the context of *sacer mons,* please see: Frederieck Depoortere, "Reading Giorgio Agamben's Homo Sacer with Rene Girard," *Philosophy Today -Michigan Then Chicago-* 56, no. 2 (2012): 154–63.

[76] Agamben, *Homo Sacer,* 61.

explain its sacredness.[77] Therefore, the questions arise: 'What constitutes the sacredness of the *homo sacer*?

According to Agamben, one of the misconceptions concerning the sacred is the theory of the ambivalence of the sacred,[78] which has led social sciences astray. Predominantly in French sociology, this theory has left its mark. The theory was formulated by William Robertson Smith (1846-1894) in his *Lectures on the Religion of the Semites* (1889)[79]. Another scholar, Sigmund Freud (1856-1939), was enthusiastic about Smith's hypothesis and used it for his psychoanalytic anthropogenesis in *Totem und Tabu* (1913)[80]. The core hypothesis of the theory of the ambivalence of the sacred can be found in the double meaning of the Latin term *sacer,* which means "sacred and damned." Smith's and Freud's hypothesis is that the ambiguity of the sacred originates in the ban – 'which excludes in excluding'.[81] This would mean that the ambivalence of sacredness represents the desired object (positive) and the prohibition of this object (negative). Whereas many anthropologists, sociologists, and archaeologists were intrigued by this hypothesis, Agamben argues it is a 'psychologization of religious experience.' He argues that this view on the ambivalence of the sacred explains nothing and that it reflects the loss of religious meaning in Victorian times. He claims that scholars like Freud were looking for an explanation of religion and religious experience; therefore, they developed an ambivalent relation towards the sacred.[82] On the one hand, they were drawn to religion and its traditions, while on the other hand, religion and the religious experience seemed to become disproved by scientific developments. Therefore, the Victorian scholars depicted their ambivalent attitude towards religion on the sacred and reduced religious experiences to social and cultural psychological phenomena. Furthermore, Agamben argues that this psychologization of religious experience functions according to a perfectly circular argument.[83]

2.3 An Ontology of (Modern) Politics: The Logic of Sovereign Power and Bare Life

Since the theory of the ambivalence of the sacred does not constitute the sacred, we should explore the realm of indistinction that constitutes the *homo sacer.* According to Agamben, the unpunishability of killing (*impuni occidi)* excludes the *homo sacer* from the

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[77] Agamben, *Homo Sacer,* 62.

[78] The theory of the ambivalence of the sacred relates to the analysis of the ban (taboo) in ancient societies. For example, Freud's anthropological application of his psychoanalysis draws a strong connection between the sacred as the ban; or, in Freudian terminology, a taboo. According to Freud, a taboo is a (neurotic) consequence of (sexual) suppression by the totem father. The totem father suppresses the sexual desire of a young man, which is directed at a member of his family (totem). The father suppresses this desire because he alone is 'the owner' of the females in the family. Because of the father's suppression, a rivalry arises, and the sons gather to overthrow their father(s). Whereas they are now liberated from sexual suppression, guilt turns their father(s) into totems, and what previously was a ban now becomes a taboo. Furthermore, the ban prevents future rebellious acts of the sons' sons. Therefore, the totem and the taboo hide the event's true nature while remembering the same event. It represents fear and hatred as well as consolation and love. According to Freud, the development of these totems and taboos indicates the early stages of religious traditions. Therefore, the sacred is a product of the ban and the event between the father and the sons. It encapsulates both the negative and positive elements of the ban, the disdain and reconciliation of the taboo, and the love and hate for the totem father.

[79] William Robertson Smith, *Lectures on the religion of the Semites : first series: the fundamental institutions,* Burnett lectures ; 1888-1889, (Edinburgh: Black, 1889).

[80] Sigmund Freud, *Totem und Tabu : einige Ubereinstimmungen im Seelenleben der Wilden und der Neurotiker* (Leipzig: Heller, 1913).

[81] Agamben, *Homo Sacer,* 65.

[82] Ibid., 66.

[83] Ibid., 68.

human law (*ius hominum*), and the unsacrificeability excludes the *homo sacer* from the divine law (*ius divinum*).[84] These exclusions include the *homo sacer* into a third realm between human law and divine law. In this realm, the realm of *sovereign power,* a life that may not be sacrificed, can yet be killed. In this understanding, the ambivalence of the *homo sacer* is not the embodiment of the double meaning of the sacred but its double exclusion from human and divine law and inclusion in sovereign power. Thus, the *homo sacer* refers to a more ontological paradox manifested in the zone of indistinction. Ethical, religious, juridical, and legislative influences lost their power, and life is entirely subject to sovereign power; therefore, the sovereign does not commit murder or sacrifices but kills.

> The political sphere of sovereignty was thus constituted through a double exclusion, as an excrescence of the profane in the religious and of the religious in the profane, which takes the form of a zone of indistinction between sacrifice and homicide. *The sovereign sphere is the sphere in which it is permitted to kill without committing homicide and without celebrating a sacrifice, and sacred life – that is, life that may be killed but not sacrificed – is the life that has been captured in this sphere.*[85]

Therefore, the sovereign ban is not just a political ontological paradigm that is violent in itself but creates a physical victim in the figure of the *homo sacer*. In this sense, Benjamin's *bloßes Leben* can be understood as the originary activity of sovereign power. Sovereign power and bare life are the two ends of the same spectrum. Thus, sacredness does not exist in an ambivalent structure but is the "inclusion of bare life in the juridical order, and the syntagm *homo sacer* names something like the originary "political" relation, which is to say, bare life insofar as it operates in an inclusive exclusion as the referent of the sovereign decision.[86]

An example of Agamben's claim is the Roman law *vitae necisque potestas*. Vitae necisque potestas refers to the power over life and death. In the context of Roman law, it refers to the father (*pater*) who has the authority to kill his son. Even though the son's position is compromising in this situation, it also includes him in the power structure of the father. This explains why sons may protest and provoke the political authority of the father while other members of the household should remain silent. By being subjected to the "power of life and death with respect to the father. The son [*puer*] symbolically affirms precisely the consubstantiality of the *vitae necisque potestas* with sovereign power."[87]

> It is as if male citizens had to pay for their participation in political life with an unconditional subjection to a power of death, as if life were able to enter the city only in the double exception of being capable of being killed and yet not sacrificed. Hence the situation of the *patria potestas* at the limit of both the *domus* and the city: if classical politics is born through the separation of these two spheres, life that may be killed but not sacrificed is the hinge on which each sphere is articulated and the threshold at which the two spheres are joined in becoming indeterminate. Neither political *bios* nor natural *zoē,* sacred life is the zone of indistinction in which *zoē* and *bios* constitute each other in including and excluding each other.[88]

Thus, the ontological paradox at the heart of Agamben's political philosophy operates in a zone of indistinction. The inclusion via exclusion generated a violent environment

[84] Agamben, *Homo Sacer,* 69-70.
[85] Ibid., 70.
[86] Ibid., 72.
[87] Ibid., 75.
[88] Ibid., 76.

that opposes sovereign power to bare life, in which the latter is abandoned and rejected in its mere existence as life that can be killed.[89]

The locus of Agamben's third realm, which includes via exclusion, is demonstrated in his *State of Exception.* Agamben argues that Carl Schmitt established the state of exception as a paradigm of government in his *Politische Theologie* (1922)[90]. In this regard, the ontological realm is represented in political structures, and sovereignty and the *homo sacer* manifest themselves in society. Schmitt's analysis demonstrates that the state of exception exists in the suspension of the normal order (*Ausnahmezustand).*

> Here, the lacuna does not concern a deficiency in the text of the legislation that must be completed by the judge; it concerns, rather, a *suspension* of the order that is in force in order to guarantee its existence. Far from being a response to a normative lacuna, the state of exception appears as the opening of a fictitious lacuna in the order for the purpose of safeguarding the existence of the norm and its applicability to the normal situation.[91]

Here, in the suspension of the norm through the state of exception, the sovereign executes its monopoly of power and decision. In this regard, the norm and the exception form the two sides of the same coin. The norm is only defined as the norm via the exception and vice versa. Thus, the norm and the exception reveal their relation as an inseparable necessity. According to Agamben, in modern politics, the exception becomes the more represented side in contrast to the norm and, thus, forms the locus of modern politics.[92] Hence, the *suspension* constituted the possibility of the third ontological realm that includes via exclusion.

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[89] In part three "The Camp as Biopolitical Paradigm of the Modern," perhaps the most controversial part of the book, Agamben discusses how sovereign power and bare life showed itself in the past and in our modern societies. In this context he discusses argues that through the development of biopolitics the camp, as the space of the distinction between life and death, has become the fundamental structure of modern politics.

[90] Carl Schmitt, *Politische Theologie* (Berlin: Duncker & Humblot, 1922).

[91] Agamben, *State of Exception,* 191.

[92] Agamben discusses the implications of the exception as the locus of modern politics and law in relation to Schmitt's and Benjamin's discussion of pure violence. Schmitt and Benjamin debate the (ontological) role of violence in modern politics and law.

In "Critique on Violence" (1921), Benjamin aims "to ensure the possibility of a violence (the German term *Gewalt* also means simply "power") that lies absolutely "outside" (*außerhalb*) and "beyond" (*jenseits*) the law and that, as such, could shatter the dialectic between lawmaking violence and law-preserving violence (*rechsetzende und rechterhaltende Gewalt*)." This violence outside and beyond is called "pure" or "divine" violence. For Schmitt, violence outside and beyond the law is impossible because it is included in its exception. The locus of the exception is the locus that captivates violence in the structure. For Schmitt, the dialectic that Benjamin presupposes is dissolved in the sovereign decision. Benjamin's dialectic requires a clear-cut separation, which is absent in Schmitt's (arbitrary) sovereign decision. Benjamin replies to Schmitt's reaction by demonstrating the impossibility of the sovereign decision. Thus: "While Schmitt attempts every time to reinscribe violence within a juridical context, Benjamin responds to this gesture by seeking every time to assure it – as pure violence – an existence outside of the law. For reasons that we must try to clarify, this struggle for anomie seems to be as decisive for Western politics as the *gigantomachia per tes ousias,* the "battle of giants concerning being," that defines Western metaphysics. Here, pure violence as the extreme political object, as the "thing" of politics, is the counterpart to pure being, to pure existence as the ultimate metaphysical stakes; the strategy of the exception, which must ensure the relation between anomic violence and pure law, is the counterpart to the onto-theo-logical strategy aimed at capturing pure being in the meshes of the logos." (Agamben, *State of Exception,* 217).

Therefore, Schmitt accurately describes the im-potentiality that determines the *being* of politics, while Benjamin tries to think of a non-actualised potentiality beyond im-potentiality and actuality. This "pure" being (as his "pure" violence) would change the course of history and oppose the tradition of Western metaphysics and politics. Thus, "pure" being of violence would exist in its mediality. This would constitute a new (pure) use of law, politics, violence and *Being.*

2.4 A Pure Ontology: The Sacred and the Profane

In *The Sacrament of Language: An Archaeology of Oath*, Agamben applies his ontological-metaphysical discussion to a more anthropological and anthropogenetic study. To retrace certain developments in human history, Agamben studies the *oath*. According to Agamben, the oath defines man as a political being.[93] In the oath, man commits and captivates oneself. Thereby the oath does not create anything, it does not bring forth, but it affirms and assures. The oath functions as the king's signet ring, but what does it signify? According to Agamben, the primary function of the oath is to guarantee the truth and efficacy of language.[94] But how does the oath develop this function, where does its authority come from? To answer this question, an archaeology of the oath is necessary. This does not mean that Agamben aims to establish a chronological recapitulation of history; instead, Agamben aims 'to trace' certain steps in human development, especially the development of language, to find the force working in history: "Yet unlike the "big bang," which astrophysicists claim to be able to date, even if only in terms of millions of years, the *arché* is not a given, a substance, or an event but a field of historical currents stretched between anthropogenesis and the present, ultrahistory and history."[95] The archaeology of the oath does (a process of profanation), therefore, not trace back a sacred definition that explains the origin of life, religion, of law; instead, the oath, often connected to religious and juridical practices, allows us to explore the realm in which it originated, as far as our documents allow us to trace it.

According to these sources – and there is no reason to doubt them – the oath is crucial in ancient societies. Even the gods were subjected to them.[96] Therefore, the concept seems more ancient than the gods and the religious order. However, not just the religious order but the juridical order as well, since Agamben speculates that the law is a part of, or later development of, religion.[97] Therefore, the question is whether the oath is a religious concept or a juridical concept? And does the oath hold one to one's words on religious- or legal authority?

Agamben clarifies that the oath is backed by religious sanctity.[98] Therefore, the oath is a religious affirmation (*affirmation religiosa*). Yet, religiosity is not the fundamental ground of the oath, since the oath is a linguistic expression: "If anything, it is possible that here we have to do with a sphere of language that stands before law and religion and that the oath represents precisely the threshold by means of which language enter into law and *religio*."[99] In this regard, the oath is connected to a concept that we earlier discussed, the concept of *sacratio*. In that context, we discussed the sacredness of the *homo sacer* in light of its unsacrificeability and *impune occidi*. Here, Agamben clarifies three characteristics of *sacratio* blurred in this single concept. The affirmation (of the gods), the invocation of the gods as a witness, and the curse directed at perjury are joined in a single structure of *sacratio-devotio*.[100] This demonstrates that the function of the oath is to establish the signifying power of language, positively through the oath and negatively through the curse. The oath demonstrates the function of affirming language through promise and binds the person in this regard; the curse demonstrates the function of affirming language through the punishment that is bestowed upon an

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[93] Agamben, *The Sacrament of Language,* 302.
[94] Ibid., 303.
[95] Ibid., 308.
[96] Ibid., 314.
[97] Ibid., 315.
[98] Ibid., 317.
[99] Ibid., 322.
[100] Ibid., 324.

offender of the promise.[101] "Not only the oath, but also the curse – in this sense it is rightly called "political" – functions as a genuine "sacrament of power."[102] Hence:

> Religion and law do not preexist the performative experience of language that is in question in the oath, but rather they were invented to guarantee the truth and trustworthiness of the *logos* through a series of apparatuses, among which the technicalization of the oath into a specific "sacrament" – the "sacrament of power" – occupies a central place.[103]

Hence, we see how language works as meaning-giving machinery for Agamben. Just as the oath developed its meaning and function throughout human history, other concepts similarly develop their meaning and function. However, just as the oath has an originary open ground, other concepts have this ground as well.

> Something like a human language was in fact only able to be produced in the moment in which the living being, who found itself co-originarily exposed to the possibility of both truth and lie, committed itself to respond with its life for its words, to testify in the first person for them, and just as *mana* expresses, according to Lévi-Strauss, the fundamental inadequation between signifier and signified, which constitutes "the disability of every finite thought," so also does the oath express the demand, decisive in every sense for the speaking animal, to put its nature at stake in language and to bind together in an ethical and political connection words, things, and actions. Only by this means was it possible for something like a history, distinct from nature and, nevertheless, inseparably intertwined with it, to be produced.[104]

Hence, the archaeology of the oath demonstrates to us that we can and should retrace the earlier structures in anthropogenesis. The process of profanation, an archaeological process, is crucial in this respect. Profanation allows us to eliminate the 'actualising' structure of theology, politics, institutions, etcetera and explore the underlying structure to reach a pure ontology.

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[101] Agamben, *The Sacrament of Language,* 328.
[102] Ibid., 329.
[103] Ibid., 345.
[104] Ibid., 353.

Part 3: The Girard-Agamben Nexus Concerning Violence and the Sacred

Until thus far, this state-of-the-art paper critically discussed the core structure of Girard's and Agamben's theories concerning their thematisation of violence and the sacred. To summarise, Girard's violence derives from *mimetic desire*. Consequential to mimetic desire is a mimetic structure in which violence is channelised via a *scapegoat mechanism*. From this scapegoat mechanism, it becomes possible to understand the sacredness of the scapegoat via positive and negative *mimesis* embedded in the victimary mechanism. Agamben's thematisation of violence derives from a violent ontological structure. According to Agamben, Western metaphysics is characterised by a violent ontology and thereby preserves a violent political structure that finds its place in all aspects of human life. In this regard, the *homo sacer's* sacredness exists in Carl Schmitt's locus of the state of exception, which forms a third ontological category (suspension) between the human and the divine. Despite these difference theories, the thematisation of violence and its connection to the sacred remains the common denominator. Furthermore, four striking similarities between Girard and Agamben can be drawn from our discussion.

First is the archaeological method. Girard's method is archaeological in its 'retracing' of the scapegoat mechanism, whereas Agamben uses an archaeological method in 'retracing' pure potentiality. Second, Girard and Agamben retrace violence and the sacred to an ontological paradigm. In Girard, this ontological paradigm is founded on his theory of *mimesis,* which has metaphysical-, psychological-, and biological characteristics. In Agamben, Aristotelian metaphysics concerning potentiality and actuality forms the ontological dimension. Third, Girard's and Agamben's ontological paradigm introduces a structure of sacred violence in the figure of a *sacred victim*. Both thinkers situate violence at the origin of their ontological paradigm and connect it to the sacred, representing a particular harmful development in this ontological structure. For Girard, the sacred occupies the ontological paradigm and the scapegoat, whereas, for Agamben, the sacred exists as a separate (suspended) realm to *bios* and *zoē*. Four, Girard's and Agamben's project of 'retracing' opens the possibility of change. In this regard, both thinkers introduce an ethical reconsideration of life. For Girard, Christian revelation demonstrates the ontological paradigm of human life and the possibility of ethical restoration. For Agamben, Pauline messianism introduces the radicality required to reshape a particular form-of-life that is not subjected to the violent ontology of the current Western tradition.

Besides these more fundamental similarities, there are several anthropogenetic similarities, such as the definition of sacred victims and their connection to and exclusion from society. Girard's scapegoat can be found on the margins of society, as well as Agamben's *homo sacer* – although they disagree on the margins. Moreover, concerning their victims, both thinkers show an all-against-one structure (or a Schmidtian friend-enemy structure). Furthermore, they share a theory of sovereignty in relation to the sacred. Girard's sovereignty derives from the power given to a scapegoat in a suspended sacrifice – the establishment of sovereign power is thus a consequence of the sacrificial mechanism, and the sovereign's power derives from the violent mob itself. In contrast, Agamben's sovereignty is a consequence of the ontological-metaphysical imbalance. Another similarity is their description of the establishment and function of law. Whereas for Girard, law is an institutionalised form of the sacrificial mechanism, Agamben argues that law represents an actualised violent ontology. Hence, institutions, organisations, etcetera do not magically overcome violence but are embedded in it.

3.1 The Possibility of a Girard-Agamben Nexus

Whereas the above similarities suggest the possibility of a Girard-Agamben nexus, some fundamental differences should be discussed as well. First, one should note the difference between Girard's anthropological archaeology and Agamben's philosophical archaeology. Girard's study of sacrifice and rituals has an entirely different focus than Agamben's ontological discussion of actuality and potentiality. Nonetheless, both thinkers situate violence and the sacred as the *arche* to which their archaeologies return and confront the same concepts.

A second, more interesting, difference between Girard and Agamben is their divergent conception of the *humanum, profanum-sacrum,* and *divinum.*[105] Girard discloses his view when he claims that 'violence *is* the sacred.' Hence, for Girard, there is no separation between the human realm and the divine realm in the question of sacredness. Girard's scapegoat represents both sides of the ontological paradigm. Therein the ambiguity of the scapegoat appears. To put it in Agambian terms, Girard's scapegoat does not exist as *double exclusion* but as a *double inclusion*. The scapegoat is included in the realm of *humanum* and *profanum. Humanum* because it (used to be) part of society and represents negative mimesis, and *profanum* because the scapegoat is outside the social order and represents positive mimesis via the reconciliation with the gods. Agamben's *homo sacer* works differently. According to Agamben, the *homo sacer* was excluded from human law (via *impune occidi*) and the divine law (via *unsacrificeability*). Therefore, he argued that the *homo sacer* exists as a double exclusion (the *homo sacer* is included by means of its exclusion) and is included in the realm of *sovereignty* and *bare life*, a realm between *zoē* and *bios*. For Agamben, the political manifestation of this realm is presented in the Schmidtian *state of exception*, which exists as an inclusion by means of exclusion. Hence, a fundamental difference appears in Girard's and Agamben's conceptualisation of the ontological paradigm. For Girard, there is no distinction between the *humanun* and the *divinum*. So, the sacred victim represents both the *profanum* and the *sacrum*. However, Agamben does constitute a separation between the *humanum* and the *divinum;* therefore, *profanum* and *sacrum* are incorporated into a third ontological realm. Here, the asymmetry, introduced in the introduction, between Girard's *sacred victim* and Agamben's *homo sacer* becomes clear. Whereas Girard redefines the Victorian theory of the ambivalence of the sacred, Agamben rejects it and 'creates' a new realm for the victim beyond the Victorian categories. The implications of this difference continue in Girard's and Agamben's ethical claims of their theories. For Girard, Christianity reveals and dismantles the scapegoat mechanism. Therefore, people should convert to this Christian truth to end the vicious cycle of violence. Peace should be restored in the current ontological paradigm. For Agamben, a process of profanation is necessary to retrieve a pure form of being in which actuality is in balance with potentiality. In other words, *profanum* and *sacrum* should be brought into balance in the third ontological category.

Despite these differences, primarily deriving from the different conceptualisation of the sacred, it would be premature to dismiss a complementary approach between Girard and Agamben since they continue to present similarities. Girard's double inclusion and Agamben's double exclusion introduce the structure of a double bind in which the connection between violence and the sacred remains *the* common denominator. Furthermore, their arguments for overcoming violence are also characterised by a remarkable similarity of 'pure' religion. For Girard the (Christian) revelation of the scapegoat mechanism forces humanity to either love one another or

[105] *Humanum* and *divinum* represent the opposing categories in the ontological paradigm whereas *profanum* and *sacrum* represent the categories which are combined for a Girard and incorporated in a third realm by Agamben.

destroy one another.[106] In this apocalyptic formula, Girard argues for an intellectual conversion of mimetic desire, returning to some core elements of Christian belief. On the other hand, Agamben tries to establish a pure form of religion in which he is inspired by Pauline messianism that he moulds into a more ethical-religious theory.[107]

3.2 The Reception of the Girard-Agamben Nexus in Academic Research

Unfortunately, few scholars have addressed the Girard-Agamben nexus and explored the similarities and nuances discussed in the previous section. Nevertheless, there have been some pertinent engagements in the Girard-Agamben nexus until thus far. Rey Chow was the first to compare Girard's mimetic theory and Agamben's political philosophy. In 2006, Chow explored Girard and Agamben concerning the relation between mimesis and sacrifice in the context of victimhood.[108] Thereby, Chow is the first to explore the Girard-Agamben nexus in the light of the thematisation of the (sacred) victim. Although Chow's focus is directed on the sacrificial logic concerning victimhood, his critical analysis of Agamben's *homo sacer* helps to explicate the logic behind this figure, a logic that is perfectly comprehensible from sacrificial logic. Therefore, Chow experiences no difficulties connecting Agamben's *homo sacer* to mimesis and sacrifice. The comparison Chow draws exist in the different approaches of victimhood and the systematic function of sacrifice:

> "Girard [more than Agamben] challenges us instead to think of victims not as victims *tout simple* but rather as the bearers of a systemic function. And, rather than speaking against violence as the unfortunate moral outcome of human social interaction, Girard gives us a dialectics of violence, one that understands violence (or mimetic desire) both as a fundamental antagonism that defines every confrontation among human individuals and as what constitutes cultural processes of reenactment that are aimed at warding off the original violence."[109]

Girard's sacrificial logic opposed to Agamben's bare life, thus, allows comprehension of victimhood from a social function and -logic. Nevertheless, it raises the distasteful implications of justifying violence (sacrifice) from its social function. A problem that Agamben avoids.

Another pertinent approach of the Girard-Agamben nexus is Christopher A. Fox's exploration of religion as a political prospect in Girard and Agamben.[110] Fox explains that as current political- and juridical institutions fail, the religious and the archaic become relevant once again. Therefore, the need arises to restore an ethical dimension to our politics. In this regard, Fox introduces Girard and Agamben. He retraces Girard and Agamben to their *arche* of the sacred and notes the asymmetry between Girard and Agamben concerning the sacred. Fox clarifies that Agamben's third realm, although argumentatively coherent and convincing, is questionable considering the lived experience of the ancients. "One can ask whether the ancients really were so fastidious as to have knowingly created some third sphere distinct from the religious and juridical economies to guarantee the sovereign a power of unpunishable killing."[111] This question is essential, not just to situate the ontological

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[106] Please see: René Girard, *Battling to the End: Conversations with Benoît Chantre.*

[107] Please see: Giorgio Agamben, *The Time That Remains: A Commentary on the Letter to the Romans, The Highest Poverty: Monastic Rules and Form-of-Life,* and *The Use of Bodies.*

[108] Rey Chow, "Sacrifice, Mimesis, and the Theorizing of Victimhood (A Speculative Essay)," *Representations*, no. 94 (2006), 145.

[109] Chow, "Sacrifice, Mimesis, and the Theorizing of Victimhood," 145.

[110] Christopher A. Fox, "Sacrificial Pasts and Messianic Futures: Religion as a Political Prospect in René Girard and Giorgio Agamben," *Philosophy & Social Criticism* 33, no. 5 (2007), https://doi.org/10.1177/0191453707078920.

[111] Fox, "Sacrificial Pasts and Messianic Futures," 573.

paradigm but the future ethical dimension of Girard's and Agamben's theory as well. Agamben's introduction of the third ontological category allows him to part with (transcendental) Christianity, whereas Girard reintroduces (transcendent) Christianity. This results in the tension between Girard's apocalypse and Agamben's Pauline messianism. Fox notes here that Girard's ethical dimension is dependent on transcendent faith and does not overcome Schmidtian politics but submits to it. Girard cannot escape the friend-enemy dichotomy. Nevertheless, Agamben's ethical dimension is extremely ideological (although immanent) but does present an alternative to Schmidtian politics.

This Girard-Agamben nexus concerning the ethical dimension of Girard's and Agamben's future is followed up by Colby Dickinson's exploration of "Beyond Violence, Beyond the Text"[112] and Brian Sudlow's "Agamben, Girard and the Life that Does not Live."[113] Dickinson explains that Agamben's project of profanation aims to restore a pre-mimetic state in the Girardian sense. Here, Dickinson compares Agamben's endeavour with Walter Benjamin's endeavour to move to a pre-linguistic, in Agambian terminology, pre-actualised state. A divine realm beyond violence. "Agamben's effort can thus be seen as the task of tearing open all the veils that conceal an otherwise empty space once said to contain the holiest of holiest this is the case insofar as he reveals the hollow foundations of our (ontotheological) political actions."[114] Sudlow explored the ethical dimension of these theories by discussing "what exactly Agamben and Girard propose as the life that can live, and what the divergences between their findings signify."[115] In his argument, Sudlow leans on the objections against Agamben's *homo sacer* raised by Frederiek Depoortere. Sudlow admits to preferring Girard's anthropology because it is intra-anthropic. That means that Girard's arguments are supported with more anthropological evidence than Agamben's claims. Nevertheless, Sudlow is not indifferent to the criticism concerning Girard's solution. Instead, the Girard-Agamben comparison helped understand the anthropological context of Agamben's *homo sacer* and the political implications of Girard's *scapegoat*.

Frederiek Depoortere's article "Reading Giorgio Agamben's *Homo Sacer* with René Girard"[116] critiques the figure that constitutes Agamben's theory. Depoortere critiques this figure not to dismantle or disprove Agamben's theory but to allow a complementary reading and establish a nexus between Agamben and Girard. Depoortere's criticism fundamentally questions the political interpretation of sacredness that Agamben posits. According to Depoortere, Agamben's political interpretation from Festus' lemma disregard the criminality of the victim and cannot adequately explain the sacredness of the *homo sacer* instead of presupposing it. In this regard, Depoortere clarifies that Girard's explanation of the sacredness of the *homo sacer* is more convincing because it addresses the unsacrificeability of the victim as well as the *impune occidi*. So, whereas Agamben claims he can reject the theory of the ambivalence of the sacred, Girard's redefinition of this theory might be more convincing than Agamben's rejection. With this, Depoortere opened the discussion

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[112] Colby Dickinson, "Beyond Violence, Beyond the Text: The Role of Gesture in Walter Benjamin and Giorgio Agamben, and Its Affinity with the Work of René Girard," *The Heythrop Journal* 52, no. 6 (2011).
[113] Brian Sudlow, "Agamben, Girard and the Life That Does Not Live," in *Intensities : Philosophy, Religion and the Affirmation of Life*. Intensities : Contemporary Continental Philosophy of Religion. Moody, Katharine, and Steven Shakespeare, Farnham: Ashgate, 2012.
[114] Dickinson, "Beyond Violence, Beyond the Text," 959.
[115] Sudlow, "Agamben, Girard and the Life That Does Not Live," 41.
[116] Frederiek Depoortere, "Reading Giorgio Agamben's Homo Sacer with René Girard," *Philosophy today* 56, no. 2 (2012).

for a complementary approach on Girard and Agamben concerning their ethical future, archaeological method, and ontological paradigm.

Antonio Cerella explores archaeology and history in the work of Agamben and Girard in his article "The Myths of Origin."[117] According to Cerella, Girard and Agamben explore a primal point that forms the essence of their theories, which he calls an 'archaeology of the sacred', an attempt to demystify the Origin. Thereby, he clarifies that the archaeology of the sacred does not claim to find an absolute beginning but instead aims to describe an earlier stage in human development where the dichotomy between conscious acts and unconscious acts, historiography and history was produced. One could also say it is a retracing of becoming. In his archaeology of the sacred, he notes several similarities between Girard and Agamben. For example, the likeness of an ""anthropogenetic Big Bang" that created the cultural-historical process for Girard this point "X" coincides with the founding murder, while for Agamben, with the advent of language.)."[118] Furthermore, there is the possibility to deconstruct the contemporary structure and to retrace the signs of signification. Eventually, one will arrive at a pure state, and from there, a reconstruction of ethical life can be drawn. Girard's and Agamben's theories claim anthropogenesis, the becoming human of humans and the possibility to adjust change to this process. In a way, this is *the* reflective possibility of human beings, a possibility that both Girard and Agamben has connected to the act of thinking.

In 2019 a comprehensive study of the Girard-Agamben nexus was undertaken by Pierpaolo Antonello.[119] Antonello endorses the comparison between Girard's and Agamben's archaeology and the double bind of the sacred victim (for Girard double inclusion, for Agamben, double excluded), although preferring Girard's ambiguity of the sacred in this regard. Nevertheless, it is true that the double bind can be understood from the Schmidtian *state of exception*, as Agamben suggests. It is, however, questionable whether it is possible to separate this state of exception from its double exclusion, as Agamben claims. Original to Antonello is his comparison between Girard's sacrificial order and Agamben's juridical order from the concept of *causa* and *culpa*. Antonello describes how Girard's scapegoat mechanism (sacrificial order) and Agamben's political-juridical theory (the juridical order) represent the *satanic dimension* underlying their theories. To put it differently, Girard and Agamben connect the structure of violence (what I call the thematisation of violence) to evil. Therefore, evil represents the harmful and violent structure in anthropogenesis (scapegoat mechanism for Girard, violent ontology for Agamben). Finally, Antonello connects Agamben's reconstruction of *zoē* to the "life" (*zoè*) of Jesus. Antonello notes that Christianity proposes a pure definition of life:

> "The Judeo-Christian scriptures would rescue, then, the *zoe* returning it to its pre-sacrificial divine matrix, stripped of any violent inflection. *Zoe* is life which pre-exist the fall, while *bios* is regulated by exclusionary and differentially violent practices and logic. Moreover, if the exit from the logic of the sacred extolled by Christianity corresponds, as Girard claims, to a process of de-sacralization, this would not implicate simply a process of profanation, following Agamben's interpretation, but additionally the need to enter into an intimate, superior relationship with the divine."[120]

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[117] Cerella, Antonio, and Brighi, Elisabetta. "The Sacred and the Political." Essay. In *The Myth of Origin: Archaeology and History in the Work of Agamben and Girard*, 213–36. Bloomsbury Publishing Plc, 2016. https://doi.org/10.5040/9781474297301.ch-010.

[118] Cerella and Brighi, "The Sacred and the Political," 223.

[119] Pierpaolo Antonello, "Sacrificing Homo Sacer: René Girard Reads Giorgio Agamben," *Forum Philosophicum* 24, no. 1 (2019): 145–82. https://doi.org/10.35765/forphil.2019.2401.06.

[120] Antonello, "Sacrificing Homo Sacer: René Girard Reads Giorgio Agamben," 178.

Thus, Antonello hints at a more theological exploration of the Girard-Agamben nexus concerning the restoration of modern politics and life.[121]

3.3 The Anthropogenesis of Violence and the Sacred: A Complementary Approach on Girard and Agamben

The similarities discussed in section 3.0 and the discussed articles in the previous section demonstrate the possibility and necessity of a Girard-Agamben nexus. Even the difference between Girard and Agamben concerning their conceptualisation of the sacred discussed in 3.1 invite scholars to explicate divergent conceptualisations of the sacred and the implications of these divergent conceptualisations. Therefore, the thematisation of violence and the sacred, the central focus of this state-of-the-art article, demonstrated the possibility of a Girard-Agamben nexus and challenges to explicate this nexus.

Even though it is challenging to compare Girard and Agamben (because of their different approaches and theories), this state-of-the-art article highlighted the striking similarity between their theories and the thematisation of violence and the sacred. This thematisation helps us to understand the social function of violence. As Chow pointed out, this allows for a closer understanding of victimhood and its relevance. Perhaps this perspective might shed light on the horrors that occurred in the past and demonstrate the sword of Damocles hanging above our modern world. The question concerning violence, the sacred, and religion has occupied scholars for centuries, often without success. In this respect, the Girard-Agamben nexus is not just refreshing, but the analytic capacity of both thinkers already appeared to be more successful than previous dominant theories (e.g., the theory of the ambivalence of the sacred).

The second element of the Girard-Agamben nexus that demands further exploration is the restoration of ethical life. Girard's and Agamben's thematisation of violence and the sacred do not just discuss the past. Instead, their archaeological methods aim to understand the present and act on a possible future. Girard's return to Christianity and Agamben's ethical exploration of a 'new' form of life are characteristic in this regard. Hence, the anthropogenesis of violence and the sacred from the perspective of the Girard-Agamben nexus helps to reflect upon the ancient world, comprehend our modern world and reshape the future world. With this, the anthropogenesis concerning violence, sacred, and religion is not concluded but only about to begin.

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[121] Beside these discussed articles, there are four more articles that explore Girard-Agamben nexus which remain undiscussed in this state-of-the-art article: Andrew Pump, "AIDS and Sacrifice: A Discussion of René Girard's Scapegoat Theory of Sacrifice, Jean-Luc Nancy's Unsacrificeable, and Giorgio Agamben's *Homo Sacer*," *La revue de sciences des religions d'Ottawa // Ottawa Journal of Religion*, 2 (2010). Anthony W. Bartlett, "Girard's Lost Time: Messianic Temporality in *Things Hidden*", *Contagion: Journal of Violence, Mimesis, and Culture*, 21 (2014), 175-19. Kristof K. P. Vanhoutte, "'Oh God! What a Lovely War': Giorgio Agamben's Clausewitzian Theory of Total/Global (Civil) War," *Russian Sociological Review*, 14.4 (2015). Lyle Enright, 'Divine but Not Sacred': A Girardian Answer to Agamben's *The Kingdom and the Glory*," *Contagion: Journal of Violence, Mimesis, and Culture*, 26 (2019).

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