After nearly two decades and many unexpected detours, Agamben is bringing the *Homo Sacer* series to an end. The final volume, entitled *The Use of Bodies*, will soon appear in Italian and will be published in translation by Stanford University Press. In my capacity as translator of the volume, I have had the opportunity to read Agamben’s manuscript, and one of my primary goals in this paper is to give you a kind of “preview” of that work.

First, some words about the format. It is a long book, approximately the same length as *The Kingdom and the Glory*. It is divided into three long sections, entitled “The Use of Bodies,” “An Archeology of Ontology,” and “Form-of-Life.” Each is relatively autonomous and roughly the length of *The Sacrament of Language*. Along with these three primary divisions, there is a prologue on Debord, two interludes (on Foucault and Heidegger, respectively), and an epilogue.

While there are recurring themes that bring together the three major segments and the supplementary material, and while I cannot claim to have fully digested this complex work in the limited time I have had access to the text, I think it’s fair to say that *The Use of Bodies* isn’t a
unified argument in the same sense that the other books in the series are. Furthermore, Agamben warns us in a brief “notice” not to expect anything like a conclusion or a “constructive” counterpart to the preceding “critical” argument. Rather, he argues that “in a philosophical investigation, not only can the pars destruents not be separated from the pars construens, but the latter coincides completely with the former” and promises only that The Use of Bodies will develop “certain concepts—use, exigency, mode, form-of-life, inoperativity—that have from the very beginning oriented an investigation that, like every work of poetry and of thought, cannot be concluded, but only abandoned (and perhaps continued by others).”

My “preview” of The Use of Bodies, then, will be a “preview” of the spirit of the text and not the letter. It will not be a summary of the contents of the book, which would necessarily be superficial and misleading, nor will it be a unified argument. Instead of delivering to you the occult knowledge to which I have privileged access as Agamben’s translator, I will indicate to you how my reading of The Use of Bodies has caused me to read the previous books—i.e., the body of texts to which we have shared, common access—differently in retrospect. I am in a position to do this in part because I have been participating in a shared effort to work through the Homo Sacer volumes in a reading group with Virgil Brower, Henrik Wilberg, and a rotating cast of other Chicago-area academics in anticipation of this very seminar. As that reading group was taking place, I read through all the Homo Sacer volumes myself at a more rapid pace as a way of preparing for a talk I gave at Harvard early this February, and subsequently, I began conducting a tutorial over the Homo Sacer volumes with Stephen Keating, a graduate student at Chicago Theological Seminary.

Hence I have read and reviewed all of the Homo Sacer books—including The Use of Bodies—multiple times, in multiple orders, over the course of the last three months. And my
experience is that the effect of *The Use of Bodies* on my reading of the previous texts is not qualitatively different from the effect of any given *Homo Sacer* volume on the texts that came before or after it. Aside from its own distinctive content and argument, each new volume introduces a new series of relays across and within previous volumes, calling fresh attention to concepts and arguments that may have seemed unimportant in previous readings.

I will take the example of *State of Exception*, given that it is one of the most popular and seemingly self-contained volumes in the series. Only on returning to *State of Exception* with the argument of *The Kingdom and the Glory* in mind did I recognize the significance of Agamben’s repeated references to the importance of economic justifications for emergency powers—and his attention in both *Homo Sacer* and *State of Exception* to the strange fact that the father of the household seems to be the originary locus of sovereign authority in Roman society. Only the analyses of liturgy in *The Kingdom and the Glory* and *Opus Dei* allowed me to account for the place of the final two chapters of *State of Exception* in the argument, chapters that I had frankly forgotten about after previous readings, preferring to see the climax of the book in the discussion of the new use of the law prefigured in Benjamin’s reading of Kafka:

One day humanity will play with law just as children play with disused objects, not in order to restore them to their canonical use but to free them from it for good…. This liberation is the task of study, or of play. And this studious play is the passage that allows us to arrive at that justice that one of Benjamin’s posthumous fragments defines as a state of the world in which the world appears as a good that absolutely cannot be appropriated or made juridical.
At the same time, in light of The Highest Poverty and The Use of Bodies, my focus on that passage—which I quote at nearly every opportunity, including just now—was vindicated, as it appeared in retrospect to prefigure the importance of the concept of “use” in those later volumes.

The very structure of the series encourages this kind of retrospective rereading, insofar as the order of publication of the volumes has often deviated from the architectonic order of the volumes and part-volumes. For example, Remnants of Auschwitz, which is designated as the third volume of the series, was published five years before State of Exception, which is designated as the first segment of the second volume. The Highest Poverty, which is the first segment of the fourth volume, appeared a year before Opus Dei, the final segment of the second volume—despite the fact that Agamben refers explicitly to Opus Dei’s investigation of liturgy as necessary for understanding The Highest Poverty’s study of monasticism. Hence The Highest Poverty comes both before and after Opus Dei, and Remnants of Auschwitz comes either long before both or between them.

If we read Remnants of Auschwitz in the order of publication, it appears to be little more than an expansion of the final sections of Homo Sacer, presenting the Muselmann as the ultimate example of bare life—and the last major appearance of the figure of bare life itself, a figure that notably fades from view in the subsequently published volumes of the series. Read between Opus Dei and The Highest Poverty, however, it becomes clearer that Remnants is attempting to chart a path between the attempt to reinscribe the camps into “normal” law (as represented by the Nuremberg and Eichmann trials) and the empty ritual of “taking moral responsibility” for one’s actions while avoiding legal repercussions. Once we know from The Highest Poverty’s investigation of monasticism that an order that escapes law and liturgy really is possible, it becomes easier to see that his investigation of the impossible testimony on behalf of the
Muselmann is aiming at a similar space before or beyond law (which is founded in the very state of exception that produced the Muselmann as bare life) and liturgy (which separates the subject from his or her actions in a way that evacuates ethical responsibility).

In other words, if we read Remnants of Auschwitz in its “architectonic” placement, it appears to be more central and less dismissible than some readers—including, at times, myself—would like it to be. One can’t help but understand Agamben as claiming that the Muselmann gives us privileged access to an ontological domain that is somehow “redemptive” (for lack of a better word), a claim that can seem disturbing or even obscene, particularly when paired with his strange meditation on sado-masochism. By contrast, if we read Remnants in the order of publication, it can seem that Agamben is implicitly backing away from that claim insofar as he puts forward God’s glory (rather than the sado-masochistic punishment of the damned) as a privileged site for the investigation of inoperativity.

In light of The Use of Bodies, the centrality of Remnants implied by its “architectonic” placement is forcefully reaffirmed. The eponymous first segment of the book makes a similarly uncomfortable claim, putting forth Aristotle’s theory of slavery as the privileged locus for the development of the theory of “use”—indeed, it is revealed that the phrase “the use of bodies” is drawn from Aristotle’s discussion of slavery in the Politics. Much more explicitly than in Remnants, the abjected figure of the slave is put forward as giving us access to “anthropogenesis,” a term first introduced in The Sacrament of Language to designate the becoming-human of the human animal in its confrontation with language. The sexual use of the slave’s body by the master is a particular focus here, giving rise to a more detailed investigation of sado-masochism that carries over into Agamben’s “interlude” on Foucault.
Here we see one of Agamben’s signature moves—the rejection of an abstract moralism that would simply denounce a phenomenon and then look away. Corollary with this stance is a refusal to unambiguously designate a “good guy” and “bad guy” at any point in his system. For instance, he is generally favorable toward sado-masochism because of the ways it finds a new use for both the trappings of power relations and for sexuality itself. At the same time, he recognizes the limits of the paradigm’s subversive power when it is transferred back into the political field. In a note on masochism in Opus Dei, Agamben claims that simply exposing the obscene underside of power is not the answer and may in fact further reinforce the powers of domination. Moreover, as I’ve already noted, at a crucial moment in The Kingdom and the Glory, Agamben explicitly turns away from the sado-masochistic encounter between the demons and the damned in hell, preferring to unmask the imposture of sovereignty through a close analysis of the very gesture of glorification itself.

In the central segment of The Use of Bodies, “An Archeology of Ontology,” Agamben performs another reversal, this time with regard to trinitarian theology. In The Kingdom and the Glory, it functioned as the transmitter of the logic of economy to secular modernity, giving rise to contemporary neoliberal governmentality. By contrast, in “An Archeology of Ontology,” trinitarian theology performs crucial ontological mutations that help Agamben to get at what he calls a “modal ontology” that privileges ways of being over actuality. This same segment creates a kind of relay between The Sacrament of Language and Opus Dei as well by tying the project of ontology to anthropogenesis, that is, to the encounter between human life and language. With this in mind, we see that Opus Dei’s “two ontologies” (of is and ought, of being and having-to-be) can be mapped onto the difference between assertorial and performative oaths.
Rather than belabor the new connections that struck me upon reading *The Use of Bodies*, however, I would like to turn now to a volume that retrospectively seems to contain essentially all the important themes of the *Homo Sacer* series—namely *The Time That Remains*, which is not part of the series and which appeared after the original *Homo Sacer* and *Remnants of Auschwitz* but before *State of Exception* and all the subsequent volumes. Our reading group, which was sponsored by the Paul of Tarsus Interdisciplinary Working Group at Northwestern University, returned to *The Time That Remains* after completing the other volumes, and we were all struck by the way it seemed to prefigure nearly all the *Homo Sacer* volumes that followed it.

If we return to the somewhat surprising list of key concepts from Agamben’s “notice” to *The Use of Bodies*—use, exigency, mode, form-of-life, and inoperativity—the only one that is not explicitly developed in *The Time That Remains* is “form-of-life,” and even that may be a misleading characterization of the situation, insofar as all five concepts are so closely tied together as to imply one another.

Thus if some terrible accident were to prevent *The Use of Bodies* from ever making it into print, *The Time That Remains* may well serve as an adequate substitute—not because it contains or prefigures all the explicit content of the must longer *Use of Bodies*, but because it performs the same kind of operation on the *Homo Sacer* series, pointing out connections and consequences that might otherwise have remained unnoticed.

Nonetheless, *The Time That Remains* is not immune to the retrospective changes that the later volumes carry out. There is a sense in which one could call Agamben a deeply “Pauline” thinker, and yet that does not mean that Paul emerges as an untarnished hero by the end of the *Homo Sacer* series. It is beyond the scope of this paper to tease out the precise links between the Pauline epistles and the economic logic that grows out of them, but it seems clear that Agamben
lays ultimate responsibility for the “economic” character of Christianity at Paul’s feet, and perhaps less ambiguously, he presents Paul as the primary source for Christian ideas about the hierarchical order of angelic glorification. The one aspect of Pauline thought that appears to be unambiguously positive, the logic of the *hos me*, the “as not,” plays a crucial role in both *The Highest Poverty* and *The Use of Bodies*—yet the later volumes cast a shadow even here. In retrospect, the analysis of *klesis* or calling in *The Time That Remains* seems to foreshadow the analysis of liturgy in *Opus Dei*, indicating that something like the “as not” can function negatively to reinforce power relations rather than relativize them.

*The Use of Bodies* also sheds interesting light on other major points of reference throughout the series. Benjamin reappears here—as always, in an unambiguously positive light—while the name of Schmitt is blessedly absent from the entire text. Aristotle and Heidegger play major roles, both positive and negative, highlighting the ambivalence that has always marked Agamben’s use of their work. Both thinkers—and of course the two are necessarily connected since Agamben’s reception of Aristotle is so deeply marked by Heidegger’s idiosyncratic Aristotelianism—at times seem to embody what is worst and most destructive in the Western tradition (as when Heidegger is presented as the ultimate representative of the ontology of command in *Opus Dei* or when Aristotle’s theory of potentiality, which previous seemed to be firmly on the “good” side of Agamben’s ledger, quite unexpectedly appears in *Homo Sacer* as the paradigm for the logic of sovereignty). Nevertheless, both somehow point beyond it—or, perhaps it would be more accurate to say that each of them somehow gives us access to something before or below the “Western machine,” to the ever-present, ever-receding moment of anthropogenesis.
Perhaps more surprising is Agamben’s extensive use of Plato toward the end of *The Use of Bodies*. His references to Plato himself have always been relatively sparing, even in texts where he draws extensively on Neoplatonism. Yet in retrospect, they are seemingly always positive. Already in the chapter in *Homo Sacer* on Pindar’s evocation of *nomos basileus*, Plato seems to offer us a de-coupling of law and force that bears a certain resemblance to Agamben’s reading of the Benjaminian “real state of exception.” More dramatically, in *The Sacrament of Language*, Plato figures in Agamben’s conclusion as the ultimate exemplar of philosophy as a critique of the logic of the oath, which here stands in for the entire Western machine.

I have argued elsewhere that Agamben’s concept of philosophy in this passage is homologous to what he elsewhere calls the messianic. If philosophy takes pride of place here, it may be because the stakes of *The Use of Bodies* are more purely ontological than political-theological. This is particularly true of the central section on the “Archeology of Ontology,” which consists of the same kind of fine distinctions that characterize much of *Opus Dei*. Whatever the intrinsic interest of these passages, they help us to see how consistently the entire series has been oriented toward questions of ontology, even and especially when its concerns have seemed to be most urgently political and contemporary.

There is much more that I could say about *The Use of Bodies*, but I have now covered the primary ways that it helped me to read Agamben’s previous work anew. What remains is the seemingly ironic question of my paper’s title: What is to be done? Clearly we can’t expect any kind of “political program” from Agamben, nor do I think we should feel especially inclined to follow it if we did get one. Many have critiqued Agamben for a one-sided emphasis on theory over practice, but one of the things I find most helpful about his work is the way he calls that very distinction into question. In Agamben’s account, an abstruse scholastic debate can have an
astonishing impact on economic and governmental forms centuries later, while the way priests and monks (and sado-masochists) live out their day-to-day lives can have profound effects on the level of ontology. It can’t be a matter of getting away from abstract concepts and into lived experience, because our life and our politics play out precisely at the point of intersection between life and abstraction, between the human animal and language.

Theory and practice, study and play, both have equal rights here, because both converge at the horizon of anthropogenesis—and thus both give us the opportunity to make that small change that will allow us to become human again, but differently this time. If Agamben is calling us to do anything, it is to dare to attempt that small change that will make all things new.