

AGAMBEN'S  
PHILOSOPHICAL  
LINEAGE

Edited by Adam Kotsko and Carlo Salzani

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## *Abbreviations*

References to the work of Agamben are made parenthetically in the text according to the following conventions.

	Italian	English translation
AV	<i>L'avventura</i> . Rome: Nottetempo, 2015.	
CC	<i>La comunità che viene</i> . Turin: Einaudi, 1990.	<i>The Coming Community</i> . Trans. Michael Hardt. Minneapolis: University of Minnesota Press, 1993.
CF	<i>Che cos'è la filosofia?</i> Macerata: Quodlibet, 2016.	
CR	<i>La Chiesa e il Regno</i> . Rome: Nottetempo, 2010.	<i>The Church and the Kingdom</i> . Trans. Leland de la Durantaye. London: Seagull Books, 2012.
CRM	<i>Che cos'è il reale? La scomparsa di Majorana</i> . Vicenza: Neri Pozza, 2016.	
EP	<i>Categorie italiane. Studi di poetica</i> . Venice: Marsilio, 1996.	<i>The End of the Poem: Studies in Poetics</i> . Trans. Daniel Heller-Roazen. Stanford: Stanford University Press, 1999.
FR	<i>Il fuoco e il racconto</i> . Rome: Nottetempo, 2014.	
GU	<i>Gusto</i> . Macerata: Quodlibet, 2015.	
HP	<i>Altissima povertà. Regole monastiche e forma di vita</i> . Vicenza: Neri Pozza, 2011.	<i>The Highest Poverty: Monastic Rules and Form-of-Life</i> . Trans. Adam Kotsko. Stanford: Stanford University Press, 2013.
HS	<i>Homo sacer. Il potere sovrano e la nuda vita</i> . Turin: Einaudi, 1995.	<i>Homo Sacer: Sovereign Power and Bare Life</i> . Trans. Daniel Heller-Roazen. Stanford: Stanford University Press, 1998.

Italian	English translation
IH <i>Infanzia e storia. Distruzione dell'esperienza e origine della storia.</i> Turin: Einaudi 1978.	<i>Infancy and History: On the Destruction of Experience.</i> Trans. Liz Heron. London: Verso, 1996.
IP <i>Idea della prosa.</i> Milan: Feltrinelli, 1985; new edn, Macerata: Quodlibet, 2002.	<i>Idea of Prose.</i> Trans. Sam Whitsitt and Michael Sullivan. Albany, NY: SUNY Press, 1995.
KG <i>Il Regno e la Gloria. Per una genealogia teologica dell'economia e del governo.</i> Vicenza: Neri Pozza, 2007; repr., Turin: Bollati Boringhieri, 2009.	<i>The Kingdom and the Glory: For a Theological Genealogy of Economy and Government.</i> Trans. Lorenzo Chiesa (with Matteo Mandarinì). Stanford: Stanford University Press, 2011.
LD <i>Il linguaggio e la morte. Un seminario sul luogo della negatività.</i> Turin: Einaudi, 1982.	<i>Language and Death: The Place of Negativity.</i> Trans. Karen Pinkus and Michael Hardt. Minneapolis: University of Minnesota Press, 1991.
MC <i>L'uomo senza contenuto.</i> Milan: Rizzoli, 1970; repr., Macerata: Quodlibet, 1994.	<i>The Man Without Content.</i> Trans. Georgia Albert. Stanford: Stanford University Press, 1999.
ME <i>Mezzi senza fine. Note sulla politica.</i> Turin: Bollati Boringhieri, 1996.	<i>Means Without End: Notes on Politics.</i> Trans. Vincenzo Binetti and Cesare Casarino. Minneapolis: University of Minnesota Press, 2000.
MM <i>Il mistero del male. Benedetto XVI e la fine dei tempi.</i> Rome–Bari: Laterza, 2013.	
NI <i>Ninfe.</i> Turin: Bollati Boringhieri, 2007.	<i>Nymphs.</i> Trans. Amanda Minervini. London: Seagull Books, 2013.
NU <i>Nudità.</i> Rome: Nottetempo, 2009.	<i>Nudities.</i> Trans. David Kishik and Stefan Pedatella. Stanford: Stanford University Press, 2011.
O <i>L'aperto. L'uomo e l'animale.</i> Turin: Bollati Boringhieri, 2002.	<i>The Open: Man and Animal.</i> Trans. Kevin Attell. Stanford: Stanford University Press, 2004.
OD <i>Opus Dei. Archeologia dell'ufficio.</i> Turin: Bollati Boringhieri, 2012.	<i>Opus Dei: An Archaeology of Duty.</i> Trans. Adam Kotsko. Stanford: Stanford University Press, 2013.
PJ <i>Pilato e Gesù.</i> Rome: Nottetempo, 2013.	<i>Pilate and Jesus.</i> Trans. Adam Kotsko. Stanford: Stanford University Press, 2015.
PO <i>La potenza del pensiero. Saggi e conferenze.</i> Vicenza: Neri Pozza, 2005.	<i>Potentialities: Collected Essays in Philosophy.</i> Trans. Daniel Heller-Roazen. Stanford: Stanford University Press, 1999.

	Italian	English translation
PR	<i>Profanazioni</i> . Rome: Nottetempo, 2005.	<i>Profanations</i> . Trans. Jeff Fort. New York: Zone Books, 2007.
PU	<i>Pulcinella ovvero divertimento per li ragazzi in quattro scene</i> . Rome: Nottetempo, 2015.	
RA	<i>Quel che resta di Auschwitz. L'archivio e il testimone</i> . Turin: Bollati Boringhieri, 1998.	<i>Remnants of Auschwitz: The Witness and the Archive</i> . Trans. Daniel Heller-Roazen. New York: Zone Books, 1999.
S	<i>Stanze. La parola e il fantasma nella cultura occidentale</i> . Turin: Einaudi, 1977.	<i>Stanzas: Word and Phantasm in Western Culture</i> . Trans. Ronald L. Martinez. Minneapolis: University of Minnesota Press, 1993.
SE	<i>Stato di eccezione</i> . Turin: Bollati Boringhieri, 2003.	<i>State of Exception</i> . Trans. Kevin Attell. Chicago: University of Chicago Press, 2005.
SL	<i>Il sacramento del linguaggio. Archeologia del giuramento</i> . Rome–Bari: Laterza, 2008.	<i>The Sacrament of Language: An Archaeology of the Oath</i> . Trans. Adam Kotsko. Cambridge: Polity Press, 2011.
ST	<i>Signatura rerum. Sul metodo</i> . Turin: Bollati Boringhieri, 2008.	<i>The Signature of All Things: On Method</i> . Trans. Luca di Santo and Kevin Attell. New York: Zone Books, 2009.
STA	<i>Stasis. La guerra civile come paradigma politico</i> . Turin: Bollati Boringhieri, 2015.	<i>Stasis: Civil War as a Political Paradigm</i> . Trans. Nicholas Heron. Stanford: Stanford University Press, 2015.
TR	<i>Il tempo che resta. Un commento alla "Lettera ai romani"</i> . Turin: Bollati Boringhieri, 2000.	<i>The Time that Remains: A Commentary on the Letter to the Romans</i> . Trans. Patricia Dailey. Stanford: Stanford University Press, 2005.
UB	<i>L'uso dei corpi</i> . Vicenza: Neri Pozza, 2014.	<i>The Use of Bodies</i> . Trans. Adam Kotsko. Stanford: Stanford University Press, 2016.
UG	(con Monica Ferrando) <i>La ragazza indicibile. Mito e mistero di Kore</i> . Milan: Mondadori Electa, 2010.	(with Monica Ferrando) <i>The Unspeakable Girl: The Myth and Mystery of Kore</i> . Trans. Leland de la Durantaye. London: Seagull Books, 2014.
WA	<i>Che cos'è un dispositivo?</i> Rome: Nottetempo, 2006.	<i>What is an Apparatus?, and Other Essays</i> . Trans. David Kishik and Stefan Pedatella. Stanford: Stanford University Press, 2009.



PART III

*Submerged Dialogues*

## 25 Sigmund Freud

VIRGIL W. BROWER

... *invidiosa feri radiabant atria regis*  
*unaque iam tota stabat in urbe domus.*<sup>1</sup>

Can Freud be abandoned? Interrelations between *sacer*, ambivalence, exception, suspension, property, use and civil war around the origin of law are traces of Freud that manifest themselves throughout the development of Agamben's thought. Most direct engagements are found in early texts,<sup>2</sup> best articulated in *Stanzas*. Here is incipient indication of (a) Freud's guilt by association with shortcomings of the sociology of religion (*S* 137).<sup>3</sup> Agamben displays (b) lessons learned from Freud in terms of phantasm, fetishism and the unconscious (*S* 22–3, 31–3, 145–7; *IH* 48), but overall performs (c) critical discouragement of an alleged Freudian delimitation (under the influence of Schelling) of the *Unheimlich* in terms of repression (*S* 144).<sup>4</sup> Damage done by repressions return in a later text, *The Signature of All Things*, specifically Chapter 3, burrowed within its summary of (d) Foucault's critique of Freud as justification for Agamben's own idiomatic adoption of the archaeological method (*ST* 96–107). In essence,

archaeological regression is elusive: it does not seek, as in Freud, to restore a previous stage, but to decompose, displace, and ultimately bypass it in order to go back not to its content, but to the modalities, circumstances, and moments in which the split, by means of repression, constituted it as an origin. (*ST* 102–3)

Two laudatory supplements to these include (e) a quick deferential comment with regard to Freud's study of the sacred<sup>5</sup> (which seems to be more about ambivalence) and (f) an evocative association – distanced by two degrees of citation<sup>6</sup> – of exceptionality with festival and *mourning*, both of which supplements disclose an understated indebtedness to *Totem and Taboo*, in which Freud equates (perhaps flippantly)

the word *taboo* with the Latin *sacer* as it may relate to exception and sovereignty: ‘It is difficult for us to find a translation for [taboo] [. . .] It was still current among the ancient Romans, whose “*sacer*” was the same as the Polynesian “taboo”.’<sup>7</sup> It is on these latencies, kept in the shadows, that my essay wishes to impress.

Reactionary rebuttal against these comparisons (and those to follow) might insist – evidenced by his tactical preferences for Schelling, Hegel, Nietzsche or Heidegger – that Agamben is *not* an oedipal or psychoanalytic thinker; that the sovereign, king, chief or ruler (and, indeed, god) are merely iterated avatars of the father for Freud, but not so simply for Agamben. But a far from subtle paternalism is primal in Agamben’s explanation of *homo sacer*’s capacity to be killed but not sacrificed. The ‘crimes that [. . .] merit *sacratio*’ are, at one time, expressed as ‘*verberatio parentis*, the violence of the son against the parent [which] constitute[s] the originary exception in which human life is included in the political order’ (HS 85). Sovereign law is based on a parental (specifically *paternal*) relation. The violence of the child to the parent is exceptional to the power of the parent over the child. This piecemeal argument might be read as one that begins in Part II, §4 of *Homo Sacer*, continues through §§3, 5–6 of *State of Exception*, and culminates in Part I (§§1.3–1.10, 1.13) of *Stasis*. (This discussion sets the stage for the role of economy and *oikos* in *The Kingdom and the Glory*, for which it serves an indispensable introduction.)

It begins with ‘Numa’s homicide law (*parricidas esto*) [which] forms a system with *homo sacer*’s capacity to be killed (*parricidi non damnatur*) and cannot be separated from it’ (HS 85).<sup>8</sup> More importantly, Agamben continues, the ‘first time we encounter the expression “right over life and death” in the history of law is in the formula *vitae necisque potestas*, which designates not sovereign power but rather the unconditional authority [*potestas*] of the *pater* over his sons’ (HS 87). Each Roman is, thereby, born into sacerhood by way of Roman paternity. There, ‘every male citizen [. . .] is in some way *sacer* with respect to his father’ (HS 89). The *potestas* of progenitor over progeny determines the very understanding of life (and death) in the land of *lex*. It is not based on a mythic father of a primal horde but rather on the crucial difference Agamben discerns between (1) the power of the father over the son *as opposed to* (2) the power of the husband over the wife or servants. The latter is conditional, while

the *vitae necisque potestas* attaches itself to every free male citizen from birth and thus seems to define the very model of political power in general [. . .] *life exposed to death* [. . .] is the *originary political element*. (HS 87–8, emphasis added)

Paternity is becoming to polity. Like *zoè*, an alleged 'originary' political element here has an origin outside the *polis*. Agamben explicitly states as much in *Stasis*: '*zoè*, natural life, is included in the juridical-political order through its exclusion, so analogously the *oikos* is politicized and included in the polis through the *stasis*' (*STA* 22). Even though the domination of the *pater* over the *dominus* is distinct from the power of *potestas* over the son, the latter would yet be borne upon domestic elements of power privileged to the father (that are, in turn, transferred to that one *identified* as the ruling sovereign over time).

In Freud's mythopoetic musings on the emergence of law, taboo prohibitions 'grew into a conscious *law*: "No sexual relations between those who share a common *home*"'.<sup>9</sup> Agamben insists that *sacer esto* 'is not the formula of a religious curse sanctioning the *unheimlich*' (*HS* 85).<sup>10</sup> He relies on his earlier critiques and sidesteps Freud's theorisations of *Unheimlich* in later works, opting instead for its Heideggerian conceptions (e.g., *UB* 43). Something similar could be said for Agamben's interest in Oedipus, which prefers its Hegelian or Nietzschean conceptions, in his earlier work (e.g., *S* 137-9; *LD* 94-5), since '[i]n the psychoanalytic interpretation of the myth of Oedipus, the episode of the Sphinx [. . .] remains obstinately in the shadows' (*S* 137).<sup>11</sup>

Yet an uncanny paternalism sanctions the state of exception and sovereign law. This 'originary'<sup>12</sup> structure of sovereign law is not simply the capacity to be killed but rather *vitae necisque potestas*, that is, the potent power of the *pater* out of which homicide law, as such, burgeons. This is perhaps *a kind of inverted oedipality*, no less uncanny by way of its inversion. In *Homo Sacer*, the problem is less about the son's parricidal proclivities towards the father than the *pater's* power over the life and death of the son, which discourages any Roman from killing another. This hardly escapes the mythologic of *Totem and Taboo*. The sons' parricidal penchant is not simply desire for the mother (or women of the horde), so often dismissed as/with Freudian pansexualism. It is also rebellion against unconditional *potestas* or authority exercised by the *pater*, 'the *tyrannical father*', 'the *father's supreme power* [. . .] *unlimited power*'.<sup>13</sup>

Colloquial caricatures of Freud overemphasise primal parricide. The radical hypothesis of *Totem and Taboo* is not simply the child's pre-genital libidinal desire to fuck/kill parents, but rather the primal impotence of parricidal aggression. The grand reveal is that parricide fails. '[V]ictory lay' *not* with the deed, but rather with the drives towards the deed; 'the impulses that led to parricide'.<sup>14</sup> Agamben's understanding of *vitae necisque potestas* would already be an expression of what

Freud considers to be the ‘climax’ of these drives’ gradual development through group psychology, society, religion, morality and legislation. This climax is ‘*the dominance of authority*’ or ‘revived paternal authority’;<sup>15</sup> a hair’s breadth away from Agamben’s understanding of *verberatio parentis*, which may be but a reaction to it. This develops into sovereign power, for Freud, as the ruler becomes surrogate of the *pater*.

Politicisation of paternal power develops further throughout *State of Exception*. Agamben casts it as more complicated than anything resembling taboo: ‘It is certainly possible to see the *iustitium* (in the sense of public mourning) as nothing other than the sovereign’s attempt to appropriate the state of exception by transforming it into a family affair. But the connection is even more intimate and complex’ (SE 68). This intimate complexity never frees Agamben from the powers of the father:

In the sphere of private law, *auctoritas* is the property of the *auctor*, that is, the person of the *sui iuris* (the *pater familias*) who intervenes [. . .] in order to confer legal validity on the act of a subject who cannot independently bring a legally valid act into being. Thus, the *auctoritas* of the tutor makes valid the act of one who lacks this capacity, and the *auctoritas* of the father ‘authorizes’ – that is, makes valid – the marriage of the son *in potestate*. (SE 76)

The senate is not simply magistrate, just as *auctoritas* is not *potestas*. But it still acts as father: ‘with a strong analogy to the figure of the *auctor* in private law, the *auctoritas patrum* intervenes to ratify the decisions of the popular *comitia* and make them fully valid’ (SE 78). The powers of the father may well dissipate into a complex more complicated than any oedipality, but the revenges of the latter seem inescapable:

As we have seen, in public law *auctoritas* designates the most proper prerogative of the Senate. The active subjects of this prerogative are therefore *patres: auctoritas patrum* and *patres auctores fiunt* [the fathers are made *auctores*] are common formulas for expressing the constitutional function of the Senate. (SE 77)

Transference of paternal power to sovereign power is not absent in Agamben, even as it complicates nuclear familial simplicity: ‘For whoever may have been the person technically qualified to proclaim a *iustitium* [court holiday or suspension of law], it is certain that it was always and only declared *ex auctoritate patrum* [on the authority of the fathers]’ (SE 47).

Agamben’s focus (or that of any anti-oedipal project)<sup>16</sup> on synecdochal politics *ex auctoritate patrum* beyond any insinuated simplicity of the Freudian family is as necessary or required as it is heuristic or corrective. Forfeiting oedipality as a concept prone to *ignoratio*

*elenchi* is understandable,<sup>17</sup> but Freud, himself, less so. *Totem and Taboo* itself suggests thinking ‘more correctly, [a] parental complex [*Elternkomplex*]’.<sup>18</sup> If the problem is unilateral movement solely from the child’s psyche to the parent, it must be remembered that infantile unconscious is not apostate to Agamben’s project. ‘The search for a *polis* and an *oikìa* [. . . that . . .] is the infantile task of future generations’ (*IH* 10) is one that can ‘of course [. . .] correspond to Freud’s unconscious’ (*IH* 48).

At times, Agamben reads as hard-earned resistance against a unilateral understanding of the authority of the father as presented in *Totem and Taboo*. But if this is anti-oedipal thinking, it is as well-born as it is grandfathered. Freud would hardly disagree and is well aware of the boundless projections of the authority of *the fathers*. By the time of *Massenpsychologie* (1921), Freud’s most overtly political text, it is ethnographic and socio-economic in scope and any exclusive unilateralism of it is compromised:

If we survey the life of an individual man of to-day [. . .] he is bound by ties of identification in *many directions*, and he has built up his ego-ideal [internalised paternal authority] upon the most various models [. . .] those of his race, of his *class*, of his creed, of his *nationality*.<sup>19</sup>

This socio-political development of *identification* is the most important advance made in Freud’s thought as *Totem and Taboo* matures into *Group Psychology*.

Agamben’s paternal complex culminates in *Stasis* through the course of his disagreement with Nicole Loraux, for whom ‘the original place of the *stasis* is the *oikos*; civil war is a “war within the family”, an *oikeios polemos*’ (*STA* 13). He, instead, hypothesises that *stasis*

takes place neither in the *oikos* nor in the *polis*, neither in the family nor in the city; rather, it constitutes a zone of indifference between the unpolitical space of the family and the political space of the city. In transgressing this threshold, the *oikos* is politicized; conversely, the *polis* is ‘economized’, that is, it is reduced to an *oikos*. (*STA* 16)

*Stasis* ‘forms part of a device that functions in a manner similar to the state of exception’ (*STA* 22). In/as a state of exception, ‘politics is a field incessantly traversed by the tensional currents of politicization and depoliticization, the family and the city’ (*STA* 23). Lessons learned from ambivalence succour Agamben’s conclusion that ‘so long as the words “family” and “city”, “private” and “public”, “economy” and “politics” maintain an albeit tenuous meaning, it is unlikely that [*stasis* or civil war] can ever be eliminated from the political scene of the West’ (*STA* 23–4).

The eventual identification of the state of exception as an aggressive *stasis* at the threshold of the family and politics invites (at least) three return visits to Freud. First, Agamben refrains from reconsidering that, like Loraux, *Totem and Taboo* also suggests civil war emergent within the family. Further, it evokes Hobbes while doing so. Parricidal failure and its resultant ‘new organization would have collapsed in a *struggle of all against all*’.<sup>20</sup> Secondly, what Agamben calls the ‘archetype of the modern *Ausnahmestand*’ (SE 41), rooted in Schmitt’s dictum ‘Sovereign is he who decides on the *exception*’ (emphasis added), need not be exclusively delimited to Schmitt alone. If it has a type of *archē*, it is perhaps discernible a decade earlier. Before the ‘essential contiguity between the state of exception and sovereignty was established by Carl Schmitt in his book *Politische Theologie*’ (SE 1), Freud had attempted in 1912 to articulate a plurality of states of exceptions in an *Imago* article that came to be published as Part II of *Totem and Taboo* in the following year. The same word (in the singular) that Schmitt uses to define sovereignty is that which Freud makes use of (in the plural) to describe uncanny taboo powers. Taboo is a ‘power [that] is attached to all *special* individuals, such as kings [. . .] to all *exceptional states* [*Ausnahmszuständen*] [. . .] and to all uncanny [*unheimlich*] things’.<sup>21</sup>

A series of nodal points emerge throughout the *Homo Sacer* project at which Schmitt and Freud (or *Political Theology* and *Totem and Taboo*) commingle. These proto-Schmittian *Ausnahmszuständen* have sovereign expressions. They specifically (though not exclusively) apply to the king, chief or ruler. The kind of power attached to the sovereign is akin to that which attaches itself to Freud’s *states of exception* or ‘exceptional states’ (examples of which include ‘the physical states of menstruation, puberty or birth’).<sup>22</sup> Their legal or juridical expressions soon follow. For ‘the earliest human penal systems may be traced back to taboo’, because ‘taboo has become the ordinary method of *legislation*’.<sup>23</sup>

The state of exception at the core of law, ever complicit in its own transgression – the illegality or criminality upon which law, as such, is grounded – further discloses possible reasons for a people’s ambivalence towards the sovereign. At the heart of Freudian taboo is indistinction between law and crime, sovereign and criminal:

[E]arly kingdoms are despotisms in which people exist only for *the sovereign* [. . .] *the sovereign* in them exists only for his subjects; his life is valuable so long as he discharges the *duties* of his position by *ordering the course of nature* for his people’s benefit. So soon as he fails to do so [. . .] he is dismissed ignominiously [. . .] Worshipped as *a god one day*, he is killed as *a criminal the next*.<sup>24</sup>

In *Group Psychology*, exception becomes the rule: '[A] periodical *infringement of the prohibition is the rule*'; the psychic interiorisation of parental authority, that is, 'the ego-ideal[,] is inclined to display a peculiar strictness, which then results in its *temporary suspension*'.<sup>25</sup>

*Identification* may function for Freud much as *stasis* does for Agamben. Should Freud be granted entrance, his ban lifted, and be allowed to participate alongside the schema Agamben offers near the end of Part 1 of *Stasis* (22):

depoliticisation / economisation → politicisation / an-economisation  
←  
oikos ——— | *stasis* | ——— polis

it might, perhaps, be supplemented:

*Ausnahmnszuständen* ——— | identification | ——— *Ausnahmezustand*  
(Freud) (Schmitt)  
Primal horde ——— | 'all against all' | ——— Leviathan  
(Freud) (Hobbes)

Identification is a way by which the family is politicised and the political is economised. It is the mode through which the parental complex becomes political in public life and, simultaneously, by which political powers of the sovereign leader come to function in private life (*especially* if it is 'wildly useful to have an id agitating amid the superegos').<sup>26</sup>

Finally, if the paternal complex in the earlier volumes of the *Sacer* project sows seeds of possible resistance to, or deactivation of, nomie and law crafted by exception that develops – in the later volumes (specifically, *The Highest Poverty* and *The Use of Bodies*) – as a mode, way or form of *use*, then it might also benefit from reconsideration of *Totem and Taboo*. Freud's investigations into the dark origin of the law already consider a possible converse of taboo related to a kind of *common use*: 'The converse of "taboo" [. . .] is *noa*, which means "common" or "generally accessible"'.<sup>27</sup> Sovereigns are not tabooed, alone (nor are the enemy and the dead). Taboo attaches itself to things and objects.

There follows a prohibition not only 'against touching' the taboo object, but also 'against [. . .] making *use* of it for one's own purposes'.<sup>28</sup> While mourning, the tabooed 'are secluded and forbidden to touch their own head or body; the cups and cooking *vessels which they use may be used by no one else*'.<sup>29</sup> Use of bodies – even use of one's own



body<sup>30</sup> – goes hand in hand with the peculiar practice. Anything used by a tabooed person becomes prohibited to be used by another.

Taboo, as such, applies not only to objects but also the bodies of persons. ‘Touching is the first step towards [. . .] attempting *to make use of, a person or object*.’<sup>31</sup> Such high use is indissociable from certain revaluations of *property*, for example, in ‘taboos imposed by chiefs and priests for the protection of their own property’,<sup>32</sup> that is, property owned (and determined by) the sovereign and law. Use is the secret core of taboo and, given time and gods, the unconscious itself. Perhaps this is the great testament of the *Sacer* project.

## NOTES

1. Evoking Nero, ‘once gleamed the odious halls of a *cruel monarch*, and in all Rome there *stood* a single *house*’; Martial, *Epigrams*, vol. 1, trans. D. R. Shackleton Bailey (Cambridge, MA: Harvard University Press, 1993), pp. 12–13 (emphasis added).
2. Agamben employs the trope of Medusa’s head in his inaugural book (*MC* 7), a vestige perhaps of Celan (e.g., *The Meridian*), but no less Freudian on that account, since Celan was a great reader of Freud. Cf. also *IP* 47–9; *EP* 126–9. Cf. the role of the Gorgon in *RA* 33, 52–3, 81.
3. Such as, ‘Freudian interpretation has left [the mythologeme] in the dark’ (*S* 137). This is perhaps the caricature of Freud that remains throughout Agamben’s later writings.
4. Despite these critiques (c and d), Agamben yet indulges in use of the Freudian syntagma (perhaps revaluated), *the return of the repressed* (e.g., *UB* 21).
5. ‘When Freud set out to write *Totem and Taboo* [. . .] the field had therefore already been prepared for him. Yet *only with this book does a genuine general theory of the ambivalence of the sacred come to light* on the basis not only of anthropology and psychology but also of linguistics’ (*HS* 78, emphasis added).
6. Agamben cites ‘an extensive study published in 1980’ by H. S. Versnel, who – ‘by proposing an analogy between the phenomenology of mourning [. . .] and periods of political crises, in which social institutions and rules seems suddenly to dissolve’ – further cites Victor Turner with regard to liminality: ‘perhaps Freud and Jung, in their different ways, have much to contribute to the understanding of these [. . .] aspects of liminal situations’ (*SE* 66).
7. Sigmund Freud, *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, trans. and ed. James Strachey et al. (London: Hogarth Press and the Institute of Psycho-analysis, 1953–74), vol. 13, p. 18. Freud continues this reductive equivocating to include the Greek word *ἄγος* and the Hebrew word *kadesh*. Agamben makes mention of this

- gesture to *sacer* by Freud in a short essay on Karl Abel written a couple years prior to this one in *Totem and Taboo* (HS 78).
8. *Parricido* is not exclusively patri- or parricidal here, and can play in the field of a false cognate. It is about *cido* – killing (or slaughter) – of, perhaps, a *pars* or part, specifically a fellow Roman, tantamount to treason. But recall that Numa himself is paternally authorised by ‘Father Jupiter [*Iuppiter Pater*]’; Livy, *The Early History of Rome*, trans. Aubrey De Sélincourt (New York: Penguin, 1960), p. 52; and *History of Rome*, vol. 1, *Books 1–2*, trans. B.O. Foster (Cambridge, MA: Harvard University Press, 1919), p. 66 (emphasis added).
  9. *Standard Edition*, vol. 13, p. 126 (emphasis added).
  10. It is difficult to imagine that Agamben is not thinking *unheimlich* (here, in *Homo Sacer*) in a Freudian valence rather than the Heideggerian one (on which he focuses in *The Use of Bodies*).
  11. Yet, for Freud, it represents the first intellectual exercise of one’s mental life. Cf. ‘The Riddle of the Sphinx’ section of *Three Essays on Sexuality* (*Standard Edition*, vol. 7, pp. 194–5).
  12. Or, perhaps, *co-originary*, since: ‘Every creation is always a cocreation, just as every author is always coauthor’ (SE 76). See Laclau’s criticism of the archaeological preoccupation with ‘the *origin* [that] has a secret determining priority over what follows from it’; Ernesto Laclau, ‘Bare Life or Social Indeterminacy’, in Matthew Calarco and Steven DeCaroli (eds), *Giorgio Agamben: Sovereignty and Life* (Stanford: Stanford University Press, 2007), p. 11.
  13. *Standard Edition*, vol. 13, pp. 142 n. 1, 148 (emphasis added).
  14. *Standard Edition*, vol. 13, p. 146.
  15. *Standard Edition*, vol. 13, pp. 150, 151.
  16. Deleuze and Guattari correctly formulate a ‘rule [. . .] applicable in all cases: the father and the mother exist only in fragments [. . .] directly coupled to [. . .] the elements of the political and historical situation – the soldier, the cop, the occupier, the collaborator, the radical, the resister, the boss, the boss’ wife – which constantly break all triangulations [. . .] the family is never a microcosm in the sense of an autonomous figure’; *Anti-Oedipus*, trans. Robert Hurley, Mark Seem and Helen R. Lane (Minneapolis: University of Minnesota Press, 1983), p. 97. This is ‘the double bind [. . .] between the family and the State – the Oedipus of familial authority and the Oedipus of social authority’ (p. 81). Agamben’s piecemeal paternal complex (HS, SE, STA) allies itself with the anti-oedipality of Deleuze and Guattari, who yet acquiesce: ‘We are not saying that Oedipus [amounts] to nothing. *We are oedipalized* [. . .]. [P]sychoanalysis didn’t invent [this] operation’; ‘And to be sure, it is not a question of knowing whether or not the familial determinations or indeterminations play a role. *It is obvious that they do*’ (pp. 67, 90, emphasis added). Deleuze and Guattari also understand that ‘it is the problem of identifications’ (p. 91).
  17. ‘This term [. . .] seems the most unsuitable one possible’; Carl Jung, *Freud*

and *Psychoanalysis*, trans. R. F. C. Hull (Princeton: Princeton University Press, 1961), p. 152.

18. *Standard Edition*, vol. 13, p. 157 n. 1.
19. *Standard Edition*, vol. 18, p. 129 (emphasis added).
20. *Standard Edition*, vol. 13, p. 144 (emphasis added).
21. *Standard Edition*, vol. 13, p. 22 (emphasis added).
22. Sovereign speciality functions like exceptional physiology. It is as if puberty or menstruation are sovereign expressions of one's living body; perhaps as *modes* of auto-affective self-modifications. (Cf. physiology vs. anatomy in *HS*.)
23. *Standard Edition*, vol. 13, pp. 20, 36 (emphasis added).
24. *Standard Edition*, vol. 13, p. 44, citing Frazer (emphasis added). Sovereignty is as much about nature or *phusis* as it is about duty or office.
25. *Standard Edition*, vol. 18, pp. 131, 133 (emphasis added).
26. This prescient phrase is Maureen Dowd's, referring to Donald Trump among his rivals for leadership during the Republican primaries leading up to the 2016 US presidential election (*New York Times*, 8 August 2015). The unconscious does not lie.
27. *Standard Edition*, vol. 13, p. 18 (emphasis added).
28. *Standard Edition*, vol. 13, p. 23, citing Wundt.
29. *Standard Edition*, vol. 13, p. 53, citing Frazer (emphasis added).
30. Cf. the body's accompanying auto-affection in *US* 28–9, 50–4.
31. *Standard Edition*, vol. 13, pp. 33–4 (emphasis added).
32. *Standard Edition*, vol. 13, p. 36. Cf. 'Taboos are imposed in order to secure against thieves the property of an individual' (pp. 19–20, citing Thomas).

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