

SACREDNESS AND VIOLENCE IN THE JURIDICO-DISCIPLINARY *DISPOSITIFS*

ȘTEFAN VLAD*

ABSTRACT. *Sacredness and Violence in the Juridico-disciplinary Dispositifs.* *Sacredness and violence in the juridico-disciplinary dispositifs* advances an analysis of sacredness as a strictly and eminently juridical and political phenomenon. Being the result of enforcing a value threshold beyond which human existence no longer possesses any juridical, economical or epistemic value, sacredness, as a matrix of the violent relation between power and the human body, reveals itself to be both the unveiling act of sovereign power and the crossing point between the juridical and the biopolitical power patterns. Following also Foucault's distinction between *subjectivation* and *assujetissement*, we shall develop the analysis of a form of subjectification which, as a perpetual struggle against power, exceeds the power-knowledge nexus of juridical and biopolitical apparatuses.

Keywords: *subjectification, sacredness, dispositif, disciplinary norm, exception*

Introduction

The starting point of this paper consists in describing the different juridical patterns that subjectification processes imply in two distinct registers: sovereign power relations and disciplinary power mechanisms. Simultaneously, the changes implied within juridical theory and practice by this power transfer, also entail a detailed description of the shift from a discursive ensemble having law at its core to a different discursive apparatus, focused on norms. As a result, the concept of *dispositif*, as defined within Michel Foucault's research upon the power-knowledge-subjectification connection, becomes most lucrative insofar as it minutely depicts the network between the power relations, the economy of truth, the systems of public right and the subjectification processes. Thus, a process of subjectification shall be described against the background of a *dispositif*, alongside a broader dynamic of power mechanisms producing truth-effects which, in their turn, are producing power-effects, the immediate impact of this cyclicity consisting in both the system of law/the juridical *dispositif* and in the act of becoming subject. Let us read, in order to put things into perspective, a piece of text where Foucault undertakes his widely known inversion in the study of power:

* PhD Student at the Doctoral School in Philosophy, Faculty of History and Philosophy, Babeș-Bolyai University, Cluj-Napoca, Romania. E-mail: stefan_vlad89@yahoo.com

My problem is roughly this: What are the rules of right that power implements to produce discourses of truth? Or: What type of power is it that is capable of producing discourses of truth that have, in a society like ours, such powerful effects? ...we are also subject to the truth in the sense that truth lays down the law: it is the discourse of truth that decides, at least in part; it conveys and propels truth-effects. After all, we are judged, condemned, forced to perform tasks, and destined to live and die in certain ways by discourses that are true, and which bring with them specific power-effects.¹

The core thesis of my research can be summarized as follows: underlying Foucault's texts, there can be found two different levels at which subjectivation processes are described and analysed: in the first place, subjectivation refers to an effect produced by the power-knowledge relations within the network of a *dispositif*; secondly, and in fierce contention with the first instance, the process of becoming subject involves a never-ending resistance maintained alive by holding out against the strategies of power and by eluding the codifications operated by knowledge apparatuses. Analyzing both these versions one at a time, this study is directed by two main tasks: verifying to which extent does sacredness – bearing within the entirely new determinations brought by Giorgio Agamben – represent the matrix of the first meaning by which we pinned down here the processes of subjectivation, namely the subject as a counterpart of the *dispositif*; and secondly, we shall dwell upon and try to extract the deeper theoretical and political implications held by the second definition of subjectivation processes.

The Subjects Pertaining to Juridico-Disciplinary *Dispositifs*

If we emphasize here the juridical and disciplinary components of a *dispositif*, it is precisely in order to point the fact that, at a specific point in time, even if the production of subjects is a function of the disciplinary power-procedures exclusively, within the discursive level the same subject gets caught up in two completely dissimilar registers. Precisely how does one end up in this state of affairs, and what is it exactly that the former consists of?

Almost every time when he writes about the birth of the disciplinary power, Foucault defines it as being utterly incompatible with the old sovereign relations of power, particularly by the fact that power's immediate intervening area becomes now the human body; in other words, the microtechniques of discipline fit the subject-function exactly on the somatic singularities. Thus, contrasting the power of sovereignty, we can witness now a strong individualisation development at the inferior side of the power relations.

¹ Michel Foucault, *Society must be defended. Lectures at the College de France.1975 – 76*, translated by David Makey, Picador, New York, 2003, pp. 24–25.

Consequently, the old juridical and philosophical theories by means of which the power of sovereignty was codifying individuality become no longer efficient in transcribing these entirely new mechanics of power. The former were providing a theoretical framework for a process in which the human body endures the exercise of power in an incidental, discontinuous and almost always spectacular manner, as in the case of ceremonies or that of public executions. Assuming thus this situation and employing an uninterrupted supervising-writing procedure, the recently generated forms of power bring forth an apparatus of clinical knowledge, setting up their own complementary discursive regime within the field of human sciences and adding thus a brand-new instrument to the already existent polymorphous repertoire of disciplinary techniques, namely the normalization procedures. The human body now becomes subjected, normalized, psychologized; it becomes enframed but at the same time extended by a normative core, through the medium of which the disciplinary procedures of power shall perform their functions: classifying, ranking, distributing, dividing the normal from the abnormal, but also retrieving and redressing all the residual waste resulted from these processes, all elements that proved themselves to be irreducible to disciplinary norms, and unveiling thus an era of social orthopedics. The human sciences are the effect of these series of procedures, and it would be a historical and political error to consider that the loose and uncertain field of human conduct would have been appended to science by means of absorbing the rationality specific to exact sciences. At the same time with the power shift from the sovereign regime to the disciplinary techniques, the framework within which power reverberates its truth-effects becomes, from a juridical one, a predominantly scientific one, overrun by a normative logic.

The utterly new fashion of power-functioning and the innovating knowledge apparatuses that it generates do not entail, as might have been expected, the fade out of the theoretical headquarters of sovereignty. The *ancien* discursive regime persists in organizing the juridical apparatus – juridical theory, codes and practice – at the same time with the revolutionary transference from royal sovereignty of divine origins to national sovereignty. The collectivization of the sovereignty principle and its most original junction with the phenomenon of birth, implies a full conversion in the subject's status, from the position of a submissive patient, to the condition of the citizen pertaining to the new created nation-state and embodying the self-contradictory figure of the sovereign subject of right. Thus, the actual exercise of the disciplinary power coexists with the juridical and philosophical revival of the sovereignty principle, which is now assigned to the social corpus. The identity of a subject now becomes caught up within this heterogeneous interplay. Once again, we shall resort to Foucault's accurate depiction of this state of affairs:

We could say, if you like, that there is a kind of juridico-disciplinary pincers of individualism. There is the juridical individual as he appears in these philosophical or juridical theories: the individual as abstract subject, defined by individual rights that no power can limit unless agreed by contract. And then, beneath this, alongside it, there was the development of a whole disciplinary technology that produced the individual as a historical reality, as an element of the productive forces, and as an element also of political forces. This individual is a subjected body held in a system of supervision and subjected to procedures of normalisation (...) What I call man, in the nineteenth and twentieth centuries, is nothing other than the kind of after image of this oscillation between the juridical individual, which really was the instrument by which, in its discourse, the bourgeoisie claimed power, and the disciplinary individual, which is the result of the technology employed by this same bourgeoisie to constitute the individual in the field of productive and political forces.²

As a result, the attempt to conceive of the subject as a product of the truth discourse and of the power mechanisms transcribed by them, resorts to stage the becoming of a subject upon the conflict between law and norm, a confrontation that drags in the intrusion and colonisation of the juridical procedures by the discourse and micro-practices belonging to disciplinary normalisation. The penal theories and procedures specific to the old power pattern were only ratifying the seizure and monopolization of justice by the state, within the hands of the sovereign, and at the same time the limits of a strict legalism were enframing and codifying the series law-transgression-punishment. But beginning with the Classical period and reaching its climax in the nineteenth century, we witness the breakthrough and the advancement of a form of penalty structured by a displacement of the juridical/penal qualification of a committed act towards a procedure of individualising the perpetrator himself:

Certainly the crimes and offences on which judgement is passed are juridical objects defined by the code, but judgement is also passed on passions, instincts, anomalies, infirmities, maladjustments, effects of environment or heredity; acts of aggression are punished, so also, through them, is aggressivity; rape, but at the same time perversions; murders, but also drives and desires.³

The source of one of the central categories of criminology, that of dangerousness/threatness, is not to be found anywhere in the juridical theories or reforms proper, but in those practices and power relations cutting the social corpus,

² Michel Foucault, *Psychiatric power. Lectures at the College de France 1973-74*, translated by Graham Burchell, Palgrave Macmillan, New York, 2006, pp. 57–58.

³ *Idem, Discipline and punish. The birth of the prison*, translated from French by Alan Sheridan, Vintage Books, New York, 1995, p. 17

in practices of *police* like survey, control, correction and penitentiary adjustment, as well as within the interrelated fields of knowledge encoding and accounting for these practices:

Throughout the penal ritual, from the preliminary investigation to the sentence and the final effects of the penalty, a domain has been penetrated by objects that not only duplicate but also dissociate the juridical defined and coded objects. Psychiatric expertise, but also in a more general way the criminal anthropology and the repetitive discourse of criminology, find one of their precise functions here: by solemnly inscribing offences in the field of objects susceptible of scientific knowledge, they provide the mechanisms of legal punishment with a justifiable hold not only on offences, but on individuals; not only on what they do, but also on what they are, will be, may be.⁴

The punishment and the public-spectacular feature of death sentences, of funeral piles, of hanging, of body laceration, or of human stigmatizing by branding iron, succumb and give way to the newborn internment institutions inside of which the body no longer is subjected to a sudden power intervention, but becomes exposed to a slow and infinitesimal orthopaedical process reverberating its effects not upon what people do but upon that of which they might be capable of or inclined to do, therefore at the level of their conduct virtualities. The immediate result of such a change over consists of the fact that, from now on, the penal institutions, no longer being narrowed by the framework of an autonomous juridical power, become flooded by a huge power network consisting of institutional series that enframe the individual alongside his entire existence: psychological, psychiatric, pedagogical and medical institutions. From this moment onwards, the punitive function of the juridical apparatus is no longer reduced to proscribing and excluding the elements irreducible to the legal order to the outskirts of society, but becomes more and more subordinated to the disciplinary process of binding the individual to the machines of production and to the knowledge-transmitting apparatus, transposing thus time and body into labor force.

Sacredness – the Zero Degree of Juridical Identity

Up to now we've kept track of the way that the subjectification procedures specific to the juridical *dispositifs* begin to fusion with the techniques of normalization, and of the simultaneous invasion of the juridical apparatus by the disciplinary micro-mechanics and by their discursive duplicate, namely the human sciences. We have assembled the concept of juridico-disciplinary *dispositif* precisely for an accurate

⁴ *Ibidem*, p. 18

analysis of this hybridisation phenomenon. We have also taken into account the fact that, according to Foucault's analyses, this process coincides with the historical turning point by which the human body, as simple living being, becomes an abiding companion of political power, being caught within the relations and strategic schemes that the latter stages. Once we have reached this point, we shall raise the problematic of sacredness, and we shall choose as a starting point Giorgio Agamben's inquiry into Foucault's assumption related to biopolitics as a threshold for the modern era.

If Agamben calls into requisition the concept of *bare life*, he does so precisely in order to describe the human body in its historical connection with the political power. According to Agamben, this power-body relation must not be restricted to a trait of modern politics, but analyzed both as the prime moment of sovereign power and as the crossing point between the juridical and the biopolitical power patterns.

The constitution of juridical identity implies setting out a borderline beyond which human existence no longer possesses any juridical, economical or epistemic value. This act of desubjectification stands at the beginning of and operates alongside any political production of subjects. The founding of the political framework of sovereignty itself rests upon the initial act of creating and maintaining this residual field of exception, this non-ground within the boundaries of which the bare life is exiled and forlorn. And we might very well transpose this primary and violent power-body interplay within the formula renowned by Carl Schmitt: „Sovereign is he who decides on the exception.”⁵ At the same time that political power produces this state of exception of which it withdraws any juridical feature of the political identity belonging to its subjects, the exercise of power itself becomes a bare act of pure violence, irreducible to any juridical determination and engrafting itself upon the living body of individuals. What the concept of *bare life* denominates is not something that preexists a political intervention, but precisely the result of such a violent act of power in its entirely juridical nudity. And we shall name sacredness the condition of that who, being absorbed within this non-space and exposed to the raw violence of the sovereign, is subjected only to this desubjectification: *homo sacer*.

Homo sacer is the outcome of a practice of exclusion (*sacratio*), an ancient Roman law procedure, the depiction of which is borrowed by Agamben from Sextus Pompeius Festus' treatise, *De significatione verborum*. This piece of work describes among its pages the utmost peculiar figure of a man whose murder may be committed by anyone without being punished, but whose sacrifice is strictly forbidden. This sacred man must not be confused with the victims of sacrificial rituals (*consecratio*), who are transposed from the secular jurisdiction of terrestrial sovereignty into a divine holding.

⁵ Carl Schmitt, *Political Theology. Four Chapters on the Concept of Sovereignty*, translated by George Schwab, The MIT Press, Cambridge, Massachusetts, and London, England, 1985, p. 5

His exclusion from the political community does not entail an immediate entering into the domain of the sacred, but the ceaseless and aimless wandering through an anomic zone. Inside this juridical void, the indistinction between sacred and profane, between the religious and the political, turns the violence applied to the *homo sacer* absolutely indeterminate and unclassifiable, the murder of the sacred man being impervious to any juridical or religious informed violence: homicide, the enforcement of a sentence, sacrifice or desecration.

Thus, the figure of *homo sacer* seems to be configured by a double exception, regarding both the city of men and that of gods. The sovereign's decision on the exception might be trasposed here in the terms of the relation between the illegible violence of an act of power and the juridical nakedness of the living human body as a carrier of sacredness:

At the two extreme limits of the order, the sovereign and *homo sacer* present two symmetrica figures that have the same structure and are correlative: the sovereign is the one with respect to whom all men are potentially *homines sacri*, and *homo sacer* is the one with respect to whom all men act as sovereigns. The sovereign and *homo sacer* are joined in the figure of a action that, excepting itself from both human and divine law, from both *nomos* and *physis*, nevertheless delimits what is, in a certain sense, the first properly political space of the West distinct from both the religious and the profane sphere, from both the natural order and the regular juridical order. (...) If our hypothesis is correct, sacredness is instead the originary form of 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 it operates in an inclusive exclusion as the referent of the sovereign decision.⁶

Beside the concepts of *homo sacer* and *sacratio*, borrowed from the area of juridical practices of roman antiquity, Agamben selects another analysis pattern for the investigation of sacredness out of the study of Walter Benjamin, *Critique of violence*. Within this piece of text lays the origin of the thesis according to which the mere natural life becomes sacred only as an effect of its exposure to the violence of sovereign power. Accordingly, the sacredness of human life, invoked and displayed as a basic and unalienable right by those who resist and fight back the abusing acts of political power, reveals itself to be both the condition and the effect of the same abusive power that people struggle against. In Benjamin's work, the ruling of legal violence over the living, as the genesis of the political, occurs under the notion of mythical violence; at the same time, the juridical nudity of the natural life, as a waste in the production of

⁶ Giorgio Agamben, *Homo sacer. Sovereign power and bare life*, translated by Daniel Heller-Roazen, Stanford University Press, Stanford California, 1998, pp. 84–85.

subjects of law, appears here as guilt, a juridical phenomenon which only later has been fallaciously transposed within the religious and ethic fields. Guilt is the analogous concept of sacredness:

The dissolution of legal violence stems, as cannot be shown in detail here, from the guilt of mere natural life, which consigns the living, innocent and unhappy, to a retribution that „expiates” the guilt of mere life – and doubtless also purifies the guilty, not of guilt, however, but of law. For with mere life the rule of law over the living ceases. Mythical violence is bloody power over mere life for its own sake...⁷

Thus, Agamben’s research on this topic can now be seen as articulating itself into a response brought to Benjamin’s interrogation upon sacredness, a concept whose indecisiveness casts itself even on the political struggles:

It might be well worth while to track down the origin of the dogma of the sacredness of life. Perhaps, indeed probably, it is relatively recent, the last mistaken attempt of the weakened Western tradition to seek the saint it has lost in cosmological impenetrability. (...) Finally, this idea of man’s sacredness gives grounds for reflection that what is here pronounced sacred was according to ancient mythical thought the marked bearer of guilt: life itself.⁸

Taking this specific structure of sacredness as a starting point, Agamben no longer defines, as Foucault did, the biopolitical conversion of power as the radical caesure between the juridical pattern of sovereignty and the modern power practices, but as the barely visible linkage that actually intertwines them. The process that the modern history of power brings forth consists rather in an invasion of the political sphere by an item that, up to that point, has been kept peripheral: the bare life, whose everlasting exile was rendering possible the juridical production of subjective identity. Enacting the state of emergency, which now becomes both an usual governing practice and the government’s sole legitimacy supply, potentially turns every citizen into a *homo sacer*, exposing him to a governmental act of violence which exceeds every possible juridical qualification and which remains impossible to sanction. The concept of this inversion between the exception and the regular normal case is to be found in Benjamin’s eighth thesis on the concept of history:

⁷ Walter Benjamin, “Critique of violence” in *Reflections: Essays, Aphorisms, Autobiographical Writings*, edited and with an Introduction by Peter Demetz, translated by Edmund Jephcott, Schocken Books New York, 1978, p. 297.

⁸ *Ibidem*, p.299.

The tradition of the oppressed teaches us that the „state of emergency“ in which we live is not the exception but the rule. We must attain to a conception of history that is in keeping with this insight. Then we shall clearly realise that it is our task to bring about a real state of emergency, and this will improve our position in the struggle against Fascism.⁹

Which is the immediate effect of this register shift that transposes sacredness – as the condition of bare life – from the political outskirts in the core of political practices? The juridical nakedness of simply being alive, a condition that in the old regime was at the mercy of the sovereign’s decision over life and death, now becomes orchestrated by two completely different, though intertwined power strategies: it becomes both the object over which the newborn disciplinary power imposes its domination techniques, and the ground out of which those who endure and fight back this domination deduct and invoke the sacred nature of life as a source of sovereign and unalienable human rights. As we have noticed along the first section of the present study, the mutations supervened within the modern exercise of power do not entail the obsolescence or disappearance of the juridico-philosophical edifice of sovereignty, but quite the opposite, the latter continues programming the juridical apparatus, encoding the juridical identity of the subjects within the new figure of the citizen of the national state. And this juridical procedure of subjectivation does not invest the sovereignty principle into the consciousness of the free individual, but into his mere birth, into the condition of being born within the national boundaries of a specific territory and from citizen parents. The biopolitical calling of this juridico-discursive regime of subjectivation combining juridical theory, constitutional texts and declarations of human rights, is the common denominator between it and the brand new disciplinary mechanics of power with which it coexists. So it becomes conceivable the fact that the same spectrum of sacredness underlies both the domination of the individuals by the disciplinary power, and the freedom demands of the same individuals in their struggle against the same disciplinary power.

Subjectivation – Assujettissement

Let us now dissect this undecidable problem that contaminates the modern and contemporary political struggles, by employing Foucault’s concept of *dispositif* understood here as a heterogenous aggregate that welds together power, knowledge and subjectification procedures.

⁹ *Idem, Illuminations. Essays and Reflection*, edited and with an introduction by Hannah Arendt, translated by Harry Zohn, Schocken Books, New York, p. 257.

The concept of *dispositif* puts forward two different readings for the notion of subjectification. In the first place, the subject's identity is produced within a discursive regime which, in turn, is the product of a specific lay-out of power relations. We have analyzed in the first section this discursive field as being crossed by a juridico-disciplinary friction which divides the subject's identity between law and norm, between citizenship and disciplinary standards of normality. This version of subjectification is the mere additional process related to the power-knowledge nexus within the *dispositif*. Consequently, demanding the right to one's own identity against an oppressive and alienating power ultimately relapses the individual's struggle into a discursive regime engendered by the very same political power he fights against. Every single step laboured towards identity recognition is to be undermined and derailed by the fact that there is no conceivable or identifiable Outside for those juridical, psychological, economic and political categories by means of which power employs its subjects within the political and socioeconomic force fields. This first use of the concept of subjectification – *assujettissement*, a mere component inside the functioning of a *dispositif* – is well summed up also by Agamben as follows:

Indeed, every apparatus implies a process of subjectification, without which it cannot function as an apparatus of governance, but is rather reduced to a mere exercise of violence. On this basis, Foucault has demonstrated how, in a disciplinary society, apparatuses aim to create – through a series of practices, discourses, and bodies of knowledge – docile, yet free, bodies that assume their „freedom” as subjects in the very poces of their desubjectification. Apparatus, then, is first of all a machine that produces subjectifications, and only as such it is also a machine of governance.¹⁰

Alongside this juridico-disciplinary procedure, that we have registered under the notion of *assujettissement*, develops an alternative process of subjectification which, even though it stems out of the same power struggles, it raises its claims on the very same ground that power impregnates: the living human body. The biopolitical latency of the mere living being becomes a resistance source almost at the same time that power appropriates the bare life, amplifying and reassigning its forces. Within this second process of subjectification, the human body gets politically imbued at the lower end of the power relations, as we can read in this excerpt from *Lives of Infamous Men*:

Is it not one of the fundamental traits of our society, after all, that destiny takes the form of a relation with power, of a struggle with or against it? Indeed, the most intense point of a life, the point where its energy is concentrated, is where it comes up against

¹⁰ Giorgio Agamben, *What is an apparatus? And Other Essays*, edited by Werner Hamacher, translated by David Kishik and Stefan Pedatella, Stanford University Press, Stanford, California, 2009, pp. 19–20.

power, struggles with it, attempts to use its force and to evade its traps. The brief and strident words that went back and forth between power and the most inessential existences doubtless constitute, for the latter, the only monument they have ever been granted: it is what gives them, for the passage through time, the bitt of brilliance, the flash that carries them to us.¹¹

The principal matter related to this unprecedented political process consists in the following: at a specific point of political confrontations, those who put up resistance realise that their only chance to endure and to circumvent power is to acquire a form of identity that exceeds all the categories of the biopolitical apparatus. The first step towards their goal consists in emptying the juridico-political nakedness of bare life. And it is only normal and only a matter of time the fact that this utterly new subjectification process still bears the terminological remnants of the old resistance tactics:

It was life more than the law that became the issue of political struggles, even if the latter were formulated through affirmations concerning rights. The „right“ to life, to one’s body, to health, to happiness, to the satisfaction of needs, and beyond all the oppressions or „alienations“, the „right“ to rediscover what one is and all that one can be, this „right“ – which the classical juridical system was utterly incapable of comprehending – was the political response to all these new procedures of power which did not derive, either, from the traditional right of sovereignty.¹²

Conclusions and Further Research Directions

The central issue this study deals with could be summed up as follows: how could we achieve the theoretical and political requirements for the emergence of utterly unprecedented subjectification processes? Put another way: which philosophical and political tactics are to be undertaken in order to obtain acts of subjectification which are no longer encoded by the discursive categories of the knowledge apparatuses and which occur and persist as disquieting and disturbing agents within the force fields orchestrated by the power machine? In the second volume of *The history of sexuality, The Use of Pleasure*, Foucault traces down the archetype of this subjectification procedure within the techniques of self-discipline, developed by the ancient greeks. *Enkrateia*, as „an active form of self-mastery, which enables one to resist or struggle“, grounds itself in „the dynamics of a domination of oneself by oneself and to the effort

¹¹ Michel Foucault, „Lives of Infamous Men“ in *Essential Works of Foucault 1954-1984*, Volume 3: Power, edited by James D. Faubion, translated by Robert Hurley, New Pres, 2001, pp. 161–162.

¹² *Idem*, *The History of Sexuality*. Volume I: *An Introduction*, translated from the French by Robert Hurley, Pantheon Books, New York, 1978, p. 145.

that this demands.” This subjectification process of internalizing the relations of force specific to the social field, gains a certain autonomy relative to the power-knowledge *dispositifs* of the greek *polis*, thus commencing an unprecedented detachment of the political from the social fields: the prerequisites of political action become no longer reduced to a mere reflected image of social hierarchy and titles, owing to the fact that the new technique of self-governance, internalizing the practice of governing others, now become the indispensable requirement for the governing of othes itself. For the ancient greeks, this utterly new subjectification process has as an immediate result the completely new figure of *homo politicus*.

The defining trait of this illicit version of subjectification is that its becoming stands under the sign of an unceasing friction with power. We are never to talk of such things as subjects, but of individuals subjectified only insofar as they are employed by and within this ever-lasting political struggle for identity. Power always responds by reclaiming and seizing every breach that subjectification opens within the organism of a *dispositif*. Any production of identity by means of the derailment of forces is to be recodified and resettled by the juridical standards and disciplinary norms of the power-knowledge network. The multiple, mobile, local, and irreducible nature of these subversive subjectification procedures comes up against the acts by which power is aligning, homogenizing, stabilizing and incorporating it. All these micro-subjectivities are finally to be reabsorbed within juridical, economic, pedagogical scientific, sexual and familial reproductive apparatuses and codified by and around universal signifiers: State, Market, Production, Family, Morals, Religion, Sex, Art etc.

The juridical and biopolitical framework drawn by the concept of *dispositif* enables the analysis of this tensionate interplay between two heterogenous subjectification processes: *assujetissement* – as additional to the power-knowledge apparatus, and *subjectivation* – as the derailment of the power relations specific to the apparatus. Thus we took one step further the philosophical task to envision a form of identity that no longer revolves around the sacred subjects produced by the juridico-disciplinary machine, but around an utterly new political process of subjectification.

BIBLIOGRAPHY

Primary sources

- Agamben, Giorgio, *Homo sacer. Sovereign power and bare life*, translated by Daniel Heller-Roazen, Stanford University Press, Stanford California, 1998.
- Agamben, Giorgio, *State of exception. Homo Scer II 1*, translated by Kevin Attel, University of Chicago Press, 2004.

- Agamben, Giorgio, *The Time that Remains. A Commentary on the Letter to the Romans*, translated by Patricia Dailey, Stanford University Press, Stanford California, 2005.
- Agamben, Giorgio, *What is an apparatus? And Other Essays*, edited by Werner Hamacher, translated by David Kishik and Stefan Pedatella, Stanford University Press, Stanford, California, 2009.
- Agamben, Giorgio, *The kingdom and the glory. For a Genealogical Theology of Economy and Government. Homo Sacer II, 2*, translated by Lorenzo Chiesa with Matteo Mandarinini, Stanford University Press, Stanford California, 2011.
- Agamben, Giorgio, *The Sacrament of Language*, translated by Adam Kotsko, Stanford University Press, Stanford California, 2011.
- Benjamin, Walter, *Illuminations. Essays and Reflection*, edited and with an introduction by Hannah Arendt, translated by Harry Zohn, Schocken Books, New York.
- Benjamin, Walter, *Critique of violence* in *Reflections: Essays, Aphorisms, Autobiographical Writings*, edited and with an Introduction by Peter Demetz, translated by Edmund Jephcott, Schocken Books, New York, 1978.
- Foucault, Michel, *The History of Sexuality. Volume I: An Introduction*, translated from the French by Robert Hurley, Pantheon Books, New York, 1978.
- Foucault, Michel, *The history of sexuality, Volume II: The Use of Pleasure*, translated from the French by Robert Hurley, Vintage Books, New York, 1990.
- Foucault, Michel, *Discipline and punish. The birth of the prison*, translated from French by Alan Sheridan, Vintage Books, New York, 1995.
- Foucault, Michel, *Essential Works of Foucault 1954-1984*, edited by Paul Rabinov, New Pres, 2001.
- Foucault, Michel, *Abnormal. Lectures at College de France 1974-1975*, edited by Valerio Marchetti and Antonelle Salomoni, translated by Graham Burcell, Verso, London, 2003.
- Foucault, Michel, „Society must be defended“. *Lectures at the College de France. 1975 – 76*, translated by David Makey, Picador, New York, 2003.
- Foucault, Michel, *Psychiatric power. Lectures at the College de France 1973-74*, translated by Graham Burchell, Palgrave Macmillan, New York, 2006.
- Foucault, Michel, *The Birth of Biopolitics. Lecture at the College de France 1978-79*, edited by Michel Senellart, translated by Graham Burchell, Palgrave Macmillan, New York, 2008.
- Schmitt, Carl, *Political Theology. Four Chapters on the Concept of Sovereignty*, translated by George Schwab, The MIT Press, Cambridge, Massachusetts, and London, England, 1985.

Secondary sources

- Agamben, Giorgio, *Potentialities. Collected Essays in Philosophy*, edited and translated with an introduction by Daniel Heller-Roazen, Stanford University Press, Stanford, California, 1999.

- Agamben, Giorgio, *Remnants of Auschwitz. The Witness and the Archive. Homo Sacer III*, translated by Daniel Heller-Roazen, Zone Books, New York, 1999.
- Agamben, Giorgio, *Profanations*, translated by Jeff Fort, Zone Books, New York, 2007.
- Calarco, Matthew & Decaroli, Steven (ed.) *Giorgio Agamben. Sovereignty and Life*, Stanford University Press, Stanford, California, 2007.
- Deleuze, Gilles, *Foucault*, translated by Sean Hand, foreword by Paul Bove, University of Minnesota Press, 1988.
- Marchart, Oliver, *Post-Fundational Political Thought. Political Difference in Nancy, Lefort, Badiou and Laclau*, Edinburgh University Press, 2007.
- Ranciere, Jacques, *Hatred of Democracy*, translated by Steve Corcoran, Verso Books, 2007.