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THE LEGITIMATION CRISIS OF THE POLITICAL AND THE INVESTITURE OF TECHNOCRACY AS CONSIDERED THROUGH THE PERSPECTIVE OF GIORGIO AGAMBEN'S THEORY

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ABSTRACT. The Legitimation Crisis of the Political and the Investiture of Technocracy as Considered through the Perspective of Giorgio Agamben's Theory. Under the conditions of the society of the spectacle, delivered entirely to consumerism as its end, the link between sovereignty and government that traditionally legitimized political power is dissolving in what appears to be a managerial paradigm of power. Simultaneously with this, trust in the given word, as well as in the authenticity of any form of inter-human communication in general, including political speech, is receding. How does this emergent paradigm legitimize itself?

Keywords*: sovereignty, government, legitimacy, spectacle, language (truthfulness of)*

1. Introduction

The two main elements of the tradition of Occidental political thought, sovereignty and government, appeared until present time as parts of a unified whole, such as that only through their conjunction can be guaranteed the legitimacy and efficacy necessary for a state of right. Agamben argues that the paradigmatic model for this articulation proceeds from the movement of secularization of the theological-political concept of intra-Trinitarian *oeconomia* (concept that describes both the inner articulation between the Persons of the Holy Trinity, and respectively God's divine plan of redeeming the world, in which Agamben identifies a model for an effective form of the government of the world), a historical process that leads towards the immanentization of the *oeconomia*, or in other words towards the evacuation of sovereignty by the government, simultaneous with a growing concern given to security considerations. If language may be considered as the primordial, zero degree political institution, then the devaluation of the function of the oath – and, consequently, of the power to promise that constitutes the condition of possibility of the capacity of

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veridiction inherent in language as such – is symptomatic for a growing trend of lack of faith in politics, a trend that marks the victory of the society of the spectacle. *Zoon politikon* risks thus to be completely replaced on the scene of historical evolution by *animal oeconomicus*, and politics itself by a *Polizeiwissenchaft* whose function will be to manage the generalized derealization implied by the idealization of measureless consumption as substitute to the good life.

2. Argument

In "Introductory note on the concept of democracy", published in the collective volume *Démocratie, dans quelle état?* (2009), Agamben brings to his reader's attention the double meaning of that concept. On the one side, democracy denotes o mode of constituting a body politic, and consequently a type of legitimizing political power, and on the other, a technique of government, a mode in which power can be effectively used. This distinction appeared already in Aristotle's *Politics*, at the moment in which he began classifying the types of government:

> Since *politeia* and *politeuma* signify the same thing, and since *politeuma* is the supreme (*kyrion*) power in a city, it necessarily follows that the supreme power resides either with an individual, with a few or with the many. [1]

The problematic aspect of this passage stems from the ambiguity of the term *politeia*, that can denote both constituent power (*politeia* as political activity), as well as constituted power (*politeuma* as the political result of this activity). In order to surpass the ambiguity and unify the two hypostases under which politics appears, Aristotle made use of the term *kyrion*, supremacy, or, in other words, sovereignty, that has the role of link between them. Similarly, Jean-Jacques Rousseau, in *The Social Contract*,[2] tried to present the executive as distinct, but strongly tied to the general will, and thus to legislative power. Here also the quality of sovereignty appears as both one of the elements of the relationship and as the term that assures the link between them, while the sovereignty's uniqueness in a state is one of its specific traits.

[1] Aristotle, *Politics*, 1279a, 25, apud Giorgio Agamben, "Introductory note on the concept of democracy", in Giorgio Agamben et al., *Democracy in what State?*, Columbia Univ. Press, 2011, pp. 2–3. For a translation that supports Agamben's interpretation of this passage, see Aristotle, *Aristotle's Politics*, transl. Benjamin Jowett, Oxford Univ. Press, 1926, p. 114: "The words constitution and government have the same meaning, and the government, which is the supreme authority in states, must be in the hands of one, of a few or of many."

[2] Jean-Jacques Rousseau, "The Social Contract", in *The Social Contract and the First and Second Discourses*, ed. Susan Dunn, Yale Univ. Press, 2002, passim.

Such a state of indistinctness of the concept of sovereignty has accompanied constantly the development of Western political thought and the systems in which it found its actualization, leading ultimately to the present situation, where all appeals to the concept of popular sovereignty are manifestly demagogical, part of the spectacle to which politics is now reduced. The sovereignty of the people, the basis of what has been called the general will, lacks an effective influence over state policy, having become nothing more than an empty abstraction. The legislative, the place of public debates between the elected representatives of the people, now houses only the spectacle of lawmaking, while the actual decisions are made through bargains reached behind closed doors.[3] Even the principle of the separation of powers in the state, a fundamental principle of modern democracies, is threatened, since the government assumes also the power to introduce legislation through the abused mechanism of the emergency decree, created to deal with situations of emergency.[4] With the development of the process of globalization, multinational interests seek to influence the legislation of nation-states while circumventing the procedures and publicity of the respective houses of the legislative, by means of binding international treatises, whose signatories are members of the governments of the involved countries, hence not officials elected directly by the people.[5]

The historical stage that evolved after the fall of Stalinist regimes, on the one side, and simultaneously with this, of the democratic ideal of the Occidental constitutional state – both ideologies leaving their place to the formation of the state of integrated

[3] See also Jürgen Habermas, *The Structural Transformation of the Public Sphere. An Inquiry into a Category of Burgeois Society*, (fifth printing), The Massachusetts Institute of Technology Press, 1993, p. 205: "[...] it is precisely the interlocking of organized [private] interests and their official translation into the political machinery that lends to the parties a paramount position before which the parliament is degraded to the status of a committee for the [public] airing of party lines – and the member of parliament himself <to the status of an organizational-technical intermediary within the party, who has to obey its directives in case of conflict>. [...] *de facto*, the delegate receives an imperative mandate by his party."

[4] Giorgio Agamben, *op. cit.*, p. 4: "Today we behold the overwhelming preponderance of government and the economy over anything you could call popular sovereignty – an expression by now drained of all meaning. Western democracies are perhaps paying the price for a philosophical heritage they haven't bothered to take a close look in a long time. To think of government as simple executive power is a mistake and one of the most consequential errors ever made in the history of Western politics. It explains why modern political thought wanders off into empty abstractions like law, general will, and popular sovereignty while entirely failing to address the central question of government and its articulation, as Rousseau would say, to the sovereign or *locus* of sovereignty."

[5] An example of such an attempt to establish legislation, this time failed, was the 2011 A.C.T.A. international treaty – the Anti-Counterfeiting Trade Agreement – drafted and negotiated behind closed doors by representatives of governments and of large multinational corporations, all the while being kept secret both from the general public and even from the legislatives of the involved countries – the European Parliament first found out the content of the draft of the treaty from *www.wikileaks.org*

spectacle that Guy Debord has described as the final stage of the state-form[6] – is presented in *Note on politics* (1992). It is a regime that presents itself as a democracy, but actually it is only the appearance of one. Its institutions, that claim that exist in order to serve the people, serve only apparently, while the language of their institutional discourse, the ruling ideology, propagated through mass media (which also claims that only serves) and the educational system and consequently internalized by the masses, employs the old words of sovereignty, people, democracy, etc. as pure publicitary slogans, without any effective reference in reality.[7]

The state itself survives only under the form of a pure structure of domination over a society entirely delivered to the *telos* of consumption of goods. In this sense it may be noted that none of the arguments I have encountered in favour of the minimal state – that eliminate from the state's domain of intervention components such as the economy, healthcare, education or social assistance – propose a same elimination of the police. On the contrary, security represents the central argument used for legitimizing state order and the diverse policies adopted under the form of emergency measures, pertaining to a state of exception, such legitimization replacing the justification through appeal to a general will. This phenomenon is entirely consonant with the direction towards which society is heading, as a society of consumers instead of a society of citizens, a society that needs to have only the peace necessary for a leisurely consumption instead of the *agony* of involving one's political will.[8] This may be argued to be pure economic management, and no longer politics as such:

[6] See Guy Debord, *The Society of the Spectacle*, Zone Books, 1995; and respectively idem, *Comments on the Society of the Spectacle*, Verso, 1990.

[7] Giorgio Agamben, "Notes on politics", in Means without Ends. Notes on Politics, Univ. of Minnesota Press, 2000, pp. 108–109: "In the same way in which the great transformation of the first industrial revolution destroyed the social and political structures as well as the legal categories of the ancien régime, terms such as sovereignty, right, nation, people, democracy and general will by now refer to a reality that no longer has anything to do with what these concepts used to designate – and those who continue to use these concepts uncritically literally do not know what they are talking about. […] Contemporary politics is this devastating experiment that disarticulates and empties institutions and beliefs, ideologies and religions, identities and communities all throughout the planet, so as then to rehash and reinstate their definitively nullified form."

[8] Of course, any citizen of a given polity does have to consume in order to live. In the city-states of Ancient Greece there were laws that either demanded that public offices be granted only to those who had sufficient private income, or that a public stipend be paid to any citizen occupying a public function. Nevertheless, the societies of these city-states were not organized as consumer societies. That is a phenomenon of our own time, in which every citizen is also a consumer (although not every consumer is also a citizen). Still, these two concepts, consumer and citizen, are distinct: one belongs to the order of economy, the other to politics. A consumer has as his end the consumption of goods, a strictly private affair, whereas a citizen has as his end the good of the state, the public good. A human being, in order to reach its goal in its quality as consumer has to employ what Kant has called the private use of reason, whereas to reach its goal as citizen, it has to employ its public use of reason. These two distinct modes of using one's reason are incompatible in that they cannot be used simultaneously, in order to think one and the same thought, at the same time, for a heteronomous (extrinsic) end of reason and for an autonomous (intrinsic) end of reason.

> The theorists of political sovereignty, such as Schmitt, see in all this the surest sign of the end of politics. And the planetary masses of consumers, in fact, do not seem to foreshadow any new figure of the *polis* (even when they do not simply relapse into the old ethnic and religious ideals).[9]

Even the emergence of the totalitarian regimes of the 20th century is tied, as a symptom, to this fall into desuetude of the model of the nation-state, as Agamben argues in his writing *In this Exile (Italian Diary 1992-94)*:

> In this sense, the totalitarianisms of our century truly constitute the other side of the Hegelo-Kojèvian idea of an end of history: humankind has by now reached its historical *telos* and all that is left to accomplish is to depoliticize human societies either by unfolding unconditionally the reign of *oikonomia* or by undertaking biological life itself as supreme political task.[10]

The difference between these two alternatives isn't one of essential nature. In both cases, the sovereign decision (if it may be still named as such) is given over to experts, and the domain of intervention is that which is one's most proper, life itself, that finishes by being reduced to the quality of bare life (for example, in the situation of illegal immigrants). It is the age of the triumph of biopolitics.

In *The Kingdom and the Glory. For a Theological Genealogy of Economy and Government (Homo Sacer II, 2)*, Agamben identifies in the theological concept of economy – a concept intended to describe both the internal articulation between the persons of the Holy Trinity, as well as, simultaneously, the relation between God and creation (as a divine plan of salvation) – a model for the government of the world (the legitimization through divine right being deduced from it, as well as its condition of possibility, residing in the relation of vicariousness that cleaves politics in two: the function of a sovereignty that is practically ineffective, that does not govern, and respectively the function of a distinct governmental activity, legitimized through appeal to this sovereignty; as it will be shown, the development of modern political thought continues this model).

The theory of Nicolas Malebranche on the action of the divine providence,[11] developed inside this theological tradition, states that God, having the attribute of absolute wisdom, always acts through the most simple means possible: through

[9] *Ibid.*, pp. 112–113.

[10] Giorgio Agamben, "In this exile (Italian diary 1992-94)", in *Means without Ends. Notes on Politics*, p. 139.

[11] Nicolas Malebranche, *Treatise on Nature and Grace*, Oxford Univ. Press, 1992. For a brief synthesis of Malebranche's theory on primary and secondary causes, see Steven Nadler, "Malebranche on causation", in *The Cambridge Companion to Malebranche*, ed. Steven Nadler, Cambridge Univ. Press, 2000, pp. 112–136.

general laws that, owing to the fact that the faculty that determines action is will, must be established on the basis of general volitions. Even the miracle may be reduced to such a general law, that delegates to the angels the power to act in an apparent contradiction of the natural order, as in a state of exception from the laws of physics: miracles, and implicitly particular wills (if the miracle were a direct act of God, it would imply that God willed it with a particular will, pertaining to the particular situation), *non sunt multiplicanda extra necessitatem* – this may be the formulation, analogous to that of Occam's Razor, of a principle of the economy of providential action. The possibility of an ordered, reasonable and, as such, effective government of the world is given by the fact that the state of the world is determined only through the interaction between general laws and particular occasional causes. What may be observed here is that in such a world, governed by immutable laws, once these laws have been initially established, God Himself doesn't seem to be necessary any longer. It is a world altogether similar to the one envisioned by modern science.[12]

It is, simultaneously, a monstrous world, due to the measureless hypertrophy of the law that governs it, as Voltaire has shown in his *Candide*,[13] where he demolished ironically the *Essays of theodicy on the goodness of God, the freedom of man and the origin of evil*,[14] written by Leibniz, who took over Malebranche's system. The obscene quality of a law that is absolute, that legislates every minute detail of life, banishing any chance for spontaneity (similar to the superego of the obsessional) stems from its very absoluteness, from the fact that necessarily nothing is outside its jurisdiction, not even the aberrant, the monstrous. Absolute evil is an unfortunate but necessary consequence of the absolute good (which is identical to the law in this legalistic point of view).[15]

[12] Giorgio Agamben, *The Kingdom and the Glory. For a Theological Genealogy of Economy and Government (Homo Sacer II, 2)*, Stanford Univ. Press, 2011, pp. 261–269.

[13] Voltaire, *Candide or Optimism*, Penguin Books, 1986.

[14] Gottfried Wilhelm Leibniz, *Essais de Théodicée sur la bonté de Dieu, la liberté de l'homme et l'origine du mal*, Garnier-Flammarion, 1969.

[15] Giorgio Agamben, *op. cit.*, pp. 271–272: "In the case of Leibniz this defeat has two reasons. The first is juridical-moral, and concerns the justificatory intent that is expressed in the very title, *Theodicy*. The world as it is does not require justification, but saving; and if it does not require saving, it needs justifying even less. But to want to justify God for the way in which the world is amounts to the worst misunderstanding of Christianity that one can imagine. The second and more important reason has a political character, and concerns his blind faith in the necessity of the law (of the general will) as the instrument of the government of the world. According to this aberrant idea, if the general law requires as a necessary consequence that Auschwitz takes place, then also »monstrosities are within rules«, and the rule does not become monstrous for this reason." For the necessity that monstrosities should take place, within the system of Malebranche, see Andrew Pyle, *Malebranche*, Routledge, 2003, p. 176: "God wills Order; Order requires that He act by a few simple laws. Working in accordance with these laws will produce, on odd occasions, monstrous results. God could of course intervene to prevent this, but that would require Him to act in a manner unworthy of Him, i.e. by particular volitions." Also, on p. 179 of the same work: "[…] God loves His own perfections more than He loves His creatures. His concern that His conduct should express His attributes (His love of Order) overrides His concern for the well-being of mere creatures, and requires that He act by means of general laws."

Another heir to Malebranche's system is Rousseau,[16] in whose political theory, through:

> […] the notions of *volonté générale* and *volonté particulière* the entire governmental machine of providence is transferred from the theological to the political sphere, thereby compromising not only some points of Rousseau's *économie publique*, but giving it its fundamental structure; that is to say the relationship between sovereignty and government, law and executive power.[17]

Already prefigured in Aristotle's writing, in the case of the state of indistinctness that characterizes the problem of sovereignty – as seen in what, during the development of Occidental political thought, came to be regarded as the distinction between constituent and constituted power – the question of sovereignty remains problematic even with regard to the established modern democratic constitutional state, with its division of power. Who is now actually the sovereign one, the people or the state that claims to embody the people's general will? And if it is the state, which one of the divided entities that comprise it, since sovereignty as such is essentially indivisible? Such questions are a legacy of the theological-political paradigm of the providential *oeconomia*, inherited by modern political thought through Malebranche and Rousseau:

> […] as in Malebranche, the occasional causes are nothing but the particular actualization of God's general will, so in Rousseau, the government, or executive power, claims to coincide with the sovereignty of law from which it nevertheless distinguishes itself as its particular emanation and actualization.
> […] What was needed to assure the unity of being and divine action, reconciling the unity of substance with the trinity of persons and the government of particulars with the universality of providence, has here [in Rousseau] the strategic function of reconciling the sovereignty and generality of the law with the public economy and the effective government of the individuals.[18]

But, as previously seen in the case of Malebranche, if there are laws that effectively govern it, the world may function even if God is radically absent from it. In conditions as those under which, today, the notion itself of popular sovereignty appears only as an empty form, as does also the notion that the government only applies the decision made by the general will of the people through the intermediary agency of their representatives, Agamben's answer to the question on the essence of politics, and on the crisis that confronts political legitimacy is the following one:

[16] Jean-Jacques Rousseau, *op. cit.,* passim.
[17] Giorgio Agamben, *op. cit.*, pp. 272–273.
[18] *ibid.*, pp. 275-276.

> What our investigation has shown is that the real problem, the central mystery of politics is not sovereignty, but government; it is not God, but the angel; it is not the king, but ministry; it is not the law, but the police – that is to say, the governmental machine that they form and support.[19]

In consequence, the emergence of a type of regime that may function without any need to appeal to the forms of traditional political legitimacy, such as the social contract and the general will of the people, should be considered as a strong possibility. If the politician of traditional democracies was legitimized as a representative of the general will, the technocrat as a manager specialized in government has no need to make recourse to the relation of representation and to the contractualist idea, legitimizing his use of power only through his managerial expertise, his capacity to assure an optimal flow of the processes of production and consumption of goods.

It may here be argued that this is still politics, by referring to Carl Schmitt's definition of the essence of the political,[20] since we are dealing, in practice, with the generalization of the state of exception[21] and, implicitly, with a form of the decision pertaining on who the enemy is. Also, another objection that could be raised is that the political man remains necessary, since the technician must be told what to do – but this assumption remains valid only insofar we suppose that there are still properly speaking political decisions to be made. Let's not forget that we are being told that we live in the age after the death of ideologies. If this were the case, the decisions at state policy level that are being made today would not stem from differences and accords between conflicting political points of view on how the society should evolve, towards what goals, in what does a good life truly consists, but would be derived only from differences between strictly speaking particular interests. This definition of politics may be contrasted with another one, in the sense of what Hannah Arendt referred to as "to think at what we are doing",[22] or, even better, of the Kantian public use of

[19] *Ibid.*, p. 276.

[20] Cf. Carl Schmitt, *The Concept of the Political*, (expanded edition), The Univ. of Chicago Press, 2007, pp. 25–26: "A definition of the political can be obtained only by discovering and defining the specifically political categories. In contrast to the various relatively independent endeavors of human thought and action, particularly the moral, aesthetic, and economic, the political has its own criteria which express themselves in a characteristic way. […] The specific political distinction to which political actions and motives can be reduced is that between friend and enemy."

[21] Cf. Walter Benjamin, *On the Concept of History*, VIII, accessed in 13-I-2015 at [*http://www.sfu.ca/~andrewf/CONCEPT2.html*]: "The tradition of the oppressed teaches us that the 'state of emergency' in which we live is not the exception but the rule. […]".

[22] Cf. Hannah Arendt, *The Human Condition*, 2nd ed., The Univ. of Chicago Press, 1998, p. 5: "To these preoccupations and perplexities [the future value of human labor, considered as the source of all value, in the condition of the advent of automation that may make labor unnecessary; the unintelligibility of scientific jargon, which does not render itself to be translated in natural language, when technology dominates our very lives etc.], this book does not offer an answer. Such answers are given every day, and they are matters of practical politics, subject to the agreement of many; they can never lie in theoretical

reason, strictly distinct from the private one, which is, by definition, un-free[23] (Agamben seems to be meaning a similar definition of what he considers to be an authentic politics, as will be shown a little later during the argumentation of this paper). The problematic aspect of the managerial paradigm of politics is that, inside it, the decision is no longer, strictly speaking, a political one, being altogether of an economic type, similar to the decision-making of the patriarch from the ancient *oikos*, the ancient household, who is a strictly private figure.

Karl Marx, in his *Critique of Hegel's Philosophy of Right*, considered bureaucratic thinking as altogether identical with the corporate[24] one, bureaucracy itself being nothing other than a corporation that acceded to state power, whereas in Hegel's theory,[25] the corporations that are authorized by the state, as associations of individuals that are members of civil society and that have common particular interests, and hence common particular wills, are part of a strictly distinct dialectical moment from that of the ethical universality realized in the state. Marx disputes this claim and affirms that the aims of the bureaucracy are exactly as particular as the aims of the corporations, and that that specific characteristic of bureaucratic thinking is that it misrepresents and imposes these particular interests as being the general interests of the whole society.[26]

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considerations or the opinion of one person, as though we dealt here with problems for which only one solution is possible. What I propose in the following is a reconsideration of the human condition from the vantage point of our newest experiences and our most recent fears. This, obviously, is a matter of thought, and thoughtlessness – the heedless recklessness or hopeless confusion or complacent repetition of »truths« which have become trivial and empty – seems to me among the outstanding characteristics of our time. What I propose, therefore, is very simple: it is nothing more than to think what we are doing."

[23] Cf. Immanuel Kant, *What is Enlightenment?,* accessed in 19-II-2015 at [*http://www.columbia.edu/acis/ets/CCREAD/etscc/kant.html*].

[24] Although the meaning of the term "corporation" has changed from the one in which it was used during the Middle Ages, through Hegel's time to nowadays, a common thread may be identified in these subsequent historical meanings by defining it as an association of private individuals, recognized by law, that has particular ends as its aim.

[25] Cf. Georg Wilhelm Friedrich Hegel, *Hegel's Philosophy of Right*, ed. S. W. Dyde, George Bell and Sons, 1896. For a brief description of the relationship between civil society and state in Hegel's theory, see Zbigniew A. Pelczynski, "The significance of Hegel's separation of state and civil society", in *The State and Civil Society. Studies in Hegel's Political Philosophy*, ed. Z. A. Pelczynski, Cambridge Univ. Press, 1984, pp. 1–13.

[26] Karl Marx, *Critique of Hegel's Philosophy of Right,* Cambridge Univ. Press, 2009, pp. 47: "[…] The bureaucracy has the being of the state, the spiritual being of society, in its possession; it is its private property. The general spirit of the bureaucracy is the secret, the mystery, preserved inwardly by means of the hierarchy and externally as a closed corporation. […] As far as the individual bureaucrat is concerned, the end of the state becomes his private end: a pursuit of higher posts, the building of a career. In the first place, he considers real life to be purely material, for the spirit of this life has its separate existence in the bureaucracy. Thus the bureaucrat must make life as materialistic as possible. Secondly, real life is material for the bureaucrat, i.e., in so far as it becomes an object of bureaucratic action, because its spirit is prescribed for it, its end lies outside of it, its existence is the existence of the bureau. The state, then, exists only as various bureau-minds whose connexion [sic] consists of subordination and dumb obedience. Real knowledge appears to be devoid of content just as real life appears to be dead, for this imaginary knowledge and life pass for what is real and essential. Thus the bureaucrat must use the real state Jesuitically, no matter whether this Jesuitism be conscious or unconscious."

If in the contemporary discourse emitted from inside the paradigm of organizational psychology it is said that the vertical structure of organization of the classical bureaucratic hierarchy is to be replaced with a horizontal, fluid, flexible one, nevertheless the principle of obedience towards the leadership maintains its central position, and the proposed change of organizational paradigm relies ultimately on the internalization of the organization's ethos, values and ends by its members, and these are nothing else but the private values and ends of the organization's leadership.

This resembles somewhat the *Führerprinzip* as it was described by Carl Schmitt, who envisioned in the person of the *Führer* the source of all authority and law, and the embodiment of the ethos of the German People. But, even more pertinent here is Schmitt's ulterior analysis, dating from 1950, of what made possible such obedience of an entire people to this regime: the legalistic tradition of a state endowed with a strong caste of civil servants, in other words, a strong bureaucratic tradition.[27]

Of course, if an employee of a contemporary organization disagrees with the values and ends of the said organization's leadership, he will not meet a grisly end at the edge of a long knife. He will just be fired, or, said in a more politically correct way, will be given the opportunity to further advance his career somewhere else. This is one of the key aspects of the concept of flexibility as used in the paradigm of organizational psychology. In any way, the salient aspect remains that despite its differences[28] from classical bureaucratic hierarchy, the new organizational paradigm still retains at minimum a two-tiered hierarchy: the management and the rank and file employees, and these lasts one still owe obedience towards the leadership.

Adolf Eichmann could also have referred, as observed by Hannah Arendt, to this principle of leadership and to the duty of absolute obedience to the commands of the *Führer*, whose words are law, during the course of his trial for war crimes.[29] Eichmann is

[27] Carl Schmitt, *State, Movement, Right. The Triadic Structure of the Political Unity. The Question of Legality*, Plutarch Press, 2001.

[28] The reduction of hierarchical levels designated as the horizontal character of the new organizational paradigm is intended to actually strengthen the control of the central management, by stripping away the intermediary bureaus that each jealously guarded its share of the distribution of power within the organization.

[29] Hannah Arendt, *Eichmann in Jerusalem. A Report on the Banality of Evil*, The Viking Press, 1964, pp. 133–134: "He [Eichmann, during the trial] then proceeded to explain that from the moment he was charged with carrying out the Final Solution he had ceased to live according to Kantian principles [he previously stated that he had read Kant's *Critique of Practical Reason* and that throughout his life he maintained a keen sense of duty], that he had known it, and that he had consoled himself with the thought that he no longer »was master of his own deeds«, that he was unable »to change anything«. What he failed to point out in court was that in this »period of crimes legalized by the state«, as he himself now called it, he had not simply dismissed the Kantian formula as no longer applicable, he had distorted it to read: Act as if the principle of your actions were the same as that of the legislator or of the law of the land - or, in Hans Frank's formulation of »the categorical imperative in the Third Reich«, which Eichmann might have known: »Act in such a way that the *Führer*, if he knew your action, would approve it«." (*Die Technik des Staates*, 1942, pp. 15–16).

not mentioned here in order to imply that present business managers would be all some kind of miniature *Führers*, and neither that the recourse to a managerial paradigm in politics would lead automatically to the establishment of some death camps. His name is used only in order to illustrate that someone with good managerial skills (and he was somewhat of an expert in logistics) is not necessarily someone we would want to be led by. Also, Arendt's argument – citing Hans Frank – that, in the Third Reich, the Kantian public use of reason was altogether replaced by the reason of the dictator in a perverted form of a categorical imperative that demanded absolute obedience to the *Führer*, may serve as a remainder of the distinction between the public and the private use of reason, the first belonging to politics, the second to economy.

A totalitarian regime does not, strictly speaking, constitute a politics, resembling in its mode of functioning an ancient tyranny, which Aristotle classified between the aberrant forms of politics. The tyrant is not a political figure, but a private one, who holds the whole state as his private property, with the right to use and abuse of it.[30]

What the expertise of the ancient tyrant, the bureaucrat, the present manager of an organization and the technocrat as manager of a state apparatus all have in common is that they all fulfil private roles, functioning strictly in private quality, even if they masquerade as having the public interest as their aim. According to Aristotle, the proper place for these figures is the *oikos*, economy, and not the *agora*, the public forum of politics.

In consequence, if the society of the present is delivered completely to the economy, no longer being a community of citizens, but one of consumers, its leadership can take no other form than that of a management of the security necessary for consumption, in other words, of a management of biopolitics.

Any further critical analysis of this trend should take into consideration the *de facto* form under which the consumer society of the present appears, namely that what Guy Debord called as the spectacle.

In his *Marginal Notes on Commentaries on the Society of the Spectacle*, Agamben identifies in the event of Timișoara 1989 the paradigmatic moment for the advent of the domination of the integrated spectacle as end of the state-form, with the legitimization, transmitted live on television, of the instauration of a new regime, a legitimization realized exclusively through disinformation:

> […] the secret police had conspired against itself in order to overthrow the old spectacle-concentrated regime while television showed, nakedly and without false modesty, the real political function of the media. […] What the entire world was

[30] Aristole, *op. cit.*, 1311a, pp. 217–218: "The idea of a king is to be a protector of the rich against unjust treatment, of the people against insult and oppression. Whereas a tyrant, as has often been repeated, has no regard to any public interest, but only to his private ends; his aim is pleasure, the aim of a king, honour. Wherefore also in their desires they differ; the tyrant is desirous of riches, the king, of what brings honour."

> watching live on television, thinking it was the real truth, was in reality the absolute nontruth; and, although the falsification appeared to be sometimes quite obvious, it was nevertheless legitimized as true by the media's world system, so that it would be clear that the true was, by now, nothing more than a moment within the necessary movement of the false. In this way, truth and falsity became indistinguishable from each other and the spectacle legitimized itself solely through the spectacle.[31]

The spectacle is, in its essence, the defining communicativeness of human beings, but a communicativeness that has passed through a process of alienation, taking up the role of an autonomous sphere, becoming the essential factor of the type of processes of production that dominate society (see also Heidegger's essay, *The Question Concerning Technology*). Agamben compares this process with the medieval cabalists' interpretation of the sin of Adam, according to whom the sin consisted in separating and contemplating only the last *Sephirot* (emanation) of the divinity, the *Shekinah*, the manifestation of God on Earth, His *logos*, while disregarding the rest. Adam tastes only from the fruit of the tree of knowledge, but neglects to partake also from the tree of life.[32] (This myth, depicting a radical separation, a divorce of reason from life, may be interpreted as equating the state of the fall of mankind with madness.)

The autonomization of knowledge-language in the spectacle represents the absolute realization of nihilism, because, under the reign of the spectacle, language itself becomes the spectacle's servant. Such vital questions as the debate and distinction about right and wrong, truth and untruth become meaningless, since the horizon that circumscribes any possible narrative belongs strictly to the order of the spectacle.

In *The Sacrament of Language. An Archaeology of the Oath (Homo Sacer II, 3)*, Agamben shows that the institution of the oath is derived from the primordial existential experience of the human being as a being endowed with speech, even more, a being for whom the capacity for using language constitutes its very essence as a rational and social life-form. This primordial existential experience of speech refers to the prehistoric moment when the human beings became conscious of their communicative essence and chose to assume responsibility for their words and deeds. Agamben links this

[31] Giorgio Agamben, "Marginal notes on Commentaries on the Society of spectacle", in *Means without Ends. Notes on Politics*, pp. 80–81.

[32] *Ibid.*, p. 82: "[…] the sin that cabalists call »isolation of the Shekinah« and that they attribute to Aher – one of the four rabbis who, according to a famous Haggadah of the Talmud, entered the Pardes (that is, supreme knowledge). […] The Shekinah is the last of the ten Sefirot or attributes of divinity, the one that expresses divine presence itself, its manifestation or habitation on Earth: its »word«. Aher's »cutting of the branches« is identified by cabalists with the sin of Adam, who, instead of contemplating the Sefirot in their totality, preferred to contemplate only the last one, isolating it from the others – thereby separating the tree of science from the tree of life. Like Adam, Aher represents humanity insofar as, making knowledge his own destiny and his own specific power, he isolates knowledge and the word, which are nothing other than the most complete form of the manifestation of God (the Shekinah), from the other Sefirot in which he reveals himself."

process to the very event of anthropogenesis, for while the animals are also capable of communication, even of dissimulation, only human beings can make promises, can swear oaths and put their life at stake for their words. [33]

Contrary with such theories that consider the oath as an archaic magical-religious institution, Agamben affirms that it represents the threshold of indistinctness, the common origin from which religion and law separated, as attempts to control the nefarious possibility of perjury that is inherent in language as such.

Since under the all-encompassing aegis of the spectacle the question of the truthfulness of language, that is the question of our ethical relation to our own essence as speaking beings, tends to become untenable, perjury itself seem to become the political norm, something to be expected with nonchalance. The only language that may appear to be trustworthy is the jargon of the specialist, the technician, and this only insofar he appears to the public as being in control of the management of the spectacle (that he knows what he is talking about), when, in fact, the complete opposite is the case – he is only a cogwheel whose function is determined by the spectacular machine, lacking the self-consciousness given by the assumption of an ethical position:

> When the ethical – and not simply cognitive – connection that unites words, things, and human actions is broken, this in fact promotes a spectacular and unprecedented proliferation of vain words on the one hand and, on the other, of legislative apparatuses that seek obstinately to legislate on every aspect of that life on which they seem no longer to have any hold. The age of the eclipse of the oath is also the age of blasphemy, in which the name of God breaks away from its living connection with language and can only be uttered in "vain".[34]

The only ethical reaction remaining open to those presented with such monstrous proliferation of simulacra, of empty forms that seize onto and falsify the whole world, is shame, a shame that may yet possibly act as an efficient cause of change. It is a

[33] Giorgio Agamben, *The Sacrament of Language. An Archaeology of the Oath (Homo Sacer II, 3)*, Stanford Univ. Press, 2011, p. 69: "Just as, in the words of Foucault, man »is an animal whose politics places his existence as a living being in question«, so also is he the living being whose language places his life in question. These two definitions are, in fact, inseparable and constitutively dependent on each other. The oath is situated at their intersection, understood as the anthropogenic operator by means of which the living being, who has discovered itself speaking, has decided to be responsible for his words and, devoting himself to the *logos*, to constitute himself as the »living being who has language«. In order for something like an oath to be able to take place, it is necessary, in fact, to be able above all to distinguish, and to articulate together in some way, life and language, actions and words – and this is precisely what the animal, for which language is still an integral part of its vital practice, cannot do. The first promise, the first – and, so to speak, transcendental – *sacratio* is produced by means of this division, in which man, opposing his language to his actions, can put himself at stake in language, can promise himself to the *logos*." The quote from Michel Foucault is from *The History of Sexuality vol. 1. An Introduction*, (translation of *La volonté de savoir*), Pantheon Books, 1978, p. 143.

[34] Giorgio Agamben, *op. cit.*, pp. 70–71.

shame similar to that which Primo Levi[35] described that it was felt by the survivors of the extermination camps, the shame felt by the victims for some kind of inherent complicity with their tormentors, given that they were of the same species with those who perpetrated the horror, a shame of being human. To experience a glimpse of this feeling, today it suffices to watch the news. The effect of this shame is that it renders impossible any further illusions on the worth of those that have used their power to help make the world as it now is, and on the value of the institutional and political system that enabled them to do so.[36]

There is, nevertheless also a positive aspect of this exacerbation of communicativeness, that is the direct experimentation of this defining aspect of what it means to be human – of communicativeness as such, the awareness of the fact of that we are beings delivered to the *logos*, in conjunction with the awareness of the openness generated through this delivery, towards the space in which an ethos may be formed, a space in which a being that can give account of itself only through dialogue with its others, its neighbours, may find its home. Agamben argues that an authentic form of politics may only appear under the condition of assuming the pure mediality (similar, in a way, to Heidegger's concept of *Lichtung*) that is given to human beings as beings that lack an inherent *telos*, a natural, instinctive end unto themselves – whereas the nature of the animal world is instinct, that of the human beings lies in language.[37]

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[35] Primo Michele Levi, *I sommersi e i salvati*, Einaudi, 1991, p. 63: "Era inutile chiudere gli occhi o volgergli le spalle, perché era tutto intorno, in ogni direzione fino all'orizzonte. Non ci era possibile, né abbiamo voluto, essere isole; i giusti fra noi, non più né meno numerosi che in qualsiasi altro gruppo umano, hanno provato rimorso, vergogna, dolore, insomma, per la colpa che altri e non loro avevano commessa, ed in cui si sono sentiti coinvolti, perché sentivano che quanto era avvenuto intorno a loro, ed in loro presenza, e in loro, era irrevocabile."

[36] Giorgio Agamben, "In this exile (Italian diary 1992-94)", in *Means without Ends. Notes on Politics*, p. 131: "[…] Primo Levi has shown, however, that there is today a »shame of being human«, a shame that in some way or other has tainted every human being. This was – and still is – the shame of the camps, the shame of the fact that what should not have happened did happen. And it is a shame of this type, as it has been rightly pointed out, that we feel today when faced by too great a vulgarity of thought, when watching certain TV shows, when confronted with the faces of their hosts and with the self-assured smiles of those »experts« who jovially lend their qualifications to the political game of the media. Those who have felt this silent shame of being human have also severed within themselves any link with the political power in which they live. Such a shame feeds their thoughts and constitutes the beginning of a revolution and of an exodus of which it is barely able to discern the end."

[37] Giorgio Agamben, "Notes on politics", in *Means without Ends. Notes on Politics*, p. 115: "[…] the first consequence deriving from this experiment is the subverting of the false alternative between ends and means that paralyzes any ethics and any politics. A finality without means (the good and the beautiful as ends unto themselves), in fact, is just as alienating as mediality that makes sense only with respect to an end. What is in question in political experience is not a higher end but being-into-language itself as pure mediality, being-into-a-mean as an irreducible condition of human beings. […] Politics is the sphere neither of an end in itself nor a means subordinated to an end; rather, it is the sphere of pure mediality without an end intended as the field of human action and of human thought."

3. Conclusion

The temporary conclusion reached at this point of our analysis finds itself in accord with that of Carl Schmitt from *The Concept of the Political*, in the sense that a managerial paradigm of government, and thus a technocratic form of government, as it seems to be required by a consumer society, cannot in any way rise to the dignity of what we used to call politics. The reason for this conclusion does not imply accepting Schmitt's definition of the political, and hence a necessity of finding an enemy (even if as a scapegoat) for there to be politics. Nevertheless, he did explicitly state that politics as such is tied existentially with the life of human beings (hence, in his argumentation, the enemy is that who threatens our specific way of life), which may recall the Aristotelian *zoon politikon*. Aristotle also gave yet another definition of the human being, immediately following the first one, that of *zoon logon echon*, and these two definitions seem to be linked. The binding promise of the oath, the promise to keep true to one's word, is such a link. There can be no politics without *logos*, and when the *logos* slips away, as when we no longer can trust our own speech, so does politics with its promise of a good life. What we are left with is biopolitics, as a "politics" or, more correctly, an economy of survival. But to survive does not necessarily mean to live.

It seems as if somewhere during the unfolding of our history we have lost our way. For a further development of the present inquiry, a fruitful line of thought seems to lead towards Martin Heidegger's analysis into the meanings of the concepts of *technē* and *phýsis*,[38] which may shed light on the link between the derealization that results from the total domination of society by the economy of the spectacle, described by Guy Debord, and this purely immanent managerial paradigm of politics that tends to disregard completely any appeal from the place of a sovereign authority (God, the People, humankind, etc.) that could provide human beings with the dignity of an ideal that transcends mere buying and selling.

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