THE IMMUNIZATION PARADIGM

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In the following excerpt from Bios, *Esposito sketches the template of immunity as a response to Foucault's notion of biopolitics. For Esposito two diverging lines characterize Foucault and "the engima of biopolitics." In the first, Esposito notes how Foucault appears to characterize biopolitics positively, especially when discussing the police function. Thus in "Omnes and Singulatim," life becomes "the object of the police," when they are charged with providing and regulating "the indispensable, the useful, and the superfluous" in life. Not only does Foucault implicitly link the function of the police as it emerged in the seventeenth and eighteenth centuries to a new form of power over life, biopower, but Foucault contrasts it with the sovereign regime, which unlike biopower "coerces life" [321]. In this narrative of power over life, life is always stronger than the (sovereign) power that seeks to capture it. Thus an affirmative biopolitics is precisely the one that resists sovereign power.*

*The second interpretive line appears when we ask this decisive question: if biopolitics resists—if life is stronger than sovereign power—then how "do we explain that the culmination of a politics of life generated a lethal power that contradicts the productive impulse [of this politics]?" [*Bios *37]. Drawing on Foucault's 1975–76 seminar on war and racism, Esposito shows Foucault painting a far different and negative picture of biopolitics, particularly when the subject turns to a Nazi politics over life. Rather than marking a constitutively affirmative character of biopolitics, Foucault implies that biopolitics continually threatens to reverse itself into a thanatopolitics; the clear conclusion being that biopolitics is hardly distinct from sovereign power and as such cannot be affirmative. As Esposito writes:*

> When considering the Nazi State, we can say indifferently as Foucault himself does, that it was the old sovereign power that adopts biological racism, a racism born in opposition to it. Or, on the contrary, that it is the new biopolitical power that made use of the sovereign right of death in order to give life to state racism. Now, if we have recourse to the first interpretive model, biopolitics becomes an internal articulation of sovereignty; if one privileges the second, sovereignty is reduced to a formal mask of biopolitics. *[42]*

The resulting antinomy, what Esposito will call a "hermeneutic block" in our understanding of biopolitics, sets the scene for his own response to Foucault, namely, the immunization paradigm. —Translator note

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1. How and in what sense can immunization fill that semantic void, that interval of meaning that opens in Foucault's text between the constitutive poles of the concept of biopolitics, namely, biology and politics? Let's begin by observing that the category of "immunity," even in its current meaning, inscribes itself precisely in their intersection, that is, on the tangential line that links the sphere of life with that of right. While in the biomedical sphere the term *immunity* refers to a condition of natural or induced refractoriness on the part of a living organism when faced with a given disease, in political-juridical language *immunity* alludes to a temporary or definitive exemption on the part of the subject with regard to concrete obligations or responsibilities that under normal circumstances would bind one to others. At this point, however, we are only at the fringes of the question: many political terms of biological derivation (or at least of assonance) such as those of "body," "nation," and "constitution" come to mind. Yet in the notion of immunization something more determines its specificity when compared with the Foucauldian notion of biopolitics, and this concerns the fundamental character that forces together the two elements that together make up biopolitics. Rather than being superimposed or juxtaposed in an external form that would subject one to the other, in the immunitary paradigm, *bios* and *nomos,* life and politics, emerge as the two constituent elements of a single, indivisible whole that takes on meaning from their interrelation. Not simply the relation that joins life to power, immunity is the power to preserve life. Contrary to what is presupposed in the concept of biopolitics—understood as the result of an encounter that arises at a certain moment between the two components—in this perspective no power exists outside of life, just as life is never given outside of relations of power. From this angle, politics is nothing other than the possibility or the instrument for keeping life alive [*in vita la vita*].

Yet the category of immunization makes it possible for us to take another step forward (or perhaps better, laterally) to the bifurcation that runs between the two principal elaborations of the biopolitical paradigm: one affirmative and productive and the other negative and lethal. We have seen how the two terms tend to constitute themselves in an alternating and reciprocal form that doesn't allow points of contact. Thus, power negates life and enhances its development; violates life and excludes it; protects and reproduces life; and objectivizes and subjectifies life without any terms that might mediate between them. Now the hermeneutic advantage of the immunitary model lies precisely in the circumstance that these two modalities, these two effects of sense—positive and negative, protecting and destructive—ultimately find an internal articulation, a semantic juncture that organizes them into a causal relation (albeit of a negative kind). This means that the negation doesn't take the form of the violent subordination that power imposes on life from the outside, but rather is the intrinsically antinomic mode by which life preserves itself through power. From this perspective, we can say that immunization is a negative [form] of the protection of life. It saves, insures, and preserves the organism, either individual or collective, but it doesn't do so directly or immediately; on the contrary it subjects the organism to a condition that simultaneously negates or reduces its power to expand. Just as in the medical practice of vaccinating the individual body, so the immunization of the political body functions similarly; introducing within it a fragment of the same pathogen that it wants to protect itself from, by blocking and contradicting natural development. In this sense we can certainly trace a prototype back to Hobbesian political philosophy: when Hobbes not only places the problem of the *conservatio vitae* at the heart of his own thought, but conditions it to the subordination of a constitutive power outside it, namely to sovereign power, the immunitary principle has essentially already been founded.

Of course we must not confuse the objective genesis of a theory with its self-interpretation, which obviously occurs later. Hobbes, and with him a large part of modern

political philosophy, isn't completely aware of the specificity (and therefore also of the contrafactual consequences) of the conceptual paradigm which in point of fact he inaugurates. In order for the power of the contradiction that is implicit in an immunitary logic to come to light, we need to turn away from the level of unconscious elaboration to that of conscious reflection. In other words, we need to introduce Hegel into our discussion. It has been noted that Hegel was the first to assume the negative not just as the price—an unwanted residue, a necessary penalty—paid for the positive to be realized, but rather as the motor of the positive; the fuel that allows it to function. Of course Hegel doesn't adopt the term or the concept of immunization as such. The life to which the Hegelian dialectic refers concerns that of reality and of thought in their constitutive indistinctness rather than that of animal-man assumed as individual and as species (even if the constitution of subjectivity in some of his fundamental texts occurs thanks to an encounter with a death that is also biological).[1] The first to deploy such a meaning knowingly is Nietzsche. When Nietzsche transfers the center of the analysis from the soul to the body—or better, when he posits the soul as the immunitary form that both protects and imprisons the body—the paradigm acquires its specific critical weight. Here we are dealing not only with the metaphor of a virulent vaccination that Nietzsche imparts to man in general, contaminating him with man's own madness, but also with the interpretation of an entire civilization in terms of self-protection and immunity. All of knowledge and power's *dispositifs* play the role of protectively containing a vital power [*potenza*] that expands without limits. What Nietzsche's judgment might be about such an epochal occurrence—double, ambivalent—we will see shortly. The fact remains, however, that with Nietzsche the category of immunization has already been completely elaborated.

2. From that moment on the most innovative part of twentieth-century culture begins to make implicit use of the paradigm. The negative—that which contradicts order, norms, values—is seen not only as an indispensable element in human history in all the singular or social configurations that it periodically assumes, but indeed as history's productive impulse. Without that obstacle or lack represented by the negative, the life of the individual and of the species would never find enough energy to develop on its own. Instead it would remain dominated by the jumble of natural impulses from which it needs to free itself in order to be able to open to the possibility of greater performance [*prestazioni*]. Thus Emile Durkheim refers precisely to immunology when considering an indestructible and functional polarity of human behavior that appeared as pathological in a social environment:

> *Smallpox, a vaccine of which we use to inoculate ourselves, is a true disease that we give ourselves voluntarily, yet it increases our chance of survival. There may be many other cases where the damage caused by the sickness is insignificant compared with the immunities that it confers upon us.* [73]

Yet perhaps it is with the philosophical anthropology developed in Germany in the middle of the last century that the lexical horizon in which the dialectical notion of *compensatio* acquires its most explicit immunitarian valence. From Max Scheler to Helmuth Plessner, concluding with Arnold Gehlen, the *conditio humana* is literally constituted by the negativity that separates it from itself.[2] This is precisely the reason why the human is placed above other species that surpass the human on the level of those natural elements required to live. In ways different from Marx, not only can the alienation of man not be reinte-

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1. On the communitarian motif in Hegel, see Bonito-Oliva 63–64.

2. See Scheler, Person and Self-Value *and* Problems of a Sociology of Knowledge*; Plessner,* Conditio humana *and* Limits of Community*; and Gehlen,* Man, His Nature and Place in the World *and* Urmensch und Spätkultur.

grated, but indeed it represents the indispensable condition of our own identity. Thus the man whom Herder had already defined an as "invalid of his superior forces" can be transformed into the "armed combatant of his inferior forces," into a "Proteus of surrogates" who is able to reverse his own initial lack into a gain [Plessner, *Conditio humana* 72]. It is exactly these "transcendences in the here and now"—what Gehlen defines as institutions—that are destined to immunize us from the excess of subjectivity through an objective mechanism that simultaneously liberates and deprives [*destituisce*] us [44–45].

Yet if we are to recognize the immunitary semantics at the center of modern self-representation, we need to move to the point of intersection between two rather different (albeit converging) hermeneutic lines. The first is that which extends from Freud to Norbert Elias along a theoretical line marked by the knowledge of civilization's necessarily inhibiting character. When Elias speaks of the transformation of heteroconstrictions into self-constrictions that characterize the move from the late-classical period to the modern one, he doesn't simply allude to a progressive marginalization of violence, but rather to its enclosure within the confines of the individual psyche. Thus, while physical conflict is subjected to a social regulation that becomes ever more severe, "at the same time the battlefield, is, in a sense, moved within. Part of the tensions and passions that were earlier directly released in the struggle of man and man, must now be worked out within the human being" [453]. This means that on one side the negative, in this case conflict, is neutralized with respect to its most disruptive effects; on the other that the equilibrium arrived at in such a way is for its part marked by a negative that undermines it from within. The life of the ego, divided between the driving power of the unconscious and the inhibiting one of the superego, is the site in which such an immunitary dialectic is expressed in its most concentrated form.

The scene doesn't change if we shift our attention to the outside. As we already noted, this is what results when other lines intersect with the first (albeit less critically). I am referring to the critical route that leads us to Talcott Parson's functionalism and Niklas Luhmann's systems theory. That Parsons himself linked his own research to the "Hobbesian problem of order" is in this sense doubly indicative of its immunitary declension: first because it directly joins up with the philosopher with whom our genealogy began, namely, Hobbes; and second, for the semantic and conceptual slippage that occurs vis-à-vis Hobbes, relative to the overcoming of the acute alternative between order and conflict and the regulated assumption of conflict within order. Just as society needs to integrate that individual which negates its essence, so too is order the result of a conflict that is both maintained and won.[3]

Luhmann is the one who has drawn the most radical consequences from immunization, particularly regarding terminology. To say, as he does, that "the system does not immunize itself against the no but with the help of the no" or "to put this in terms of an older distinction, it protects through negation against annihilation," means getting right to the heart of the question, leaving aside the apologetic or at least the neutral connotations in which the author frames it [371–72]. His thesis that systems function not by rejecting conflicts and contradictions, but by producing them as necessary antigens for reactivating their own antibodies, places the entire Luhmannian discourse in the semantic orbit of immunity.[4] Luhmann affirms that a series of historical tendencies point to a growing concern not only with realizing a social immunology from the onset of modernity, particularly from the eighteenth century onwards, but to see "society's specific immunitary system" as the legal system itself [374]. When the development of a true immunological

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3. For this reading of Parsons, see Bartolini.

4. [Esposito deals more at length with Luhmann and immunity, particularly in the juridical sense, in Immunitas *52–61. —Trans.]*

science—beginning at least with the work of Burnet—doesn't just provide an analogy to this complex of argumentations, that is the moment when the immunitary paradigm comes to constitute the neuralgic epicenter between intellectual experiences and traditions of thinking that are rather different.[5] Where cognitive scientists like Dan Sperber theorize that cultural dynamics can be treated as biological phenomena and therefore are subject to the same epidemiological laws that regulate living organisms, Donna Haraway, in critical dialogue with Foucault, comes to argue that "the immune system is a plan for meaningful action to construct and maintain the boundaries for what may count as self and other in the dialectics of Western biopolitics" [204]. Similarly, while Odo Marquard for his part interprets the aestheticization of postmodern reality as a form of preventive anesthetization, a growing globalization provides us with another area of research or rather the definitive background to our paradigm. Just as communicative hypertrophy brought on by telematics is the reverse sign of a generalized immunization, so too the calls for immunized identities of small states are nothing but the countereffect or the crisis of an allergic reaction to global contamination.[6]

3. The new element that I have introduced in this debate concerns what appears to me to be the first systematic elaboration of the immunitary paradigm held on one side by the contrastive symmetry with the concept of community—itself reread in the light of its original meaning—and on the other by the specifically modern characterization of immunity.[7] The two questions quickly show themselves to be intertwined. Tracing the term back to its etymological roots, *immunitas* is revealed as the negative or lacking [*privativa*] form of *communitas*. If *communitas* is that relation, which in binding its members to an obligation of reciprocal gift-giving, jeopardizes individual identity, *immunitas* is the condition of dispensation from such an obligation and therefore the defense against the expropriating features of *communitas*. *Dispensatio* is precisely that which relieves the *pensum* of a weighty obligation, just as it frees the exempted one [*l'esonero*] from that onus, which in origin is traceable to the semantics of a reciprocal *munus*.[8] Now the point of impact becomes clear between this etymological and theoretical vector and the historical or more properly genealogical one. We can say that generally *immunitas,* to the degree it protects the one who carries it from risky contact with those who lack it, restores its own borders that were jeopardized by the common. But if immunization implies a substitution or an opposition of private or individualistic models with a form of communitary organization—whatever meaning we may wish to attribute to such an expression—the structural connection with the processes of modernization is clear.

Of course, by instituting a structural connection between modernity and immunization, I do not want to argue that modernity might be interpretable only through an immunitary paradigm, nor that it is reducible only to the modern. In other words, I do not deny the heuristic productivity of more consolidated exegetical models of use such as "rationalization" (Weber), "secularization" (Löwith), or "legitimation" (Blumenberg). It seems to me, though, that all three can gain from contamination with an explicative category, which is at the same time more complex and more profound, one that constitutes its underlying premise. This surplus of sense with respect to the above-mentioned models is attributable to two distinct and interconnected aspects. The first has to do with the fact that while the modern epoch's self-interpretive constructions—the question of

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5. See in this regard Napier.

6. On this last point see Brossat and Gasparotti. On globalization more generally, see Marramao.

7. In this regard see both Immunitas *and* Communitas. *Giuseppe Cantarano has recently written as well on some of these same themes.*

8. Bruno Accarino has drawn attention to the opposing bipolarity of Belastung/Entlastung *(debt/exoneration) [see esp. 17–48].*

technology [*tecnica*] in the first case, that of the sacred in the second, and that of myth in the third—originate in a circumscribed thematic center or rather are situated on a sliding axis, the immunization paradigm refers us to a semantic horizon that itself is pluralistic; for instance precisely where the *munus* is concerned. Investing a series of lexical areas of different provenance and destination, the *dispositif* of the neutralization of the *munus* will turn out to have internal articulations, as is testified even today by the polyvalences that the term of immunity still maintains.

But this horizontal richness doesn't exhaust the hermeneutic potential of the category. It also needs to be investigated—and this is the second element noted above—by looking at the particular relation that the category, immunity, maintains with its antonym, community. We have already seen how the most incisive meaning of *immunitas* is inscribed in the reverse logic of *communitas*: immune is the "nonbeing" or the "not-having" anything in common [see chapter 1 of *Bios*]. Yet it is precisely such a negative implication with its contrary that indicates that the concept of immunization presupposes what it also negates. Not only does it appear to be derived logically, but it also appears to be inhabited by its opposite. Certainly, one can always observe that the paradigms of disillusion, secularization, and legitimation—to remain with those cited above—assumed in a certain way their own alterity, that is, illusion, the divine, and transcendence, respectively. But they also presuppose precisely that which from time to time is consumed, which then lessens or at least changes into something different. For its part, the negative of *immunitas* (which is another way of saying *communitas*) doesn't only disappear, but constitutes simultaneously its object and motor. What is immunized, in brief, is the same community in a form that both preserves and negates it, or better preserves it through the negation of its original horizon of sense. From this point of view, one might say that more than the defensive apparatus superimposed on the community, immunization is its internal mechanism [*ingranaggio*]: the fold that in some way separates community from itself, sheltering it from an unbearable excess. The differential margin that prevents the community from coinciding with itself takes on the deep semantic intensity of its own concept. To survive, the community—every community—is forced to introject the negative modality of its opposite, even if the opposite remains precisely a lacking and contrastive mode of being of the community itself.[9]

4. But the structural connection between modernity and immunization allows us to take another step forward with reference to the "time" of biopolitics. I noted above how Foucault himself oscillates between two possible periodizations (and therefore interpretations) of the paradigm that he himself introduced.[10] If biopolitics is born when sovereignty comes to an end—supposing that it has really come to an end—this means that the history of biopolitics is largely modern and in a certain sense postmodern. If instead, as Foucault suggests on other occasions, biopolitics accompanies the sovereign regime, constituting a particular articulation or a specific tonality, then its genesis is far older, one that ultimately coincides with that of politics itself, which has always in one way or another been devoted to life. With regard to the second, the question is: why did Foucault open up a new site of reflection? The semantics of immunity can provide us with an answer to this question to the degree that immunity places biopolitics within a historically determined grid. With immunity in mind, one would perhaps have to speak about biopolitics beginning with the ancient world. When does power penetrate most deeply into biological life if not in the long phase in which the bodies of slaves were fully available to the uncon-

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9. With regard to the aporia and the potentialities of this dialectic (or nondialectic) between immunity and community, see the intelligent essay that Massimo Donà has dedicated to the category of immunization, using a key that productively pushes it towards a different logic of negation. [The essay is collected in this volume].

10. See Bios *32–39.*

trolled domination of their masters, and when prisoners of war could be legitimately run through with a sword by the victor? And how can the power of life and death exercised by Roman *paterfamilias* with respect to their own children be understood if not biopolitically?[11] What distinguishes the Egyptian agrarian politics or the politics of hygiene and health of Rome from protective procedures and the development of life set in motion by modern biopower? The only plausible response would, it seems to me, have to refer to the fundamentally immunitarian connotations of the latter, which were absent in the ancient world.

If we move from the historical to the conceptual level, the difference appears even more evident. Consider the greatest philosopher of antiquity, Plato. In perhaps no one more than Plato can we identify a movement of thought that would seem to be oriented toward biopolitics. Not only does he consider as normal those eugenic practices that Sparta adopted with respect to frail babies and more generally with regard to those not seen as suitable for public life—indeed, he sees them even as quite necessary—but, and this is what matters more, he enlarges the scope of political authority to include the reproductive process as well, going so far as to recommend that methods of breeding for dogs and other domestic animals be applied to the reproduction of offspring (*paidopoia* or *teknopoia*) of citizens or at least to the guardians [*guardiani*].

> *It follows from our conclusions so far that sex should preferably take place between men and women who are outstandingly good, and should occur as little as possible between men and women of a vastly inferior stamp. It also follows that the offspring of the first group shouldn't [reproduce]. This is how to maximize the potential of our flock. And the fact that all this is happening should be concealed from everyone except the rulers themselves, if the herd of guardians is to be as free as possible from conflict.* [173]

Some have noted that passages of this sort—anything but rare if not always so explicit—may well have contributed to a biopolitical reading that Nazi propaganda took to an extreme.[12] Without wanting to introduce the rantings of Bannes or Gabler regarding the parallels between Plato and Hitler, we need merely refer to the success of Hans F. K. Günther's *Platon als Hüter des Lebens* in order to identify the interesting outcome of a hermeneutical line that also includes authors such as Windelband.[13] When Günther interprets the Platonic *ekloge* in terms of *Auslese* or *Zucht* (from *züchten*), that is, as "selection," we cannot really speak of an out-and-out betrayal of the text, but rather of a kind of biological forcing that Plato himself in someway authorizes or at a minimum allows (at least in *Republic,* in *Politics,* and in *Laws,* which is quite different from the more avowedly dualistic dialogues). Undoubtedly, even if Plato doesn't directly specify the destiny of "defective" babies with an explicit reference to infanticide or to their abandonment, nevertheless when seen in the context of his discourses, one can clearly infer Plato's disinterest toward them; the same holds true for the incurably ill, for whom it's not worthwhile devoting useless and expensive care [*Republic* 174]. Even if Aristotle tends to moderate the deeply eugenic and thanatopolitical sense of these texts, it remains the case that Plato revealed himself as sensitive to the demand for keeping pure the *genos* of

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11. [Esposito is clearly referring to Agamben's discussion of paterfamilias *in* Homo Sacer: Sovereign Power and Life. *—Trans.].*

12. See in this regard Simona Forti's invaluable essay.

13. See as well Günther's Humanitas, *which moves in the same direction. The following are the authors Günther cites in the third edition of his book on Plato [1966, 9–10]; Taylor, Stenzel, Friedländer, Ritter, Jaeger, Robin, Krüger, and Hoffmann. [The bibliography contains all publishing information. —Trans.]*

the guardians and more generally of the governors of the *polis* according to rigid Spartan customs handed down by Critias and Senophone [88].

Should we therefore conclude from Plato's closeness to a biopolitical semantics that a Greek genesis for biopolitics can in fact be traced? I would be careful in responding yes to the question and not only because Platonic "selection" does not have a specific ethno-racial inflection, nor more precisely a social one, but instead an aristocratic and aptitudinal one. Moreover, instead of moving in an immunitary direction, one that is oriented to the preservation of the individual, Plato's discourse is clearly directed to a communitarian sense, extended, namely, to the good of the *koinon*. It is this collective, public, communal, indeed immunitary demand that keeps Plato and the entire premodern culture more generally outside a purely biopolitical horizon. In his important studies on ancient medicine, Mario Vegetti has shown how Plato harshly criticizes the dietetics of Herodicus and Dione, precisely for this lacking, individualistic and therefore necessarily impolitical tendency.[14] Contrary to the modern biocratic dream of medicalizing politics, Plato stops short of politicizing medicine.

5. Having said this, of course it's not my intention to argue that before modernity no one ever posed a question of immunity. On a typological level the demand for self-preservation, strictly speaking, is far older than the modern epoch. Indeed one could plausibly claim that it is coextensive with the entire history of civilization from the moment that immunity constitutes the ultimate precondition, or better the first condition, in the sense that no society can exist without a defensive apparatus, however rudimentary it might be, that is capable of protecting itself. What changes, however, is the moment that one becomes aware of the question, and therefore of the kind of responses generated. That politics has always in some way been preoccupied with defending life doesn't detract at all from the fact that, beginning from a certain point that coincides exactly with the origins of modernity, such a self-defensive requirement was identified not only and simply as a given, but rather as both a problem and a strategic option. By this it is understood that all civilizations past and present faced (and in some way solved) the needs of their own immunization, but that it is only in the modern ones that immunization constitutes the most intimate essence. One might come to affirm that it wasn't modernity that raised the question of the self-preservation of life, but that self-preservation is raised in modernity's own being [*essere*], which is to say, it invents modernity as a historical and categorical apparatus able to cope with it. What we understand by modernity, therefore, in its complexity and its innermost being can be understood as that metalanguage that for a number of centuries gave expression to a request that originates in life itself through the elaboration of a series of narrations capable of responding to life in ways that become more effective and more sophisticated over time. This occurred when natural defenses were diminished; when defenses that had up to a certain point constituted the symbolic, protective shell of human experience were lessened, none more important than the transcendental order that was linked to the theological matrix. It is the tear that suddenly opens in the middle of the last millennium in that earlier immunitarian wrapping, which determines the need for a different defensive apparatus of the artificial sort that can protect a world that is constitutively exposed to risk. Peter Sloterdijk sees the double and contradictory propensity of modern man originating here: on the one side protected from an exteriority without ready-made shelter, on the other, precisely because of this, forced to make up for such a lack with the elaboration of new and ever stronger immunitary baldachins; when faced with a life not only already exposed [*denudata*] but completely delivered over to itself.[15]

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14. With regard to these problems and with an implicit attention to the immunitary paradigm, an important essay by Gennaro Carillo was recently published.

15. One ought to keep in mind the three important volumes that appeared under the title Sphären, *in which Sloterdijk traces the lines of a true and actual "social immunology."*

If that is true, then the most important political categories of modernity are not to be interpreted in their absoluteness, that is, for what they declare themselves to be, and not exclusively on the basis of their historical configuration, but rather as the linguistic and institutional forms adopted by the immunitary logic in order to safeguard life from the risks that derive from its own collective configuration (and conflagration). That such a logic expresses itself through historical and conceptual figures signifies that the modern implication between politics and life is direct but not immediate. In order to be actualized effectively, life requires a series of mediations constituted precisely by these categories. So that life can be preserved and also develop, therefore, it needs to be ordered by procedures capable of saving it from natural risks. Here passes the double line that sets modern politics apart; on one side, from what comes before it, and on the other, from the condition that follows it.

With regard to the first, modern politics already had a clear biopolitical tendency in the precise sense that emphasized the problem of *conservatio vitae*. Yet unlike what will happen in a phase that we will call for now second modernity, the relationship between politics and life moves through the problem of order and through historical and conceptual categories—sovereignty, property, liberty, power—in which it is innervated. It is this presupposition of order with respect to living subjectivity from which it objectively is generated that determines the aporetic structure of modern political philosophy; indeed the fact that its response to the question of self-preservation from which it is born emerges not only as a deviation from but, as we will see soon enough, as also self-contradictory, is the result or the expression of a dialectic that is already in itself antinomic as is the immunitary dialectic. If modern political philosophy is tasked with protecting life (which is always determined negatively), then the political categories organized to express it will end up coming up against their own proper meanings, twisting against themselves. And this despite their specific contents: the pretense of responding to an immediacy—the question of *conservatio vitae*—is contradictory to the mediations, which are precisely the concepts of sovereignty, property, and liberty. That all of them at a certain point in their historical-semantic parabola are reduced to the security of the subject who appears to be the owner or beneficiary, is not to be understood either as a contingent derivation or as a destiny fixed somehow beforehand, but rather as the consequence of the modality of immunity through which the Modern thinks the figure of the subject.[16] More than anyone else, Heidegger understood the essence of the problem. To affirm that modernity is the epoch of representation, that is, of the *subjectum* that positions itself as an *ens in se substantialiter completum* vis-à-vis its own object, entails bringing it back philosophically to the horizon of immunity:

> *Representation is now, in keeping with the new freedom, a going forth—from out of itself—into the sphere, first to be made secure, of what is made secure. [. . .] The* subjectum, *the fundamental certainty, is the being-represented-together-with—made secure at any time—of representing man together with the entity represented, whether something human or non-human, i.e. together with the objective*. ["The Age of the World Picture" 149–50]

Yet to link the modern subject to such a horizon of immunitary also means recognizing the aporia in which the same experience remains tethered: that of seeking to shelter life in the same powers [*potenze*] that block its development.

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16. This reading of modernity has for some time been the object of discussion for Paolo Flores d'Arcais. See his important essay, Il sovrano e il dissidente: La democrazia presa sul serio, *and the debate that ensued in* Micromega *2–3 (2004).*

1. The concept of sovereignty most acutely expresses such a power. With regard to the analysis initiated by Foucault, sovereignty is understood not as a necessary compensatory ideology vis-à-vis the intrusiveness of control *dispositifs* nor as a phantasmatic reply of the ancient power of death of the new biopolitical regime, but as the first and most influential figure that the biopolitical regime assumes. This accounts for its persistence in a European juridical-political lexicon: sovereignty doesn't come before or after biopolitics, but cuts across the entire horizon, furnishing the most powerful response to the modern problem of the self-preservation of life. The importance of Hobbes's philosophy, even before his disruptive categorical innovations, resides in the absolute distinctiveness by which such a transition is felt. Unlike the Greek conception—which generally thinks politics in the paradigmatic distinction with the biological dimension—not only does the question of *conservatio vitae* in Hobbes become fully a part of the political sphere, but it comes to constitute by far its most prevalent dimension. In order to qualify as such, to deploy in political forms, life must above all be maintained as life, be protected as such, and be protected from the threat of dissipation. Both the definition of natural right, that is, what man can do, and that of natural law, that is, what man must do, account for this original necessity:

> *The Right of Nature, which Writers commonly call Jus Naturale, is the Liberty each man hath, to use his own power, as he will himselfe, for the preservation of his own Nature; that is to say, of his own Life; and consequently, of doing any thing, which in his own Judgement, and Reason, hee shall conceive to the aptest means thereunto*. [*Leviathan* 87]

As for natural law, it is "a Precept, or generall Rule, found out by Reason, by which a man is forbidden to do that, which is destructive of his life, or taketh way the means of preserving the same, and to omit, that, by which he thinketh it may be best preserved [87].

The argument's construction already situates it in a clearly biopolitical frame. It's not by chance that the man to whom Hobbes turns his attention is the one characterized essentially by the body, by its needs, by its impulses, and by its drives. And when the adjective "political" is added, this doesn't qualitatively modify the subject to which it refers. With respect to the classic Aristotelian division, the body, considered politically, remains closer to the regions of *zōē* than to that of *bios*; or better, it is situated precisely at the point at which such a distinction fades and loses meaning. What is at stake, or more precisely, what is in constant danger of extinction, is life understood in its materiality, in its immediate physical intensity. It is for this reason that reason and law converge on the same point defined by the pressing demands of preserving life. But what sets in motion the argumentative Hobbesian machine is the circumstance that neither one nor the other is able by itself to achieve such an objective without a more complex apparatus able to guarantee it. The initial attempt at self-preservation [*conatus sese praeservandi*] indeed is destined to fail given the combined effects of the other natural impulses that accompany and precisely contradict the first, namely the inexhaustible and acquisitive desire for everything, which condemns men to generalized conflict. Although it tends to self-perpetuation, the fact is that life isn't capable of doing so on its own. On the contrary, it is subjected to a strong, counterfactual movement such that the more life pushes in the direction of self-preservation, the more defensive and offensive means are mobilized to this end, given the fundamental equality among men, all of whom are capable of killing each other and thus for the same reason, all capable of being killed:

And therefore, as long as this naturall Right of every man to every thing endureth, there can be no security to any man, (how strong or wise soever he be), of living out the time, which Nature ordinarily alloweth men to live. [87–88]

It is here that the immunitary mechanism begins to operate. If life is abandoned to its internal powers, to its natural dynamics, human life is destined to self-destruct because it carries within itself something that ineluctably places it in contradiction with itself. Accordingly, in order to save itself, life needs to step out itself to constitute a transcendental point from which it receives orders and shelter. It is in this interval or doubling of life with respect to itself that the move from nature to artifice is to be positioned. It has the same end of self-preservation as nature, but in order to actualize it, it needs to tear itself away from nature, by following a strategy that is opposed to it. Only by negating itself can nature assert its own will to live. Preservation proceeds through the suspension or the alienation [*estraneazione*] of that which needs to be protected. Therefore the political state cannot be seen as the continuation or the reinforcement of nature, but rather as its negative converse. This doesn't mean that politics reduces life to its simple biological layer—that it denudes it of every qualitative form, as one might argue, but only by shifting Hobbes into another, misleading lexicon. It's not by accident that he never speaks of "bare life," but on the contrary in all his texts, implies it in terms that go well beyond simply maintaining life. If in *De cive* he argues that "[B]ut by safety must be understood, not the sole preservation of life in what condition soever, but in order to its happiness" [158], in *Elements* he stresses that with the judgment (*Salus populi suprema lex esto*) "must be understood, not the mere preservation of their lives, but generally their benefit and good" [178], to conclude in Leviathan that "by safety here is not meant a bare preservation, but also all other contentments of life, which every man by lawful industry, without danger or hurt to the Commonwealth, shall acquire to himself" [240].

Nor does this mean that the category of life in the modern period replaces that of politics, with progressive depoliticization as its result. On the contrary, once the centrality of life is established, it is precisely politics that is awarded the responsibility for saving life, but—and here is the decisive point in the structure of the immunitary paradigm—it occurs through an antinomic *dispositif* that proceeds via the activation of its contrary. In order to be saved, life has to give up something that is integral to itself, what in fact constitutes its principal vector and its own power to expand, namely, the acquisitive desire for everything that places itself in the path of a lethal reprisal. Indeed it is true that every living organism has within it a sort of natural immunitary system—reason—that defends it from the attack of an external agent. But once its deficiencies or rather its counterproductive effects have been ascertained, it is substituted with an induced immunity, which is to say an artificial one that both realizes and negates the first. This occurs not only because it is situated outside the individual body, but also because it now is given the task of forcibly containing its primordial intensity.

2. This second immunitary (or better, metaimmunitary) *dispositif,* which is destined to protect life against an inefficient and essentially risky protection, is precisely sovereignty. So much has been said about its pactional inauguration and about its prerogatives that there is no need to rehearse them here. What appears most relevant from our perspective is the constitutively aporetic relation that ties it to the subjects to whom it is directed. Nowhere more than in this case is the term to be understood in its double meaning: they are subjects of sovereignty to the extent to which they have voluntarily instituted it through a free contract. But they are subjects to sovereignty as well, because, once it has been instituted, they cannot resist it for precisely the same reason: otherwise they would be resisting themselves. Because they are subjects of sovereignty, they are subjected to it. Their consent is asked for only once, after which they can no longer take it back.

Here we can begin to make out the constitutively negative character of sovereign immunization. It can be defined as an immanent transcendence situated outside the control of those that also produced it as the expression of their own will. This is precisely the contradictory structure that Hobbes assigns the concept of representation: the one represented, that is the sovereign, is simultaneously identical and different with respect to those that he represents. He is identical because he stands in their place, yet different from them because that "place" remains outside their range of action. The same spatial antinomy is seen temporally, that is, that which the instituting subjects declare to have put in place eludes them because it logically precedes them as their own same presupposition.[17] From this point of view, one could say that the immunization of the modern subject lies precisely in this exchange between cause and effect: he, the subject, can be presupposed—self-insuring himself in Heidegger's terms—because he is already caught in a presupposition that precedes and determines him. It is the same relation maintained between sovereign power and individual rights. As Foucault explains it, these two elements must not be seen in an inversely proportional relationship that conditions the strengthening of the first to the shrinking of the second or vice versa. On the contrary, they mutually implicate themselves in a form that makes the first the complementary reverse of the other: only individuals who are considered equal with others can institute a sovereign that is capable of legitimately representing them. At the same time, only an absolute sovereign can free individuals from subjection to other despotic powers. As a more recent discriminating historiography has made clear, absolutism and individualism, rather than excluding or contradicting one another, implicate each other in a relation that is ascribable to the same genetic process.[18] It is through absolutism that individuals realize themselves and at the same time negate themselves; presupposing their own presupposition, they deprive themselves insofar as they are constituted as subjects from the moment that the outcome of such a founding is nothing other than that which in turn constructs them.

Behind the self-legitimating account of modern immunization, the real biopolitical function that modern individualism performs is made clear. Presented as the discovery and the implementation of the subject's autonomy, individualism in reality functions as the immunitary ideologeme through which modern sovereignty implements the protection of life. We shouldn't lose sight of any intermediate step in this dialectic. We know that in a state of nature men also relate to each other according to a modality of the individual that leads to generalized conflict. But such a conflict is still always a horizontal relation that binds them to a communal dimension. Now it is exactly this commonality—the danger that derives to each and every one—that is abolished through that artificial individualization constituted precisely by the sovereign *dispositif*. Moreover, the same echo is to be heard in the term *absolutism,* not only in the independence of power from every external limit, but above all in the dissolution projected onto men: their transformation into individuals, equally absolute by subtracting from them the *munus* that keeps them bound communally. Sovereignty is the not-being [*il non essere*]-in-common of individuals; the political form of their desocialization.

3. The negative of *immunitas* already fills our entire perspective: in order to save itself definitively, life is made "private" in the two meanings of the expression. It is privatized and de-prived of that relation which exposes it to its communal mark. Every external relationship to the vertical line that binds everyone to the sovereign command is cut at the root. *Individual* literally means this: to make indivisible, united in oneself, by the same line that divides one from everyone else. The individual appears protected from the negative border that makes him himself and not other (more than from the positive power

17. See in this regard Galli, Biral, and Duso.

18. I am referring in particular to Schnur.

of the sovereign). One might come to affirm that sovereignty, in the final analysis, is nothing other than the artificial vacuum created around every individual—the negative of the relation or the negative relation that exists between unrelated entities.

Yet it isn't only this. There is something else that Hobbes doesn't say openly, as he limits himself to letting it emerge from the creases or the internal shifts of the discourse itself. It concerns a remnant of violence that the immunitary apparatus cannot mediate because it has produced it itself. From this perspective, Foucault seizes on an important point that is not always underlined with the necessary emphasis in the Hobbesian literature: Hobbes is not the philosopher of conflict, as is often repeated in regard to "the war of every man against every man," but rather the philosopher of peace, or better, of the neutralization of conflict, from the moment that the political state needs preemptively to insure against the possibility of internecine warfare [Foucault, *Society Must be Defended* 90]. Yet the neutralization of conflict doesn't completely provide for its elimination, but instead for its incorporation in the immunized organism as an antigen necessary for the continuous formation of antibodies. Not even the protection that the sovereign assures his subjects is exempt. Here especially is manifested the most strident form of antibody. Concurrently, in the order of instruments adopted to mitigate the fear of violent death that all feel toward the other, it remains a fear that is more acceptable because it is concentrated on one objective (though not for this reason essentially different from the one already overcome). In a certain sense, the asymmetric condition intensifies this fear, a condition in which the subject [*suddito*] finds himself vis-à-vis a sovereign who preserves that natural right deposited by all the other moments of the entrance into the civil state. What occurs from this, as a result, is the necessary linking of the preservation of life with the possibility—always present even if rarely utilized—of the taking away of life by the one who is also charged with insuring it. It is a right precisely of life and death, understood as the sovereign prerogative that cannot be contested precisely because it has been authorized by the same subject that endures it. The paradox that supports the entire logic lies in the circumstance that the sacrificial dynamic is unleashed not by the distance, but on the contrary, by the assumed identification of individuals with the sovereign who represents them with their explicit will. Thus "nothing the Soveraign Representative can doe to a subject, on what pretense soever, can properly be called an Injustice, or Injury: because every Subject is Author of every act the Soveraign doth" [*Leviathan* 149]. It is exactly this superimposition between opposites that reintroduces death in the discourse of life:

> *And therefore it may and does often happen in Common-wealths, that a Subject may be put to death, by the command of the Soveraign Power and yet neither doe the other wrong: As when Jeptha caused his daughter to be sacrificed: In which, and the like cases, he that so dieth, had Liberty to doe the action, for which he is neverthelesse, without Injury put to death. And the same holdeth also in a Soveraign Prince, that putteth to death an Innocent Subject.* [150]

What emerges here with a severity that is only barely contained by the exceptional character in which the event appears circumscribed is the constitutive antinomy of the sovereign immunization, which is not only based on the always tense relationship between exception and norm, but on its normal character of exception (because anticipated by the same order that seems to exclude it). This exception—the liminal coincidence of preservation and capacity of life to be sacrificed—represents both a remainder that cannot be mediated, as well as the structural antinomy on which the machine of immunitary mediation rests. At the same time, it is the residue of transcendence that immanence cannot reabsorb—the prominence of the "political" with respect to the juridical with which it is also identified—and the aporetic motor of their dialectic. It is as if the negative, having

been kept to its immunitary function of protecting life, suddenly moves outside the frame and on its reentry strikes life with uncontrollable violence.

Property

1. The same negative dialectic that unites individuals to sovereignty by separating them invests all the political-juridical categories of modernity as the inevitable result of their immunitary declension. This holds true for that of "property." Indeed we can say that property's constitutive relevance to the process of modern immunization is great indeed with respect to the concept of sovereignty. And this for two reasons. First, thanks to the originary antithesis that juxtaposes "common" to "one's own" [*proprio*], which by definition signifies "not common," "one's own" is as such always immune. And second because the idea of property marks a qualitative intensification of the entire immunitary logic. As we just had chance to observe, while sovereign immunization emerges as transcendent with respect to those who also create it, that of proprietary immunization adheres to them—or better, remains within the confines of their bodies. It concerns a process that links making immanent [*immanentizzazione*] and specialization: it is as if the protective apparatus that is concentrated in the unitary figure of sovereignty is multiplied to the degree that single individuals are installed in their biological organisms.

At the center of the conceptual transition we find the work of John Locke. Here just as in Hobbes, what is at stake is the preservation of life (preservation of himself, desire of self-preservation [trans: in English]), which Locke declares from the outset to be "the first and strongest God Planted in Men" [*Two Treatises* 224]; but in a form that makes it conditional, something else, precisely the *res propria,* that both arises from and reinforces it.

> *For the desire, strong desire of Preserving his Life and Being having been Planted in him, as a Principle of Action by God himself, Reason, which was the Voice of God in him, could not but teach him and assure him, that pursuing that natural Inclination he had to preserve his Being, he followed the Will of his Maker, and therefore had the right to make use of those Creatures, which by his Reason or Senses he could discover would be serviceable thereunto. And thus Man's Property in the Creatures, was founded upon the right he had, to make use of those things, that were necessary or useful to his Being*. [223]

The right of property is therefore the consequence as well as the factual precondition for the permanence of life. The two terms implicate each other in a constitutive connection that makes of one the necessary precondition of the other: without a life in which to inhere, property would not be given; but without something of one's own, indeed by prolonging itself in property, life would not be able to satisfy its own demands and thus it would be extinguished. We mustn't lose sight of the essential steps in the argument. Locke doesn't always include life among the properties of the subject. It is true that in general he unifies lives, liberties, and estates [trans: in English] within property, so that he can say that "civil goods are life, liberty, bodily health and freedom from pain, and the possession of outward things, such as lands, money, furniture, and the like" [*Epistola* 67].[19] But in other passages property assumes a more restricted sense, one that is limited to the material goods to which life doesn't belong.

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19. Cf. the following: "And 'tis not without reason, that he seeks out, and is willing to joyn in Society with others who are already united, or have a mind to unite for the mutual Preservation *of their Lives, Liberties, and Estates, which I call by their general name,* Property *[*Two Treatises *368].*

How does one explain such an incongruence? My own feeling is that to understand them in less obvious fashion, these two enunciative modalities should not be juxtaposed but integrated and superimposed in a singular effect of sense: life is contemporaneously inside and outside property. It is internal from the point of view of having—as part of the goods with which everyone is endowed. But beyond that, life is also the all of the subject, if one looks at it from the point of view of being. Indeed, in this case it is property, any kind of property, that is, a part of life. We can say that Locke's entire perspective is defined by the relationship and the exchange that he now and again institutes between these two optics. Life and property, being and having, person and thing are pressed up together in a mutual relation that makes of one both the content and the container of the other. When he declares that the natural state is a state of "Liberty to dispose, and order, as he lists, his Person, Actions, Possession, and his whole property, within the Allowance of those Laws under which he is; and therein not to be subject to the arbitrary Will of another, but freely to follow his own" [*Two Treatises* 324], on the one hand he inscribes property in a form of life expressed in the personal action of an acting subject; on the other hand, he logically includes subject, action, and liberty in the figure of "one's own." In this way it emerges as an "inside" that is inclusive of an "outside" that in turn subsumes it on its inside.

The resulting antinomy is identifiable in the logical difficulty of placing property before the regime that institutes it. Unlike Hobbes (but also differently than Grotius and Pufendor), Locke's notion of property precedes sovereignty, which here is ordered to defend it.[20] It is the presupposition (and not the result) of social organization. Yet—and here appears the question with which Locke himself explicitly begins—what if property is not rooted in a form of interhuman relation, in which property finds its own foundation within a world in which it is given in common? How can the common make itself "one's own" and "one's own" subdivide the common? What is the origin of "mine," of "yours," and of "his" in a universe of everyone? Here is where Locke impresses that biopolitical inflection on his own discourse that moves it in an intensely immunitarian direction:

> *Though the Earth, and all inferior Creatures be common to all Men, yet every Man has a Property in his own Person. This no Body has any Right to but himself. The Labour of his Body and the Work of his Hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his Labour with, and joyned to it something that is his own, and thereby makes it his Property.* [*Two Treatises* 305–06]

2. Locke's reasoning unravels through concentric circles that don't have a political-juridical principle at their center, but rather a direct biological marking. The exclusion of someone else cannot be established except as part of the consequential chain that originated in the metaphysical assumption of bodily inclusion. Property is implicit in the work that modifies what is naturally given as work, which in turn is included in the body of the person who performs it. Just as work is an extension of the body, so is property an extension of work, a sort of prosthesis that through the operation of the arm connects it to the body as part of the same vital segment; not only because property is necessary to materially support life, but because it is directed to corporeal formation. Here another transition becomes clear, indeed even a shift in the trajectory with respect to the subjective self-insurance identified by Heidegger in the modern *repraesentatio*: the predominance over the object isn't established by the distance that separates it from the subject, but by the very

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20. With regard to the dialectic of property in modern political philosophy, I have drawn important insights from Costa and De Sanctis. Grossi remains crucial for understanding the premodern tradition.

movement of its incorporation. The body is the primary site of property because it is the location of the first property, which is to say what each person holds over himself [*ha su se stesso*]. If the world was given to us by God in common, the body belongs solely to the individual who at the same time is constituted by it and who possesses it before any other appropriation, which is to say in originary form. It is in this exchange—together both a splitting and a doubling—between being (a body) and having one's own body that the Lockian individual finds its ontojuridical foundation for every appropriation that follows. Possessing one's own corporeal form [*persona*], he is the owner of all his actions, beginning with the transformation of the material object, which he appropriates as a transitive property. From that moment every other individual loses the right over it, such that one can be legitimately killed in the case of theft. Seeing how the appropriate object is incorporated through work into the owner's body, it then becomes identical to the biological life, and is defended through the violent suppression of the one that threatens it [as] the object has now become an integral part of his life.

Already here the immunitary logic grabs hold of and takes over the entire Lockian argumentative framework: the potential risk of a world given in common—and for this reason exposed to unlimited indistinction—is neutralized by an element that is presupposed by its originary manifestation because it is expressive of the relation that precedes and determines all the others: the relation of everyone with himself in the form of personal identity. This is the kernel and the shell, the content and the wrapping, and the object and the subject of the immunitary protection. As property is protected by the subject that owns it, a self-protecting capacity—preserved by the subject through his *proprium* and of that *proprium* through himself (through the same subjective substance)—extends, strengthens, and reinforces it. Once the proprietary logic is wedded to a solid underpinning such as belonging to one's own body, it can now expand into communal space. This is not directly negated, and now incorporated and recut in a division that turns it into its opposite, in a multiplicity of things that have in common only the fact of being all of one's own to the degree they have been appropriated by their respective owners:

> *From all which it is evident, that though the things of Nature are given in common, yet Man (by being Master of himself, and* Proprietor of his Person, *and the Actions or Labour of it), had still in himself the great foundation of Property; and that which made up the great part of what he apllyed to the Support or Comfort of his being, when Invention and Arts had improved the conveniences of Life, was perfectly his own, and did not belong in common to others*. [316–17]

Earlier I noted that we are dealing with an immunitary procedure that is much more potent than that of Hobbes because it inheres in the same form—though one could say in the material—of the individual. The increment of functionality that derives from it nonetheless comes with a corresponding intensification of the contradiction on which the entire system rests. This is no longer situated in the point of connection and tension between individuals and the sovereign as in the Hobbesian model, but in the complex relation that moves between subjectivity and property. What is at stake isn't only a question of identity or of difference—the divergence that is opened in the assumed convergence between the two poles—but above all in the displacement of their prevailing relation. It is defined generally as follows: if the appropriated thing depends on the subject who possesses it such that it becomes one with the body, the owner in turn is rendered as such only by the thing that belongs to him—and therefore he depends upon it. On the one hand, the subject dominates the thing specifically when he places it within his domain. On the other hand, the thing in turn dominates the subject to the degree in which it constitutes the necessary objective of his acquisitive desire [*tensione*]. Without an appropriating subject, no

appropriated thing. But without any appropriated thing, no appropriating subject—from the moment that it doesn't move outside of the constitutive relation with it. This is when Locke holds that property is the continuation of subjective identity—or the extension of subjective identity outside itself—one sooner or later can respond that "with private property being incorporated in man himself and with man himself being recognized as its essence . . . carries to its logical conclusion the denial of man, since man himself no longer stands in an external relation of tension to the external substance of private property, but has himself become the essence of private property" [Marx 128–29]: its simple appendage. We must not lose track of the reversible features that unite both conditions in one movement. It is precisely the indistinction between the two terms—as Locke establishes it—that makes the one the *dominus* of the other, and which therefore constitutes them in their reciprocal subjection.

The point of transition and inversion between the two perspectives—from the mastery of the subject to that of the thing—is located in the private [*privato*] character of appropriation.[21] It is through it that the appropriating act becomes at the same time exclusive of every other act thanks to the thing itself: the privacy [*privatezza*] of possession is one with the subtraction [*privazione*] that specifies in whom privacy is not shared with the legitimate owner, which means the entire community of nonowners. From this point of view—not alternative to but speculative of the first—the negative clearly begins to prevail over the positive; or better, to manifest itself as its internal truth. "One's own" is not common and does not belong to others. The passive sense of every appropriation removes the appropriative *jus* from every one else toward the thing that has already been appropriated in the form of private property: but then also in the active sense, such that the progressive increase in individual property causes a progressive decrease in the goods that are at the disposition of others. Internecine conflict, exorcised from within the proprietary universe, is thus clearly transferred outside its confines, in the formless space of nonproperty. It is true that Locke in principle sets up a double limit to the increase of property in the obligation to leave for others the things necessary for their maintenance [*conservazione*] and in the prohibition of appropriating for oneself what isn't possible to consume. But then he considers it inoperative at the moment when goods become commutable into money and therefore infinitely capable of being accumulated without fearing that they might be lost.[22] From that point on, private property conclusively breaks down the relation of proportionality that regulates the relation of one to another. But it also works against that which unites the property owner to himself. This occurs when property, both private and subtractive [*privativa*], begins to be emancipated (from the body from which it seems to depend) to assume a configuration that is purely juridical. The intermediate point of this long process is constituted by the breaking of the connection, introduced by Locke, between property and work. As we know, it was precisely this link that joins *proprium* within the confines of the body. When such a connection is considered no longer necessary—according to a reasoning first launched by Hume and then perfected by modern political economy—we witness a clear desubstantialization of property, theorized in its most accomplished form in the Kantian distinction between *possessio phaenomenon* [empirical possession] and *possessio noumenon* [intelligible possession], or, as it is also defined, *detentio* [possession without possession]. At this point, what will be seen truly, even definitively, as one's own is only that which is distant from the body of him who juridically possesses it. Physical possession doesn't mark complete juridical possession. Property, which was originally thought within an unbreakable link with the body that works, is already defined by its extraneousness to its own sphere.

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21. See on this point Barcellona.

22. On this transformation see Cavarero.

> *I can only call a corporeal thing or an object in space mine, when even though in physical possession of it, I am able to assert that I am in possession of it in another real non-physical sense. Thus, I am not entitled to call an apple mine merely because I hold it in my hand or possess it physically; but only when I am entitled to say, "I possess it, although I have laid it out of my hand, and wherever it may lie."* [Kant 64–65]

Distance is the condition for a temporality that moves well beyond the personal life. Here already the contradiction implicit in proprietary logic becomes completely clear. Separated from the thing that it also inalienably possesses, the individual proprietor remains exposed to a risk of being emptied out that is far more serious than what it had tried to immunize himself from through the acquisition of property (precisely because produced by it). The appropriative procedure, represented by Locke as a personification of the thing—its incorporation in the proprietor's body—lends itself to be interpreted as the reification of the person, now disembodied of its subjective substance. It is as if the metaphysical distance of modern representation were restored through the theorization of the incorporation of the object, but now to the detriment of a subject who is isolated and absorbed by the autonomous power of the thing. Meant to add to the subject, the proprietary logic inaugurates a path of inevitable desubjectification. This is a wild oscillation in logic: the movement of self-refutation that grabs hold of all the biopolitical categories of modernity. Here too in this case, but in a different form (and with a result that converges with that of sovereign immunization), the proprietary paradigm's immunitary procedure is able to preserve life only by enclosing it in a way that is bound to draw down its vitality. Where before the individual was displaced [*destituito*] by the sovereign power that he himself instituted, so now too does the individual proprietor appear expropriated by the same appropriative power.

Liberty

The third immunitary wrapping of modernity is constituted by the category of liberty [*libertà*].[23] As was already the case for those of sovereignty and property (though perhaps more markedly), the historical-conceptual sequence of liberty is expressed by the general process of modern immunization, in the dual sense that it reproduces its mode of action while amplifying its logic. This may sound strange for a term so obviously constituted to oppose any kind of defensive reaction, and if anything oriented in the sense of being open without difficulty to the mutability of events. But it is precisely in relation to such a breadth of horizon—still protected in its etymon—that it becomes possible to measure the process of semantic tightening and also the loss of meaning [*prosciugamento*] that marks its successive history.[24] Both the root *leuth* or *leudh*—from which originates the Greek *eleutheria* and the Latin *libertas*—and the Sanskrit root *frya,* which refers instead to the English *freedom* and the German *Freiheit,* refer us to something that has to do with an increase, a nonclosing [*dischiudimento*], indeed a flowering, in the typically vegetative meaning of the expression. If when we consider the double semantic chain that descends from it—which is to say that of love (*Lieben, lief, love,* as well as differently, *libet* and *libido*) and that of friendship (*friend, Freund*)—we can confirm the original affirmative connotation: the concept of liberty, in its germinal nucleus, alludes to a connective power

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23. [I have chosen to translate the Italian libertà *as* liberty *(and not* freedom*) not only because the passages Esposito cites from Locke include the term, but also to mark the assonances that Esposito hears between liberty, deliberation,* libertates, *and of course liberalism. —Trans.].*

24. Cf. Nestle, Benveniste, and Onians.

that grows and develops according its own internal law, and to an expansion that unites its members in a shared dimension.

It is with respect to such an originary inflection that we should interrogate the negative reconversion that the concept of liberty undergoes in its modern formulation. It's certainly true that from the beginning the idea of "free" [*libero*] logically implicates the contrastive reference to the condition, that of the slave, understood precisely as "non-free."[25] But, more than the presupposition or even the prevailing content of the notion of liberty, such a negation constitutes its external limit: even though it is linked to another symmetry, it isn't the concept of slave that provides meaning to that of the free man, but rather the reverse. As it refers both to the belonging to a distinct people and to humanity in general, what has dominated the qualification of *eleutheros* has always been the positive connotation with respect to which the negative constitutes a sort of background that lacks an independent semantic echo. And as has repeatedly been discussed, this relation is inverted in the modern period, where it begins to assume ever more the features of a so-called negative liberty, with respect to that defined instead as "positive," as in "freedom from." What nevertheless remains unexamined in the ample literature is the fact that both meanings understood in this way—when compared to their initial meaning—in fact emerge within a negative horizon of meaning. If we assume the canonical distinction as Isiah Berlin elaborates it, not only does the first liberty—understood negatively as an absence of interference—but also the second, which he reads positively, appear quite distant from the characterization, both affirmative and relational, fixed at the origin of the concept:

> *The "positive" sense of the word "liberty" derives from the wish on the part of the individual to be his own master. I wish my life and decisions to depend upon myself,* not *on external forces of whatever kind. I wish to be the instrument of my own,* not *of other men's, acts of will. I wish to be a subject,* not *an object. . . . I wish to be somebody,* not nobody. [130, emphasis my own]

The least that we can say about such a definition is that it is manifestly unable to think liberty affirmatively in the modern conceptual lexicon of the individual, in terms of will and subject. It is as if each of these terms—and still more when placed together—irresistibly pushes liberty close to its "not," to the point of dragging it within itself. Qualifying liberty—understood as the mastery of the individual subject over himself—is his not being disposed toward, or his not being available for others. This oscillation or inclination of modern liberty toward its negative gives added weight to an observation of Heidegger's, according to which "not only are the individual conceptions of positive freedom different and ambiguous, but the concept of positive freedom as such is indefinite, especially if by positive freedom we provisionally understand the not-negative [*nicht negative*] freedom" [*The Essence of Human Freedom* 13]. The reason for such a lexical exchange, which makes the positive, rather than affirmative, simply a nonnegative, ought to be sought in the break, which is implicit in the individualistic paradigm, of the constitutive link between liberty and otherness (or alteration).[26] It is that which encloses liberty in the relation of the subject with himself: he is free when no obstacle is placed between him and his will—or also between his will and its realization. When Thomas of Aquinas translated the Aristotelian *proairesis* as *electio* (and *boulēsis* as *voluntas*), the paradigmatic move is largely in operation: liberty will rapidly become the capacity to realize that which is pre-

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25. In this regard see Portinaro's dense postface to the translation of Constant's La libertà degli antichi, paragonata a quella dei moderni.

26. [Esposito is punning here on the assonance between alterità *(otherhood) and* alterazione *(alteration). —Trans.]*

supposed in the possibility of the subject to be himself; not to be other than himself: free will as the self-establishment of a subjectivity that is absolutely master of its own will. From this perspective the historical-conceptual relation comes fully into view, which joins such a conception of liberty with other political categories of modernity, from that of sovereignty to that of equality. On the one hand, only free subjects can be made equal by a sovereign who legitimately represents them. On the other hand, such subjects are themselves conceived as equally sovereign within their own individuality—obliged to obey the sovereign because they are free to command themselves and vice versa.

2. The immunitary outcome—but we might also say the presupposition—of such a move cannot be avoided: the moment in which liberty is no longer understood as a mode of being, but rather as a right to have something of one's own—more precisely the complete predominance of oneself in relation to others. The subtractive (or simply the negative) sense is already bound to characterize it even more. When this entropic process is joined to the self-preserving strategies of modern society, the overturning and emptying out of ancient communal liberty [*libertates*] into its immune opposite will be complete. If the invention of the individual constitutes the medial segment of this passage—and therefore the sovereign frame in which it is inscribed—its absolutely prevailing language is that of protection. From this point of view we need to be careful not to distort the real sense of the battle against individual or collective *immunitates* that on the whole modernity fights. It isn't that of reducing but of intensifying and generalizing the immunitary paradigm. Without losing its typically polyvalent lexicon, immunity progressively transfers its own semantic center of gravity from the sense of "privilege" to that of "security." Unlike the ancient *libertates,* conferred at the discretion of a series of particular entities—classes, cities, bodies, convents—modern liberty consists essentially in the right of every single subject to be defended from those that undermine autonomy and even before that, against life itself. In the most general terms, modern liberty is that which insures the individual against the interference of others through the voluntary subordination to a more powerful order that guarantees it. It is here that the antinomical relation with necessity originates that will end by reversing the idea of liberty into its opposites of law, obligation, and causality. In this sense it is a mistake to think that the assumption of constricting elements is as an internal contradiction or a conceptual error of the modern theorization of liberty. Instead it is a direct consequence: necessity is nothing other than the modality that the modern subject assumes in the contrapuntal dialectic of its own liberty, or better, of liberty as the free appropriation of "one's own." The famous expression according to which the subject in chains is free is to be understood thusly, not in spite of but in reason of, namely, as the self-dissolving effect of a liberty that is overcome by its purely self-preserving function.

If for Machiavelli "a small part of the people wish to be free in order to command, but all the others who are countless, desire liberty in order to live in safety" [64], Hobbes remains the most consequential and radical theoretician of this move: liberty is preserved and defended or preserves and defends the subject that possesses it, is lost and as a consequence loses hold of the subject to the extent the subject is a subject of liberty. That liberty for Hobbes is defined as "the absence of all impediments to action, that are not contained in the nature and the intrinsic quality of the agent" means that it is the negative result of a mechanical game of force within which its movement is inscribed and which therefore ultimately coincides with its own necessity ["Of Liberty and Necessity" 273]. Thus, if he who puts liberty to the test can do nothing other than what he has done—his de-liberation [*de-liberazione*] has the literal sense of a renouncing indeterminate liberty while binding it to its own predetermination:

> *Every Deliberation is then sayd to end when that whereof they Deliberate is either done, or thought impossible; because till then wee retain the liberty of doing, or omitting according to our Appetite, or Aversion.* [*Leviathan* 37]

As for Locke, the immunitary knot becomes more restrictive and essential: as we have seen, it doesn't directly subordinate individuals to the sovereign—since they have the right to resist—but rather through the dialectic of a preserving self-appropriation. It is true that, with respect to the Hobbesian surrender, liberty for Locke is inalienable, but exactly for the same reason as we found in Hobbes, which is to say because it is indispensable to the physical existence of the one who possesses it.

Thus liberty emerges as joined in an indissoluble triptych formed with property and life. More than once Hobbes joins life and liberty (*vitam vel libertatem*), making the first a guarantee for the permanence of the second. Locke pushes even more resolutely in this direction. Indeed liberty is "so necessary to, and closely joyned with a Man's Preservation, that he cannot part with it, but by what forfeits his Preservation and Life together" [*Two Treatises* 302]. Certainly liberty isn't only a defense against the infringements of others; it is also the subjective right that corresponds to the biological and natural obligation to keep oneself alive under the best possible conditions. That it is enlarged to include all other individuals according to the precept that no one "ought to harm another in his Life, Health, Liberty, or Possessions" doesn't alter the strictly immunitary logic that underpins the entire argument: the reduction of liberty to preserving life is understood as the inalienable property that each one has in himself [289].

When such a drastic semantic resizing occurs—which makes liberty the biopolitical coincidence between property and preservation—its meaning tends to be fixed ever closer to the imperative of security, until it coincides with it. If for Montesquieu political liberty "consists in security, or, at least, in the opinion that we enjoy security" [206], it is Jeremy Bentham who takes the definitive step: "What means liberty? [. . .] Security is the political blessing I have in view; security as against malefactors, on the one hand, security as against the instruments of government on the other" [*Rationale of Judicial Evidence* 522]. Already here the immunization of liberty appears as definitively actualized in a defense by the State and against [the State]. But what is even more important in its antinomical effects is the relation it has with its logical opposite, namely coercion. The point of suture between the expression of liberty and what negates it from within—one could say between exposition and imposition—is constituted exactly by the demand for insurance [*asicurativa*]: it is what calls forth that apparatus of laws which, though not directly producing liberty, constitute nonetheless the necessary reversal: "Where there is no coercion, neither is there security. . . . That which lies under the name of Liberty, which is so magnificent, as the inestimable and unreachable work of the Law, is not Liberty but security" [*Manuscripts* 56]. From this point of view Bentham's work marks a crucial moment in the immunitary reconversion to which modern political categories seem to entrust their own survival. The preliminary condition of liberty will be found in a control mechanism that blocks every contingency in the *dispositif* that predicts it beforehand. The design of the famous Panopticon expresses most spectacularly this oscillation in meaning excavated in the heart of liberal culture.

3. We know as well that it was Foucault who furnished a biopolitical interpretation of liberalism and that he wanted to bring to light the fundamental antinomy on which it rests and which reproduces its power. To the degree that liberalism isn't limited to the simple enunciation of the imperative of liberty but implicates the organization of conditions that make this effectively possible, liberalism contradicts its own premises. Needing to construct and channel liberty in a nondestructive direction for all of society, liberalism continually risks destroying what it says it wants to create.

> *Liberalism, as I understand it, this liberalism that can be characterized as the new art of governing that is formed in the eighteenth century, implies a fundamental relation of production/destruction with regard to liberty. [. . .] With one hand it has to produce liberty, but this same gesture implies that with the other hand it must establish limitations, checks, coercions, obligations based on threats, etc*. ["La questione del liberalismo" 160]

This explains the tendency within the framework of the liberal government to intervene legislatively, which has a contrafactual result with respect to the original intentions: it isn't possible to determine or define liberty except by contradicting it. The reason for such an aporia is obviously to be found in liberty's logical profile. But it also emerges more tellingly when we consider the biopolitical frame in which Foucault had placed it from the outset. Earlier Hannah Arendt summarized the fundamental terms: "For politics, according to the same philosophy [of liberalism], must be concerned almost exclusively with the maintenance of life and the safeguarding of its interests. Now, where life is at stake all action is by definition under the sway of necessity, and the proper relation to take care of life's necessities" ["What Is Freedom?" 155]. Why? Why does privileging life force liberty into the jaws of necessity? Why does the rebellion of liberty move through the emergence of life? Arendt's response, which closely follows the Foucauldian interpretive scenario, follows the moves within the biopolitical paradigm, from the domain of individual preservation to that of the species:

> *The rise of the political and social sciences in the nineteenth and twentieth centuries has even widened the breach between freedom and politics: for government, which since the beginning of the modern age had been identified with the total domain of the political, was now considered to be the appointed protector not so much of freedom as of the life process, the interests of society and its individuals. Security remained the decisive criterion, but not the individual's security against "violent death," as in Hobbes (where the condition of all liberty is freedom from fear), but a security which should permit an undisturbed development of the life process of society as a whole*. [150]

Of particular interest here is what Arendt stipulates: it is the same culture of the individual—once immersed in the new horizon of self-preservation—that produces something that moves beyond it in terms of a vital complex process. But Arendt doesn't make the decisive move that Foucault does, which is seeing the relation between individual and totality in terms of a tragic antinomy. When Foucault notes that the failure of modern political theories is owed neither to theory nor to politics but to a rationality that forces itself to integrate individuals within the totality of the State, he touches on the heart of the question [*Technologies of the Self* 152]. If we superimpose his discourse on that elaborated by the anthropologist Luis Dumont regarding the nature and destiny of individual modernism, we have that confirmation that moves us further along in our discussion. Asking after the reason first for the nationalistic and then the totalitarian orientation [*sbocco*] of liberal individualism (which represents a further jump in quality), Dumont concludes that the political categories of modernity "function," which is to say, they discharge the self-preserving function of life to which they are subordinated, including their own opposite or vice versa, or being incorporated into it. At a certain point, the culture of the individual also incorporates what in principle is opposed to it, which is to say the primacy of all on the parts to which it gives the name of "holism." The pathogenic effect that increasingly derives from it is, according to Dumont, due to the fact that, when placed against opposite

paradigms (such as those of individualism and holism), the ideological force of their own representations grows to such a degree that an explosive mix is created.

Tocqueville seems to have understood most thoroughly this self-dissolving process. All of his analyses of American democracy are characterized by a modality that recognizes both the inevitability and the epochal risk of such a process. When he locates the figure of the *homo democraticus* in the point of intersection and friction between atomism and massification, solitude and conformity, and autonomy and heteronomy, he does nothing other than recognize the entropic result of a parabola that has at its uppermost point precisely that self-immunization of liberty in which the new equality of conditions reflects itself in a distorted mirror.[27] To argue—as he does with the unparalleled intensity of a restrained pathos—that democracy separates man "from his contemporaries . . . it throws him back forever upon himself alone, and threatens in the end to confine him entirely within the solitude of his own heart" [121] or that "equality places men side by side, unconnected by any common tie" [124] means to have registered completely (and with reference to its origin) the immunitary loss of meaning that afflicts modern politics. In the instance when the democratic individual, fearful of not knowing how to defend the particular interests that move him, ends up surrendering "to the first master who appears" [169], the itinerary is already set, one not so different from another which will push biopolitics closer to its opposite, that of thanatopolitics: the herd, opportunistically domesticated, is set to recognize its willing shepherd. At the end of the same century, Nietzsche will be the most sensitive witness to such a process. As for freedom [*libertà*]—a concept that seemed to Nietzsche to be "yet more proof of instinctual degeneration" [68], he no longer has any doubt: "There is no one more inveterate or thorough in damaging freedom than liberal institutions" [64].

Translated by Timothy Campbell

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27. For the figure of the homo democraticus *I refer to the reader to the important pages that Cacciari dedicates to it [117–18]. See too Pulcini 127–28. On Tocqueville more generally, cf. De Sanctis,* Tempo di democrazia: Alexis de Tocqueville: Sulla condizione moderna.

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