

**G. Maglione (2019) BOOK REVIEW: Giorgio Agamben, *Karman. A Brief Treatise on Action, Guilt, and Gesture*. Stanford: Stanford University Press, 2018. 120 pp. \$17.95, ISBN: 9781503605824, *European Journal of Social Theory* (forthcoming)**

Giorgio Agamben's latest book, *Karman. A Brief Treatise on Action, Guilt, and Gesture*, is an ambitious endeavour. It aims to enfranchise Western ethical and political thought from some of 'the bonds and the signatures that oblige it to proceed almost blindly in one sole - and perhaps inauspicious - direction' (p. 5), by bringing to the fore one of its conditions of possibility. From this perspective, this slender book is a synthesis of Agamben's entire intellectual journey - an impassioned historico-philosophical excavation of the (often obscure) cultural frameworks within which contemporary social, ethical and political arrangements have emerged. In *Karman*, the focus is placed on the historical emergence of the concept of 'action' as a hinge upon which both Western ethics and politics revolve. What is an action? According to Agamben, this apparently obvious concept has never been satisfactorily defined. Aristotle, Aquinas and Hannah Arendt have all failed in providing a convincing definition of 'action'. In spite of such a conceptual instability, 'action' (or 'praxis' in Aristotle's lexicon) has been elevated to a crucial ordering principle of the Western 'ethical-political machine' (p. 42). The consequences of such a primacy have been (supposedly) wide-ranging. Agamben lingers on one: the centrality of action plays a role in the construction of the Western ethical and political subject as an internally 'split' entity. This construction has doomed Western civilization to enact its own subjection and the Western normative thought to enter its current deadlocks. It is against this bleak backdrop that Agamben casts his voice.

*Karman's* first strand is legal-philosophical. In order to appreciate the concept of action and its relationships with the birth of the Western ethical and political subject, it is necessary to interrogate the edifice of law, its structure and functioning. This inquiry is not a historical analysis though, but an investigation of the ontological foundations of law and their relations with politics and ethics.

Agamben's idea of law, echoing Friedrich Nietzsche and Carl Schmitt, is merely reactive/punitive. Law, in fact, is essentially *sanction*, i.e. permitted violence. This means that whenever people get implicated into law, they commit what in ancient Rome was called '*crimen*', i.e. an action imputable or sanctioned by 'the order of responsibility and law' (p. 25), and as such productive of consequences. Committing a '*crimen*' equates with crossing the

threshold of law, and entering the sphere of law implies committing a 'crimen'. Crimen's etymology is surprising: it seems to derive from '*karman*', the Sanskrit word at the heart of Buddhist philosophy. 'Karman', in fact, means simply 'action linked with a consequence' as 'the law of karman' is the mere idea that actions will produce consequences.

Agamben emphasises that when people's actions get sanctioned by law, however, it is people in their entirety who are subjected to legal violence (not just their 'crimen'), becoming themselves *culpable*. Agamben - evoking Kafka - reflects on such a mysterious process, by which culpable actions make a whole human culpable, within law. This leap is inconceivable unless it is introduced an element which further clarifies law's violent nature: the 'alien power' (p. 6) of punishment. Punishment is a kind of ontological invariant in law, i.e. there is no law without punishment. The counterintuitive claim here, is that punishment makes possible the legal judgement and therefore the very possibility of being culpable. Outside the legal sphere there is not culpable action (and culpable actor), but just radical innocence; it is only the presence of the legal judgement (and punishment) at the end of the legal process which renders retrospectively a human culpable. As a consequence, the only way to escape culpability is to not get implicated into law at all - a daunting mission since, in Agamben's view, law is an underlying component of any Western social and political arrangement.

The significance of this discussion resides in the fact that the process of displacing culpability from the action to the actor within law, will provide the Western normative thought with a blueprint for imagining the nature of the ethical and political subject.

The legal process, however, is only a very preliminary condition for this model of subject to emerge. The interiorization of culpability is, in fact, a historical phenomenon which dates back to the Christian theological invention of 'free will' via a certain interpretation of Aristotle's ethics (chapter 3).

'Free will' is a concept ignored by Greeks and absent in the Bible. In Ancient Greek philosophy, in fact, primacy is given to human potential. An action is culpable because one is *able* to act not because one *wills* an action. The intellectualistic ethics of Socrates - 'no one does evil voluntarily' - exemplifies this position (p. 31).

Christian theology (particularly Augustine) breaks with any intellectualist ethics by re-elaborating the Aristotelian theory of action. In the *Nicomachean Ethics*, Aristotle, criticising Socrates, engages with the task of guaranteeing the imputability of action to an agent, finding in the concept of 'proairesis' - choosing - the mechanism by which 'rendering people responsible for their actions and indissolubly joining the action to its actor' (p. 37). This mechanism secures the paternity to one's action as a condition for an individualising

ethics and politics. The Greek tragedy dramatises this idea, by casting characters as shadows of actions.

Christian theology inscribes into this Aristotelian-tragic paradigm the idea of free will (*'liberum arbitrium'*) (p. 47) i.e. the will to choose between good or evil. This means that the dyad good/evil is grafted onto an imputable action, making possible the very idea of sin. Agamben contends that this 'will-apparatus' (p. 44) ultimately aims to make masterable what humans can do, shifting the focus from 'potential' to 'will', marking the 'passage from the ancient world to modernity' (p. 49). As a consequence, from then onward, the being will be thought as a mere shadow of freely willed actions (p. 39). In this way, by drawing a fracture between being and acting, the Western ethical-political machine splits internally its subject. At this point, it is perhaps clearer where Agamben is heading. The interiorization of culpability as a consequence of freely willed actions, is nothing but the precursor of the idea of individual responsibility. Agamben highlights how responsibility, far from igniting any expansive dynamic of freedom, 'limit[s] the divine potential and anarchy' (p. 58) of humans, by insinuating duty into ethics, creating possibility for their external direction and control.

There is a final condition for the Western ethical and political subject to arise. This is the idea that the culpable and willing subject acts always with an end or purpose (p. 63), its action is always instrumental.

This qualification is linked with Aristotle's distinction between *poiesis* and *praxis*, and its popularization. In the *Nicomachean Ethics*, Aristotle aims to define the distinctive human 'good' or happiness (*eudaimonia*). He claims that this good 'cannot be [...] a means for something other than itself' (p. 62). The human good is a good for the sake of itself, self-sufficient and complete. Agamben argues that Aristotle is basically inserting into the doctrine of good an idea of end that 'can never become a means for the sake of something else with respect to which everything else is configured as a means' (p. 63). The taken-for-granted idea that the end of each action is the good pursued by the actor, is apparently informed by Aristotle's understanding of the human good. This is a critical move, since it ends up separating and opposing ends and means in the theory of good, establishing human actions ('praxis') as mere means and never ends, a mere actualization of the only (external) end-good. As a consequence, a deeper ontological 'fracture and a gap' (p. 63) between human beings and their good is drawn. The good does not lie into the human but in the outer world and from this springs the compulsion to act. This implies also an ontological reduction of the human (*pace* Arendt), now deprived of his good and doomed to a Kafkian pursuit of an external ever-shifting grail. Action will be the instrument to fill this

gap, to proceed toward the human good, and as a consequence, acting and not being will be the place of Western ethics and politics.

In this way, Agamben, with a coup de théâtre (at least for those who have not followed his recent intellectual endeavours), denounces as misleading one of the most successful formulas of political theory, distancing himself from Aristotle, for decades one of his main sources of inspiration. The rediscovery of Plato is the counterpart of this critique. Particularly, Agamben maintains that for Plato the good is not an end, but a principle to be appreciated by knowledge and contemplation. Plato does not aim to substitute the *polis* with the *oikos*, as Arendt polemically argued, but to imagine a model of politics - 'a playful politics' (p. 68) - which escapes instrumentality and the displacement of the good from the human to the external world.

Agamben's hypothesis is intriguing: a legal-theological apparatus at heart of the Western ethical-political machine aims to secure paternity for human actions, by postulating a subject culpable, willful and end-oriented. This subject lacks of potentiality, since its good lies outside itself. Specularly, not every human deed is an ethically and politically significant action, but only the instrumental, willful and responsible pursuit of an 'external' good. In this framework, both actions and their subjects are ultimately rendered masterable or controllable 'externally' and the power of contemplation (i.e. the opposite of action) is disqualified. Against this conceptual infrastructure Agamben mobilises a singular alliance between Walter Benjamin and Buddha.

Buddha's teaching on the impermanence of the agent (who is just the retrospective connection between actions) breaks the link between action, will and imputability, uncovering the fictional character of Western ethical and political subject. Buddha's revelation is to re-think the subject as independent from its action, breaking the identification action-subject. This means fundamentally to recover the original meaning of 'karman', i.e. the pure connection between actions and consequences devoid of any obscure presupposition of subjectivity. It then entails an ontological critique of the interiorization of culpability as a condition for the Western subject to arise. The responsible subject, in fact, ultimately is 'only an appearance due to ignorance or imagination' (p. 78).

According to Agamben, this teaching resonates with Benjamin's idea of '*mediality*' (1996): the only action to be recovered is the 'pure mean' which denies the possibility of violence as a means to a just end. *Gesture* is the new political category whereby means are emancipated from ends, imputability and will. This concept, already present in *Language and Death* (1982), is now further elaborated. In that early work, Agamben denounced the

destruction of experience as a mark of contemporary age, mainly due to the split between subject of experience and of knowledge. Gesture, as third mode of human activity, can bridge this fracture by overcoming the 'false alternative between making that is always a means directed toward an end - production - and an action that has an its end in itself - praxis - but also above all that between an action without a work and a necessarily operative action' (p. 84). Gesture is the operation which de-activates human works, rendering them *inoperative* and therefore opening them to new possible uses. Gestures cannot be imputed to a subject, i.e. it do not create any subject, whilst actually generating spaces for freedom and endless re-invention. 'Inoperativity' is a keyword here, being the general framework under which gestures make sense. Inoperative is 'the space - provisional and at the same time non-temporal, localised and at the same time extra-territorial - that is opened when the apparatuses that link human actions in the connection of means and ends, of imputation and fault, of merit and demerit, are rendered inoperative. It is, in this sense, a politics of pure means' (p. 85). This means to re-discover the sphere of human pure potentiality, whose infinite possibility no action could exhaust.

How would such gestures look like? Agamben does not offer detailed examples, pointing merely to one category of human activity, performative arts. In dance, for instance, movements are not means to move a body, they actually neutralise - render inoperative - the body movement toward a new horizon of sense (poetry could be another example of gesture de-activating the informational structure of language).

In *Karman*, buried under a dense erudition, lies a straightforward (and bleak) moral: until the Western normative imagination will hinge upon responsible, instrumental and individually imputable actions there will not be hope for a radically new politics and ethics.

Therefore, a critique of action is not only a critique of the market-oriented (instrumental and productive) conduct at the heart of the neoliberal governmentality but also of the Marxist concept of 'praxis' as revolutionary action which aims to negate or seize upon 'the' power. Both, in fact, reproduce the established power's violence, just in different shapes and opposite directions. Both are instances of the dialectic between constituting power (or violence that makes the law, in Benjamin's jargon) and constituted power (or violence that preserves the law), that is, ontologically flawed attempts to free political life from sovereignty and to break the cycle of violence.

A further implication pertains to the critique of the legal logics of politics. A critique of the sovereign paradigm of politics requires a critique of law. The legal framework makes humans controllable by hypothesising free will and imputing individual responsibility for their actions

as a first step toward an exclusive inclusion of their entire life into law. Humans implicated in law are exposed unconditionally to the possibility of elimination as it happens paradigmatically (and dramatically) to Guantanamo detainees or prospective asylum seekers stranded in the Mediterranean Sea.

*Karman* could also be translated into a contestation of the very idea of citizenship as a political device. The apparently obvious ascription of humans since their birth to a state, with its laws and political system, is just another cog of the sovereign apparatus which incessantly captures and exploits human life. It is as if the birth were a freely willed action, whose consequences are allocated to the newborn, culpable for the rest of his/her life.

Overall, this book condenses some of the basic ideas characterising Agamben's entire work. The element of novelty, here, is that Agamben elaborates on Benjamin's alternative between violence which creates law and violence which preserves law by evoking Plato's playful politics and Buddha's teachings on the human impermanence. There is something profoundly 'humanist' about this endeavour, its aim: eliminating the fracture between humans and their good, by locating the latter back within the being. In this way, Agamben seeks to restore humans' radical self-sufficiency and innocence. This can be interpreted as a specimen of Agamben's long-lasting struggle against the sovereign apparatuses which capture human life and neutralise human potential. This is not an escape from power; it is about deciding to not play by the rules set by the (sovereign) power and re-imagining new possibilities to generate different rules, whereby 'play' is not a mere metaphor. At least partly, this resonates not only with Benjamin's critique of the relationship between violence, law and justice, but also with Michel Foucault's ethico-political struggle against subjection and for subjectivation (as also made clear in Agamben's *The Use of Bodies* (2016)).

*Karman* confirms both Agamben's creativity and his oft-lamented limitations. Methodologically, it's difficult to say where the conceptual diagram ends and the historiographical thesis begins (and vice versa). Agamben's work entails continuous interferences between temporal and epistemic fields, which appear at times (deliberately?) disorientating. Another methodological issue is that the philological approach used as an interpretive key may be accused of mere nominalism. There is a recurrent leap from the history of words to the essence of what they designate, from philology to ontology. Conceptually, Agamben's critique of law is also controversial. A merely punitive understanding of law à la Schmitt or Nietzsche, is at least monolithic since it completely overlooks (and avoids the dialogue with) the idea of legal order as a bottom-up social phenomenon, as argued by pluralist and institutional theories of law (e.g. Romano, 2017).

Finally, it is likely that charges of political passivity once again will be pressed against his platonic (and Heideggerian) 'appeal to being' as an overcoming of the primacy of action. In *Karman*, as in Agamben's recent works, there is no track of those concepts (praised by Marxists) which did appear to embrace a transformation of the world: the 'coming community' and 'whatever singularity' featuring Agamben's 1990s works (1993). Additionally, there are no politically situated voices in his ontological account, but an abstract space of smooth and mute political antagonism whose reconciliation lies in the being.

All these limitations have a distinctive (and possibly frustrating) feature: they seem to be deliberately pursued. And perhaps here is the issue with Agamben: there is something paradoxically *totalising* in his work, partly down to his methodological and normative hubris. Agamben re-enacts an overwhelming reality which resembles those Nietzschean monsters of modernity (e.g. sovereignty) targeted by his work, letting the empty abyss of modernity gaze into the reader, impassionately.

Agamben's work has never provided 'solutions', but deliberately incomplete attempts to open up new fields of possibility, where new problems emerge and old ones morph into increasingly uncanny and disquieting figures, like in Francis Bacon's paintings. *Karman* does more than gesturing at vague possibilities though, it points to directions, Agamben's old ones: playful politics, potentiality, gesture. From a theorist of inoperativity we could not ask more.

## References

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