JPM717: Presentation Handout

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Huysmans, The Jargon of Exception – On Schmitt, Agamben and the Absence of Political Society

1. Author Jef Huysmans puts into perspective the divergent views on State of exception or *Ausnahmezustand*, postulated by Carl Schmitt and also further developed by Giorgio Agamben. Exception for Schmitt represents fundamental criteria of what makes someone or something a sovereign. The highest authority therefore Schmitt is the one that decides on the exception. Two consequences are derived from this position: a) the nature of political is defined from dichotomy of decisionism and normativism; b) society is completely derived from nature of political. For Schmitt the question „who decides?“, rather than „how to decide?“ on exception qualifies him as an essentialist and realist. Schmitt perceives state and political as something that is necessarily belonging to a specific people (Volk). Society as an abstract term is merely secondary reflection of true nature of sovereign people and leaders who spring up from it.

On the other hand, for Agamben the aforementioned dichotomy between decision which encompasses exception, and the norm has completely collapsed. Exception has become the norm. Agamben introduces the concept of the pure life in political. This naturally expands the discussion in the direction of biopolitics. Legality of the state is completely superseded by its incapability to rein in political tendencies. Agamben in that sense comes to similar conclusions like Schmitt. Exception as decision for Agamben has another ominous dimension, namely it aims to control now very aspects of political life, but also life in general. Concept of societal for Agamben is thus reduced to biopolitical governance.

Author criticizes the state of exception, in both Schmitt’s and Agamben’s view, on the basis that they disregard the societal which is crucial in modern democratic political practice. Thus, he calls exception a jargon.

1. Author is right when perceiving modern political and legal problems as problems of sovereignty. Understanding this issue is only possible if we perceive historical and realist components of political and societal. Democratic liberalism is under the impression that historical mechanisms do not apply to it. Works of Schmitt and Agamben from their respective philosophical perspectives impose this critique on the modern concept of societal and political. Therefore, author’s critique that Schmitt and Agamben don’t fully understand political governance only contributes to the criticism that modern liberalism is in a historical blind spot, forgetting how liberalism’s rise to power came to be, namely through class struggle of 18th century and further revolutionary developments instigated by Napoleonic (Ceasarist) decisionism. Both aspects represent realist approaches to history.
2. *State of exception* by Agamben is analysis and critique of Schmittian term State of exception. The term itself is not unknown in the field of political philosophy. The idea of suspension of constitution and declaring state of emergency during extreme times is old as the tale of civilization itself. However, both Schmitt and Agamben detect that within framework of western political life, state of exception is slowly supplanting the norm and imposing itself as the new norm. Author analyses not just Agamben’s but also Schmitt’s understanding of state of exception. He outlines differences between them, as well as highlights Agamben’s connection to Foucauldian biopolitics.