

*The Sacrament of Language:
An Archaeology of the Oath*
by Giorgio Agamben

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The Sacrament of Language is the most recent instalment in Giorgio Agamben's on-going 'Homo Sacer' project, inaugurated by *Homo Sacer: Sovereign Power and Bare Life*. This compact study (the essay itself is 73 pages) belongs with two other volumes, *The State of Exception* and *The Kingdom and the Glory*; together, this trinity of short texts make up the second part of the 'Homo Sacer' series. Some knowledge of Agamben's previous publications (as well as classical and modern philosophy) is assumed, as there is no glossary and little explanation given for technical terms developed in the earlier work.

Agamben's work is notable for the breadth of his scholarship, bringing poststructuralist theory to bear upon the traditional disciplines of theology and classics. In *Sovereign Power and Bare Life*, the late work of Michel Foucault was used to reinterpret Aristotle's political philosophy, Roman law, and the work of Thomas Hobbes, in order to understand the development of Western politics from classical democracy to the Holocaust and up to the present day. Agamben concludes that the function of sovereignty in both democracy and totalitarianism is to ensure the integrity of the polity through the production of 'bare life'. This term refers to life that may be killed without ceremony, exterminated to affirm the superiority of those with an acknowledged place in the political order. Such was

the function of Jews in the Third Reich, and (Agamben argues) of the 'homo sacer' ('sacred/cursed man') who, under Roman law, could be legally killed but not sacrificed.

The Sacrament of Language develops Agamben's project by pushing back beyond classical sources towards the 'fringe of ultra-history' (p.9), for which there are no records. As the title suggests, this study has a more linguistic focus than *Sovereign Power and Bare Life*; but as a linguistic phenomenon with a theological and political function, all of Agamben's central concerns converge in the oath. Reversing the usual logic by which oaths are explained with reference to the presupposed 'divine power' (p.65) of the god(s) invoked, Agamben argues that the experience of language, of which the oath is the expression, precedes and gives rise to religion and law. In this, he builds on the work of Hermann Usener, who drew on the lists of deities recorded not in myth or art but only in the liturgies of the Roman high priests, to argue that,

[f]or every act and situation that could be important to men of that time [...] special gods were named and created with distinct verbal coinages (p.45).

Thus the gods whose characteristics are familiar to us have developed from such neologisms. Therefore,

in its originary core the god who presides over the singular activity and singular situation is nothing more than the very name of the activity and the situation. What is divinized [...] is the very event of the name (p.46).

The thesis is striking, but difficult to substantiate, especially within such a narrow compass as this study. Making a similar argument for the basis of monotheism, Agamben draws on Philo of Alexandria and

Maimonides to argue that the Judaeo-Christian God is above all the one who identifies Himself by the tautological 'I am that I am' – that is, whose words correspond exactly to His being. In Philo's formulation, God is the one whose words are always oaths. Christianity is thus the divinization of language itself, of the *Logos*.

It is not so much, Agamben argues, that an oath affirms the verifiable truth of a statement, but that in its originary mode, language was a performative action that created what it named. Oaths re-capture that originary performative aspect of language, because adding an oath to a statement does not affect its content, but turns the utterance into a performative. Agamben continues,

the performative substitutes for the denotative relationship between speech and fact a self-referential relation that, putting the former out of play, puts itself forward as the decisive fact. [...] Just as, in the state of exception, the law suspends its own application in order to found, in this way, its being in force, so in the performative, language suspends its denotation precisely to found its existential connection with things (pp.55-6).

The 'state of exception' referred to above is a complex term: in Agamben's thinking, the sovereign subsumes the lawless violence of the state of nature within the polity, creating an isolated zone for the creation of bare life – paradigmatically, the camps in Nazi Germany. But the sovereign has the prerogative of deciding to suspend the law, creating a state of exception (e.g. a state of martial law) in which force becomes the only law. If there is one salient criticism to be made of this book, it is that Agamben leaves the relationship between the oath and the state of exception tantalisingly unclear. The state of exception is an ambivalent phenomenon: dictators use it to circumvent civil rights and liberties; but it may also herald a

political transition – as I write, the rebel advance into Tripoli has effectively created a state of exception there. It is not clear, then, whether Agamben sees the relation of the oath (and its inverse, the curse) to the law and the state of exception as positive, potentially reinvigorating current politics, or negative, being implicated in the oppressive use of force by states against their citizens.

The Sacrament of Language is full of fascinating ideas and encompasses a great breadth of scholarship. There is, however, a possible dubiety about some of this. Usener taught Friedrich Nietzsche and published the late work on which Agamben draws, the *Götternamen*, in 1896. Although Agamben asserts that since then, 'there have been no comparably relevant contributions to the question' (pp.44-5), one wonders if it can be used so uncritically. No one today would rely in the same way on Freud's *Studies in Hysteria* (published the year before). There is also the danger that Agamben is too fixated upon the Graeco-Roman Judaeo-Christian intellectual patrimony: a comparative discussion of Islam and non-European polytheisms might yield powerful insights, illustrating the discursive limitations of European legal traditions and providing alternative perspectives. It is possible to be so intent upon critiquing one's inheritance that one never looks beyond it, and ends up reproducing it in another form. Perhaps the forthcoming *The Kingdom and the Glory* will determine whether Agamben is capable of surmounting the modes of thought that he has so studiously engaged with.

Bibliography

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