René Girard's Scapegoat and Giorgio Agamben's *Homo Sacer*: The Asymmetry of the Sacred Victim and its Implications (COV&R)

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Introduction: Girard and Agamben – unlikely bedfellows

At first glance, René Girard (1923-2015) and Italian philosopher Giorgio Agamben (born in 1942) seem like an unlikely pair. Girard is renowned for his socio-anthropological mimetic theory, while Agamben is known for his political philosophy. However, despite these differences, Girard and Agamben share some intriguing similarities. For example, both thinkers employ an archaeological methodology and situate their thoughts against Judeo-Christian concepts such as *messianism, revelation* and *apocalypse*. However, the most striking similarity is their focus on the notion of a *sacred victim*. In my article titled "René Girard's Scapegoat and Giorgio Agamben's *Homo Sacer*: The Asymmetry of the Sacred Victim and its Implications", I delve into a comparison and discussion of Girard's and Agamben's perspectives on sacred victims. As it turns out, a remarkable asymmetry exists in Girard's and Agamben's definition of the sacred victim that could help us understand their theories' different political and theological implications. Unfortunately, I cannot cover the entire article in today's presentation due to time constraints. Therefore, I will primarily focus on the asymmetrical definition of the sacred victim. First, I will discuss Girard's and Agamben's sacred victims. Second, I will discuss several scholarly comparisons of Girard and Agamben that indicate a fundamental difference, and third, I will explain this fundamental difference in relation to the asymmetrical formulation of the sacred.

Girard, Agamben and their sacred victims

As we all know, the scapegoat mechanism is a key element in Girard's mimetic theory. Mimetic desire can lead to mimetic rivalry, ultimately resulting in a mimetic crisis. The mimetic crisis, marked by rivalrous tendencies permeating all facets of societal life, threatens the established social order. Society's pent-up violence demands a victim. According to Girard, society 'channelises' this violence by

designating a sacred victim, the scapegoat, and killing it.[1] Interestingly, the victim embodies both positive and negative aspects of desire. Negatively, it represents society's pent-up violence derived from the negative elements of mimesis. Positively, it signifies the reconciliatory effect of mimesis. Just as violence can be a subject of mimesis, reconciliation can also be a subject of mimesis. Therefore, society can (temporarily) reconcile itself in the lynching of the sacred victim and the positive mimesis that springs forth from this all-against-one structure.[2] Thus, Girard's sacred victim, the scapegoat, stands in relation to a particular violent social mechanism that Girard situates at the origin of human culture and religion. Of course, this mechanism is better known to us as the scapegoating mechanism.

Contrary to Girard, Agamben discusses his sacred victim in relation to political philosophy. Although Agamben is renowned for his political philosophy, there is a profound (Aristotelian) metaphysical structure underlying it. According to Agamben, modern Western politics arises from an *ontological imbalance* caused by prioritising *actuality* (things that *are*) over *potentiality* (things that *could be*). For instance, understanding a woman from the actuality of womanhood restricts a woman's potential to be something else.[3] Agamben also refers to this ontological imbalance as a "violent ontology", and because this violent ontology is underlying modern Western metaphysics, philosophy, and politics, we can discern this violent ontology in Agamben's political-philosophical work. In this regard, Agamben employs two Greek terms to express human life: *zoē,* denoting the natural state of human life (potentiality) and *bios,* denoting the political state of human life (actuality).[4] According to Agamben, modernity increasingly incorporates natural life (*zoē*) into political life (*bios*).[5] The problem with this phenomenon, also referred to as *biopolitics,*

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[1] Girard, *Violence and the Sacred*, 4.

[2] Girard's concept of *double transference* "explains" the two elements of sacrifice. Girard introduces this claim in *Things Hidden since the Foundation of the World, 37-38, 46, 78.* Also see Palaver, *René Girard's Mimetic Theory*, 153, 182, 189,266-267,288.

[3] In *The Idea of Prose* (1987)*,* Agamben's expresses his endeavour to "deconstruct" fixed concepts to a free "potentiality." This idea emerges in his early works and continues in his philosophical project. Related works are *Language and Death,* (1982), *Infancy and History* (1993), *Potentialities: Collected Essays in Philosophy* (1999), and *Profanations* (2007). For a general overview of Agamben's theory, please see Leland De la Durantaye, *Giorgio Agamben : A Critical Introduction* (Stanford, CA: Stanford University Press, 2009). Concerning Agamben's idea of *potentiality* and its connection to *sovereign power* please see De la Durantaye, *Giorgio Agamben*, 1-25, 81-110, 21-44, 56-83, 200-38.

[4] Giorgio Agamben, "Homo Sacer : Sovereign Power and Bare Life," in *The Omnibus Homo Sacer* (Stanford, CA: Stanford University Press, 2017), 5.

[5] The French philosopher Michel Foucault described this phenomenon and referred to it as *biopolitics.* Agamben borrows this definition from Foucault.

is that it reduces natural life (*zoē*) until it disappears in absolute political life (*bios*), and this leads to the emergence of the violent political extremes of *sovereign power* (absolute political power) and *bare life* (absolute political powerlessness). In this context, Agamben refers to the *homo sacer,* a figure of ancient Roman law that, by its definition, represents this violent ontology and political extremes. According to its definition, the *homo sacer* could be killed with impunity but not be sacrificed.[6] So, even though the *homo sacer* is a fundamentally political concept incorporated into political life, it is simultaneously excluded from the protection of human and divine laws. In other words, the *homo sacer* exists within political life as an exclusion from it.[7] Consequently, the figure of the *homo sacer* represents a third ontological realm – an inclusion through exclusion – which comprises *sovereign power* and *bare life*.[8]

This introductory exploration of Girard's mimetic theory and Agamben's political philosophy highlights the divergent origins of their respective sacred victims. Agamben's *homo sacer* represents a violent ontology underlying contemporary Western metaphysics, philosophy, and politics. By contrast, Girard's scapegoat exists at the intersection of positive and negative elements of desire, emphasising its psychological, anthropological, and sociological nature. Nevertheless, both thinkers describe a sacred victim at the core of their theories and argue that this sacred victim plays a central role in the violent mechanisms underlying societal and political structures. However, before discussing the differences between Girard and Agamben in more detail, it is helpful to briefly consider the work of other scholars who compared Girard and Agamben.

Comparing Girard and Agamben

Although contemporary scholars increasingly note similarities between Girard's and Agamben's work, pertinent academic literature comparing Girard and Agamben remains scarce. In 2006, Rey Chow (to my knowledge, the first author who compared Girard and Agamben) compared Girard's "sacrificial logic" and Agamben's "antisacrificial" stance. This initial exploration highlights the divergent positions

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[6] Agamben, "Homo Sacer," 70.

[7] Agamben, "Homo Sacer," 71-72.

[8] Agamben uses the example of the master and slave to support his view. According to Agamben, the natural life of the slave (*zoē*) is incorporated into the political life (*bios*) of the master. The slave is subjected to the master's life, and only the master is a part of political life (*bios*). However, even though the slave is the condition for the master's political life, the slave is excluded from it while completely subjected to it. The slave's relation to political life (*bios*) is wholly negative. Therefore, the slave is incorporated into the political life of the master via its exclusion of this life, and the master holds absolute (*sovereign*) power over the (*bare*) life of the slave.

Girard and Agamben hold concerning sacrifice. Thereby, Chow already notes a fundamental divergence between Girard and Agamben.

In 2007, Christopher A. Fox continued this discussion by connecting Girard's sacrificial logic and Agamben's antisacrifical stance to the political paradigm of Carl Schmitt's friend/enemy distinction. According to Fox, Girard dispenses the political and assimilates it to religion, while Agamben puts religion in the service of the political. In other words, Fox argues that Agamben "reshapes" politics and thereby escapes Schmitt's friend/enemy distinction, while Girard falls for an ideological temptation and remains captured within Schmitt's paradigm. Even though I am not convinced by Fox's claim that Agamben escapes the friend/enemy distinction while Girard's falls for an ideological temptation, Fox's account is incredibly helpful in explicating the fundamental difference between Girard's and Agamben's approaches to politics and religion. It is the first indication that the differences between Girard's and Agamben's political and theological prospects may concern a more fundamental (ontological) disagreement.

Following Fox's account is Colby Dickinson's article (2011) on the comparison between Girard, Agamben and Walter Benjamin.[9] Dickinson connects Girard's mimetic theory to Agamben's metaphysical state of *pure potentiality* – an equilibrium between the metaphysical concepts of actuality and potentiality – and Walter Benjamin's concept of *pure gesture*.[10] Dickinson suggests that Agamben's metaphysical state of *pure potentiality* is inspired by Benjamin's concept of (*pure*) *gesture,* which according to Dickinson, is similar to a hypothetical Girardian state of non-mimesis. In other words, Dickinson asks whether *Girard, Agamben, and Benjamin all strive for the same "ultimate end"?* Whereas this is an interesting (meta-)question in the comparison between Girard and Agamben, it does not answer the fundamental difference noted earlier.

In this regard, Brian Sudlow's article "Girard, Agamben, and the Life that Does not Live" (2012)[11] is more attentive to Girard's and Agamben's fundamental difference. Sudlow explores the *bare life* of Agamben's *homo sacer* and connects it to Girard's anthropology. He concludes that Girard's anthropological account is open to a transcendent element beyond the realms of the sacred and the profane, which is

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[9] Colby Dickinson, "Beyond Violence, Beyond the Text: The Role of Gesture in Walter Benjamin and Giorgio Agamben, and Its Affinity with the Work of René Girard," *The Heythrop Journal* 52, no. 6 (2011).

[10] Dickinson, "Beyond Violence, Beyond the Text," 957-58.

[11] Brian Sudlow, "Agamben, Girard and the Life That Does Not Live," in *Intensities: Philosophy, Religion, and the Affirmation of Life*, ed. Steven Shakespeare and Katharine S. Moody (Farnham: Ashgate, 2012).

not present in Agamben's account. Although this difference is implicitly present in Dickinson's account, Sudlow explicates it by juxtaposing Girard's transcendental *surtranscendence de l'amour* with Agamben's "intra-anthropic philosophy." So, here we see the fundamental difference earlier noted by other scholars in more detail. For Girard, there is a "beyond the sacred," whereas this is not the case for Agamben.

This argument is further explicated in Lyle Enright's "Divine but not Sacred: A Girardian Answer to Agamben's *The Kingdom and the Glory*" (2019).[12] Enright juxtaposes Agamben's secular, political and theological prospects with Girard's transcendent divine political and theological prospects. He clarifies that there is a difference between Girard's sacred and Girard's divine. According to him, Agamben and Girard both comprehend the sacred as a political, anthropological, or social structure. However, he emphasises that there is something beyond the sacred for Girard – something *divine* rather than *sacred*. Therefore, Girard draws a distinction that Agamben does not. Although this distinction concerns the ontological presuppositions of Girard's and Agamben's theories, its result becomes visible in the more tangible concepts of Girard's and Agamben's theories, for example, their description of the sacred victim.

Frederiek Depoortere,[13] Antonio Cerella,[14] and Pierpaolo Antonello[15] compare the more anthropological elements of Girard's and Agamben's perspectives. What is interesting about their articles, with respect to the previously discussed articles, is their attention to the anthropological description of the sacred put forward in Girard's and Agamben's accounts. Depoortere, Cerella, and Antonello trace Girard's 'transcendence' and Agamben's 'immanence' to the fundamental anthropological elements of Girard's mimetic theory and Agamben's political philosophy. In this regard, Cerella argues that both Girard and Agamben present an "archaeology of the sacred". However, Girard's archaeology of his "sacrificial mechanism" and Agamben's archaeology of "political ontology" concerns a different ontological conceptualisation of the sacred. Antonello explicates this by arguing that Girard understands the sacred as the "mechanism" of the world and Christian truth

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[12] Lyle Enright, "Divine but Not Sacred: A Girardian Answer to Agamben's the Kingdom and the Glory," *Contagion: Journal of Violence Mimesis and Culture* 26 (2019).

[13] Frederiek Depoortere, "Reading Giorgio Agambens Homo Sacer with René Girard," *Philosophy Today* 56, no. 2 (2012).

[14] Antonio Cerella, "The Myth of Origin: Archaeology and History in the Work of Giorgio Agamben and René Girard," in *Genealogies of Political Modernity* (London: Bloomsbury Academic, 2020).

[15] Pierpaolo Antonello, "Sacrificing Homo Sacer: René Girard Reads Giorgio Agamben," *forphil Forum Philosophicum* 24, no. 1 (2019).

as the transcendent truth that reveals this violent mechanism. Agamben, on the other hand, understands Christianity as just another dominant political paradigm.[16] In this regard, the political-theological divergence noted by the first four authors must, therefore, be understood from the more fundamental discussion of the archaeology of the sacred and what constitutes the sacredness of the sacred victims.

The Ontological Conceptualisation of the Sacred and the Sacredness of the Sacred Victims

For Girard, the sacred is the anthropological projection of a *double transference* upon the victim.[17] This *double transference* consists of negative mimesis (the victim represents society's mimetic violence) and positive mimesis (the victim also represents society's mimetic reconciliation).[18] So, the sacredness of the sacred victim derives from the victim's double inclusion of positive and negative "energy." In this regard, Antonello notes that Girard's "pharmacological" (i.e., ambiguous) interpretation of the scapegoat provides an anthropological explanation for the sacredness of the sacred victim.[19] Agamben, on the other hand, rejects this "pharmacological" approach. Instead, he conceptualises the sacred as a dominant ontological, political paradigm, the paradigm of the *homo sacer:*

> Subtracting itself from the sanctioned forms of both human and divine law, this violence *opens a sphere of human action* [emphasis BL] that is neither the sphere of *sacrum focere* [emphasis BL] nor that of *profane action* [emphasis BL]. This sphere is precisely what we are trying to understand here. We have already encountered a limit sphere of human action that is only ever maintained in a relation of exception. This sphere is that of the sovereign decision, which suspends law in the state of exception and thus implicates bare life within it.[20]

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[16] Antonello, "Sacrificing Homo Sacer," 172.

[17] Antonello, "Sacrificing Homo Sacer," 153-54.

[18] Antonello, "Sacrificing Homo Sacer," 154.

[19] In "Reading Giorgio Agamben's Homo Sacer with René Girard," Frederiek Depoortere compared Girard's "pharmacological" interpretation of the sacred victim with Agamben's juridical-political interpretation of the *homo sacer.* Concerning this issue Depoortere claims that Girard explains the ambivalence of the sacred, whereas Agamben rejects it without solving the matter. "In this way, Girardian theory offers us a mechanism that explains the ambivalence of the sacred and not merely presupposes it (as twentieth century) theorists have, as mentioned by Girard at the outset of *Violence and the Sacred,* most often done). The ambivalence of the sacred becomes intelligible when we understand that the sacred comes into being through externalising violence, by dehumanising it and turning it into a transcendent power. This power is subsequently experienced as both the source of violence and the source of peace. As the source of violence, the sacred is maleficent (and thus to be feared); as the source of peace it is beneficent.)" Depoortere, "Reading Giorgio Agambens Homo Sacer with René Girard," 161.

[20] Agamben, "Homo Sacer," 70.

In the quote above, Agamben describes a "sphere of human action" that is neither sacred nor profane and characterised by *sovereign power* and *bare life*. In this case, the sacredness of the *homo sacer* derives from its incorporation into this third sphere beyond human and divine law. Therefore, the sacredness of the *homo sacer* exists in its incorporation into a third ontological sphere. According to Agamben, the logic of inclusion via exclusion explains the ambiguity of the sacred victim in Roman law. Antonello concludes from these words that the ambiguity must result from an autonomous figure located in a zone prior to the distinction between the religious and the juridical.[21] In other words, the sacredness of the *homo sacer* derives from a confusion between the religious and the juridical, in which human life is reduced of all meaning and completely subjected to sovereign power.[22] So, whereas Girard's scapegoat appears ambiguous because of a double inclusion ("included in the realm of the human" via its representation of human violence and "included in the realm of the divine" via its reconciliatory effects), Agamben's *homo sacer* exists as an inclusion via a double exclusion into a third ontological political sphere.

Girard's and Agamben's different conceptualisation of the sacredness of the sacred victims translates into an asymmetrical definition of their sacred victims. Agamben claims that the *homo sacer* cannot be sacrificed but may be killed, whereas Girard claims the victim is sacred because he cannot be killed, but because he is sacred, he must be killed.[23] In other words, Agamben's *homo sacer* is unsacrificeable and killable, whereas Girard's scapegoat is unkillable and sacrificeable. Agamben's definition of the sacred victim must be understood from his third ontological

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[21] Antonello, "Sacrificing Homo Sacer," 155.

[22] Pierpaolo Antonello, Christopher A. Fox, and Frederiek Depoortere note that Agamben's arguments concerning the ambivalence of the *homo sacer* as a confusion between the religious and the juridical is questionable. First, it is questionable "whether the ancients really were so fastidious as to have knowingly created some third sphere distinct from the religious and juridical economies to guarantee the sovereign a power of unpunishable killing." Christopher, "Sacrificial Pasts and Messianic Futures," 573. Further, Antonello refers to Depoortere who wrote: "Questioning Agamben's interpretation of the *homo sacer* does not mean that I reject the legitimacy of the overall aim of his *Homo Sacer*-project (i.e., unmasking the violence of sovereignty), but I do contend that this aim does not justify an interpretation of the *homo sacer* that is completely at odds with historical reality and that amounts to nothing but a fanciful creation by Agamben. We will find out that Agamben's interpretation of the *homo sacer* is indeed problematical in light of the ancient sources,…" Depoortere, "Reading Giorgio Agambens Homo Sacer with René Girard," 154.

[23] Agamben's definition of the *homo sacer*: "*At homo sacer is est, quem populus iudicavit ob maleficium; neque fas est eum immolari, sed qui occidit, parricidi non damnatur; nam lege tribunicia prima caventur "si quis eum, eo plebei scito sacer sit, acciderit, parricidia ne sit.*" [The sacred man is the one whom the people have judged on account of a crime. It is not permitted to sacrifice this man, yet he who kills him will not be condemned for homicide; in the first tribunitian law, in fact, it is noted that "if someone kills the one who is sacred according to the plebiscite, it will not be considered homicide.] Agamben, "Homo Sacer," 61. Girard's definition of the scapegoat: "*Il est criminel de tuer la victime parce qu'elle est sacrée… mais la victime ne serait pas sacrée si on ne la tuait pas.*" […because the victim is sacred it is criminal to kill him – but the victim is sacred only because he is to be killed.] Girard, *Violence and the Sacred*, 1.

political sphere. The sacred victim is killable because it is incorporated into a third ontological political sphere, which embeds the extreme and negative aspects of politics (sovereign power and bare life). Therefore, the *homo sacer* can be killed with impunity but is excluded from sacrifice. Girard's definition of the sacred victim demonstrates that the victim is unkillable, but because the victim is sacred, he must be killed. In other words, precisely because the sacredness of the victim derives from a double inclusion, the victim becomes ambiguous and must be killed.

Even though the exclusionary structure remains present in this asymmetrical definition of their sacred victims, the "conceptualisation" of what constitutes the sacred differs. For Girard, the sacred and sacrifice are the products of an anthropological ambiguity that demands blood, whereas Agamben's sacred refers to a political sphere that originates through a double exclusion. However, this third sphere is merely an inversion of the existing political sphere. In accordance with Depoortere, Antonello notes that Agamben's inclusion-via-exclusion-structure is reconcilable with Girard's double inclusion until Agamben "establishes" a third ontological political sphere. This is where they criticise Agamben's speculative account and prefer Girard's anthropological arguments of exclusion via double inclusion rather than inclusion via double exclusion.[24] Therefore, the problem of the asymmetry of the sacred victim does not exist in the discussion of whether the sacred victim exists as a *double exclusion* or a *double inclusion* but in the possibility and credibility of Agamben's third ontological political sphere. Hence, Girard's and Agamben's divergent political and theological prospects are connected to a more fundamental difference concerning their ontological conceptualisations of the sacred.

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[24] Antonello, "Sacrificing Homo Sacer," 159.