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### Abstract

This paper explores the question of the empirical in the context of its related notion of experience, inasmuch as the latter explicitly brings into play issues about subjectivity. The paper focuses directly on the ideas of the Italian philosopher Giorgio Agamben concerning infancy and experience, voice and speech, and bare life and politics. In doing so, an argument is made that questions Agamben's recourse to a particular form of linguistic model and makes evident the limitations that such a model poses for an understanding of significant transformations in modern forms of sovereignty regarding the socio-political articulation of highly domesticated voices. The paper intends to provide some sociological and social theoretical ground for a consideration of the voice of infancy in contemporary forms of biopolitical sovereignty. In doing so, the paper suggests that infancy is more than a figuration of experimentation, inasmuch as its voice (hovering between babble and the comprehensible) may resonate across an empirical domain, which is reconfigured through such a voice (or voices) heard, taken seriously and touching others.

### Keywords

Agamben, Infancy, Voice, Biopolitics, Sovereignty

## Infancy and Experience: Voice, Politics, and Bare Life

### Introduction

The Italian philosopher Giorgio Agamben, in his *Homo Sacer: Sovereign Power and Bare Life* (1998), presents the following image of a 'secret solidarity' between international humanitarian organisations and sovereign state power:

It takes only a glance at the recent publicity campaigns to gather funds for refugees from Rwanda to realize that here human life is exclusively considered... as sacred life – which is to say, as life that can be killed but not sacrificed – and that only as such is it made into the object of aid and protection. The 'imploring eyes' of the Rwandan child, whose photograph is shown to obtain money but who 'is now becoming more and more difficult to find alive,' may well be the most telling contemporary cipher of the bare life that humanitarian organizations, in perfect symmetry with state power, need. (1998:133-4)

Although, for Agamben, this image leads to his commenting on the contemporary status of 'the refugee' in the context of international human rights and transformations in national sovereignty, for me in this paper it is Agamben's invocation of the infant (the child, literally unable to speak, here subtracted by the photographic image, and reduced to a demand to be looked at) that is the significant point of focus. In *Homo Sacer*, which I shall discuss more later in the essay, Agamben talks about the failure to heal the gap between *zoe* (simple life) and *bios* (a way of life) and between voice (*phōnē*) and speech (*logos*). He argues that: 'Bare life remains included in politics in the form of the exception, that is, as something that is included solely through an exclusion' (ibid: 11). To phrase it simply here, the Rwandan child, as muted bare life, is included within the geo-politics of humanitarian aid, regional development and human rights intervention, only inasmuch as it is excluded absolutely from that sphere of influence. The presence of the

Rwandan child – as an absent presence in the image as symbolic representation – is indicative of the configuration of biopolitical power as a form of sovereignty. Although much discussion of Agamben's ideas in this respect has been almost exclusively limited to the sphere of the nation-state and the geo-political, we might wonder, with respect to the child, what corresponding reconfigurations have been taking place at the level of the domestic and the family. If the infantilised child is so easily figured as 'bare life', to what extent is this figuration a consequence of their lack of political speech? To what extent is the child denied the ability to make claims about the empirical world? To what extent is their inability to speak and to lay claim to their experience linked, not only to their relation to linguistic or political practice, but to our conceptualisation of language and politics? And to what extent is this complex of 'domestic' issues (a reconfiguration of the familiar and the family) tied to those national and geo-political issues about sovereignty and state power?

For Agamben the problematic of bare life and the logic of the exception is intimately tied to 'the idea of an inner solidarity between democracy and totalitarianism' (ibid: 10) and to the fact that 'this idea alone will make it possible to clear the way for the new politics, which remains largely to be invented' (ibid: 10-11). Notwithstanding the hubris of resting such monumental change on a single idea, my paper engages with the political ideas of Agamben with respect to a series of questions about political voice, experience and the biopolitical. I argue that: a) the formulation above, regarding bare life and the form of the exception, is linked to Agamben's

earlier work, from 1978, on infancy, such that infancy is figured as ‘the transcendental experience of the difference between language and speech, which first opens the space of history’ (2007: 60); b) if we are to surpass the stale ground that Agamben re-presents and hopes to move beyond, then a rethinking of the relation between infancy, experience and political voice is necessary; c) the structural model of language hinders an understanding of infant speech that might be mobilised as politically transformative; and, d) the Aristotelian distinctions between voice/speech and household/state (which are central to Agamben’s formulation of biopolitical sovereignty) do not properly stand up to the weight of contemporary sociological knowledge and demand to be rethought in that sociological and social theoretical context.

For Agamben, there is an intimate connection between experience and experimentation. In that sense, he works in the context of the longstanding and etymological linkage from ‘empirical’ to ‘experience’ (the one ancient Greek, the other roughly its Latin translation) mediated by the term ‘experiment’. In modern social thought the empirical tends to refer to that which is observed, whereas experience tends to refer to that subjective process of observing or to the subjective relationality to an external (in a very broad sense) world. Experimentation is the process through which experience of an observed world can be transformed into knowledge. Hence the significance of trial and error in an understanding of modern science. For modern science, Agamben argues, experimentation is a methodologically disciplined form of experience. Of course, a significant aspect of modern philosophical thought has concerned the epistemological question as to

whether knowledge of the world must be only through experience (i.e. empiricism) or whether it is possible to construct knowledge through *a priori* concepts. This genealogy of modern philosophy, and Kant's role within it, plays a significant subtext for Agamben's writing on infancy and experience. For Agamben then, (who elaborates and deconstructs a version of this narrative), 'experience' (as that which might name a 'subjective', simple and pure, relation to the empirical) is problematised through an understanding of the constitution of the subject in language. And yet, as we will see, experience is not only mediated by language, but the fact of such mediation posits infancy as that which stands before language. Infancy becomes, for Agamben, the primary figuration of the empirical. For Agamben then, there is a problem with positing experience of an empirical world as if such experience were existent prior to language. Infancy provides a way of understanding experience in the context of a linguistic constitution of the subject. In Agamben's writing, though, infancy is somewhat ambivalent, both a synonym for experimentation and yet also referring to the infant as that upon which language is acquired. It is this ambivalence that is also played out in his later work on biopolitical sovereignty. Notably, Agamben's understanding of bare life (which is, I argue, in many ways a synonym for infancy) provides an equivalent ambivalence (as it were, both relation and substance).

Thus, for me in this paper, the question of the infant voice is one that opens up the issue of the empirical by refiguring infancy not as passive, but as the active articulator of experience and the empirical. I turn to contemporary sociological research (as a provocation, rather than as something which is

simply *a posteriori*) that might support and nurture such an infant voice. That in itself raises significant questions about the epistemological status of sociological as against philosophical knowledge. Nevertheless, whereas Agamben steadfastly construes a solidarity across democratic and totalitarian political systems and an antinomy, almost, between bare life (*zoe*) and a form of life (*bios*), on the one hand, and voice (*phone*) and political speech (*logos*), on the other, as constituted at a 'historico-philosophical level', we will endeavour to hold these ideas to sociological thought and social theory, not least in the context of research on infancy, experience and voice. In the paper I initially discuss Agamben's writing on infancy and experience. I locate this work in the context of the semiology of Saussure and the development of semantics by Benveniste and suggest a rethinking of Agamben's structural linguistic model. I then turn to Agamben's discussion of political voice and bare life and discuss the reiteration of this structural linguistic model. Finally, I look to contemporary sociological research on children's voice in the context of questions about the 'democratisation of the family' in order to suggest a rethinking of Agamben's thoughts on sovereignty and political voice.

### Infancy and Experience

Agamben, in 'Infancy and History: An Essay on the Destruction of Experience' (originally published in 1978), provides a historico-philosophical engagement with formulations of the relationship between experience and subjectivity primarily from the sixteenth to the twentieth century. Central to his argument is an understanding of infancy as a condition of possibility for the human linguistic subject and for the articulation of experience within and by that

subject. Thus, for example, his discussion of the Symbolist poets does not simply repeat an understanding of the child's infancy inasmuch as its fresh-faced interaction with the world provides the promise of novel interpretation, clarity, and criticism.<sup>1</sup> Rather, he argues that 'modern poetry from Baudelaire onwards is seen to be founded not on new experience, but on an unprecedented lack of experience' (Agamben, 2007: 47). Experience, Agamben argues with regard to Baudelaire, is that which might protect us from surprise, whereas 'the production of shock always implies a gap in experience' (ibid.: 47).<sup>2</sup> For Baudelaire, then, seeing the world as a child implies the expropriation of experience (i.e. the taking away of experience as if it were a property). Agamben argues that: '[p]oetry responds to the expropriation of experience by converting this expropriation into a reason for surviving and making the inexperiencible its normal condition'. But, he argues, this does not imply that the 'new' is a 'new object of experience', only a 'suspension of experience' (ibid.: 47). For Baudelaire, Agamben argues, the expropriation of experience is figured with the finding of a 'common place' and with the 'destruction of experience' therein. Agamben states that:

'[e]strangement, which removes from the most commonplace objects their power to be experienced, thus becomes the exemplary procedure of a poetic project which aims to make of the Inexperiencible the new "lieu commun", humanity's new experience' (ibid.: 48). This common place, paradoxically the space of a new human experience, is, then, one figured through the imagery of infancy, a condition predicated on an originary engagement with objects and a fundamental lack of experience.

However, it is not until the end of the third chapter that Agamben refers directly to infancy and he does so in the context of discussion of Husserl's comment, in *Cartesian Meditations*, about 'pure' and 'mute experience' being 'made to utter' the Cartesian ego cogito (quoted in *ibid.*: 42). For Agamben it is significant that Husserl both presents the cogito here as a linguistic expression and that he does so in terms of a transition from mute to voiced, pure experience to subjectivity. Agamben says:

A theory of experience truly intended to posit the problem of origin in a radical way would then have to start beyond this 'first expression' with experience as 'still mute so to speak' – that is, it would have to ask: does a mute experience exist, does an *infancy* [*in-fancy*] of experience exist? And if so, what is its relationship to language? (*ibid.*: 42)

In the fourth and final chapter, drawing initially on Johann Georg Hamann's eighteenth century critique of Kant (*Metakritik über den Purismus der Vernunft*) (see Alexander, 1966), Agamben is able to be critical of the mathematical and geometric model of the ego that has survived from Descartes, to locate transcendental subjectivity within language, and yet also to problematise any collapse of the transcendental and the linguistic (*ibid.*: 50-1). He argues that 'it is in language that the subject has its site and origin, and that only in and through language is it possible to shape transcendental apperception as an "I think"' (*ibid.*: 51).

It is through the work of the French linguist Émile Benveniste, though, that Agamben properly develops his ideas about infancy, experience and the transcendental. 'Subjectivity', he says, 'is nothing other than the speaker's capacity to posit him or herself as an *ego*, and cannot in any way be defined through some wordless sense of being oneself, nor by deferral to some



ineffable psychic experience of the *ego*, but only through a linguistic I transcending any possible experience' (ibid.: 52). The particularity of the pronoun 'I', Benveniste argues, cannot be defined with reference to a concept of 'I' nor with reference to the ownership of that pronoun by a particular person speaking (in the sense that that pronoun may be used by any person) (Benveniste, 1966). Agamben argues that:

Only on this basis does it become possible to pose the question of experience in unequivocal terms. For if the subject is merely the enunciator, contrary to what Husserl believed, we shall never attain in the subject the original status of experience: 'pure, and thereby still mute experience'. On the contrary, the constitution of the subject in and through language is precisely the expropriation of this "wordless" experience; from the outset, it is always "speech". A primary experience, far from being subjective, could then only be what in human beings comes before the subject – that is, before language: a "wordless" experience in the literal sense of the term, a human *infancy*, whose boundary would be marked by language. (Agamben, 2007: 54).

The mythical circle in which infancy and language explain the origins of each other provides for Agamben, not an impasse, but the possibility of explanation of both infancy and experience. In contrast to accounts that understand infancy as developmental (i.e. in psychological terms, as that which occurs in linear time before language acquisition) or as phylogenetic (as a stage of human history and organisation in the path from primitive to civilised), infancy, for Agamben, is between nature and culture. Infancy is not 'something which chronologically precedes language' (ibid.: 55). Agamben reinterprets the classical understanding of man as the animal that speaks. He argues that: '[a]nimals do not enter language, they are already inside it'. In contrast, he states that: '[m]an, instead, by having an infancy, by preceding speech, splits this single language and, in order to speak, has to constitute himself as the subject of language – he has to say *I*' (ibid.: 59). The constitution of the

subject in language presumes a splitting between language as system and speech as parole (or, in Benveniste's terms, between the semiotic and the semantic), between the voice of nature and the speech of social organisation.

Agamben declares:

It is the fact of man's infancy (in other words, in order to speak, he need to be constituted as a subject within language by removing himself from infancy) which breaks the closed world of the sign and transforms pure language into human discourse, the semiotic into the semantic. Because of his infancy, because he does not speak from the very start, man cannot enter into language as a system of signs without radically transforming it, without constituting it in discourse. (ibid.: 63)

The human is the 'animal deprived of language and obliged, therefore, to receive it from outside himself' (ibid.: 65); language, in this sense, always has a relation of exteriority to human subjectivity.

The splitting between language and discourse (between the semiotic and the semantic) for Agamben, introduces the possibility of human history and experience. Animals reside in a world of semiotic signals, whereas humans inhabit a realm of interpretation and dialogue. Agamben reads Benveniste such that animals are trapped within a domain of the semiotic, a pure system of language; in contrast, humans, because they learn a language and because they come to inhabit a language after their birth, constitute a splitting between an abstracted semiotic system (for Saussure, *langue*) and a semantic world of speech and dialogue (for Saussure, *parole*) (see Benveniste, 1966 and 1974).<sup>3</sup> These two domains, the semiotic and the semantic, though, for Benveniste, are distinct and incommunicable; as Agamben, quoting Benveniste, says 'A moat separates them' (Agamben, 2007: 63); they are 'two transcendental limits which define and simultaneously

are defined by man's infancy' (ibid: 63-4). For Benveniste, the translation of a semiotic order from one language to another (i.e. from one national linguistic system to another) is impossible; and yet, it is certainly possible to translate the semantics from one language to another (see Benveniste, 1966). For Agamben, a semiotic order – an order in which the animal resides – is defined as a natural order, 'the pure pre-babble of nature' (ibid.: 64). Moreover, he argues that '[t]he semantic does not exist except in its momentary emergence from the semiotic in the instance of discourse, whose elements once uttered, fall back into pure language, which reassembles them in its mute dictionary of signs' (ibid.: 64). Agamben asserts that the 'phoneme' (following Roman Jakobson's analysis) enables 'the passage from the semiotic to the semantic', from signs to words, as Benveniste would say (ibid.: 67). Phonemes, for Agamben, reside in 'the correspondence-difference (in the *chōra*, as Plato would have said)' (ibid.: 67). It is because human beings do not have language from the start of their life, Agamben argues, that when they come to speak (when they enter into language from the outside, but with the propensity to do so from the inside) they transform language such that it becomes also discourse (in Benveniste's sense), dialogue, and interpretation. The splitting of language by virtue of the fact of infancy is compensated by the passage of phonemes (sound images, but also sound objects), such that the two sides of the split are able to resonate in harmony (ibid.: 66). Agamben turns finally in the essay to the image of the mouth (open and closed), rather than the moat, as that space through which articulation is possible (ibid.: 70).

In the 'Preface' to this work (written in 1988), Agamben talks about a book not yet written, a book on 'The Human Voice'. He asks whether there is a singularity to the human voice ('as the chirp is the voice of the cricket or the bray is the voice of the donkey'), whether that voice is linguistic, whether human being is defined through a relation to language, and what the nature of the relationship is between voice (*phōnē*) and speech (or language) (*logos*) (2007: 4). His discussion of these questions lead him, as we have seen, to understand the singularity of language not as signifying something ineffable, but 'as something superlatively sayable: the *thing* of language' (ibid.: 4), the 'pure fact that one speaks' (ibid.: 6). The experience of language (defined as an *experimentum linguae*) is defined through the figure of infancy: '[i]nfancy is an *experimentum linguae* of this kind, in which the limits of language are to be found not outside language, in the direction of the referent, but in an experience of language as such, in its pure self-reference' (ibid.: 6). The Kantian transcendental is understood not with reference to pure reason as such, but only inasmuch as that reason is an *experimentum linguae*. Moreover, what is experienced in the *experimentum linguae* is not 'an impossibility of saying', but 'an impossibility of speaking *from the basis of a language*' (ibid.: 8). But whereas in his earlier essay the gap between voice and speech, animal and human, semiotic and semantic, language and discourse was able to be translated through the capacity of the phoneme to travel from one to the other, to make possible a mutual resonance, in this 'Preface' the distance between the two sides is not able to be sutured. The two sides of the binary are not able to be articulated; there is only an empty space or limit; and yet it is that emptiness that constitutes, for Agamben, the

possibility of an ethics. Moreover, he says, in this context, this empty space is a consequence of man finding himself in language without a voice (ibid.: 9-11).

### Problems with Agamben's Linguistic Model

Agamben's re-location of the transcendental within language and his understanding of infancy as that which provides a transcendental experience of the difference between language and discourse, or between the semiotic and the semantic, needs to be questioned with respect to the form of Agamben's linguistic model and to the assignment of language to human infants. Agamben's linguistic model is derived in parts from Saussure and from Benveniste.<sup>4</sup> I will focus primarily on the latter. For Benveniste the human condition is essentially defined by a faculty of symbolisation (and in that respect he comes out of a well-established philosophical and social scientific tradition, see for example Vandenberghe, 2001). The symbol makes possible the formation of a concept with respect to a concrete object; it makes possible representation, abstract thought, and knowledge (Benveniste, 1996: 26). In contrast, animals do not find themselves in a world of symbols, but in a world of signals. Animals are able to communicate with each other, but only inasmuch as that communication is not open to abstraction or interpretation. Whereas humans are able to invent, use and interpret signs, animals are only able to communicate sensory experience. Animals are able to express their emotions; humans are able to name them (Benveniste, 1996: 27). Moreover, whereas humans have culture, which Benveniste understands (following Levi-Strauss) in the context of prohibition, animals do not (Benveniste, 1996: 30).<sup>5</sup>

Agamben readily accepts this understanding of language as primarily symbolic, but he also interprets Benveniste's distinction between the form of language and its function – namely, the distinction between language and discourse, or between the semiotic and the semantic – in the context of a fundamental metaphysical division between the human and the animal. Benveniste, though, is adamant that animals do not have a language as such; bees, for example, do not have the capacity to formulate and interpret a sign (1966: 60). But for Agamben, the *ego cogito* is transposed onto the field of language (to be expressed as a linguistic expression), not because human language is *a priori* distinct from animal language, but rather only inasmuch as animals only live within one form of language (the semiotic), whereas humans (as a consequence of human infancy) live with the two sides of language, both its form and its function (both the semiotic and semantic). And yet (over-and-above any question as to whether Benveniste's writings actually facilitate such a reading) in this formulation by Agamben the semiotic as 'the pure pre-babble of nature' – as that which is shared with the animal – loses its animality, its physicality in the moment of its becoming human, in the moment of its non-articulation with the semantic.<sup>6</sup> In Agamben's discussion, the notion of a 'pure language' (the semiotic) is asked to do too much work. On the one hand, it refers to something comparable to Saussure's notion of linguistic system (*langue*) and to Benveniste's understanding of the correlation of linguistic system and society; and yet, on the other, inasmuch as it is applied to animals, it is seen as akin to the indivisible cry of nature.

This issue raises the important question, if we take Agamben partly at his word but against his intent, as to whether the ‘thing of language’ should be read more in terms of its physicality than its symbolics. If the phoneme is able to offer a moment of resonance between the semiotic and the semantic, the signal and the symbol, the natural and the cultural, as Agamben argues, then it must be on account of its ability to touch both orders, but also on account of it being of both orders; Agamben says that there must be ‘a mediating element which enables the two systems to resonate’ (2007: 66). It is important for Agamben that this mediating element does not fix the two systems (in the sense of locking them into place, into a static existence) and, in that sense, any mediation is subject to a fundamental contingency. Agamben foregrounds the importance of considering the ontology of this mediating element, which he then discusses in terms of its topology as a ‘historico-transcendental region’, namely infancy (ibid.: 67). The phoneme is both a-signifying and signifying; as semiotic it is ‘recognised’ and as semantic it is ‘comprehended’. In the passage across the two orders, the mediating element, the phoneme, itself must transform (as it were from sound object to sound image), such that phoneme (as sound image) within the order of discourse (semantics, *parole*) is properly symbolic and yet holds in the phoneme-as-symbol (as it were) the resonance of the sound object.<sup>7</sup>

Such an understanding of the ‘thing of language’ (and there is a question as to whether the phoneme is an adequate concept for understanding such a thing) might be illuminated with reference to the work of the American pragmatist philosopher Peirce, with respect to the notion of indexical relations

and their differentiation from the symbolic relations: namely, indexical relations are constituted by virtue of a relation of contiguity or connection, whereas symbolic relations are constituted by virtue of a conventional and abstracted relationality (Peirce, 1998: 4-10). Whereas for the index, the sign is physically connected to the object (as when the wind blows a weather cock), for the symbol, the sign, in order to represent an object, can only do so in the absence of that object. Thus, indices constitute relations *in praesentia* and symbols *in absentia*. Returning to Agamben, then, the phoneme-as-mediating-element is understood in the context of both Saussure and Benveniste as symbolic, in the sense that that which is represented is an absent presence. The object is substituted by the symbol, or in this case the phoneme-as-sound-object (that which resides in the pure pre-babble of nature) is substituted by the phoneme-as-sound-image. Inasmuch as the object still resides in the symbol, it does so only as that which is substituted (in its most Derridean form as a trace). In contrast, then, we might wonder that, had Agamben looked to Peirce's understanding of indexical relationality instead, then the question of the ontology of mediation might have been left open as a contingent socio-historical question, rather than being closed down as 'historico-transcendental', as a condition of possibility in the Kantian sense. In this sense, a relation *in praesentia* is not defined *a priori* by an abstraction, but only by virtue of the actual elements present and contiguously connected.

Equally, although Foucault, in his *The Archaeology of Knowledge* (1972), foregrounds 'discursive formation', discourse is that which is able to mediate between 'words' and 'things'. Moreover, his understanding of a discursive



formation is such that it understands that formation in terms of the contingent collection of statements, in terms, that is, not of linguistic structure (*langue*) as the condition of possibility for particular speech acts, but of the conditions of existence of the particular formation of statements (Foucault, 1972). For us here, if we accept the centrality of infancy to an understanding of language and experience, then this would imply a re-conceptualisation of the relation between infancy and experience not as a transcendental, but through the particular contiguously formed conditions of existence of this coupling. The fact of history, in this reformulation, would certainly be removed from this equation as an internal consequence and made to act both internally and externally.

Opening the question of infancy to socio-historical contingency would undoubtedly imply a demand not simply to be critical of an *a priori* division between the human and animal (inasmuch as the animal is both external to the human and the infant-animal within), but to consider the apparatuses through which specific formations of language are distributed across humans. Thus, there would be a demand to understand infancy within, for example, the emergence and growth of a literary culture (both commercial and pedagogic) for children from the seventeenth century onward and the institutionalisation of governmental regimes concerning literacy in the nineteenth and twentieth centuries. The historical ascription of language to children, or the distribution of language across both adults and children, exposes the lie that language is a right of birth. The history and sociology of childhood provide one such site from which we can see how that which has been seen as animal and akin to

animal (inasmuch as the infant has been seen as pre-human and pre-social) might be ascribed both language and subjectivity and also importantly how such a subjectivity has been construed as experiential. In that sense, if we read Agamben sociologically – and such that ‘language’ is not a social universal, but a historically and socially specific array of practices and technologies (Hunter, 1984) – then ‘infancy’ may provide the transcendental experience of the relation between language and discourse, voice and speech, but only inasmuch as that position is akin to Foucault’s historical *a priori* (Foucault, 1972).

### Politics and Voice

Agamben returns, in *Homo Sacer* (written in 1995), to Aristotle’s distinction, in *The Politics*, between voice (*phōnē*) and speech (*logos*) – such that although all animals have the capacity to voice pain and pleasure, only humans through speech can discuss ethics and justice and, moreover, through speech a political community can be formed in the city.<sup>8</sup> But, in this later work, Agamben particularly focuses on Aristotle’s discussion of the relation between voice and the organisation of speech, on the one hand, and a division between the household (*oikos*) and the state (*polis*), on the other, in order to formulate a relation between metaphysics and politics (1998: 7). Aristotle is concerned with differentiating between the household and the state not in terms of scale (as if the state were organised similarly to the household, but only on a larger size), but qualitatively in terms of the form of governance required for each social association. For Aristotle, the management of the household is qualitatively different to the government of a state; the authority

over women, children and slaves is different to that over citizens; and the father or the despot is of a different kind to the statesman. Unlike women, children and slaves, citizens are free men and government over them requires a different kind of authority (1278b30-39). The household is governed by necessity and reproduction (1252a24-33). The state is the *telos* of those earlier associations; 'while it [the city-state, the *polis*] comes into existence for the sake of life [*zēn*], it exists for the good life [*eu zēn*]' (1252b30). The state is the composition of those earlier associations, the whole as against the parts (1253a19-25). The state is governed 'on the principle of equality and of similarity between the citizens' (1279a9-10). For Aristotle, then, it is in man's nature to live collectively in a state (*polis*). In saying so, it is important to distinguish such a form of collective living from that of other gregarious animals, such as bees. The collective living of man, as distinct from other animals, is such that man has the power of speech; man is able to communicate collectively with others like him about the value of particular forms of action. Of course, the working of a gendered, anthropological machine are audible.

For Agamben this discussion bears specifically on an argument concerning the relation between sovereignty and bio-politics in the context of figuring *homo sacer*. It provides a way of differentiating between bare life (*zoē*) and *bios*, 'the form of living proper to an individual or a group' (Agamben, 1998: 1) and for identifying the significance of the former as an 'inclusive exclusion' formative of sovereign power, a form of power that articulates metaphysics and politics for the West. For the purpose of our discussion here, Agamben's

figuring of bare life in *Homo Sacer* mimics his figuring of infancy in the 'Preface' to *Infancy and History* and his discussion of infancy in the main essay of that volume. In *Homo Sacer* Agamben proclaims that '[t]he question "In what way does the living being have language?" corresponds exactly to the question "In what way does bare life dwell in the *polis*?"' (1993: 8). Agamben continues by arguing that: '[t]he living being has *logos* by taking away and conserving its own voice in it, even as it dwells in the *polis* by letting its own bare life be excluded, as an exception, within it' (ibid.: 8). For Agamben, then, the relation between voice and speech and between life and *polis* is the same; it is one predicated on substitution, but such that that which is substituted maintains a presence in its absence. For Agamben, this substitution provides the basis for an understanding of the logic of sovereignty (inasmuch as the sovereign stands both inside and outside the law) and for a life within it; for Agamben, the analogy between living being with life and with voice and the subsequent substitution is understood in terms of the metaphysical underpinning of Western politics: 'There is politics because man is the living being who, in language, separates and opposes himself to his own bare life and, at the same time, maintains himself in relation to that bare life in an inclusive exclusion' (ibid.: 8).<sup>9</sup> The form of the exception, as an inclusive exclusion is more than a simple substitution. Although Agamben looks to ancient forms of juridical discourse to understand the logic of the exception as bare life and as life abandoned or under a ban, he often returns to a structural understanding of language as a fundamental point of explanation. Thus, he presents the following analogy:

As the pure form of relation, language (like the sovereign ban) always already presupposes itself in the figure of something nonrelational, and

it is not possible either to enter into relation or to move out of relation with what belongs to the form of relation itself. This means not that the nonlinguistic is inaccessible to man but simply that man can never reach it in the form of a nonrelational and ineffable presupposition, since the nonlinguistic is only ever to be found in language itself. (1998: 50)

Language, and by structural analogy the law, 'presupposes the nonlinguistic as that with which it must maintain itself in a virtual relation (in the form of a *langue* or, more precisely, a grammatical game, that is, in the form of a discourse whose actual denotation is maintained in infinite suspension) so that it may later denote it in actual speech' (ibid: 1998: 20). Equally, then, 'the law presupposes the nonjuridical (for example, mere violence in the form of the state of nature) as that with which it maintains itself in a potential relation in the state of exception. *The sovereign exception (as zone of indistinction between nature and right) is the presupposition of the juridical reference in the form of its suspension*' (ibid: 20-1, italics in original; see also 2005: 36 and 39). In no uncertain terms Agamben declares:

Language is the sovereign who, in a permanent state of exception, declares that there is nothing outside language and that language is always beyond itself. The particular structure of law has its foundation in this presuppositional structure of human language. It expresses the bond of inclusive exclusion to which a thing is subject because of the fact of being in language, of being named. To speak [*dire*] is, in his sense, always to 'speak the law', *ius dicere*. (ibid: 21)

The virtual relationality of 'pure language' and 'pure law' is a structural relationality that contains within itself, so Agamben argues, the condition of possibility for all particular acts of speech and law. Whereas in 'Infancy and History' it was infancy that provided the figure of inclusive exclusion (that provided the non-articulation of the inside and outside of language, the animal and the human), in *Homo Sacer* (and also *State of Exception*) it is the figure

of 'bare life'. In bare life the structural relation between pure language and speech is understood in the context of a discussion of Aristotle's distinction between potential (*dynamis*) and actual (*energeia*) and also perhaps of the reading of structure that is made by Deleuze in *Difference and Repetition* (1994). But just as with the problem of infancy, we might wonder whether it is its construction as a transcendental form (whether Kantian or structural) that is itself the problem. How is it possible to surpass the problematic of 'bare life' if the inclusive exclusion of such a life is a structural necessity? And, thus for us, how is it possible to articulate a politics of infant voice? Moreover, if there is a structural analogy between language, sovereignty and law, is not politics itself reduced to the domain of the national as a necessary *a priori* imposition? The contemporary movement of peoples and languages, just as in the past, would suggest a hesitation with respect to such strict correspondences.

### Sociological Reflections on Children's Voice

In this final section of the paper I raise a fundamental question with framing a contemporary analysis of political voice and biopolitical governmentality in the context of ancient Greek and Roman thought about household, polity, and patriarchal authority. I thus reframe the questions of infant voice in the context of contemporary sociological and social theoretical knowledge.<sup>10</sup> For Agamben, in the context of modern sovereignty, 'the exception everywhere becomes the rule' and we enter 'a zone of irreducible indistinction' (ibid.: 9). But we should stress – in terms of our concerns here with infancy and children's organised speech – that in modernity any division between household and polity cannot be predicated on a difference between the head

of the family and the statesman; not simply because of an increasing bio-power, but also because of the productive indistinction across household and state, generationality and sovereignty, infancy and political speech. The anomaly that makes possible sovereign power (as the transgression of *oikos* and *polis*, *domus* and *civitas*, in the purview of *patria potestas* and bare life) is one that is fractured precisely as a consequence of a series of productive indistinctions that give life to characters emerging out of the household and taking with them some of the capacities once closely held by the *pater familias*.<sup>11</sup>

Contemporary sociology – in its conceptualisation of the democratisation of the family and of children’s rights – has worked out of the context of classical thinking on the relation between the household and the state in fifth century BC Athens and the nature of authority and paternal power in Republican and Imperial Rome. For example, Ulrich Beck in his paper ‘Democratization of the family’ implicitly sites contemporary forms of democratisation in the context of a notion of the *patria potestas*. He says that ‘it remains the fact that children are “serfs” by virtue of their birth’, that is despite the political, legal and moral framing of such power ‘in the guise of care’ (1997: 161). In contrast, Western modernisation – especially in the context of the leading edge of Swedish social democratic family policy – has provided children with a series of entitlements, not least of which is the child’s claim to a life of their own. Beck declares: ‘The right of the child to a life of their own is paramount’ and the ‘rights of a child to a self-determined life are even enforced against the parents if necessary’ (ibid: 162). In such circumstances where the state

intervenes in order to facilitate the right of the child to a life of their own the distinction between private and public, between *oikos* and *polis*, is surpassed; this zone of indistinction is discussed by Beck in terms of a 'deprivatisation of privacy' (ibid: 162). Moreover, Beck argues that moral authority becomes individualised, not such that individualisation is an external imposing process, but rather such that it is something that young people do to themselves: "Biographization" of youth means becoming active, struggling and designing ones own life. A life of one's own is becoming an everyday problem for action, staging and self-representation' (ibid: 163). For Beck the categories of young people (he mentions 'youth', but we should add 'childhood' as well) no longer operate as common standards: 'A life of one's own... is an experimental life, a probationary life' (ibid: 164). Beck provides one framing of a more general debate about children's rights and a democratisation of the family that we can see in wide ranging research across sociology and social theory.

For example, in the late 1990s, research by Carol Smart and her colleagues paved the way for substantial re-conceptualisation of the family, specifically with regard to children after parental separation or divorce. Smart looked not only to the adults, but to the children as well.<sup>12</sup> She argues that '[t]reating children as reflexive social actors is more than a theoretical perspective, for it raises questions about the whole tenor of child-adult relationships' (Smart et al, 2001: 14). Importantly, the shift in conceptual and methodological thinking that Smart and her colleagues invoked was such that the family members could no longer be presumed to 'think or feel the same way, or that their



interests and identities [could be] merged within an inseparable or tightly integrated unit' (Smart et al, 2001: 18).

In other words, this approach eschews the tendency towards children's familialization... for it grants conceptual autonomy to individual family members. Within this formulation, then, children need no longer be invisible; they emerge as fully fledged family members, actively engaged in negotiating their own family practices and relationships. They no longer just belong to families; as reflexive agents of their own lives they are part of the creation of families. (Smart et al, 2001: 18)

This perspective falls on the significance of the child's voice and in this way the research of Smart and her colleagues is symptomatic of other research that pays attention to children, not simply as agents, but as speaking subjects.<sup>13</sup> Although Smart and her colleagues are cautious about the relation between children's voice and a political transformation of the family, social theorists, such as Anthony Giddens, have been less circumspect. Giddens states that '[t]he family is a basic institution of civil society' (1998: 89), but he continues by declaring that: 'The family is becoming democratized... Democratization in the context of the family implies equality, mutual respect, autonomy, decision-making through communication and freedom from violence' (Giddens, 1998: 93). He constructs the democratic family as a policy ideal and objective. It is one which seeks to accommodate changes in family forms (such as, non-heterosexual families or 'fragmented' families), but also to recognise the importance of family in the stability of children's lives (e.g. children are seen to grow up more psychologically secure, better able to achieve academic success, more confident in sexual and social relationships within the framework of constant non-conflictual co-parenting relations).<sup>14</sup> The democratic family is one predicated on emotional and sexual equality, mutual rights and responsibilities, co-parenting, life-long parental contracts,

negotiated authority over children, obligations of children to parents and socially integration (Giddens, 1998: 95).<sup>15</sup>

But these productive indistinctions regarding the democratic household are rooted in older social transformations. As Lasch argues, 'a combination of philanthropists, educators, and social reformers' began to side with 'the weaker members of the family against patriarchal authority', 'children gained a certain independence from both parents, not only because other authorities asserted their jurisdiction over childhood but because parents lost confidence in the old rules of child-rearing and hesitated to assert their own claims in the face of professional expertise' (1984: 185-6). Although we should be cautious of Lasch's argument here, it certainly construes a democratisation of the family alongside an individualisation of family members. However, it does so, not in a manner of applause, but in a way that rightly construes the voice of the child, as it were, in the context of those who support and make possible that voice, namely, those 'outside' as well as 'inside' the family. The problematisation of the household as a democratic space looks as if it is predicated on the transposition of a model of sovereignty from the domain of the state; and yet at the same time any patriarchal sovereignty within the household (inasmuch as the father is the despot) is undermined by a figuration of child with political voice, or rather with speech and not simply domesticated voice. Thus, the biopolitical figuration of children with speech (i.e. as organised voice) is a condition of new configurations of sovereignty.<sup>16</sup> As Agamben says, '[i]f anything characterizes modern democracy as opposed to classical democracy, then, it is that modern democracy presents itself from

the beginning as a vindication and liberation of *zoē*, and that it is constantly trying to transform its own bare life into a way of life and to find, so to speak, the *bios* of *zoē*' (Agamben, 1998: 9). Contemporary sociology, then, is able to provide different accounts of how the bare life of the infant can be helped to speak through the support of others (not least those aligned with the authority of the state). In doing so, the 'relations' of both epistemology and sovereignty may appear to be in transformation. To speak as a child is not to usurp the authority and power of the father; political voice is not a matter of subtraction. To construct children as an experiential subject is to construct them with speech (i.e. to undo the claim that others have had of them in formation of dialogue – speech and counter-speech). Clearly the empirical implications of this are much more than this single essay can address.

### Conclusion

There are, then, some significant issues to consider.

a) There are repeated motifs across Agamben's work on infancy and experience and his work on biopolitical sovereignty. The dependence on a formulation of language as a systemic, purified and virtual relationality, such that actual speech is a necessary perversion is evident across both sets of writings. Although the reworking of a Kantian transcendental condition of possibility is different from the deployment of Aristotelian notions of potential and actual, the 'formalism' of Agamben's argument in both cases provides us with little opportunity to meet the demand, that Agamben himself makes of us, to move beyond the historico-philosophical present.<sup>17</sup>

b) The translation of this generative structural model across Agamben's writing also facilitates the appearance of particular figures which have a 'structural' similarity (in the sense that they constitute important figures in the discursive formation of Agamben's writing). Of particular significance for us are the similar figurations of infancy and bare life.

c) But although Agamben has recourse to a structural model of language, we suggest that a model of discursive practice or semiotic relationality that foregrounds relations of contiguity is one that is able both to present the important concerns that are raised by Agamben, but also suggest a historico-sociological way forward. Understanding the relation between infancy and experience as a condition of existence, rather than condition of possibility, constitutes the problem as particular to a particular *episteme* that we have not surpassed. This is a sociological problem – regarding, in part, the distribution of communicative entitlements to children, the sites and conditions under which they may speak, and the authority with which such speech may be endowed – rather than a purely historico-philosophical one.

d) In this respect, contemporary sociological analysis that considers how infants and children might be given socio-political voice provides a way of reconfiguring Agamben's insights into both infancy, voice, and biopolitical sovereignty. In such a framing, the warning of the solidarity between democracy and totalitarianism is read not as a historico-philosophical necessity, but as a problematisation to genealogically and sociologically deconstruct.

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## Endnotes

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<sup>1</sup> For example, that we might see in Henri Lefebvre's understanding of Baudelaire and Rimbaud (Lefebvre, 1992; see also Elden, 2006). We should also note that Agamben's discussion of experience, and also some of his examples (such as the reference to the Symbolist poets) in this essay is heavily indebted to Walter Benjamin's 'The storyteller' and 'The programme for the coming of philosophy' (1973 and 1989).

<sup>2</sup> We should note that Baudelaire himself talks not simply of a lack of experience, but of the 'correspondence' of senses and sensations:

As far-off echoes from a distance sound  
In unity profound and recondite,  
Boundless as night itself and as the light,  
Sounds, fragrances and colours correspond. (Baudelaire, 1975: 43)

It is also significant that Rimbaud talks of the disordering of the senses: 'The poet makes himself a *visionary* through a long, a prodigious and rational disordering of *all* the senses' (Rimbaud, 1957: xxx). It is only in doing so that the poet is able to make the leap and be destroyed by 'those unnameable, unutterable and innumerable things', namely, when the poet 'arrives at the unknown' (ibid.: xxxi)

<sup>3</sup> I repeat the binary series langue/parole, semiotic/semantic, language/discourse, not in order to misconstrue the differences between Saussure and Benveniste, but because Agamben, despite referring to the difference between the two linguists, never properly differentiates between them and uses terms, such as langue and semiotic interchangeably, alongside ideas such as 'pure language'.

<sup>4</sup> This is not to deny the many other influences on Agamben's ideas about language (notably Benjamin's notion of 'pure language'), but for our reading of 'Infancy and History' Saussure and Benveniste are more significant (cf. Agamben, 1999).

<sup>5</sup> Matthew Calarco has discussed some of the problems in Agamben's earlier work on the relation between human and animal and in his engagement with that problematic in his later work, such as *The Open: Man and Animal* (2004). Calarco particularly foregrounds the

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problems of drawing on Heidegger and Benveniste in formulating an account of human subjectivity (Calarco, 2007).

<sup>6</sup> Agamben frames this problematic differently in *The Open* (2004).

<sup>7</sup> Of course, Benveniste has none of this and simply talks about 'phonemes' with respect to the semiotic and 'words' in the context of semantics.

<sup>8</sup> It is curious why in this later work the question of infancy is little to be found. And yet the infant constitutes an exemplary figure of bare life, representing both that which is within the household and (for example, in the figure of the abandoned child or even in the discourse of child socialisation) that which is external to the *polis* (see for example Agamben, 1998: 105). The infant (and mother and slave), both animal and human, is quintessentially the object of paternal power.

<sup>9</sup> We could add, following this logic, that there is politics because 'man' separates and opposes himself to infancy as that inclusive exclusion; namely, the *polis* is defined through a constitution of maturity, but where infancy is figured as the liminal and limit figure of experimentation and experience. But we are certainly wary of such a move in this essay.

<sup>10</sup> I do so not in the sense that there might be perceived an opposition between historico-philosophical knowledge as abstract and formalistic and historico-sociological knowledge as concrete and substantive.

<sup>11</sup> Agamben says that:

Every attempt to rethink the political space of the West must begin with the clear awareness that we no longer know anything of the classical distinction between *zoē* and *bios*, between private life and political existence, between man as a simple living being at home in the house and man's political existence in the city. (1998: 187)

But for Agamben the zone of indistinction is ultimately linked to 'the camp'. We would certainly question, without denying its significance, such a reduction. The discourse of gender and feminism is remarkably absent in Agamben's discussion.

<sup>12</sup> In doing so, she helped to put flesh on the legal structure set in place by the Children's Act of 1989 in the UK that legally provided for children to have some kind of voice in matters that affect their lives.

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<sup>13</sup> For example, Jan Pryor and Robert E. Emery, in their research on children's understandings of divorce in the US, declare that '[c]hildren are encouraged to be articulate, to express opinions on everything from bedroom décor to world events, and to be independent'. They state clearly a discourse on children's political voice, namely that '[f]amilies have become, by and large, democratic units allowing considerable participation by all members' (Pryor and Emery, 2004: 171).

<sup>14</sup> For Giddens, these new family forms are symptomatic of the increasing importance of the self as a reflexive project, as one guided toward self-actualisation, as one formed through relationships of mutual self-disclosure and one formed through a concern for self-fulfilment (Giddens, 1991: 125). But also importantly these personal relationships and this formation of the self are constructed through relations at a distance. These are relations that are not predicated on the centrality of place, but on the disembedding of self and social relations from place and their stretching across space and time in abstract, mediated systems. What was once thought of as the hearth of the family – intimacy and community – are disembedded from their household location and distributed across space and time. Of course, modern communications help to facilitate such disembedding. Thus, where once we might have conflated family, home and household, we are now more circumspect about such prejudices.

<sup>15</sup> The difference between Smart et al's and Giddens' formulations here is clear: whereas Smart et al construe children's voices as a form of independence from 'the family', Giddens seems to confine their voices within 'the family', albeit now reformed and democratic. The migration across or the security of the boundary between household and state is crucial here in understanding children's voice and experiential being.

<sup>16</sup> It is surprising that Foucault, in his lectures on psychiatric power in 1973, talks about a system of sovereignty within the family (namely through the authority of the patriarch) in contrast to wider disciplinary shifts in society, but also in the sense that such familial sovereignty acts as the mechanism that links individual family members and the family as a whole to modern forms of governmentality (i.e. discipline) (Foucault, 2006: 80-7). This is surprising because it is precisely with the emergence of modern forms of the family in the nineteenth century that we begin to see the individualisation of family members, precisely as

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constructed through forms of disciplinary power and knowledge. In this sense, then, we might construe any sovereignty of the family (namely, as a democratic unit, a discrete sovereign territory ruled by its people, the family members) as a simulacra maintained through the workings of government that holds individual family members (both adults and children) as accountable within the terms and conditions of contemporary and institutionalised forms of 'democracy'. Thus, the question is not whether the family is democratic, but who and in what context is the family, and importantly children, demanded to be democratic, to speak for themselves and to be held to account. Such an understanding, albeit not wanting to be critical of recent progressivist moves (hence unlike Lasch and Donzelot), would certainly wonder whether the demand for children to have a voice is an obligation within a relay of authorities out of their control and not necessarily in support of their interests. As Pryor and Emery state, 'children often do not want to make decisions about adult matters, even when they are deeply affected by them. In our zeal for recognizing the rights of children we may overinterpret their desire to have a voice in family matters' (Pryor and Emery, 2004: 171). This implies having a high degree of sensitivity to children's 'voices' that does not construct an obligation to be responsible. They argue that:

Children often seem to understand that responsibility is the corollary of rights. Young children especially are clear that they do not want to be responsible for major decisions at these times [of divorce]. It may be, then, that adults are well advised to provide a scaffolding structure for children within which they are enabled to foster, maintain, and abstain from relationships as far as possible... to create and maintain an atmosphere... within which children can exercise agency in creating their own relationship network and identity. (Pryor and Emery, 2004: 186).

Contemporary forms of governmentality of families, then, needs not simply to address the parent as the relay of sovereignty, but to address individual family members, namely in our case children, in a manner that allows the interlocutor not only to speak, but also to stay silent, to have some control (whether actively or passively) over the conditions of communication and the relations of government.

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<sup>17</sup> As William E. Connolly argues 'the formalism of his analysis disarms the most promising ways to negotiate it' (2007: 28).