

## § 7. The Camp as the 'Nomos' of the Modern

7.1. What happened in the camps so exceeds the juridical concept of crime that the specific juridico-political structure in which those events took place is often simply omitted from consideration. The camp is merely the place in which the most absolute *conditio inhumana* that has ever existed on earth was realized: this is what counts in the last analysis, for the victims as for those who come after. Here we will deliberately follow an inverse line of inquiry. Instead of deducing the definition of the camp from the events that took place there, we will ask: What is a camp, what is its juridico-political structure, that such events could take place there? This will lead us to regard the camp not as a historical fact and an anomaly belonging to the past (even if still verifiable) but in some way as the hidden matrix and *nomos* of the political space in which we are still living.

Historians debate whether the first camps to appear were the *campos de concentraciones* created by the Spanish in Cuba in 1896 to suppress the popular insurrection of the colony, or the "concentration camps"<sup>1</sup> into which the English herded the Boers toward the start of the century. What matters here is that in both cases, a state of emergency linked to a colonial war is extended to an entire civil population. The camps are thus born not out of ordinary law (even

1. In English in the original.—Trans.

less, as one might have supposed, from a transformation and development of criminal law) but out of a state of exception and martial law. This is even clearer in the Nazi *Lager*, concerning whose origin and juridical regime we are well informed. It has been noted that the juridical basis for internment was not common law but *Schutzhaft* (literally, protective custody), a juridical institution of Prussian origin that the Nazi jurists sometimes classified as a preventative police measure insofar as it allowed individuals to be "taken into custody" independently of any criminal behavior, solely to avoid danger to the security of the state. The origin of *Schutzhaft* lies in the Prussian law of June 4, 1851, on the state of emergency, which was extended to all of Germany (with the exception of Bavaria) in 1871. An even earlier origin for *Schutzhaft* can be located in the Prussian laws on the "protection of personal liberty" (*Schutz der persönlichen Freiheit*) of February 12, 1850, which were widely applied during the First World War and during the disorder in Germany that followed the signing of the peace treaty. It is important not to forget that the first concentration camps in Germany were the work not of the Nazi regime but of the Social-Democratic governments, which interned thousands of communist militants in 1923 on the basis of *Schutzhaft* and also created the *Konzentrationslager für Ausländer* at Cottbus-Sielow, which housed mainly Eastern European refugees and which may, therefore, be considered the first camp for Jews in this century (even if it was, obviously, not an extermination camp).

The juridical foundation for *Schutzhaft* was the proclamation of the state of siege or of exception and the corresponding suspension of the articles of the German constitution that guaranteed personal liberties. Article 48 of the Weimar constitution read as follows: "The president of the Reich may, in the case of a grave disturbance or threat to public security and order, make the decisions necessary to reestablish public security, if necessary with the aid of the armed forces. To this end he may provisionally suspend [*ausser Kraft setzen*] the fundamental rights contained in articles 114, 115, 117, 118, 123, 124, and 153." From 1919 to 1924, the Weimar governments declared the state of exception many times, sometimes prolonging

it for up to five months (for example, from September 1923 to February 1924). In this sense, when the Nazis took power and proclaimed the "decree for the protection of the people and State" (*Verordnung zum Schutz von Volk und Staat*) on February 28, 1933, indefinitely suspending the articles of the constitution concerning personal liberty, the freedom of expression and of assembly, and the inviolability of the home and of postal and telephone privacy, they merely followed a practice consolidated by previous governments.

Yet there was an important novelty. No mention at all was made of the expression *Ausnahmezustand* ("state of exception") in the text of the decree, which was, from the juridical point of view, implicitly grounded in article 48 of the constitution then in force, and which without a doubt amounted to a declaration of the state of exception ("articles 114, 115, 117, 118, 123, 124, and 153 of the constitution of the German Reich," the first paragraph read, "are suspended until further notice"). The decree remained de facto in force until the end of the Third Reich, which has in this sense been aptly defined as a "Night of St. Bartholomew that lasted twelve years" (Drobisch and Wieland, *System*, p. 26). *The state of exception thus ceases to be referred to as an external and provisional state of factual danger and comes to be confused with juridical rule itself.* National Socialist jurists were so aware of the particularity of the situation that they defined it by the paradoxical expression "state of willed exception" (*einen gewollten Ausnahmezustand*). "Through the suspension of fundamental rights," writes Werner Spohr, a jurist close to the regime, "the decree brings into being a state of willed exception for the sake of the establishment of the National Socialist State" (quoted *ibid.*, p. 28).

7.2. The importance of this constitutive nexus between the state of exception and the concentration camp cannot be overestimated for a correct understanding of the nature of the camp. The "protection" of freedom that is at issue in *Schutzhaft* is, ironically, protection against the suspension of law that characterizes the emergency. The novelty is that *Schutzhaft* is now separated from the state of exception on which it had been based and is left in force in the normal situation. *The camp is the space that is opened when the state*

*of exception begins to become the rule.* In the camp, the state of exception, which was essentially a temporary suspension of the rule of law on the basis of a factual state of danger, is now given a permanent spatial arrangement, which as such nevertheless remains outside the normal order. When Himmler decided to create a "concentration camp for political prisoners" in Dachau at the time of Hitler's election as chancellor of the Reich in March 1933, the camp was immediately entrusted to the SS and—thanks to *Schutzhaft*—placed outside the rules of penal and prison law, which then and subsequently had no bearing on it. Despite the multiplication of the often contradictory communiqués, instructions, and telegrams through which the authorities both of the Reich and of the individual *Länder* took care to keep the workings of *Schutzhaft* as vague as possible after the decree of February 28, the camp's absolute independence from every judicial control and every reference to the normal juridical order was constantly reaffirmed. According to the new notions of the National Socialist jurists (among whom Carl Schmitt was in the front lines); which located the primary and immediate source of law in the Führer's command, *Schutzhaft* had, moreover, no need whatsoever of a juridical foundation in existing institutions and laws, being "an immediate effect of the National Socialist revolution" (Drobisch and Wieland, *System*, p. 27). Because of this—that is, insofar as the camps were located in such a peculiar space of exception—Diels, the head of the Gestapo, could declare, "Neither an order nor an instruction exists for the origin of the camps: they were not instituted; one day they were there [*sie waren nicht gegründet, sie waren eines Tages da*]" (quoted *ibid.*, p. 30).

Dachau and the other camps that were immediately added to it (Sachsenhausen, Buchenwald, Lichtenberg) remained almost always in operation—what varied was the size of their population (which in certain periods, in particular between 1935 and 1937, before the Jews began to be deported, diminished to 7,500 people). But in Germany the camp as such had become a permanent reality.

7.3. The paradoxical status of the camp as a space of exception must be considered. The camp is a piece of land placed outside the

normal juridical order, but it is nevertheless not simply an external space. What is excluded in the camp is, according to the etymological sense of the term "exception" (*ex-capere*), taken outside, included through its own exclusion. But what is first of all taken into the juridical order is the state of exception itself. Insofar as the state of exception is "willed," it inaugurates a new juridico-political paradigm in which the norm becomes indistinguishable from the exception. The camp is thus the structure in which the state of exception—the possibility of deciding on which founds sovereign power—is realized *normally*. The sovereign no longer limits himself, as he did in the spirit of the Weimar constitution, to deciding on the exception on the basis of recognizing a given factual situation (danger to public safety): laying bare the inner structure of the ban that characterizes his power, he now de facto produces the situation as a consequence of his decision on the exception. This is why in the camp the *quaestio iuris* is, if we look carefully, no longer strictly distinguishable from the *quaestio facti*, and in this sense every question concerning the legality or illegality of what happened there simply makes no sense. *The camp is a hybrid of law and fact in which the two terms have become indistinguishable.*

Hannah Arendt once observed that in the camps, the principle that supports totalitarian rule and that common sense obstinately refuses to admit comes fully to light: this is the principle according to which "everything is possible." Only because the camps constitute a space of exception in the sense we have examined—in which not only is law completely suspended but fact and law are completely confused—is everything in the camps truly possible. If this particular juridico-political structure of the camps—the task of which is precisely to create a stable exception—is not understood, the incredible things that happened there remain completely unintelligible. Whoever entered the camp moved in a zone of indistinction between outside and inside, exception and rule, licit and illicit, in which the very concepts of subjective right and juridical protection no longer made any sense. What is more, if the person entering the camp was a Jew, he had already been deprived of his rights as a citizen by the Nuremberg laws and was subsequently

completely denationalized at the time of the Final Solution. Insofar as its inhabitants were stripped of every political status and wholly reduced to bare life, the camp was also the most absolute biopolitical space ever to have been realized, in which power confronts nothing but pure life, without any mediation. This is why the camp is the very paradigm of political space at the point at which politics becomes biopolitics and *homo sacer* is virtually confused with the citizen. The correct question to pose concerning the horrors committed in the camps is, therefore, not the hypocritical one of how crimes of such atrocity could be committed against human beings. It would be more honest and, above all, more useful to investigate carefully the juridical procedures and deployments of power by which human beings could be so completely deprived of their rights and prerogatives that no act committed against them could appear any longer as a crime. (At this point, in fact, everything had truly become possible.)

7.4. The bare life into which the camp's inhabitants were transformed is not, however, an extrapolitical, natural fact that law must limit itself to confirming or recognizing. It is, rather, a threshold in which law constantly passes over into fact and fact into law, and in which the two planes become indistinguishable. It is impossible to grasp the specificity of the National Socialist concept of race—and, with it, the peculiar vagueness and inconsistency that characterize it—if one forgets that the *biopolitical body* that constitutes the new fundamental political subject is neither a *quaestio facti* (for example, the identification of a certain biological body) nor a *quaestio iuris* (the identification of a certain juridical rule to be applied), but rather the site of a sovereign political decision that operates in the absolute indistinction of fact and law.

No one expressed this peculiar nature of the new fundamental biopolitical categories more clearly than Schmitt, who, in the essay "State, Movement, People," approximates the concept of race, without which "the National Socialist state could not exist, and without which its juridical life would not be possible," to the "general and indeterminate clauses" that had penetrated ever more

deeply into German and European legislation in the twentieth century. In penetrating invasively into the juridical rule, Schmitt observes, concepts such as "good morals," "proper initiative," "important motive," "public security and order," "state of danger," and "case of necessity," which refer not to a rule but to a situation, rendered obsolete the illusion of a law that would a priori be able to regulate all cases and all situations and that judges would have to limit themselves simply to applying. In moving certainty and calculability outside the juridical rule, these clauses render all juridical concepts indeterminate. "In this sense," Schmitt writes, with unwittingly Kafkaesque accents,

today there are now only 'indeterminate' juridical concepts. . . . The entire application of law thus lies between Scylla and Charybdis. The way forward seems to condemn us to a shoreless sea and to move us ever farther from the firm ground of juridical certainty and adherence to the law, which at the same time is still the ground of the judges' independence. Yet the way backward, which leads toward the formalistic superstition of law which was recognized as senseless and superseded long ago, is not worthy of consideration. (ibid., pp. 43-44)

A concept such as the National Socialist notion of race (or, in the words of Schmitt, of "equality of stock") functions as a general clause (analogous to "state of danger" or to "good morals") that does not refer to any situation of external fact but instead realizes an immediate coincidence of fact and law. The judge, the civil servant, or whoever else has to reckon with such a notion no longer orients himself according to a rule or a situation of fact. Binding himself solely to his own community of race with the German people and the Führer, such a person moves in a zone in which the distinction between life and politics, between questions of fact and questions of law, has literally no more meaning.

7.5. Only from this perspective does the National Socialist theory that posits the immediate and intrinsically perfect source of law in the word of the Führer acquire its full significance. Just as the word of the Führer is not a factual situation that is then trans-

formed into a rule, but is rather itself rule insofar as it is living voice, so the biopolitical body (in its twofold appearance as Jewish body and German body, as life unworthy of being lived and as full life) is not an inert biological presupposition to which the rule refers, but at once rule and criterion of its own application, *a juridical rule that decides the fact that decides on its application*.

The radical novelty implicit in this conception has not been sufficiently noticed by historians of law. Not only is the law issued by the Führer definable neither as rule nor as exception and neither as law nor as fact. There is more: in this law, the formation of a rule [*normazione*] and the execution of a rule—the production of law and its application—are no longer distinguishable moments. (Benjamin understood this when he projected the Schmittian theory of sovereignty onto the baroque monarch, in whom "the gesture of execution" becomes constitutive and who, having to decide on the exception, is caught in the impossibility of making a decision [*Ursprung*, pp. 249-50].) The Führer is truly, according to the Pythagorean definition of the sovereign, a *nomos empsuchon*, a living law (Svenbro, *Phrasikleia*, p. 149). (This is why the separation of powers that characterizes the liberal-democratic State loses its meaning here, even if it remains formally in effect. Hence the difficulty of judging according to normal juridical criteria when judging those officials who, like Adolf Eichmann, did nothing other than execute the word of the Führer as law.)

This is the ultimate meaning of the Schmittian thesis that the principle of *Führung* is "a concept of the immediate present and of real presence" ("Staat," p. 42). And this is why Schmitt can affirm, without contradiction: "It is general knowledge among the contemporary German political generation that precisely the decision concerning whether a fact or a kind of thing is apolitical is a specifically political decision" (ibid., p. 17). Politics is now literally the decision concerning the unpolitical (that is, concerning bare life).

The camp is the space of this absolute impossibility of deciding between fact and law, rule and application, exception and rule, which nevertheless incessantly decides between them. What confronts the guard or the camp official is not an extrajudicial fact (an

individual biologically belonging to the Jewish race) to which he must apply the discrimination of the National Socialist rule. On the contrary, every gesture, every event in the camp, from the most ordinary to the most exceptional, enacts the decision on bare life by which the German biopolitical body is made actual. The separation of the Jewish body is the immediate production of the specifically German body, just as its production is the application of the rule.

7.6. If this is true, if the essence of the camp consists in the materialization of the state of exception and in the subsequent creation of a space in which bare life and the juridical rule enter into a threshold of indistinction, then we must admit that we find ourselves virtually in the presence of a camp every time such a structure is created, independent of the kinds of crime that are committed there and whatever its denomination and specific topography. The stadium in Bari into which the Italian police in 1991 provisionally herded all illegal Albanian immigrants before sending them back to their country, the winter cycle-racing track in which the Vichy authorities gathered the Jews before consigning them to the Germans, the *Konzentrationslager für Ausländer* in Cottbus-Sielow in which the Weimar government gathered Jewish refugees from the East, or the *zones d'attentes* in French international airports in which foreigners asking for refugee status are detained will then all equally be camps. In all these cases, an apparently innocuous space (for example, the Hôtel Arcades in Roissy) actually delimits a space in which the normal order is de facto suspended and in which whether or not atrocities are committed depends not on law but on the civility and ethical sense of the police who temporarily act as sovereign (for example, in the four days during which foreigners can be held in the *zone d'attente* before the intervention of the judicial authority).

7.7. In this light, the birth of the camp in our time appears as an event that decisively signals the political space of modernity itself. It is produced at the point at which the political system of the modern nation-state, which was founded on the functional nexus

between a determinate localization (land) and a determinate order (the State) and mediated by automatic rules for the inscription of life (birth or the nation), enters into a lasting crisis, and the State decides to assume directly the care of the nation's biological life as one of its proper tasks. If the structure of the nation-state is, in other words, defined by the three elements *land, order, birth*, the rupture of the old *nomos* is produced not in the two aspects that constituted it according to Schmitt (localization, *Ortung*, and order, *Ordnung*), but rather at the point marking the inscription of bare life (the *birth* that thus becomes *nation*) within the two of them. Something can no longer function within the traditional mechanisms that regulated this inscription, and the camp is the new, hidden regulator of the inscription of life in the order—or, rather, the sign of the system's inability to function without being transformed into a lethal machine. It is significant that the camps appear together with new laws on citizenship and the denationalization of citizens—not only the Nuremberg laws on citizenship in the Reich but also the laws on denationalization promulgated by almost all European states, including France, between 1915 and 1933. The state of exception, which was essentially a temporary suspension of the juridico-political order, now becomes a new and stable spatial arrangement inhabited by the bare life that more and more can no longer be inscribed in that order. The growing dissociation of birth (bare life) and the nation-state is the new fact of politics in our day, and what we call *camp* is this disjunction. To an order without localization (the state of exception, in which law is suspended) there now corresponds a localization without order (the camp as permanent space of exception). The political system no longer orders forms of life and juridical rules in a determinate space, but instead contains at its very center a *dislocating localization* that exceeds it and into which every form of life and every rule can be virtually taken. The camp as dislocating localization is the hidden matrix of the politics in which we are still living, and it is this structure of the camp that we must learn to recognize in all its metamorphoses into the *zones d'attentes* of our airports and certain outskirts of our cities. The camp is the fourth, inseparable element

that has now added itself to—and so broken—the old trinity composed of the state, the nation (birth), and land.

From this perspective, the camps have, in a certain sense, reappeared in an even more extreme form in the territories of the former Yugoslavia. What is happening there is by no means, as interested observers have been quick to declare, a redefinition of the old political system according to new ethnic and territorial arrangements, which is to say, a simple repetition of processes that led to the constitution of the European nation-states. At issue in the former Yugoslavia is, rather, an incurable rupture of the old *nomos* and a dislocation of populations and human lives along entirely new lines of flight. Hence the decisive importance of ethnic rape camps. If the Nazis never thought of effecting the Final Solution by making Jewish women pregnant, it is because the principle of birth that assured the inscription of life in the order of the nation-state was still—if in a profoundly transformed sense—in operation. This principle has now entered into a process of decay and dislocation. It is becoming increasingly impossible for it to function, and we must expect not only new camps but also always new and more lunatic regulative definitions of the inscription of life in the city. The camp, which is now securely lodged within the city's interior, is the new biopolitical *nomos* of the planet.

✧ Every interpretation of the political meaning of the term "people" must begin with the singular fact that in modern European languages, "people" also always indicates the poor, the disinherited, and the excluded. One term thus names both the constitutive political subject and the class that is, *de facto* if not *de jure*, excluded from politics.

In common speech as in political parlance, the Italian *popolo*, the French *peuple*, the Spanish *pueblo* (like the corresponding adjectives *popolare*, *populaire*, *popolar* and late Latin *populus* and *popularis*, from which they derive) designate both the complex of citizens as a unitary political body (as in "the Italian people" or "the people's judge") and the members of the lower classes (as in *homme du peuple*, *riione popolare*, *front populaire*). Even the English word "people," which has a less differentiated meaning, still conserves the sense of "ordinary people" in contrast to

the rich and the nobility. In the American Constitution one thus reads, without any distinction, "We the people of the United States." Yet when Lincoln invokes a "Government of the people, by the people, for the people" in the Gettysburg Address, the repetition implicitly opposes the first "people" to another "people." Just how essential this ambiguity was even during the French Revolution (that is, at precisely the point at which claims were made for the principle of popular sovereignty) is shown by the decisive role played by compassion for the people understood as an excluded class. Arendt noted that "the very definition of the word was born out of compassion, and the term became the equivalent for misfortune and unhappiness—*le peuple, les malheureux m'applaudissent*, as Robespierre was wont to say; *le peuple toujours malheureux*, as even Sieyès, one of the least sentimental and most sober figures of the Revolution, would put it" (*On Revolution*, p. 70). But in the chapter of Bodin's *Republic* in which democracy or the *état populaire* is defined, the concept is already double: as the titular holder of sovereignty, the *peuple en corps* is contrasted with the *menu peuple*, whom wisdom counsels excluding from political power.

Such a diffuse and constant semantic ambiguity cannot be accidental: it must reflect an amphiboly inherent in the nature and function of the concept "people" in Western politics. It is as if what we call "people" were in reality not a unitary subject but a dialectical oscillation between two opposite poles: on the one hand, the set of the People as a whole political body, and on the other, the subset of the people as a fragmentary multiplicity of needy and excluded bodies; or again, on the one hand, an inclusion that claims to be total, and on the other, an exclusion that is clearly hopeless; at one extreme, the total state of integrated and sovereign citizens, and at the other, the preserve—court of miracles or camp—of the wretched, the oppressed, and the defeated. In this sense, a single and compact referent for the term "people" simply does not exist anywhere: like many fundamental political concepts (similar, in this respect, to the *Urworte* of Abel and Freud or to L. Dumont's hierarchical relations), "people" is a polar concept that indicates a double movement and a complex relation between two extremes. But this also means that the constitution of the human species in a political body passes through a fundamental division and that in the concept "people" we can easily recognize the categorial pairs that we have seen to define the original political structure: bare life (people) and political existence (People), exclusion and inclusion, *zōē* and *bios*. The "people" thus always already carries the

fundamental biopolitical fracture within itself. It is what cannot be included in the whole of which it is a part and what cannot belong to the set in which it is always already included. Hence the contradictions and aporias to which it gives rise every time that it is evoked and put into play on the political scene. It is what always already *is* and yet must, nevertheless, be realized; it is the pure source of every identity but must, however, continually be redefined and purified through exclusion, language, blood, and land. Or, at the opposite pole, the "people" is what is by essence lacking to itself and that whose realization therefore coincides with its own abolition; it is what must, together with its opposite, negate itself in order to be (hence the specific aporias of the workers' movement, turned toward the people and, at the same time, toward its abolition). At times the bloody flag of reaction and the uncertain insignia of revolutions and popular fronts, the people always contains a division more originary than that of friend-enemy, an incessant civil war that divides it more radically than every conflict and, at the same time, keeps it united and constitutes it more securely than any identity. When one looks closely, even what Marx called "class conflict," which occupies such a central place in his thought—though it remains substantially undefined—is nothing other than the civil war that divides every people and that will come to an end only when, in the classless society or the messianic kingdom, People and people will coincide and there will no longer be, strictly speaking, any people.

If this is true, if the people necessarily contains the fundamental biopolitical fracture within itself, then it will be possible to read certain decisive pages of the history of our century in a new way. For if the struggle between the two "peoples" was certainly always under way, in our time it has experienced a final, paroxysmal acceleration. In Rome, the internal division of the people was juridically sanctioned by the clear division between *populus* and *plebs*, each of which had its own institutions and magistrates, just as in the Middle Ages the distinction between the *popolo minuto* and the *popolo grasso*<sup>2</sup> corresponded to a precise ordering of various arts and trades. But starting with the French Revolution, when it becomes the sole depositary of sovereignty, the people is transformed into an embarrassing presence, and misery and exclusion

2. In thirteenth-century Florence, *popolo minuto* referred to the class of artisans and tradespeople and *popolo grasso* referred to the commercial classes and bourgeoisie.—Trans.

appear for the first time as an altogether intolerable scandal. In the modern era, misery and exclusion are not only economic or social concepts but eminently political categories (all the economism and "socialism" that seem to dominate modern politics actually have a political—and even a biopolitical—significance).

In this sense, our age is nothing but the implacable and methodical attempt to overcome the division dividing the people, to eliminate radically the people that is excluded. This attempt brings together, according to different modalities and horizons, Right and Left, capitalist countries and socialist countries, which are united in the project—which is in the last analysis futile but which has been partially realized in all industrialized countries—of producing a single and undivided people. The obsession with development is as effective as it is in our time because it coincides with the biopolitical project to produce an undivided people.

The extermination of the Jews in Nazi Germany acquires a radically new significance in this light. As the people that refuses to be integrated into the national political body (it is assumed that every assimilation is actually only simulated), the Jews are the representatives par excellence and almost the living symbol of the people and of the bare life that modernity necessarily creates within itself, but whose presence it can no longer tolerate in any way. And we must see the extreme phase of the internal struggle that divides People and people in the lucid fury with which the German *Volk*—representative par excellence of the People as a whole political body—sought to eliminate the Jews forever. With the Final Solution (which did, not by chance, involve Gypsies and others who could not be integrated), Nazism darkly and futilely sought to liberate the political scene of the West from this intolerable shadow in order to produce the German *Volk* as the people that finally overcame the original biopolitical fracture. (This is why the Nazi leaders so obstinately repeated that in eliminating Jews and Gypsies, they were actually also working for the other European peoples.)

Paraphrasing the Freudian postulate on the relation between ego and id, one could say that modern biopolitics is supported by the principle according to which "Where there is bare life, there will have to be a People"—on condition that one immediately add that the principle also holds in its inverse formulation: "Where there is a People, there will be bare life." The fracture that was believed to have been overcome by eliminating the people (the Jews who are its symbol) thus reproduces

itself anew, transforming the entire German people into a sacred life consecrated to death, and a biological body that must be infinitely purified (through the elimination of the mentally ill and the bearers of hereditary diseases). And in a different yet analogous way, today's democratico-capitalist project of eliminating the poor classes through development not only reproduces within itself the people that is excluded but also transforms the entire population of the Third World into bare life. Only a politics that will have learned to take the fundamental biopolitical fracture of the West into account will be able to stop this oscillation and to put an end to the civil war that divides the peoples and the cities of the earth.

## § Threshold

Three theses have emerged as provisional conclusions in the course of this inquiry:

1. The original political relation is the ban (the state of exception as zone of indistinction between outside and inside, exclusion and inclusion).
2. The fundamental activity of sovereign power is the production of bare life as originary political element and as threshold of articulation between nature and culture, *zoē* and *bios*.
3. Today it is not the city but rather the camp that is the fundamental biopolitical paradigm of the West.

The first of these theses calls into question every theory of the contractual origin of state power and, along with it, every attempt to ground political communities in something like a "belonging," whether it be founded on popular, national, religious, or any other identity. The second thesis implies that Western politics is a biopolitics from the very beginning, and that every attempt to found political liberties in the rights of the citizen is, therefore, in vain. The third thesis, finally, throws a sinister light on the models by which social sciences, sociology, urban studies, and architecture today are trying to conceive and organize the public space of the world's cities without any clear awareness that at their very center lies the same bare life (even if it has been transformed and rendered