

# The Karma of Power: The “Both Sides” of Machiavellian Exemplarity in *The Prince* and the Paradox of Agambenian Sovereignty

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## [Abstract]

This study offers an Agambenian interpretation of Machiavelli’s use of historical examples in *The Prince*. I show how, even as Machiavelli insists on the impunity with which the prince can and should transgress traditional norms of political action for the sake of his personal safety and the stability of the body politic, his historical examples, initially appearing fragmentarily for illustrative purposes, gradually snowball into stories of the fall, as well as the rise, of princes. If the prince can rule on himself as being exceptional to conventional ethical and moral parameters of statecraft, he can, in turn, also be ruled as exceptional to the safeguards af-

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forded by traditional moralities. Without being explicit about it, Machiavelli effectively anticipates the paradoxical duality of sovereign exceptionality, famously conceptualized by Giorgio Agamben, according to which the necessary correlative to the prince's capacity to create *homo sacer* is his suppressed identity as another *homo sacer*. The duality ironically opens up the possibility that Machiavelli's own discourse with its emphasis on serving the *current* ruler of the state can indiscriminately serve the illegitimate, as well as the legitimate, ruler and even would-be usurpers. It is this consciousness of the paradoxical nature of his own discourse that motivates Machiavelli's insistence on martial virtuosity as the only princely virtue, his categorical distinction between princely *virtù* and the subject's virtue, and his call to Lorenzo Medici to bring order to Italy in a state of primordial chaos.

## 1. Introduction

Machiavelli's discourse in *The Prince* as both an advice book *for* the prince and a study *of* the prince is characterized by a certain partisan stance. The philosopher, that is, always thinks in terms of, and on behalf of, the *current* ruler of the state. Machiavelli comes nearest to considering people other than sovereigns in his discussion of the new prince, a private citizen who has become sovereign. Even here, however, Machiavelli's interest is in how the prince's immediate past affects his rule and what the upstart ruler should do in response to solidify his power that "will make [him] seem very well established, and will quickly make his power more secure and stable than if he

had always been a ruler.”<sup>1)</sup> Apparently, Machiavelli’s only client is he who occupies the top of Fortune’s wheel at the very moment. Despite the notoriety that accrued to Machiavelli’s transvaluation of conventional morality and ethics, *The Prince* emphatically does not endorse exercise of Machiavellian *virtu* by a private citizen except when that particular private citizen happens to sit in the throne at the very moment. Otherwise, practice of Machiavellianism by anyone other than the prince is exactly what the treatise is designed to help the sovereign to detect and destroy.

*The Prince* represses the personal pre-history of the prince with its unflinching preoccupation with the status quo of sovereignty. And yet, Machiavelli cannot choose but insinuate furtive glimpses at the less than royal genesis of the prince and further hint at the possibility of another private citizen becoming sovereign at the expense of the current sovereign, even using *The Prince* as a manual of power to solidify the newly acquired rule to boot. The manual of power for the sovereign, that is, perilously runs the risk of turning into a manual of usurpation. Primarily, this self-deconstructive drive of Machiavellian discourse is a function of readership, i.e. who gets to exclusively possess the book. Even so, the use of the book on the part of the reader would not arguably be characterized by such a bipolarity were it not for the very structure of politics as perceived by Machiavelli. That structure, I would argue, is one that authorizes the sovereign to treat everyone else as, to appropriate Giorgio Agamben’s concept, potential *homines sacri* in a desperate attempt not to turn himself into *homo sacer*. The sovereign ability to create *homo sacer* is sufficiently well known; it is precisely what so many of Machiavelli’s maxims and aphorisms teach and what so many of the “Machiavels” on the

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1) Niccolò Machiavelli (2001), *The Prince* (ed. by Quentin Skinner and Russel Price), Cambridge: Cambridge University Press, p. 83.

English Renaissance stage enact. On the other hand, the potential identity of the sovereign as *homo sacer*, insofar as it is explicitly conceptualized or dramatized at all, is hardly associated with the name of Machiavelli, nor does the Florentine author ever seem to consider the possibility that his own discourse could be used as a means to effect that identity in practice. This, I argue, is the other side of sovereign power that keeps being insinuated in Machiavelli's historical exemplars. The latter, initially appearing in fragments, ultimately coalesce into proper narrative sequences with a beginning, middle and end, the rise and fall of the prince being their overarching theme. In short, the story that Machiavelli's examples tell is one of the prince as *homo sacer*.

## 2. The Both Sides of Sovereignty, or Why the Manual for the King Is a Manual for All

It has long been recognized by scholars that *The Prince* adopts the humanist genre of the advice book for the prince only to subvert its ideology: its imaginary about the field of politics as being governed by moral principles. As Victoria Kahn puts it, Machiavelli “does not so much abandon the resources of humanist rhetoric as use them against humanism itself.”<sup>2)</sup> In the process of what Kahn calls “an immanent critique of humanist rhetorical theory,”<sup>3)</sup> the very generic identity of *The Prince* goes through a subtle but decisive transformation: the tract turns into a very special kind of advice book whose

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2) Victoria Kahn (1994), *Machiavellian Rhetoric: From the Counter-Reformation to Milton*, Princeton: Princeton University Press, p. 19.

3) Victoria Kahn (1994), p. 16.

nearest modern analogue is the manual to a proprietary technology or, more precisely still, a weapon of war. The manual to a piece of weaponry can serve the latter's illegitimate owner just as well as it does a legitimate one and, even without the possession of the weapon itself, mere revelation of the manual's content can irrevocably degrade the weapon's practical efficacy by helping the opposing party to develop effective countermeasures. This is why the militaries of the world keep their field manuals "classified" and the adjective exactly describes the condition of efficacy of *The Prince* as advice literature and, ironically, how it crucially parts company with the genre's numerous other manifestations. In other words, King Charles of Spain, the future Charles V of the Holy Roman Empire would have, if anything, welcomed the public circulation of Desiderius Erasmus's *Institutio principis Christiani* (1516), the theologian's advice book dedicated to him (indeed the book was subsequently printed in the same year of its dedication), whereas Lorenzo Medici, the dedicatee of *The Prince* should have done everything in his power to keep the treatise from falling into the wrong hands (i.e. his subjects' as well as other princes') if he had regarded Machiavelli's analysis and advice in *The Prince* as indeed what the author claimed them to be—the truth of political praxis, past and present (which Lorenzo seems to have palpably failed to do). Whereas publicity functions as a force-multiplying factor with conventional moralistic advice literature, the very internal logic of *The Prince* demands that the treatise remain "classified" in the hands of the prince that happens to retain the philosopher's service.

Conversely, that the Machiavellian how-to manual of power must remain confidential in the possession of a specific sovereign means that its author should carve out his positionality specifically tailored to the interest of the prince rather than his subjects, to a specific prince rather than princes in

general. The Machiavellian positionality represents a point of incision into the raw datum of history for the latter's discursive articulation. Comparable in its primordially to Carl Schmitt's differentiation of friend and enemy as the irreducible political distinction "to which all action with a specifically political meaning can be traced,"<sup>4)</sup> this setting-up of a vantage is precisely what gives *The Prince* its epistemological coherence as a work *for*, rather than *about*, political praxis; for political events are entangled with each other in such a way that they would otherwise elude the philosopher's attempt to tease meaning out of them for practical purposes as anything other than a fundamentally nihilistic series of the rises and falls of princes at one another's expense.

Consider, for example, what Machiavelli has to say for the prince who is worried about conspiracies against him:

Plotters normally have grounds for being afraid before the crime is carried out; but here what has to be feared as well is that afterwards, when the deed has been done, the people will be hostile and there will be no hope of being given refuge by them.<sup>5)</sup>

Machiavelli then goes on to demonstrate the verity of his observation with "countless examples" in which the conspirators were put to death by the people. A logic of deterrence is inferred from these historical experiences: If the would-be conspirators are able to think through all the consequences of "the crime," they would simply discard a conspiratorial coup as an option for achieving political ends. Accordingly, if there is genuine popular support for

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4) Carl Schmitt (1996), *The Concept of the Political* (trans. by George Schwab), Chicago: University of Chicago Press, p. 26.

5) Niccolo Machiavelli (2001), p. 65.

his rule among his subjects, a prince “should worry little about being plotted against.” In the case of a prince who is an object of universal hatred, “they should be afraid of everything and everyone.”<sup>6)</sup> In either case, the political strategist can safely rule out conspiracy as a relevant threat for the prince to pay particular attention to. But the fact that there have been “countless examples” of failed conspiracy cannot be reassuring to the prince, simply because the failure of a conspiracy—the plotters falling short of their political objectives—is not the same as the survival of the prince himself in his natural body. Even more problematic, the logic of “mutually assured destruction” may just as easily lead the strategist to study for practice the conditions of success of a conspiratorial coup. Machiavelli’s own writings exemplify just how easily a manual against conspiracy can evolve/devolve into a manual for conspiracy. A chapter in *The Discourses* thus begins as an instruction to the prince and a warning to the possible conspirators so that “princes may learn how to guard against these dangers, and that private persons may think twice before undertaking them and may learn, instead, to be content with life under the regime which fate has placed over them,” but ends up issuing a piece of advice to potential conspirators: “A plot, then, should never be divulged unless one is driven to it and it is ripe for execution, and if you, perforce, have to divulge it, it should be told to but one other person, and this a man of whom you have had very considerable experience, or else one who is actuated by the same motives as you are.”<sup>7)</sup> In any case, the assumptions governing *The Prince* are such that the moment one of the conspirators—it is always one in the world of *The Prince*—is enthroned as the prince after the decapitation of the

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6) Niccolò Machiavelli (2001), p. 66.

7) Niccolò Machiavelli (1998), *The Discourses* (ed. by Bernard Crick, trans. by Leslie J. Walker, S. J. and Brian Richardson), London: Penguin, p. 409.

old regime, he becomes eligible to receive Machiavelli's service as a "new" prince—whether he has achieved his status by his own prowess (ch. 6), whether he has been made prince by others (ch. 7), or whether he came to his throne "through wicked means" (ch. 8)—which will help "make a new ruler seem very well established, and will quickly make his power more secure and stable than if he had always been a ruler."<sup>8)</sup>

These considerations highlight two related aspects of Machiavelli's discourse. First, the nature of politics as the philosopher sees it is such that it *always* involves a dyad of two hierarchically organized, opposing parties (prince and non-prince) and the parties can *always*, potentially at least, change places, re-writing the pair into one of potential non-prince and potential prince. Machiavellian political science consists precisely in the knowledge of the dynamics governing the transition between the two political states of being. Second, whereas Machiavellian *political science* is based on a bird's-eye view of the complexities of volatile political contingencies, Machiavellian *statecraft* presupposes a shift or rather, a reduction, to perspectivism whereby the analyst decisively takes sides with the interests of the *present* ruler both cognitively and morally. Machiavelli would describe "a good minister" as one who "never think(s) about himself or his own affairs but always about the ruler, and concern(s) himself only with the ruler's affairs,"<sup>9)</sup> and this exactly fits the figure that Machiavelli cuts both textually and contextually. Machiavelli cannot afford dispensing with this positionality—not unless he is willing to forgo the sense of susceptibility of the raw material of political reality to human agency, and, certainly, not as long as he is entertaining the hope of finding employment with the new prince of Florence, Lorenzo de' Medici, after having

8) Niccolò Machiavelli (2001), p. 83.

9) Niccolò Machiavelli (2001), p. 80.



served the very republic that had ousted the ruling family just short of a decade ago. These textual and political imperatives determine the discursive mode of existence of what I in the title of the present essay have called the “both sides” of Machiavellian discourse of power.

I take the phrase from Victoria Kahn's conception of “argument on both sides (*in utramque partem*)” as Machiavelli's *modus operandi* in *The Prince*. Kahn has shown how Machiavelli's celebrated critique of the humanists' moralizing theories of politics is a literalization, and also a radicalization, of the humanist rhetorical exercise of arguing on both sides of an issue. In a classic case of *in utramque partem disserere*, the Athenian philosopher Carneades is reported to have successfully argued for justice one day and then equally persuasively argued against it the next day in front of a dazzled Roman audience.<sup>10)</sup> Although such demonstration of rhetorical versatility was a major component of Renaissance rhetoric,<sup>11)</sup> the humanists were nevertheless determined not to admit to the possibility of a radically instrumental view of the truth it implied, insisting instead on a Ciceronian continuity between moral virtue and political expediency—the belief that “the prince promotes his own interest by being virtuous; [that] virtuous conduct and what is good for oneself coincide.”<sup>12)</sup> It is this “claim to link virtue and rhetoric, ethics and effectiveness” that Machiavelli exposes as ideological,<sup>13)</sup> and the philosopher does it by means of

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10) Anita Traninger (2014), “Taking Sides and the Prehistory of Impartiality”, *The Emergence of Impartiality* (ed. by Kathryn Murphy and Anita Traninger), Leiden, Netherlands: Brill, pp. 35-36.

11) R.W. Serjeantson (2006), “Proof and Persuasion”, *The Cambridge History of Science*, vol. 3, *Early Modern Science* (ed. by Katharine Park and Lorraine Daston), Cambridge: Cambridge University Press, pp. 148-149.

12) George Kloslo (2013), *History of Political Theory: An Introduction*, 2nd ed., vol. 2, *Modern*, Oxford: Oxford University Press, p. 15.

a series of rhetorical moves that ultimately amount to an argument *in utramque partem*. Thus the philosopher sets up a taxonomy of princes whereby the celebrated Machiavellian example of *virtù*, Cesare Borgia, is made to belong to a group of rulers who owe their enthronement to others' arms, while Agathocles belongs to a discrete category of "those who become rulers through wicked means" which "cannot be called virtue."<sup>14)</sup> What Machiavelli's subsequent exposition of statecraft shows by means of exemplar history is that what is characterized by *virtù* does not rule out the criminal in itself nor does crime lack a sort of *virtù*. Thus "the fact that crime cannot necessarily be called *virtù* means also that it can be called *virtù*."<sup>15)</sup> In this analysis, argument on both sides is a discursive strategy that Machiavelli implicitly but consciously puts in practice by means of exemplar history.

While sharing the same set of key concepts such as the notion of the duality of political realities and the rhetorical use of exemplarity, my analysis of *The Prince* differs from Kahn's in that, while the latter is primarily concerned with the ethical dimensions of Machiavellian discourse, mine engages it in its perception of the structures of political events, which in fact functions as the very precondition for "dehypostatized *virtù*,"<sup>16)</sup> legitimizing, textually at least, its use by a highly select group of individuals called princes. Furthermore, if Kahn's notion of "the both sides" is what Machiavelli the rhetorician insinuates into the reader's awareness by means of his historical examples, exactly opposite is the case in my interpretation. That is, that there are "both sides" to power turns out to be the moral of the story that Machiavelli's discourse

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13) Victoria Kahn (1994), p. 19.

14) Niccolò Machiavelli (2001), pp. 30-31.

15) Victoria Kahn (1994), p. 31.

16) Victoria Kahn (1994), p. 19.

as a manual of power must suppress, which, however, its illustrative examples cannot but divulge, much like the proverbial return of the repressed. The return occurs once the historical examples gather in numbers sufficiently large enough to establish lateral connections with each other and form their own narrative constellations. The structural duality in politics, I would submit, necessitates a kind of political pragmatism which can only materialize discursively through the trick of the rhetorical *ad utramque partem*. The rhetorical success of *The Prince* thus crucially depends on simultaneously authorizing the transvaluation of *virtu* on behalf of the prince and suppressing the possibility that potential aspirants to power could successfully supplant the same prince and be still justified as having exercised that same *virtu*. Machiavelli's book is for the prince only and, potentially, for all his subjects *at the same time*. Given Machiavelli's prioritization of survival and stability, there can be no alternative.

No prince proves exceptional to this general law of power. The taxonomy of the requirements of virtue (Chs. I-IX), whose apparent objective is to impose a logically exhaustive system of differentiation on types of rulers, only serves to underscore their common identity as beings that can be replaced with impunity so long as the replacements exercise their *virtu* à la Machiavelli. The taxonomy begins with a distinction between the hereditary prince and the new one and what is required of each type to maintain his rule. A hereditary ruler finds himself much better situated than the upstart, "because it is sufficient not to change the established order, and to deal with any untoward events that may occur."<sup>17</sup> The new prince will encounter countless difficulties, whether he is simply "new" or "new" to the territory that has been

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17) Niccolò Machiavelli (2001), p. 6.

conquered. Hence, he needs the maximum level of *virtù*. It is this latter type of the prince that has for Machiavelli the maximum analytical value. It turns out, however, that the distinction between the two types simply evaporates in the course of analysis. First, the hereditary prince is hereditary only because “the length and continuity of his family’s rule extinguishes the memories of the causes of innovations.”<sup>18)</sup> Second, the logical structure of the idea of the new prince itself presupposes that there has been at least one hereditary ruler supplanted by the new prince. Besides, the new prince might at any moment deprive the hereditary prince of his territory and make sure—by practicing the very advice that Machiavelli offers, wiping out the royal family and setting up colonies<sup>19)</sup>—that the former prince does not have any grounds left for ever hoping to return to his former possessions. Then, the paramount task of the hereditary prince, or any ruling prince for that matter, is to rule the state in such a way that no new prince emerges to the detriment of the old and both of them must exercise *virtù* to defeat the other in a deadly competition of *virtù*.<sup>20)</sup> Kahn notes how “Throughout *The Prince* Machiavelli sets up concepts in polar opposition to each other and then shows how the opposition is contained within each term so that the whole notion of opposition must be redefined.”<sup>21)</sup> In the case of Machiavellian taxonomy of the princes, the appa-

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18) Niccolò Machiavelli (2001), p. 6.

19) Niccolò Machiavelli (2001), p. 9, p. 18.

20) As J. G. A. Pocock notes, *virtù* is “not merely that by which men control their fortunes in a delegitimized world; it may also be that by which men innovate and so delegitimize their worlds” (J. G. A. Pocock [1975], *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*, Princeton: Princeton University Press, p. 166). For that very reason, the primary task of princely *virtù* is to suppress other instances of and occasions for *virtù* on others’ part.

21) Victoria Kahn (1994), p. 30.

rently matter-of-factly distinction between the new and the hereditary princes is redefined through a series of historical illustrations into a mortal confrontation between the prince and the potential usurper.

### 3. Machiavellian Exemplarity and the Rise and Fall of the Sforza Dynasty

As the foregoing discussion of Machiavellian taxonomy of the states demonstrates, there exists a subtle but substantial gap between what the philosopher tells with his conceptual schemas and axioms and what the illustrative materials for them insinuate on their part. This is also the case with the quintessential Machiavellian incarnation of *virtù*. This status has been customarily granted to Cesare Borgia, and rightly so. For his statecraft as a new prince recounted by Machiavelli perfectly embodies the challenge Machiavellian redefinition of *virtù* poses to the moralizing political thought of humanism, and for the circumstances of his sudden rise and fall offer a perfect material for scholarly theorizations of what J. G. A. Pocock monumentally dubbed “the Machiavellian moment” in the history of Western political thought. So exceptional, however, is Borgia’s case—as Pocock puts it, a combination of “the maximum *virtù* with the maximum dependence on fortune”<sup>22</sup>—that it reaches short of being a representative model of the dynamic between *virtù* and survival. I suggest that the best example that illustrates the genesis, maintenance and collapse of sovereign power is not Cesare Borgia but the less renowned Francesco Sforza of Milan. His story, told not by the authorial voice

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22) J. G. A. Pocock (1975), p. 173.

but through a lateral connection of examples, will confirm the essential exceptionality of the prince touched upon above.

After serving as an example in Chapter 1 of the ruler of a “completely new” principality, Francesco Sforza makes three major appearances in *The Prince*. In Chapter 7, he is the new prince who acquired the sovereignty of Milan through his own resources and *virtù*. His is an example that confirms Machiavelli’s unending imperative for the prince to equip himself with his own stable power base, more specifically “devoted and loyal forces at their disposal”:

Francesco, through using appropriate methods and exploiting his great ability, from being a private citizen became Duke of Milan; and he maintained with very little trouble the position that he attained only with countless difficulties.<sup>23)</sup>

Machiavelli does not specify what the “appropriate methods” and “his great ability” were. They are only revealed in a cameo appearance of Francesco in another example whose apparent purpose is to illustrate the unreliability of mercenary troops:

After the death of Duke Filippo, the Milanese engaged Francesco Sforza to lead their armies against the Venetians. But when Sforza had defeated the Venetians at Caravaggio, he joined forces with them and attacked the Milanese, who had been his employers.<sup>24)</sup>

The self-reliant hero of Chapter 7 becomes the usurper in Chapter 12. The

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23) Niccolò Machiavelli (2001), p. 23.

24) Niccolò Machiavelli (2001), pp. 44-45.

“appropriate methods” through which Francesco exercised his *virtu* turn out to have been nothing more than simple treachery. Just as the “crime” of Agathocles’s kind turns out to be virtually impossible to distinguish from the *virtu* of Cesare Borgia’s kind, so does Sforza’s “great ability” from the less than honorable means of the condotiero’s rise to power. All new principalities, and for that matter principalities in general, are based, Machiavelli insinuates, on such ethically equivocal acts and Machiavelli’s name for the ability to perform such acts is *virtu*.

The name of Sforza makes still another appearance in Chapter 14, this time a negative example of the importance of the prince’s military competence. After the death of Francesco, the dukedom of Milan first fell on his son Galeazzo, then the latter’s son Gian Galeazzo, and ultimately Ludovico “the Moor,” the young duke’s uncle. Ludovico was deprived of dukedom in 1499 when Louis XII of France invaded the duchy with his own claims to the throne and he was to die the king’s prisoner in 1508. His son Maximilian had been restored to the dukedom at the time Machiavelli finished *The Prince* but only as a favor on the part of the all too ubiquitous and all arbitrating Swiss mercenary troops. Machiavelli thus concludes:

Because Francesco Sforza was armed, from being a private citizen he became Duke of Milan; since his descendants did not trouble themselves with military matters, from being dukes they became private citizens.<sup>25)</sup>

Along with Cesare’s case, the Sforza thread that is spun into being in Machiavelli’s history thus tells a tragedy, at least as Boccaccio understood it: a story of the fall of the great (*casus virorum illustrium*). The tragedy of the

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25) Niccolo Machiavelli (2001), p. 52.

Sforzas' differs from Cesare's, however, in that it envisions *virtù* or lack thereof as the chief factor that determines vicissitudes in political life. It is in this truly paradigmatic story of Machiavellian *virtù* that the ethical and legal equivocality of state-founding insinuates its sinister ramifications. Unlike Cesare's case where the prince was cut down by an extraordinary concatenation of unfortunate events, the Sforzas' fall is threatening to the prince and Machiavelli as his strategist because it implicitly produces a view of statecraft as a process without stable anchors of legitimacy. Surely, Machiavelli does take legitimacy into account as when he describes the hereditary prince of a territory as needing far less *virtù* than an upstart ruler (Ch. 2). What Francesco's example demonstrates, however, is that legitimacy by heredity is no obstacle to a private citizen of "great ability"—indeed, according to Machiavelli's exemplar history, *virtù* is seen to be most unquestionably at work when it is exercised to overcome a hereditary ruler. In the exemplar history of *The Prince*, rule by legitimacy is there only to be overthrown by that innovative force called *virtù* and there is no reason why, to appropriate Clifford Geertz's terminology, "a model of" political action offered by history should not also be "a model for" action for a would-be prince.<sup>26)</sup> The exemplarity of history, whose intellectual mastery is part of the philosopher's very credentials in the bid for employment with the new duke of Florence, threatens to turn the manual for power into one for the subversion of power. The notorious after-history of *The Prince* subsequent to its wider circulation—the treatise did not see publication until five years after the author's death—only works out this latent logic in practice.

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26) Clifford Geertz (1973), *The Interpretation of Cultures: Selected Essays*, New York: Basic Books, p. 93.



#### 4. The Agambenian Moment and Machiavellian Remedies

The history of the rise and fall of the princes and its practical applicability to contemporary politics were a familiar subject to the audience of Renaissance tragedies and history plays. In a celebrated instance of an interpretation sensitized to such topical applicability, Queen Elizabeth had no difficulty in seeing herself in Shakespeare's *Richard II* as staged by the rebellious Essex party in its abortive 1601 coup nor did William Lambarde, her interlocutor, in identifying exactly what incident she was referring to.<sup>27)</sup> More recently, I find the concept of *homo sacer* as developed, or rather re-invented, by Giorgio Agamben, the clearest exposition of the structure of sovereignty that produces what I described above as the both sides of power. Agamben conceptualizes *homo sacer* from, on the one hand, his philological excursion into ancient Roman law and from his critique of Carl Schmitt's decisionist conceptualization of sovereignty on the other. Schmitt criticized liberal political philosophy, indeed liberal constitutional state itself, for obfuscating the primordial basis of state power: "the development and practice of the liberal constitutional state...attempts to repress the question of sovereignty by a division and mutual control of competences."<sup>28)</sup> The legal norm for dividing and controlling powers, in turn, presupposes

a normal, everyday frame of life to which it can be factually applied and which is subjected to its regulation. The norm requires a homogeneous me-

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27) *Bibliotheca Topographica Britannica* (1790), vol. 1, *Antiquities in Kent and Sussex*, London, p. 525.

28) Carl Schmitt (1988), *Political Theology: Four Chapters on the Concept of Sovereignty* (trans. by George Schwab), Cambridge, Mass: MIT Press, p. 11.

dium ... There exists no norm that is applicable to chaos. For a legal order to make sense, a normal situation must exist, and he is sovereign who definitely decides whether this normal situation actually exists.<sup>29)</sup>

It is by this logic that, as Schmitt puts it in a celebrated maxim at the very outset of *Political Theology*, "Sovereign is he who decides on the exception."<sup>30)</sup> In Agamben's thought, the exception as such takes the concrete form of "bare life" which is "included [in politics] by means of an exclusion" and whose historical paradigm he finds in the archaic Roman figure of *homo sacer*, "a human victim who may be killed but not sacrificed" since he has already been ruled juridically as belonging to the gods. One of Agamben's insights, crucial to my argument, is to have recognized that the exceptional status of the sovereign which empowers him to rule on the exception also renders him an equivalent of *homo sacer*, one that can be killed without incurring the legal charge of homicide:

We know that the killing of *homo sacer* does not constitute homicide (*parricidi non damnatur*). Accordingly, there is no juridico-political order ... in which the killing of the sovereign is classified simply as an act of homicide... When the Jacobins suggested, during the discussions of the 1792 convention, that the king be executed without trial, they merely brought the principle of the unsacrificeability of sacred life to the most extreme point of its development, remaining absolutely faithful (though most likely they did not realize it) to the *arcanum* according to which sacred life may be killed by anyone without committing homicide, but never submitted to sanctioned forms of execution.<sup>31)</sup>

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29) Carl Schmitt (1988), p. 13.

30) Carl Schmitt (1988), p. 5.

"[T]he sovereign," observes Agamben building on Schmitt, "is the one with respect to whom all men are potentially *homines sacri*, and *homo sacer* is the one with respect to whom all men act as sovereigns." In a final link of the conceptual chain that closes the circle, the sovereign and *homo sacer* are "joined in the figure of an action that ... delimits what is, in a certain sense, the first properly political space of the West."<sup>32</sup>

The sense of this paradoxical duality of the sovereign is precisely what informs *The Prince* explicitly and implicitly. The sovereign is the one who Machiavelli insists can and should treat everyone else as potential *homo sacer* when it comes to ethico-legal norms and also the one who can be disposed of with impunity as *homo sacer* without the protection of the self-same norms.<sup>33</sup> The Sforza series of examples illustrates this paradoxical structure of power called sovereignty.

While Machiavelli does not—how could he?—discuss the other side of sovereignty in explicit terms, there seems to be no question that he was keenly aware of the problems it creates. For what one finds in *The Prince* is what

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31) Giorgio Agamben (1998), *Homo Sacer: Sovereign Power and Bare Life* (trans. by Daniel Heller-Roazen), Stanford: Stanford University Press, pp. 102-3.

32) Giorgio Agamben (1998), p. 84.

33) Harvey C. Mansfield, Jr. notes in his discussion of Discourse that Machiavelli views the legendary beginning of the cities, most notably Rome, as "free in the double sense of independent and unprotected" (Harvey C. Mansfield, Jr. [1972], "Necessity in the Beginnings of Cities", *The Political Calculus: Essays on Machiavelli's Philosophy* [ed. by Anthony Parel], Toronto: University of Toronto Press, p. 115). The "double sense" aptly corresponds to what I am calling the both sides of the sovereignty in this article. In a similar vein, the Western preoccupation with the origin of political order as that which negates the primordial state of nature can also be brought into discussion. Agamben observes that "in Hobbes the state of nature survives in the person of the sovereign, who is the only one to preserve its natural *jus contra omnes*" (Giorgio Agamben [1998], p. 35).

strikes one as a set of solutions in several late chapters to those problems that are not quite posed—it is almost as if the author attempts to preempt future charges against his creation as a potential manual of usurpation. While not the most exciting and the most often discussed the chapters on the prince's military qualifications, the management of the ministers and the idea of contemporary Italy as chaos (Chs. 14, 22- 23, and 26) function as, among other things, containment strategies not only for the prince but for the discursive integrity of *The Prince* as well. Princes have and will come and go as *homines sacri*, but not so the particular prince that is reading *The Prince* at the very moment.

Machiavelli attributes paramount importance to the prince's management of military affairs. It is part of his general advice to the prince that the prince should always use his own resources. As Eugene Garver observes, "The judgment Machiavelli makes about mercenaries ... is a political judgment applying, *categorically*, to the new prince" in all particular circumstances.<sup>34)</sup> Having a strong army simply is not enough. For at stake here is the very meaning of "having." One might have a strong army commanded by a general with extraordinary *virtù*, or one might oneself be such a general. In the former case, there would not be any substantial difference between him and the prince who employs able mercenary troops commanded by a Francesco Sforza. It is for this reason that Machiavelli argues that "A ruler ... should have no other objective and no other concern, nor occupy himself with anything else except war and its methods and practices, for *this pertains only to those who rule.*"<sup>35)</sup> In short, the prince must himself *be* the general. This imperative is con-

34) Eugene Garver (1985), "Machiavelli and the Politics of Rhetorical Invention", *Clio* 14, Indiana University-Purdue University Fort Wayne, p. 166.

35) Niccolò Machiavelli (2001), pp. 51-52 (italics added).

ditioned as much by the practical efficacy of having formidable military strength as by a discursive necessity on Machiavelli's part: having denounced the use of mercenary troops, there can be no other alternative. The prince, then, must take as literally as possible the advice that he must imitate such legendary military rulers as Achilles, Alexander, Cyrus and Scipio.<sup>36)</sup> As there cannot be two sovereigns in a state, there cannot, logically, be two persons with equal martial *virtù*.

As for civic affairs, Machiavelli has quite a different set of imperatives, for he unconditionally requires virtue in the traditional sense of the word from the minister of the state in Chapter 22:

There is an infallible way for a ruler to weigh up a minister. If you realize that he is thinking more about his own affairs than about yours, and that all his actions are designed to further his own interests, he will never make a good minister, and you can never trust him. For a man who governs a state should never think about himself or his own affairs but always about the ruler, and concern himself only with the ruler's affairs.<sup>37)</sup>

This requirement of unconditional loyalty is so extraordinary that it even verges on a conventional humanist truism: The prince is to relegate as much of civic administration as he can to the minister and the latter is to repay the trust with absolute loyalty. Transvaluation of *virtù* only works for the prince — The prince, of course, can afford to trust the minister with such wide-ranging powers precisely because, for Machiavelli, possession of military strength is that which determines sovereignty in the last instance. Thus, the prince's *virtù*

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36) Niccolò Machiavelli (2001), pp. 53-54.

37) Niccolò Machiavelli (2001), p. 80.

necessarily requires virtue understood in its conventional sense on the part of his subject. The necessary mutual implication of *virtu* and virtue has been recognized by Neal Wood who writes: “The irony of Machiavelli’s apparent moral position ... is that the conditions necessary for individual moral action depend ultimately upon the immoral, violent action of the state.”<sup>38)</sup> It is worth observing, however, that, for the Machiavelli of *The Prince*, the bearer of sovereignty is always a person, not “the state” or its apparatus, even with all his mental and physical strengths and vulnerabilities, or what Walter Benjamin called his “creaturely estate.”<sup>39)</sup> It is precisely this “creaturely” manifestation of power that subjects the prince’s ascent to and descent from power to the logic of *homo sacer*.

The structure of power exercised on and wielded by *homo sacer* is such, however, that no practical advice in whatever quantity or quality will ultimately deliver the prince from the predicament of desanctified embodied power — Machiavelli’s advice may make it more difficult for a would-be usurper to attain his goal at the expense of the current ruler but, once he does, his rule is likely to be the more stable assisted by Machiavelli’s own advice to the former sovereign. Blind service to power characterizes *The Prince* as a manual and it is also an unavoidable correlative to the logic of *homo sacer* that emerges in the manual. Thus Machiavelli’s concluding “exhortation to liberate Italy from the barbarian yoke,” while not entirely in keeping with the rest of his discourse, is precisely what is called for if he is to save his intellectual progeny from mindless promiscuity. Drawing on the classical distinction between form

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38) Neal Wood, “Machiavelli’s Humanism of Action”, *The Political Calculus: Essays on Machiavelli’s Philosophy* (ed. by Anthony Parel), Toronto: University of Toronto Press, p. 51.

39) Walter Benjamin (2003), *The Origin of German Tragic Drama* (trans. by John Osborne), London: Verso, p. 146.

and matter, Machiavelli makes a gesture of wondering if time is not ripe for a man of *virtù* to bring form onto the amorphous matter that was cinquecento Italy:

I have maintained that the Israelites had to be enslaved in Egypt before the ability of Moses could be displayed, the Persians had to be oppressed by the Medes before Cyrus's greatness of spirit could be revealed, and the Athenians in disarray before the magnificent qualities of Theseus could be demonstrated. Likewise, in order for the valour and worth of an Italian spirit to be recognized, Italy had to be reduced to the desperate straits in which it now finds itself.<sup>40)</sup>

As J. G. A. Pocock notes, Machiavelli is here giving the word *virtù* one of its original meanings in Aristotelian political theory: a formative principle by which "civic action ... seized upon the unshaped circumstance thrown up by fortune and shaped it, shaped Fortune herself, into the completed form of what human life should be."<sup>41)</sup> Law-giving, Pocock further observes, presupposes "a situation in which the matter has no form, and above all no previously existing form, but what the innovator gives it."<sup>42)</sup> It is the very same situation that Machiavelli's call upon nationalism serves to create, for the sweeping gesture of nationalism effectively reduces the whole political ecology of the time into a primordial chaos teleologically awaiting an ordinary order. The prince envisioned by Machiavelli can then pretend the claim to be the law-giver for the Italian nation as a whole. The figure of the chaos preceding the law-giving purges the prince's state-founding *virtù* of all the ethical equiv-

40) Niccolò Machiavelli (2001), pp. 87-88.

41) J. G. A. Pocock (1975), p. 41.

42) J. G. A. Pocock (1975), p. 169.

ocality and even allows it to coincide with conventional virtue, for primordial nation-building is the only moment in which the sovereign decision coincides with the general norm, since the exception, by definition, cannot exist. For this reason the law-giver can possess sovereignty without becoming *homo sacer*. Whoever happens to be the sovereign of a unified and liberated Italy, then, is to be a sovereign without also having to become a Sforza: he sacrificed no sovereign as Francesco had done nor, if he or his descendants do go down, will they do so after the manner of Ludovico, an exchangeable place holder in the annals of royal *homines sacri*.

## 5. In Place of Conclusion

Machiavelli's *The Prince* illustrates, almost as if by design, Agamben's conception of the "symmetry between *sacratio* and sovereignty" in both what it says and what it shows.<sup>43</sup> In genealogical terms, of course, it is Machiavelli whose political theory should be thought of as constituting part of the discursive matrix for Agamben. This consideration, in turn, begs questions about the applicability of Machiavellian problematics in historical circumstances, at least legally, vastly different from what prevailed in the Renaissance. The duality of power I discuss in this paper has as its essential presupposition the investment of sovereignty in a single person. What, then, are the epistemic conditions in which states whose political systems are characterized by depersonalization of power, popular representation, and legally mandated turnover of the personal bearers of power can be compared to Renaissance monarchies and

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43) Giorgio Agamben (1998), p. 84.



dukedom?; how, to put it bluntly, does the logic of *homo sacer* work itself out in liberal democracies?—and frankly, does it at all? The very neatness of the coincidence of Machiavelli's political thought with Agambenian philosophy calls for attempts to answer these questions if only as a heuristic device for further explorations. In the scholarship of Machiavelli, the Agambenian insight requires that Machiavelli's republicanism be revisited with an eye attuned to the paradox of sovereignty: Will Machiavelli's republican politics finally break free from the karma of power, or will it, by failing to do so, prefigure the hidden affinities between totalitarianism and liberal democracy that both Schmitt and Agamben detect, although in diverging ethico-political frameworks?<sup>44</sup> By enabling us to elaborate, revise and question the new-fangled theories of power, Machiavelli may still prove what Michel Foucault called the "founder of discursivity" that he has been for us for the last five hundred years.<sup>45</sup>

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44) Carl Schmitt (1988), p. 11; and Giorgio Agamben (1998), p. 10.

45) Michel Foucault (1984), "What is an Author?", *The Foucault Reader* (ed. by Paul Rabinow), New York: Pantheon Books, p. 114.

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국문초록

마키아벨리의 『군주론』에 나타난 권력의 양면성과  
쥘리외 아감벤의 주권의 역설에 대하여

김 보 민\*

본 논문은 니콜로 마키아벨리의 『군주론』에 나타난 군주 권력의 양면성에 대한 고찰 및 고찰의 역압이 쥘리외 아감벤이 『호모 사케르』에서 “성스러움과 주권 사이의 대칭”이라 부른 주권자의 속성에 관한 통찰을 선취하고 있음을 주장한다. 군주를 위한 권력의 매뉴얼로서의 『군주론』의 핵심에는 군주는 전통적 도덕률로부터 예외적인 위치에 있다는 주장이 있다. 하지만 마키아벨리가 염두에 두고 있는 군주는 언제나 현실점에서 군림하는 군주이며 이는 권력의 찬탈자 또한 『군주론』이 설파하는 권력의 기술을 통해 불법적인 권력을 공고히 하고 영구화할 가능성을 필연적으로 내포하게 된다. 군주를 위한 권력의 매뉴얼은 동시에 찬탈자와 찬탈 희생자의 매뉴얼이기도 한 것이다. 마키아벨리가 역압할 수밖에 없는 이 권력의 이면은 마키아벨리가 예시의 목적으로 사용하는 역사적 사례들에서 귀환하는바, 이로 인해 군주는 가해자로서나 희생자로서나 일반적 도덕률로부터 예외적인 존재가 될 수밖에 없다는 역설이 발생하며 군주권력에 대한 담론으로서의 『군주론』 또한 이 역설의 일부가 된다. 이는 주권자는 타인 일반을 “호모 사케르”로 취급할 수 있을 뿐만 아니라 그 자신이 “호모 사케르”라는 아감벤의 통찰을 선취하는 것이다. 마키아벨리 자신이 권력에 대한 담론으로서 『군주론』의 역설적인 성격을 분명히 인지하고 있었으며, 이 자의식으로부터의

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기원한 보호기제로 군주의 군사적 능력에 대한 마키아벨리의 절대적인 강조, 군주의 “덕”과 신민의 “덕” 사이의 절대적인 구분, 당대 이탈리아가 질서 이전의 원초적 혼란 상태에 있다는 수사가 기능한다고 볼 수 있다.

