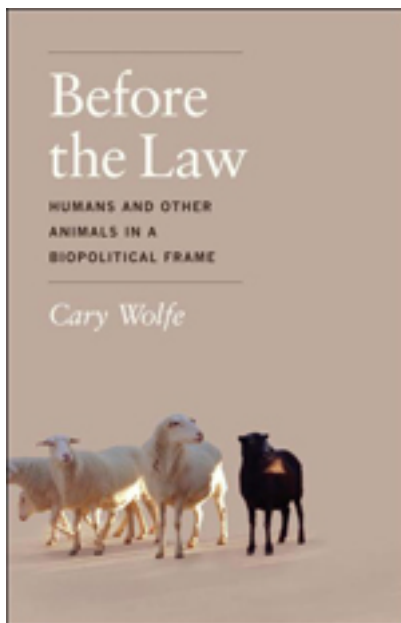


***Before the Law: Humans and Other Animals in a Biopolitical Frame*, by Cary Wolfe**

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In spite of all its insistence on the materiality of bodily life, the discourse of biopolitics has not been keen to discuss the place of animals in the political order: in biopolitical thinking, bios has remained almost systematically human. This is perhaps understandable since the conversation on biopolitics, usually dated from Foucault's first volume of *History of Sexuality*, responded to a context defined by changing notions of the political vis-à-vis the crisis of the Left and the reconfiguration of the horizon of political struggles. Since then, biopolitics, in its multiple incarnations in Italy, the United States, Latin America, and elsewhere, has involved a debate on the domain of the political in the context of increasing control over the lives of individuals and the management of populations an interrogation therefore on the extent to which the politicization of the body and life might spur a politics of resistance and emancipation under the neoliberal hegemony. With a few key exceptions, the nonhuman, or the assemblages between the human and the nonhuman, have not been a source of critical analysis in biopolitics; the “immanence of life” remains persistently human.

Cary Wolfe's recent and timely *Before the Law. Humans and Other Animals in a Biopolitical Frame* (University of Chicago Press, Chicago, 2012) contests this blind spot in biopolitical thought, demarcating a terrain in which the interrogation about the “question of the animal” turns out to be crucial for thinking the politicization of life, at the same time that demonstrates

the extent to which the debates within biopolitics might redefine key questions about animal rights. Societies that, on the one hand, discuss the extension of human rights to some kind of non-human animals (as in the Great Apes project bill recently approved by the Spanish government) and that on the other optimize and expand to never seen scale the killing of other animals, are less organized around any stable distinction between human/animal than by a shifting –and always political-- distribution between bios/zoe in which some forms of life that include non-human animals receive legal and economic protection (as in the health insurance and care granted to some domestic animals) from which enormous numbers of others –human and non-human-- are excluded and consequently exposed to different forms of violence and death. The question of the animal emerges at the center of a discussion about the ways in which our societies design and administer the economies of life and death, more than about the extension of existing form of recognition to non-human lives. The politics of/about non-human animals, says Wolfe, claims for “a different register, one that does not take for granted, much less endorse, our current legal structures for confronting such issues: namely, the register of biopolitics” (18). Precisely because the kernel of biopolitics is the analysis of the ways in which societies “make live” and “let die” (or directly “kill”), it is the tool that might help us understand the ways in which neoliberal societies inscribe bodies under conflicting configurations of commodification, propertization and “quality of life” --configurations that no longer reflect any well-defined distinction between human and animal. Biopolitics is the discourse that may help us design political responses to more complex, highly differentiated arrangements between human and non-human bodies, capitals, and technologies.

At the same time, precisely because biopolitics conceptualizes the making live and the letting die that define the changing maps of violence in our societies, it cannot simply avoid the animal question and the optimization of animal death in recent decades. This is one of Wolfe's key arguments: precisely because biopolitics brings to the fore the question of life itself (and therefore the unstable limit between the human and the nonhuman), the centering of the human as the only readable figure in the politics of life and death reveals itself to be problematic. Wolfe's discussion of Butler's notion of “grievable life” and vulnerability is illuminating in this matter: if, on the one hand, Butler's model of ethical agency depends on reciprocity, by placing the body's vulnerability at the center of the ethical-political stake she expands the call beyond the recognizable subjective agency, bringing in, for instance, the newborn infant as an example of vulnerable life. How, then, asks Wolfe, can we stop at the limit of the species when the very terrain of politicization vulnerability turns ambivalent any claim of human specificity, properness, or ontological exception? Precisely because biopolitics interrogates how politicization reformulates, in ways that we are still trying to understand, the very notion of *bios*, it provides tools to address more productively the mobile threshold between the human and the nonhuman and their political inscription. As Wolfe argues, if the contemporary industrial farm takes the lives and deaths of billions of animals to a new level of productivity (reflecting a haunting genealogy that goes to the technification of death in the Nazi concentration camps and then back to the Chicago slaughterhouses) at the same time that the pet industry makes available for animals a

protection that is denied to millions of humans (such as health insurance, care services, and so on), the place of the animal before the distinction between bios/zoe, between making live/letting die, acquires a new complexity. The political economies of bios/zoe do not respond to any ontology of the species but to the logic of a global capital that makes the living body an instance of propertization and commodification in ways that have exponentially increased in the last decades. In order to contest and revert this new landscape we need to conceive of “a highly differentiated and nuanced biopolitical field” (27) that reflects the ethical and political stances of a community of the living.

This task is evidently not an easy one. The very notion of bios in biopolitics is a terrain of multiple contestations and redefinitions. As in the thought of Roberto Esposito in Wolfe's reading, the attempts to think an affirmative biopolitics risk flattening the field by understanding bios as an undifferentiated horizon that do not reflect the specific arrangements of bodies that shape the biopolitical field. We need instead to come up with conceptual tools that will enable us to give an account of an expanded community of the living in which the distribution between the who and the what, between subjects and objects, complicates any stable distribution between humans and animals. Derrida plays a central role in this reflection: precisely by conceiving of the trace and the spacing not just as markers of the living but as instances between life and nonlife, Derrida's thought is able to reimagine changing and situated configurations of what counts as a subject, bringing to the fore both its taking place at the limit with the nonhuman and the concomitant task of thinking the making and unmaking of what we understand as “subjective.”

Wolfe's book represents in this sense a crucial step in reframing the discussion about the question of the animal under the light of shifting configurations of bios/zoe that are inseparable from new technological and economic forces. It clears the terrain for a reconsideration of the ways in which biopolitics engages with the multiple interrogations about animality. One may ponder, for instance, how Viveiro de Castros` s perspectivism can be productively articulated within a biopolitical frame in the terms proposed by Wolfe (in Viveiro de Castro's analysis the notion of personhood is not just expanded to animals but reimaged entirely in terms of shifting, conflicting, and political points of view that modify the very context in which they take place.)

At the same time, *Before the Law* highlights the relevance of understanding the animal in relation to a political terrain that can no longer ground itself in any stable notion of the human species --a terrain that revolves around multiple, differentiated, and antagonistic assemblages between human and nonhuman bodies, and where the question of the community and the question of the common can no longer be exclusively defined under the rubric of the human. A biopolitics for an “expanded community of the living” that cannot be restricted to a human life whose properness has become a vanishing ground: *Before the Law* delineates the terrain in which this critical task can be carried out.

EMISFÉRICA

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