First let me say first what a privilege and pleasure it was to work on this festschrift honoring Judy Hallett for her multiple contributions to the field of Classics. Judy and I entered the profession at about the same time, so I not only witnessed firsthand many of her significant contributions to the field, but also benefited from many of them. The WCC and Judy, one of its founding members, worked tirelessly for changes to allow Classics to become the more inclusive, innovative, and vibrant field it is today. Thanks, Judy, for the forging of a new world.

I also want to thank my knowledgeable and adept co-editors, Don Lateiner and Barbara Gold. Getting to know and work closely with them was truly an incredible experience! They were fair minded, generous, and supportive to a fault. As Barbara made clear, we had quite a ride together and much fun along the way. And the volume’s learned contributors were outstanding; all offered excellent papers and were exceptionally cooperative in meeting every request and query.

Today I will focus on a issue that arose when, in my effort to frame a paper that would reflect both Judy’s emancipatory and her reception emphases, I based my paper on the Italian philosopher Giorgio Agamben’s book *Homo Sacer: Sovereign Power and Bare Life*. Agamben based his study on Carl Schmitt’s influential dictum, “The sovereign is he who decides on the state of exception” (*Ausnahmezustand*). According to Schmitt, the sovereign determines the entire political/legal order when, by establishing an exception, he also defines the “normal situation” (13). Agamben’s *Homo Sacer* focuses on the human life affected by a sovereign exception, the life that exists within the law only by virtue of having lost its protection. As an example, he offers the archaic Roman
figure, the *homo sacer*, described in Festus’s lexicon: “It is not permitted to sacrifice him [the *homo sacer*] yet he who kills him will not be condemned for homicide.” Agamben argues that the *homo sacer* defines the structure of the sovereign sphere where it is permitted to kill without legal culpability, and he offers that this banned subject was “the original political relationship.” (Agamben appears to have written *Homo Sacer* to dispute Foucault’s contention that the politics of human life, biopolitics, belongs to “the threshold of modernity.” Agamben holds, rather, that the exclusion of “bare life,” expendable political life, is embedded in human societies.)

As part of his argument, Agamben offered that the Greeks distinguished between *zoe* (mere life) and *bios* (proper human/political life). He was following the work of Hannah Arendt and Michel Foucault on this point.

Classically trained critics castigated Agamben for this last point, demonstrating correctly that the usage of these terms often overlaps. They, however, neglect Agamben’s larger point: Does the *Politics* indicate that some forms of human life may have had less than a full political life? Agamben points out, for example, Aristotle’s opposition between *zēn* and *eu zēn* in his discussion of the *polis*—“born with regard for life, but existing essentially with regard to the good life” (*Pol.* 1252b). This might suggest that political life, the good life, comes into being only when some form of bare life, *zoē*, is left behind. This exclusion of bare life from the political emerges even more clearly when Aristotle locates political life in the transition from mere voice to language (*phonē* to *logos*). The *polis* quite plainly is for those with *logos*.

In 2009, Agamben responded to critics, explaining that he had never intended that his figures such as the *sacer homo* be taken as historical theses: “They were rather to act
as paradigms whose role was to constitute and make intelligible a broader historical context.” Like Foucault’s “great confinement and his “panopticon,” Agamben intended his sacer homo as a paradigms, a heuristic that, in Agamben’s words, “makes the inquirer’s present intelligible as much as the past of his or her object” (2009, 32). Agamben’s historical reconstructions are intended to focus attention on the present, the now-time, to understand and perhaps change it.

I propose that Classicists at times are too eager to protect texts from creative reuse. Scholarly precision and rigor are and must indeed be the touchstones of Classical studies, and errors and incorrect translations cannot be ignored. Yet should we reject the refiguring of ancient sources so harshly? Couldn’t Agamben’s construal of the political status of the sacer homo as a heuristic for understanding contemporary subject positions, such as that of concentration camp victims or stateless refugees, be productive?

Agamben’s philosophic project points toward what he calls “happy life,” a community of singularities, free of the differences that have contributed in large part to what he calls the “bloody mystification” of modernity (1998, 12). Judy Hallett has similarly worked tirelessly for a future free of the divisions of identity, of race, gender, nation, and class that have troubled past histories. And Classical Studies owes her great thanks and appreciation for her unceasing work for the profession.
