

The Eroticisation of Biopower: Masochistic Relationality and Resistance in Deleuze and Agamben

Abstract

This article examines Gilles Deleuze's and Giorgio Agamben's thought on the immanent creativity emergent from formal, impersonal life as a pathway for resistance to biopolitics. In *Coldness and Cruelty*, Deleuze explores masochism as the inversion of the sadistic, biopolitical use of the body which can bring forth genuinely new expressions. Agamben dismisses masochistic creativity because it leaves the dialectical ontology of biopower intact to alternatively conceptualise his form-of-life as a space of indiscernibility between ontological essence and legal-political actualisation. For Agamben, the form-of-life escapes biopolitical capture because it is absolutely detached from its relations. This article argues that the radicalness of this detachment calls into question the political capacity offered by the form-of-life to actively change the relations of biopower. Against this background, Deleuze's masochistic eroticisation of power is revisited as offering an alternative, open conceptualisation of relationality as external to its terms and both thoroughly immanent and genuinely creative.

Key words

Relational ontology; Agamben; Deleuze; resistance; creative formalism; life

Resistance to biopolitics comes first: immanent creativity in Deleuze and Agamben

This article will unpack Gilles Deleuze's and Giorgio Agamben's theorisation of an immanent, vital creativity as a pathway for resistance to a biopolitical dispositif which reproduces itself auto-logically in all ontological and political expressions. The central challenge which emerges from Michel Foucault's biopolitical theory is the self-reproductive character of biopower. Biopolitical governance operates as an economy of relations which co-produce the life to be governed and the political sovereign who exercises this governance. Every ontological or political relation emergent under the conditions of sovereign governance can only reproduce its biopolitical functionality, which thus becomes the central challenge for every possibility of thinking, experiencing or enacting resistance. Against this background, Foucault himself tentatively offers a pathway for resistance, which I suggest will be useful for understanding how both Deleuze and Agamben conceptualise the former: 'resistance comes first, and ... power relations are obliged to change with resistance. So I think that resistance is the main word, the key word, in this dynamic' (1997: 167).

Beyond diagnostic (Odysseos 2016; Abu-Lughod 1990) and transcendental (Douzinas 2014) interpretations of Foucault's claim, which assume the productive primacy of and thereby essentialise either an emancipatory, resistant agency or a quasi-natural, 'physical' force of resistance which 'breaks down the basic constituents of the power constellation' (Douzinas 2014: 89) respectively, I suggest that Foucault challenges his readers to think the emergence and actualisation of resistance as entirely immanent to the culture/nature threshold of a life which is never completely biopolitically determined (Piasentier 2018).¹ This article will examine how both Deleuze and Agamben think resistance in this sense as an ungrounded, immanently emergent creativity, which opens-up in the potentiality of lived, embodied existence when its biopolitical capture is suspended. In *Coldness and Cruelty*, Deleuze offers the creative formalism of the masochistic contract as a perspective to understand how relational

connections can suspend the (biopolitical) determination of their terms to humorously bring forth genuinely novel expressions.

Dismissing the bodily use of Deleuze's masochism as not radical enough because it leaves the biopolitical dialectic of 'master' and 'slave' intact, Agamben instead proposes a form-of-life located in the threshold between legal-political and ontological capture as 'something like a way out' of biopolitics; its 'threshold of indiscernibility is the center of the ontologico-political machine: if one reaches it and holds oneself there in it, the machine can no longer function' (Agamben 2016: 239). Remaining close to Deleuze's link between embodied life, immanence and creative resistance, it will be shown how Agamben carves out an important theoretical basis to think resistant creativity as emergent from and immanent to a life, which is filled with the creative potentiality of lived existence, yet abstracted from its biopolitical capture.

However, I argue that the political purchase of Agamben's form-of-life remains ambiguous. Because he identifies the complete detachment from all biopolitical relations as necessary to bring forth creative expression in the form-of-life, it is not clear how the non-biopolitical use of the body it brings into view can be actualised to resist and change the relational dispositif of biopower beyond its threshold of indiscernibility. Against this background, Deleuze's masochistic eroticisation of power is unpacked as an alternative, non-deterministic perspective on relations. Here, immanent creativity and relational actualisation are not mutually exclusive, but rather condition each other within a creative relationality which is always external to its terms, and thus never completely determined.

The first part of the article presents a comprehensive overview of Deleuze's argument for masochistic creativity. It is illustrated how Deleuze views the masochistic contract not just as a tool for the deconstructive ironicisation of sadistic, sovereign relations, but how he also identifies a creative formalism whose expressions transcend biopolitical sadism as particular

to masochism. In the second part of the paper I then turn to Agamben's critique of Deleuzian masochism in *The Use of Bodies*. For Agamben, the expressions of Deleuze's masochistic use of the body are necessarily recuperated by the biopolitical dialectic which it leaves intact. But Deleuze's concept of immanence-as-life, following Agamben, offers a genuinely creative potentiality because of its effective detachment from biopolitically captured existence. Against this background it is illustrated how Agamben conceptualises his form-of-life as a realm of immanent creativity which can bring into view a practice of bodily use which is biopolitically untainted because its threshold status escapes ontological essentialisation and political-legal productivity.

However, in the third section of the article it will be argued that the complete detachment from all biopolitical relations which Agamben demands for his form-of-life calls into question to what extent its resistant creativity can be employed to change biopolitical conditions or even completely escape the dialectical figure of their reproduction. The final section will then revisit the open relationality of Deleuze's masochistic contract as a pathway to overcome these ambiguities in Agamben's closely aligned theorisation of the immanent creativity of formal, impersonal life. Having freed Deleuze's thought from Agamben's charge of dialectic recuperation, I will illustrate how Deleuze locates creativity in the reciprocally productive interrelation of virtual and actual, which is always external to its terms. The creativity of the masochistic contract follows from its openness to the immanent, but multiple and relationally charged 'outside' of the diagrammatic. Its creative eroticisation of power therefore always entails the potential to transform the relations of biopolitical capture from the inside.

Ironic inversion and creative formalism: Deleuze's masochistic contract

In the following section I will sketch out Deleuze's discussion of masochism in *Coldness and Cruelty* (1991a) and "From Sacher-Masoch to Masochism" (2004)² to show how the former provides an immanent perspective on the emergence of a creativity which can be employed to resist, challenge and change biopolitical conditions. Deleuze rejects the psychoanalytic definition of masochism as a 'perverse' sexual practice. For him, masochism is the establishment of a bodily relation which is on the contrary 'generic and encyclopedic' (2014: 125). In the following, I will focus on these two dimensions - the encyclopaedic-genealogical and the generic-creative - to explore the immanent creativity of Deleuze's masochistic contract. Beginning with the former, masochism, which Deleuze equates with Sacher-Masoch's depiction of the male desire to be dominated by a woman, is an embodied practice of ironic inversion. It critically unpacks the operability of legal institutionalism which Deleuze identifies as sadistic.

Deleuze shows how sadism reproduces itself through the circle of anarchical exception and law, constitutive political transgression as the ex post facto production of ontologically lacking constituent power, in a way which mirrors sovereign biopower. 'Sade often stresses the fact that the law can only be transcended toward an institutional model of anarchy ... [which] can only exist in the interval between two regimes based on laws, abolishing the old to give birth to the new' (Deleuze 1991a: 87). Driven by the need for 'quantitative reiteration' (Deleuze 1991a: 87), more of the same, the resistance of the sadist, even in the anarchical exercise of violence, is aligned with the logic that drives the biopolitical dispositif. In contrast to the sadist, Deleuze's masochist has no such – futile – dreams of escaping the biopolitical machine to an absolute outside which, in its diametrical opposition, reproduces sovereign law as the state of normality. In a comically exaggerated fashion, the subject who agrees to the terms of the

masochistic contract embraces powerlessness in the face of lawful coercion (Deleuze 1991a: 88).

Masochism reverses and thereby undoes the patriarchal tendencies of the law; ‘as it draws up the contract for the dominant woman, it pushes it to the extreme by dismantling its machinery and exposing it to mockery’ (Deleuze 2004: 127). But as noted by Edward Kazarian, the genealogical deconstruction of law through the masochistic contract also has more general implications for a liberal, Western political thought which is anchored in the founding figure of the social contract generative of sovereign power:

[T]he masochistic relationship is founded on a contract which grants one of its parties the sovereign power as such: the right of death. Of course, such a contract would obliterate its own “legal” basis. But this is precisely the key to its strategic meaning: [...] the masochistic contract is absolutely binding, held together with the force of a “sentimentality” as utterly foreign to the patriarchal ethos as it is to the juridical structure of modern society [...] from the point of view of this ethos and this juridical order, nothing could be more ridiculous and inexplicable. (2010: 98-99)

The masochist thus embraces the coercion of the law to its utmost extent to revel in, and reveal, its absurdity. But for Deleuze, the philosophical force of humour does not lie in its deconstructive quality but goes further than that. Humour is chaotic and innovative, it is ‘the art of the static genesis’ and ‘of nomad singularities’ (Deleuze 1990: 141). In this sense, the humorous submission of the masochist is not merely passive, but always at the same time creative and resistant, ‘inseparable from an attempt to overturn [...] authority’ (Deleuze 2004: 130). It does not necessitate a pre-given political agency, but on the contrary brings it about in the sense of Foucault’s ‘resistance comes first’.

The masochistic contract thus ironically deconstructs the roles of ‘master’ and ‘slave’ as terms of the sovereign power-relation, but always with the aim of humorously bringing forth a genuinely new expression. ‘The Servant is not at all the inverted image of the master, and neither is he his repetition or his contradictory identity: he is constituted piece by piece, bit by bit, from the neutralisation of the master’ (Deleuze quoted in Alliez 2005: 1). For Deleuze, the contractual dimension of masochism holds the key to understanding how a genuinely creative expression can emerge on the inside of sadistic, biopolitical relations. While ‘sadism is institutional, masochism is contractual’ (Deleuze 1991a: 134) and ‘should be defined by its formal characteristics rather than by its “dolorogenous” [dolorigène] content’ (Deleuze 2004: 126). While initiated by a subject conditioned by the sadistic apparatus of biopolitics, the masochistic contract, following Deleuze, is able to transform not only the parties connected by it (Kazarian 2010: 96; Musser 2005), but also the set of relations these are embedded in – and reproductive of.

This is the case because, following Deleuze, masochistic formalism achieves an abstraction from the biopolitically moulded subjectivities it interrelates. The masochistic contract institutes a ‘qualitative suspense’ (Deleuze 1991a: 134) within the relations of biopower, which allows for the genesis and transformative actualisation of genuinely different expressions. The formalism of masochism culminates in this moment of dramatising suspense. For Deleuze, the enactment of suffering, different from its coerced endurance, uncovers the spatio-temporal dynamisms which give meaning, reality and validity to ideas to allow for their creative ‘displacement’ (Deleuze 2004: 129). The drama set up through the masochistic contract resolves the anxiety associated with punishment, turning it into pleasure, and thus makes it possible to draw qualitatively new experiences from the masochistic relation.

[T]here are two ways of interpreting the operation by which the law separates us from a pleasure. Either we think that it repels it and uniformly splits it off, so that we can obtain

pleasure only through a destruction of the law (sadism). Or we think that the law has taken the pleasure into itself, is keeping it for itself; it is then by devoting ourselves to the law, by submitting ourselves scrupulously to the law and its consequences, that we will taste the pleasure which it has forbidden us. (Deleuze 2004: 129)

Where the sadism of sovereign power quantifies relations so that they may be stratified and institutionalised, masochism, following Deleuze, dramatises the biopolitical relation in such a way that the immanent emergence of divergent thought and action is possible. The sadistic institutionalisation of the new politics to be discovered is always possible, and resistant actualisation is thus always uncertain. But resistance comes first in Deleuze's masochistic relationality, because it is at the same time that the possibility of resistant creativity always remains present within the terms of the ontologico-political dispositif of biopower.

The masochist and the monk: Agamben's inoperative form-of-life

In *The Use of Bodies*, Agamben examines Deleuze's masochism as a way to free bodily use from biopolitical capture and establish the former as a realm of resistant creativity. In this section, I will illustrate how Agamben deems masochism insufficient in its capacity to render biopower inoperative to conceptualise his form-of-life as an alternative, more promising account of the relationship between bodily use and genuine creativity. Agamben begins the book by identifying the figure of the slave as ideal-typical example for how the instrumental use of the body keeps the biopolitical machine in motion. The slave is not productive of her own terms – her used body is only negatively included in the political sphere and the private household. Positioned outside of life within the biopolitical community, the slave 'renders possible for others the *bios politikos*, that is to say, the truly human life' (Agamben 2016: 20).

For Agamben, the use of the slave's body exemplifies how biopolitics binds 'a supposedly originary way of life' to 'traditional authority or the forces of nature' so that 'its use dictated by its sense and its necessary relation to an end' (Whyte 2013: 135). But for precisely this reason, for Agamben, bodily use also holds the key to understanding and possibly resisting the biopolitical capture of life. It is in this sense that Agamben turns to the ironic reversal of 'master' and 'slave' in Deleuze's *Coldness and Cruelty*. Agamben embraces the encyclopaedic-genealogical dimension of Deleuze's masochism, the way it reveals, renders absurd and thereby suspends the sadistic cruelty of the sovereign legal apparatus. If we assume that 'the master/slave relation as we know it represents the capture in the juridical order of the use of bodies as an originary prejuridical relation' (Agamben 2016: 36), then masochism 'always entails a neutralization of the juridical order by means of its parodic exaggeration' (Agamben 2016: 36).

However, he is less convinced by the generic-creative potential of the masochistic contract. While Deleuze insists that the masochistic contract is able to transform the relationship between 'master' and 'slave' from the inside to bring forth the creative expression of something genuinely new, Agamben argues that the dramatic suspense it offers does not go far enough to make genuine creativity possible. Masochism leaves the ontological dimension of the 'anthropologically constructive' (Agamben 2016: 36) subject/object dialectic intact. As a consequence, any expression emergent from within the masochistic contract is bound to be nothing but a reiteration of the ontologico-political dispositif of sadistic biopower.

While he thus dismisses the resistant potentiality of Deleuze's masochism, Agamben identifies Deleuze's concept of life as a more promising resource for conceptualising immanent creativity. In his analysis of Deleuze's late essay "Immanence: A Life", Agamben (1999: 220-221) unpacks how Deleuze defines immanence as 'A LIFE' (2001: 27) which transcends individual, embodied existence towards a transcendental plane of virtual potentiality where

onto-genesis is freed from any predetermination which the former might have been subject to. ‘The life of the individual gives way to an impersonal and yet singular life that releases a pure event freed from the accidents of internal and external life’ (Deleuze 2001: 28). Agamben (1999: 228-234) suggests that the ungrounded, but creatively self-causing quality of immanence-as-life which Deleuze draws from Spinoza is made possible by its ‘indefinite’ (Deleuze 2001: 30) quality, its threshold status ‘between-times, between-moments’ (Deleuze 2001: 29).

While Agamben himself does not establish a link between the two instances where he discusses immanent creativity in Deleuze, it seems that he deems Deleuze’s immanence-as-life successful where the masochistic contract fails: charged by a particular, embodied life, it nevertheless achieves a complete, formal abstraction from the former. Bodily life and immanence are separated by ‘an absolute *agencement* that also includes “nonrelation,” or the relation derived from nonrelation of which Deleuze speaks in his discussion of the relationship to the Outside in his book on Foucault’ (Agamben 1999: 223). For this reason, immanence-as-life can function as an impersonal, transcendental field of creative onto-genetic emergence whose expressions are untainted by the dialectic relationality of biopolitics.

Turning back to *The Use of Bodies*, for Agamben, a practice of resistance which successfully disables the biopolitical dispositif must therefore achieve detachment not only from its political relations, but also from its ontological products. It must constitute a

figure of human praxis, in which enjoyment and labor (which is restrained desire) are in the last analysis unassignable. From this perspective ... masochism appears as an insufficient attempt to render inoperative the dialectic between master and slave by parodically finding in it the traces of that use of bodies to which modernity seems to have lost all access. (Agamben 2016: 37)

This ‘figure of human acting’, which Agamben glimpses in the slave’s use of the body, and which he seeks to recover from biopolitical capture and turn into a tool for resistance, is a life which is pure, inoperative poiesis, not dissimilar to Deleuze’s immanence-as-life – the form-of-life.

Agamben begins to sketch out his form-of-life as realm of genuine creativity withdrawn from the relations of the biopolitical dispositif in *The Highest Poverty*, where he examines the ‘*forma vitae*’ (Agamben 2013: 93) which characterises Franciscan monasticism.³ Unique to the former, Agamben shows, are two dimensions which will ultimately function as the cornerstones of his immanently creative form-of-life: the lack of ontological, and of political productivity. Beginning with the former, the Franciscan monks who have vowed to poverty exhibit a practice of bodily use which is factual, non-commodified and unregulated because it is spontaneously emergent from manifest necessity. The monks’ mode of living is not characterised by liberal-individual ownership, but it is communally shared and thus exemplary and formulaic (Agamben 2013: 14; 58). It is therefore devoid of any Foucauldian care of the self whose aestheticization of existence Agamben dismisses, similarly to Deleuze’s masochism, as a pathway towards resistant creativity because it remains tied to the biopolitically captured ontological figure of the ‘free subject’ (Agamben 2016: 106; see also Agamben 2013: 33).

Turning to political productivity, the rule-bound, rigidly confined life of Agamben’s Franciscan monk is, similarly to Deleuze’s masochist who contractually submits himself to unlimited coercion, subject to a totalisation of the norm so tightly interwoven with lived existence that both enter a threshold of indiscernibility where the norm ‘is no longer easily recognizable as a law, just as a life that is founded in its totality in the form of a rule is no longer truly life’ (Agamben 2013: 26). What Agamben draws from Franciscan monasticism is a form-of-life which is abstracted from the biopolitical economy which captures manifest

existence to ‘a threshold of indifference between life and norm and between being and practice’ (2013: 117; see also Prozorov 2017: 151-152). Agamben’s form-of-life is immanent, not transcendent, inoperative, not productive, and can therefore constitute an emergent, not biopolitically conditioned kind of rule (Agamben 2013: 71).

Agamben’s form-of-life responds to Foucault’s call for a resistance that ‘comes first’ because he is acutely aware that the biopolitical dispositif is not only reproduced through political opposition, but also through any attempt to think an outside ontological essence as resource for resistant creativity. Politically, it is the (yet) unmarked potentiality located in threshold between *bios* and *zoē*, which therefore escapes the determination of their split into productive life within the governed community and its constitutive outside. The form-of-life resists the pull towards the actualisation of a constituent power and thereby makes available a destituent potentiality ‘to resist the ban of sovereignty, where constituent power, referring to the revolts and revolutions, remains inseparable from the constituted power, which it ultimately wishes to become’ (Joronen 2016: 94).

Like Walter Benjamin’s divine violence, the form-of-life captures the sovereign dialectic at a standstill, resisting the reproduction of a constituent power which takes place in every act of political or ontological actualisation. It does not belong to an actual, biopolitically embedded subject, but is abstracted from every subjectivity in the sense of a reversed *homo sacer* figure not emptied by, but emptied from biopower, a “workless slave” [...] [who] is neither Master nor Slave but an inoperative figure subtracted from the process of negating action’ (Prozorov 2014: 175) and can therefore embody a practice which responds to the task Agamben sets for resistance in the first volume of *Homo Sacer*: ‘thinking ontology and politics beyond every figure of relation’ (1998: 55).

Practice, relationality and political actualisation in Agamben's form-of-life

While the subtraction Agamben calls for thus seems to take the form of a withdrawal to the indiscernible centre of biopolitics, it is important to point out that he does not view the former as a gesture of defeatist escapism in the face of self-reproductive biopolitical conditions whose recuperative potential renders all manifest political change impossible. Quoting Marx, he emphasises that it is precisely the hopeless situation of an all-encompassing, self-reproductive biopolitical machine which provides hope, indicating that this biopolitical present itself will produce the means by which it can be overcome (Smith 2004: 123). As Agamben specifies in *Profanations*, contemporary biopolitical conditions are particularly prone to giving rise to the resistant creativity which emerges in relational thresholds such as the form-of-life because they have dissolved any strict separation between the two relational terms of their dialectical reproduction.

Here, Agamben makes it clear that the emergence of 'a new possible use' (2016: 247) of the body in this threshold of inoperativity is however, on its own, not enough. As he argues with regard to the threshold of the unprofanable which pornography has installed in the place of a physically affective, sexual use of the body: 'we must always wrest from the apparatuses - from all apparatuses - the possibility of use that they have captured. The profanation of the unprofanable is the political task of the coming generation' (Agamben 2007: 92). As also implicit in his framing of the form-of-life as 'never-ending practice' (2013: 33) in *The Highest Poverty*, Agamben does not equate the *poiesis* of his form-of-life with an Arendtian life of contemplation. Instead he seems to theorise the immanent emergence of creativity as a practice of bodily use which is conceptualised to create a pathway for resistant actualisation towards manifest change.

However, I argue that a certain disconnect remains between Agamben's active political optimism, which situates his form-of-life, and the political purchase which can be drawn from the former. In the following it will be shown that the scope for the actualisation of the creative expressions which the form-of-life gives rise to remains ambiguous because of the way the concept is theoretically set-up by Agamben. More specifically, I suggest that this political ambiguity is derived from Agamben's particular understanding of relationality as necessarily pre-determined, which necessitates complete detachment towards an immanent 'outside' to allow for the emergence of genuine novelty. It has been shown how, for Agamben, resistance, which is made possible by a genuinely creative expression, must be found on the inside of the biopolitical dispositif.

The resistant potentiality of the form-of-life is immanent to biopower, but is only opened-up when its relations are interrupted. "To resist," which comes from the Latin *sisto*, etymologically means "to stop, to hold down," or "to stop oneself." This power that withholds and stops potentiality in its movement toward the act is impotentiality, the potentiality-not-to' (Agamben 2017: 40-41). For Agamben, relations are closed and determined by their biopolitical start- and end-points. All activity that is relational, connective and extroversive – creative of something, directed towards something - is thus biopolitically reproductive. The inoperative form-of life can only resist this reproductive determination as inwards-oriented abstraction which is 'set free from every figure of relation' (Agamben 2016: 268). The genesis of the form-of-life must be understood as a process of becoming-monadic which isolates the creative potentiality of an individual or a group through formal abstraction from its socio-political context.

It is exactly this detachment which Agamben embraces in Deleuze's life-as-immanence, and which he finds lacking in Deleuze's masochism as a perspective on immanent creativity. By Agamben's logic, this isolation is necessary to render inoperative the mechanism of biopolitical

capture. But there is no mention of how the alternative political perspective which this withdrawal opens-up can then be reconnected to, challenge or change the relations of the governed political community. Destituent potentiality neutralises the operativity of the law, but, importantly, ‘without for that reason abolishing the law’ (Agamben 2016: 273). But if this is the case, any socio-political actualisation of the novel political practice which the form-of-life can bring into view must be rendered ineffective by the relations of the biopolitical apparatus that have remained intact, and which will exert their dialectical-reproductive pull as soon as it comes into contact with them.

Here, it seems that Agamben himself falls prey to the charge he formulated against Deleuze’s masochistic contract: his form-of-life escapes biopolitical capture, but it is not clear how it can produce means to overcome the former beyond its own threshold of indiscernibility. As a consequence, the form-of-life appears limited to ‘the articulation of a zone of irresponsibility’ (2016: 248). Beyond a critique of Agamben’s as politically defeatist, I argue that there is no doubt that Agamben conceptualises the non-biopolitical use that the form-of-life unfolds within its threshold of indiscernibility as a form ‘of experimental praxis that concretely pose[s] the question of the possibility of political action on the uncertain terrain of the present’ (Whyte 2013: 34; see also Prozorov 2017: 148). What is not clear, I suggest, is how the former can be made productive to change the biopolitical conditions which surround its monastic realm of confinement, because its only relation to the former is absolute detachment, not relational actualisation.

If there is a work, job, or task that must be accomplished ... the only real thing to do would be to let it go, to dis-contain, because being should never be predicated. So in an answer to the question of what to do, Agamben can really only say nothing at all. Nothing should be done. (Bird 2016: 147)

Agamben's form-of-life can thus only bring forth resistant creativity to the extent that its abstraction from the relations of biopower is complete – that it opens-up an immanent 'outside' to biopolitics. The radicalness of its detachment from the sovereign, biopolitical relationality, further complicates the political implications of Agamben's form-of-life as a pathway for resistance to biopolitics. In *The Highest Poverty*, Agamben explores how the combination of factual use and the expropriating character of poverty guarantee the Franciscan monks 'an exteriority with respect to the law' (2013: 139) which renders their lives spaces of possible resistance to juridical and economic capture. While Agamben himself stresses that this exteriority is different from dialectically reproductive opposition (Bird 2016: 144-145), in *The Use of Bodies* he sets up his form-of-life in a manner that is contrarian to the products of the biopolitical dispositif – it is potential, not actual, essence, not existence, monolithic, not split by the ontologico-political relations of biopower.

The form-of-life is thus immanent to, but also, in all respects, the outside of sovereign biopolitics. But precisely for this reason, it risks falling victim to the logic of dialectical reproduction which Agamben (1998) develops so carefully with regard to the inside of the political realm and the outside of the sovereign exception in *Homo Sacer: Sovereign Power and Bare Life*. Agamben's turn to the inside risks going too far. Instead of remaining within the biopolitical relationality to discover moments of open potentiality, he advocates a complete withdrawal from 'every figure of relation' (Agamben 2016: 268) to a form-of-life which thereby becomes the dialectical opposite to biopower, a constitutive 'outside' located on the inside of its relational apparatus. Agamben's turn to the immanent 'outside' of complete detachment from all relations results from the particular understanding of relationality which informs his thinking on immanent creativity. For Agamben, relations seem completely determined by the biopolitical terms they split or connect – *bios* and *zoē*, subject and population, constitutive and constituent power. For this reason, the potentiality of the form-of-

life can only be genuinely creative in so far as it is freed from all biopolitical relations and their dialectically reproductive pull.

The relationality that Agamben seeks to escape is thus a particular one: it is the mechanically self-reproducing, disciplinary biopower of sadism. Agamben identifies Sade's work as 'the first and perhaps most radical biopolitical manifesto of modernity. [...] Not only does Sade consciously invoke the analogy with sovereign power [...] but we also find here the symmetry between homo sacer and sovereign, in the complicity that ties the masochist to the sadist, the victim to the executioner' (1998: 134-135). Agamben is the Anti-Sade. But in his diametrical opposition to it, he remains tied to the sadistic relationality of biopolitics, insisting on the necessity of complete and therefore recuperative abstraction from all relations rather than identifying the biopolitically closed dialectic as nothing but a particular, contingent construction of biopower.

Deleuze's creative relationality beyond dialectics

In the previous section the ambiguous political purchase of Agamben's form-of-life has been traced back to its status as an immanent, but absolute outside to the ontologico-political relations of biopower based on a conceptualisation of relations as necessarily determined by their terms. I suggest that an immanent creativity with the potential to function politically transformative can easily be recovered from Agamben's form-of-life if underpinned by a different concept of relationality. This final section will revisit Deleuze's masochistic contract as a perspective on immanent creativity which can be actualised beyond biopolitical recuperation. This is the case because relations, in Deleuze, are always external to their terms, but without constituting an absolute outside completely disconnected from the former.

Throughout the discussion of immanent creativity developed in this article, the proximity of Agamben's and Deleuze's respective conceptualisations has repeatedly emerged. Both thinkers closely link creative potentiality to the manifest actuality of a life, but also emphasise that a certain, formal suspense is necessary to allow the former to generate genuinely new expressions. Both thinkers also turn to the sexual use of the body, Deleuze in the form of masochism and Agamben, in addition to his discussion of (sado)masochism in Deleuze and Foucault, to the 'unprofanable' in pornography, to find examples for how formal detachment can open-up non-biopolitical modes of life and bodily use. However, in order to integrate Deleuze's creative eroticisation of power with the immanent creativity of Agamben's form-of-life, it is necessary to refute the charge that Agamben formulates against the former in *The Use of Bodies*: that Deleuze's thought fails to escape the recuperative reproduction of the dialectical relationality of biopolitics.

The task of overcoming the self-reproductive apparatus that is Hegelian dialectics in order to open-up space for genuine philosophical creativity is central to Deleuze's philosophical project. As he argues in *Difference and Repetition*, Hegel's turn to abstraction in thought as the realm of creativity 'creates ... a false movement' (1994: 10) which never produces anything beyond identical repetition. Just as solutions are always pre-determined reflections of the problem they respond to (Deleuze 1994: 63-64), the creative potentiality of Hegel's abstraction is 'no more than that of his own thought and its generalities' (Deleuze 1994: 10). Against Hegel's abstract-ideational dialectic difference, Deleuze posits a virtual, differential realm of pure potentiality which however remains, at all times, connected to manifest actuality.

Virtual difference produces the actual through a constant process of differentiation. But it does so only insofar as it, at the same time, draws from the former the singularities that condition genuinely creative encounters with '[s]omething in the world forces us to think' (Deleuze 1994: 139), which create, rather than being predetermined by, ideational trajectories. It has been noted

by critics and Deleuze scholars alike that Deleuze's creative duality of virtual difference and actual remains peculiarly close to Hegelian dialectics (Clisby 2015; Widder 2001), seemingly supporting Agamben's concerns regarding the capacity of Deleuze's thought to successfully move beyond the biopolitical relationality. However, I argue that this apparent proximity must be understood with a view to the fundamentally different conceptualisation of creativity which separates Deleuze's thought from Hegel's dialectic.

Deleuze does not merely re-connect productive difference to manifest actuality, but thereby importantly undoes every notion of creative primacy. Neither virtual difference nor manifest actuality can bring forth genuinely new expressions; creative encounters and expressions are rather immanent to their reciprocal interrelation, which always transforms both of its ends (Widder 2001: 465-470). The virtual realm of pure difference is thus shaped and structured in the same process of differentiation which draws concreteness and ultimately actuality from the former. For this reason, it would be misguided to understand Deleuze as claiming absolute onto-genetic primacy for his virtual difference. On the contrary, 'neither the virtual nor the actual are of particular importance in-themselves. This suggests that what is important is the role that each plays within a system that is "always-already" involved in the reciprocal process of creation' (Clisby 2015: 133).

Recalling Agamben's reading of Deleuze's life-as-immanence against this background, it becomes evident that Agamben brackets its relational quality. For Agamben, the immanent creativity of 'a life' reveals Heideggerian roots, belying Deleuze's 'lack of fondness' (2009: 225) for the former. Based on a detachment from all ontologico-political relations, it opens-up a one-directional movement of creative emergence from the potentiality of formal life to actuality. But as shown above, Deleuze's immanent creativity operates reciprocally. It can only bring forth creative expression because is located in the interrelation of virtual potentiality and

actuality which functions mutually transformative for both ends, endowed with a *sui generis* creativity which transcends both actual and virtual.

I argue that this immanent creativity of the relation which can always transcend and therefore transform its terms maps out the concept of relationality that underpins Deleuze's masochistic contract. While Agamben himself marginalises the creative aspect of the formal-contractual relation, I suggest that Deleuze's relationality offers a perspective to understand the immanent creativity which Agamben's form-of-life targets, but without necessitating a radical detachment from all relations. But how exactly is it possible that the formal relation of the masochistic contract escapes its biopolitical terms without necessitating such complete detachment? Returning to the creative formalism of the masochistic contract in Deleuze, it must be noted that this notion appears in another passage of Deleuze's work, in his book on Foucault, employed by Agamben to read Deleuzian immanence. Here, Deleuze makes reference to Foucault's claim that 'resistance comes first' in the context of his discussion of the diagrammatic nature of power:

[T]he final word on power is that resistance comes first, to the extent that power relations operate completely within the diagram, while resistances necessarily operate in a direct relation with the outside from which the diagrams emerge. (Deleuze 1988: 89)

What Deleuze refers to as 'diagram' here is the operational mode which, as Foucault describes in *Discipline and Punish*, guides not just a singular power relation, but organizes their totality in such a way that a particular governmental mechanism – such as panopticism – is continuously exercised, and continuously reproduced in this exercise. While not used as a concept by Foucault himself, the diagram is, in this sense, a 'way of making power relations function in a function, and of making a function function through these power relations' (Foucault 1995:

205-206). Expanding on Foucault's notion of the 'function that makes power relations function', Deleuze states that the diagram

is coextensive with the whole social field. It is an abstract machine. It is defined by its informal functions and matter and in terms of form makes no distinction between content and expression, a discursive formation and a non-discursive formation. It is a machine that is almost blind and mute, even though it makes others see and speak. (1988: 34)

The diagram does not impose an autonomous domain of thought onto a lifeless nature; rather, it operates at, and modulates, life as the juncture between both (Deleuze and Guattari 1987: 156-162). While Agamben's ontologico-political dispositif of biopower can thus be understood as a particular diagram, the masochistic contract aims at a diagrammatic shift which alters the socially productive relationality of power. This shift is possible because, for Deleuze, the diagram is itself not determined by a function that makes it function but situated in the dynamic multiplicity of diagrammatic relations 'from which diagrams emerge'. Resistant creativity, thought from the inside of biopolitical relations, is located in this genuine openness of the diagrammatic. It exists and can be accessed within the diagrammatic relationality of biopower - at the exact moment of its reproduction. While the diagram is 'a map of destiny' (Deleuze 1988: 36) which structures a social field, it only becomes effective in a concrete micro-relation of subjectivation.

Deleuze investigates this relationship between ideas as conditioned terms, their interrelation and the formation of subjectivity in his early book on the philosophy of David Hume, *Empiricism and Subjectivity*. Inverting the Kantian relation between idea and self, Deleuze uses Hume to argue that the reasoning, acting, experiencing 'subject is constituted in the collection of ideas' (1991b: 99). Rather than being primary to ideas and sense-impressions (the discursive and non-discursive formations whose relations the diagram guides), the subject is synthetic. It

is constantly shaped and re-shaped by the productive, experiential interrelation of both sets of terms – to which these relations are external.

Whether as relations of ideas or as relations of objects, relations are always external to their terms. What Hume means is this: principles of human nature produce in the mind relations of ideas as they act ‘on their own’ on ideas. [...] To the logic of mathematics [...] must therefore be juxtaposed a logic of physics or of existence [...]. To say that a principle of nature—in this case, habit—is formed gradually is to say, in the first place, that experience is itself a principle of nature. (Deleuze 1991b: 66-67)

For Deleuze, (power) relations of subjectivation originate in a concrete encounter. But they draw their productivity from the manifold relations of actual experience which can receive and integrate the former, pre-existing and being altered through every new subjective expression they produce. As Deleuze shows in *Difference and Repetition* for the abstract-theoretical relation between virtual potentiality and actual, the relationality of experience here firstly undoes the notion of primacy, or rather the need to account for absolute primacy, in order to understand the production of the new. The creative emergence of novelty is here located at the juncture of nature and culture, empirical encounter and ideational expression, which both constantly charge, but are constantly altered through experiential relations. ‘Being external to their terms, how would relations be able to determine the priority of one term over the other, or the subordination of one to the other?’ (Deleuze 1991b: 123).

But secondly and more importantly, ideas, while themselves conditioned by the status quo of power relations, can develop an original productivity through their interconnection in experience. The creative relational synthesis of experience towards subjective thought opens-up and draws on the pure relationality of the diagrammatic which contains both connections already actualized in power relations and alternative relations which bear no resemblance to

the former. ‘[W]hilst immanent to “real” experience [...] [the diagrammatic] concerns a genesis that invests the intensive, and transcendental, forces of the “outside” (the “nonthought within thought”) as the conditions for a “new” reality’ (Vellodi 2014: 86). Deleuze’s diagrammatic ‘outside’, which Agamben reads as opened-up through complete abstraction in line with his theory, is not the absolute and thus dialectically reproductive externality of Agamben’s form-of-life detached from the machinations of biopower. It is rather is the intense, active field of relational potentiality which is experience for the subject and a Bergsonian, collective memory of past-future pathways for the social field, both filled with actuality and its multiple relations (Williams 2016: 52-53; Deleuze 1988: 83-84).

Different from Agamben’s empty dialectic at a standstill, the diagrammatic can charge resistance because it contains an excess of relational movement which is always already present in every biopolitically determined relation, confronting its ordering function with the multiplicity of alternative relations to-be-actualised. What takes place when a power relation is generated is a momentary suspense by this diagrammatic intensity. It disconnects the former from its terms, to which it becomes primary through this immanent, diagrammatic opening, able to re-instate or alter them within the biopolitical context they are situated in. In this sense, in every diagram of power ‘there is therefore a blend of temporary, suspended, transcendence and the intense events engulfing it’ (Williams 2016: 50). Diagrams can guide the reproduction of a specific set of power-relations, such as those of the biopolitical *dispositif*, but they are never limited to it. This is the case because they can only do so by drawing on the diagrammatic potentiality immanent to their relations, which can always at the same time bring forth a different expression to be employed towards the actualisation of manifest change (Vellodi 2014; Williams 2016).

Conclusion

In this article I unpacked the creative formalism of Deleuze's masochistic contract as a perspective to understand how the immanent emergence of resistant novelty and its actualisation towards manifest change is possible under the conditions of a relationally self-reproductive biopolitics. Underlying the creative formalism of Deleuze's masochism is a conceptualisation of relations as external to their terms and continuously opened-up to the immanent multiplicity of the diagrammatic, which endows them not only with the creative potential to transcend their biopolitical terms, but also to actualise the difference it brings into view because the virtual potentiality of the diagrammatic remains, at all times, relationally tied to manifest actuality.

It has been shown that, at many points, Deleuze's masochistic relationality operates similar to Agamben's inoperative form-of-life. Both thinkers insist that a resistant creativity which avoids feeding into the ontologico-political workings of biopower must be conceptualised as immanent, and both theoretically explore lived existence, the sexual use of the body and a creative formalism which can be drawn from the former as possible pathways towards the expression of such an immanent creativity. The above sketch of a creative relationality of masochistic contractualism is thus not intended as a critique of Agamben's theoretical project. Rather, I sought to illustrate how these extensive parallels and points of theoretical overlap between Agamben's and Deleuze's theorisation of immanent creativity make it possible to use Deleuze's creative relationality to resolve certain ambiguities surrounding the possible political purchase of Agamben's form-of-life, which result from Agamben's insistence that the former can only be opened-up through the complete detachment from all biopolitical relations.

The creativity of Deleuze's masochism shows how relational productivity is not closed, but intense and indeterminate. The same intensity which charges the reproduction of the

biopolitical dispositif constantly produces alternative relational pathways to resist and overcome it. It is for this reason that resistance comes first in the creative relationality of masochism. Where both biopolitical sadism and Agamben's anti-sadism can only think a withdrawal from the institutional realms of biopolitics which leaves its validity intact, Deleuze's masochism embraces its legal-contractual formalism to resist and alter it from the inside in a way that can be transformative for the parties subject to its political contract.

¹ I believe that this reading of Foucault's statement is in line with Foucault's (1997: 163-164) own scepticism towards any strict separation of cultural subjectivity and biology expressed with regard to gay movements in the same interview where he argues that 'resistance comes first'.

² Deleuze's *Coldness and Cruelty* (1991a) and "From Sacher-Masoch to Masochism" (2004) have received an uncharacteristically little amount of attention in secondary literature. Most readings focus on Deleuze's engagement with the literary creativity of the author Leopold von Sacher-Masoch (Markotic 2016; Geyskens 2006) or explore both works as an early critique of psychoanalysis (Gaudlitz 2015; Lauwaert and Britt 2015) and its patriarchal tendencies with the help of the 'gynocratic' (Lauwaert and Britt 2015: 169) phantasies of the masochist.

³ A briefer, but in this context interesting example which Agamben provides for the inoperative use of the body which anchors the form-of-life in *The Use of Bodies* are Kraft-Ebbing's studies of masochism. For him, these also reveal the inoperativity of a life that is nothing but the pleasure experienced in the face of its own revelation. It liberates bodily existence from the instrumental necessities assigned to them by the biopolitical dispositif and allows the former to be 'opened to a new possible use' (Agamben 2016: 247). It again reveals how close Agamben comes to Deleuze, albeit that his reading of masochism is focused on onto-genetic transcendence, not relational immanence.

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