

## Mark Horvath and Adam Lovasz | Foucault in the Age of COVID-19: Permitting Contingency in Biopolitics

(2020-06-24)

Mark Horvath is a philosopher and researcher who lives in Budapest. He is, along with Adam Lovasz, co-founder and co-editor of *Absentology*, a Facebook page dedicated to philosophy and weird science, and Poli-p, a Hungarian posthumanist collective. His areas of interest include posthumanism, digital studies, speculative realism, pessimism, nihilism, finitude, and the anthropocene. He has presented at many Hungarian and international conferences, and published in some journals. He has published ten books, including two monographs in English.

Independent Researcher  
purplemark@hotmail.com

Adam Lovasz is an Australian-born philosopher based in Hungary. Currently Lovasz is a Ph.D. student enrolled in the Ethics and Political Philosophy Program at Eötvös Loránd University, Budapest. His interests include continental philosophy, embodiment, phenomenology, posthumanism and speculative realism. He is author and co-author of numerous books, most recently the first Hungarian-language textbook on Speculative Realism and New Realism. Adam is also co-founder (with Mark Horvath) of *Absentology*, a center for collaboration and interdisciplinary philosophical inquiry.

Eötvös Loránd University  
adam.lovasz629@yahoo.com

### Introduction

In this article, we seek to answer two interconnected questions. What is the role of the nonhuman in strategies of governance that attempt to regulate life? And, moreover, can a mode of power be

imagined which is capable of instrumentalizing chance? It is the relationship between power and contingency that must be investigated. We begin with the second query. In this project, we take two lecture series of Michel Foucault as a point of departure. The lectures represent the most systematic elaboration of biopower and biopolitics in Foucault's work. Firstly, we must understand the former, if we are to achieve a more complete picture of contemporary biopolitical mechanisms. Biopolitics in general is a modern phenomenon, and is inseparable from the history of what has become known as neoliberalism. Without the agonistic, self-restricting neoliberal mode of power, there could be no all-encompassing regulation of life. Neoliberal biopolitics is characterized above all by permissiveness. It is about letting processes take their course.

### From Biopower to Biopolitics.

#### Foucault and the Evolution of Neoliberalism

Foucault's point of departure is a strange anomaly: why did public executions disappear around the eighteenth century? Why does power, after a certain point in history, resign from the spectacle of public punishment? Why is the humiliation and destruction of the criminal by the sovereign no longer an acceptable practice? In Foucault's view, the role of the sovereign in traditional regimes of sovereignty is fundamentally based on "the right to kill."<sup>1</sup> Even if the ruler does not manufacture his subjects directly, he nonetheless has the right to take their lives away. Sovereignty traditionally pertains to the absolute right of power "to take life or let live."<sup>2</sup> From the eighteenth century onwards, a new form of power emerges, which can be summarized as "the power to 'make' live and 'let' die."<sup>3</sup> Several important distinctions exist between these two forms of governance. In the traditional paradigm of sovereignty, discipline is the primary technology, applied to the repression of individual bodies. In contrast, biopower applies to the regulation of entire populations. Foucault describes biopower as a "new nondisciplinary power" which is applied "not to man-as-body but to the living man, to man-as-living-being; ultimately ... to man-as-species."<sup>4</sup> The sover-

<sup>1</sup> Michel Foucault. "Society Must Be Defended": *Lectures at the Collège de France, 1975-1976*, trans. by David Macey (New York: Picador, 2003), 240.

<sup>2</sup> Foucault, "Society Must Be Defended," 241.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid., 242.

ign's rule extends to the ownership of his subject's bodies, whereas biopower massifies those subjected to governance, uniting them in a constructed, aggregated, quantified, manipulated population. Biopower operates on statistically manufactured populations. The individual is replaced by "a new body," a "multiple body" which is a source of problems, unpredictable anomalies and deviant processes to be checked through rational means.<sup>5</sup> From the eighteenth century onward, the scope and breadth of power increases. From their beginnings, the social sciences have functioned as the instrument of social engineering.<sup>6</sup> Alongside the articulation and quantification of social problems, demography made possible a heightened level of intervention. The individual body is replaced by a concern for the body politic as a whole, identified with the health of the national population. Foucault recognizes a tendency which will become ever more apparent during the evolution of biopolitics, namely the *immanentization of contingency*. While in Medieval times and early modernity, chance was considered part of the divine realm, under the biopower regime the goal of intervention became the management of "aleatory events," compensating for randomness, and alleviating variations.<sup>7</sup>

Foucault himself is careful to emphasize that in reality, two forms of power can interpenetrate. Far from being mutually exclusive, sovereignty can intersect with biopolitical regulation, and biopolitics can occasion the unlimited exercise of the older sovereign power to make die. The example of the modern totalitarian regimes, National Socialism in particular, proves that biopower and sovereignty are capable of hybridization, for biopower interventions and social engineering can result in the extermination of populations.<sup>8</sup> Foucault goes to the extent of calling Nazism the "apotheosis" of biopower, for in it we find the most complete interpenetration of disciplinary and biopower. The "purification" of the national population, through genocide if need be, is in a very real sense the control of aleatory events. The technocratic desire to erase contingency brings with it the elimination of unpredictable, deviant elements within the population.<sup>9</sup> It must be borne in mind that when Foucault speaks

of biopower, the intention is not merely to critique this power, but rather to give a functionalist account of its operations. Biopolitics is to a great extent independent of political systems. Indeed, most of Foucault's train of thought in the 1979 lecture series revolves around proving that liberal democracy too contains a range of biopolitical interventions. Against the emancipatory view, Foucault expresses a great deal of skepticism regarding the possibility of the subject ever escaping the reach of power. The only sure line of flight in modernity seems to be death. What made public execution a ritual of political power in former times, at least according to Foucault's reconstruction, was its transgressiveness. Through the killing of a subject, the sovereign ruler surrenders the life of the executed criminal to God, the ruler of the celestial dimensions. In modernity, a "disqualification of death" occurs. Because the state becomes secularized, the issue of life after death is also bracketed, transforming extinction into an element outside any political framework.<sup>10</sup> Because the divine domain has been bracketed by secularization, the transgressive potential of death as a mode of transition between the profane and the sacred has been lost. Today it is difficult to imagine post-humous modes of punishment (or, for that matter, restitution). The most systematically violent regimes in modern history methodically hide their crimes from public view. Following Georges Bataille, one of Foucault's most influential predecessors, we can speak of two sacrificial regimes at work in the history of human societies. These are the "Aztec" and the "Inca" modes of sacrifice. While in the former case the destruction of the victim is done in a spectacular manner, in the latter sacrifice is hidden from view (the Incas conducted their sacrificial rituals in the closed areas of their temples).<sup>11</sup> Power tends to hide its crimes because death poses a scandalous limit to power. This translates into a double relationship between power and death. Under "normal" conditions, biopower strives to reduce the amount of deaths in the population; the dead can be neither controlled nor taxed.<sup>12</sup> At certain turns, however, biopower can switch its mode of operation, conducting large-scale exterminations of certain populations deemed problematic.

<sup>10</sup> Ibid., 247. Although it could be objected that some regimes in modern times have also attempted to manipulate the afterlives of their subjects, for example through the erasure of memory. To cite just one example among many, the Argentinian military dictatorship infamously "disappeared" its victims, neither acknowledging nor denying the status of murdered dissidents.

<sup>11</sup> Georges Bataille, "L'Amérique disparue" (1928), in *Oeuvres complètes I. Premiers Écrits 1922-1940* (Paris: Gallimard, 1970), 152-58.

<sup>12</sup> Foucault. "Society Must Be Defended," 248.

<sup>5</sup> Ibid., 245.

<sup>6</sup> Ibid., 243.

<sup>7</sup> Ibid., 246.

<sup>8</sup> Ibid., 255.

<sup>9</sup> Ibid., 259.

In the nineteenth century, we observe the emergence of a new social form, the “normalizing society,” directed towards the maintenance of “homeostasis,” the endogenous, dynamic equilibrium of society.<sup>33</sup> Rule in this sense relates not so much to the complete control of every detail, but rather to the management and instrumentalization of contingencies and risks through the evaluation of probabilities. The statistically construed “phenomena of population” takes center stage.<sup>34</sup> Present-day bioregulation generally prefers the indirect management of life to the direct, scandalous oppression of concrete individuals. The living is a constant source of chaotic excess, and its aleatory elements too must be made socially beneficial while not endangering social reproduction. In the nineteenth century - firstly in Imperial Germany and then in other countries - there emerged the completely new idea of “social insurance.” Where possible, the aleatory must be compensated and insured for. National Socialism is the most extreme manifestation of a broader statist and technocratic impulse which seeks to “insure” society against all contingency. Foucault explains the nineteenth century “fascination” with sexual deviance in terms of the central importance of sexuality in population dynamics: “sexuality exists at the point where body and population meet. And so it is a matter for discipline, but also a matter for regularization.”<sup>35</sup> We see that disciplinarity and normalization work hand in hand. Permissiveness, defined as the removal of restrictions, is also a modality of biopower. Regulation can be achieved through both punishment and incentivization. The normalizing society governs through the combination of positive enticements and negative costs, both being directed toward the smoother management of the population. Biopolitical modes of power usually refrain from explicit oppression, and even when engaging in violence, conduct such acts on a supposedly rational basis.<sup>36</sup> Even Nazism imagined itself to be acting in a scientifically grounded manner, the “problematic” and “impure” elements of the population being described as constituting biological or hygienic dangers to the health of the community.

<sup>33</sup> The phrase “normalizing society” describes not only sociocultural methods of pathologizing certain behaviors, but also the permission and encouragement of behavior patterns. Biopolitics is about the propagandistic popularization of supposedly beneficial cultural codes as well as the repression of outliers and criminalized scapegoats. *Ibid.*, 246.

<sup>34</sup> *Ibid.*, 250.

<sup>35</sup> *Ibid.*, 251-52.

<sup>36</sup> *Ibid.*, 252-53.

Biopower and the phenomenon of racism are also integrally linked. The former cannot help but categorize sections of the population according to various characteristics, even without any demonstrable oppressive intent.<sup>37</sup> Racial differentiation is already present in all discourses which treat human beings in terms of general characteristics, generally some anthropological or biological trait. This applies even to certain universalist narratives which ostensibly treat all human beings as equal, while nonetheless differentiating between desirable and undesirable traits. Racism appears on the scene whenever the alternative between “making live” or “letting die” presents itself, especially in terms of a utilitarian calculus of lives deemed worthy or unworthy of existence.<sup>38</sup> It is no longer a case of stopping a morally evil enemy, but rather, of hygienically removing a danger to health or stability, of isolating those deemed un-integratable.<sup>39</sup> No existing society is entirely free of biopower.<sup>40</sup> As soon as politics comes to revolve around the difference between more and less problematic groups, racist mechanisms can come into play.<sup>41</sup> Foucault uses a minimalist concept of racism, describing any fragmentation of populations into “subspecies” as inherently racist.<sup>42</sup> He also emphasizes that socialism too is not free of racism, inasmuch as it operates through the demonization of class enemies. The phenomenon of racism does not seem resolvable by ending capitalism.<sup>43</sup> Something more is required, but the answer Foucault will give to the question (“What is required?”) will take us well beyond any recognizably human politics.

“Biopower” and “biopolitics,” for all their similarities, differ in a fundamental way. In the 1979 lectures, Foucault promises a history

<sup>37</sup> The relevant literature on the structural oppression of racialized minorities highlights the automatic, unreflective functioning of racism. For an analysis of the system of North American white supremacy that analyses the phenomenon as constituting a “bad spontaneous order” which is erosive of trust, see Caleb Harrison, “Bad Spontaneous Orders: Trust, Ignorance, and White Supremacy,” in *Exploring the Political Economy and Social Philosophy of F.A. Hayek*, eds. Peter J. Boettke, Jayme S. Lemke and Virgil Henry Storr (London and New York: Rowman and Littlefield, 2018), 233-59.

<sup>38</sup> Foucault, “*Society Must Be Defended*,” 254.

<sup>39</sup> *Ibid.*, 255.

<sup>40</sup> *Ibid.*, 256.

<sup>41</sup> We could, of course, use other phrases as well, such as ageism or ableism. Why does Foucault nonetheless use “racism” in the minimalistic sense of denoting a differentiation of categories within and among populations? In one sense, we could say that it has a moral content, but on the other hand, Foucault is trying to describe rather than condemn. Such a use of the concept of racism has the obvious advantage of extending its applicability, bringing more phenomena into the debate.

<sup>42</sup> *Ibid.*, 255.

<sup>43</sup> *Ibid.*, 261.

of “biopolitics,” but what we get is a history of twentieth century liberalism. Biopolitics writes itself into the dominant agonistic form of social power in the late twentieth century, and uses permissiveness as an instrument of governance. Our goal is to reconstruct the concept of biopolitics from Foucault’s description of neoliberalism, whilst also uncovering the role of contingency in his interpretation. Certain elements will be crucial to our own reading, as well as connecting Foucault’s work to the present COVID-19 pandemic. Similarly to Weber and Nietzsche, Foucault too seeks to go beyond good and evil: “let us suppose universals do not exist.”<sup>24</sup> We must follow a similar routine in relation to the concept of *truth*. It is not an issue of denying or negating truth, or, worse, claiming that all reality is “merely” a social construct. The bracketing of universals and truths resembles the phenomenological reduction (*epokh *) of phenomenology. By treating the truths of power as nonexistent, we will be in a better position to describe *how* new truths are created in social life. *Foucault’s intent is not to discover what truth is, but rather to find out how truth works.* The goal is to discover “how a particular regime of truth makes something that does not exist able to become something.”<sup>25</sup>

Utilitarianism is a key component of what is described here as neoliberal governmentality (*gouvernementalit *). Successful politics is that which enables the spontaneity of society.<sup>26</sup> Neoliberalism represents an agonistic form of rule based on the classical liberal idea of self-restraint. Foucault’s goal is neither a normative critique of social reality nor an uncritical acceptance or celebration of neoliberalism. Rather, the value-neutral method employed in his 1979 lectures is directed toward “a history of truth,” to “determining under what conditions and with what effects a veridiction is exercised.”<sup>27</sup> Every “regime of truth” must be considered equally valid. As Foucault notes laconically, “insanity is just as oppressive” as the mental asylum.<sup>28</sup> Neoliberalism really is new, and relates to much more than just the right of the individual to be left alone by the state. Instead of dialectical or binary logics, we must decipher the “strategic logic” in

play beneath politics.<sup>29</sup> The new liberalism follows the imperative of *letting things happen*, through unceasing interventions directed at constructing and maintaining the broader framework of nonintervention. The effectiveness of the state is guaranteed by the market, the primary indicator of political success being financial pricing. For the market to operate efficiently, every element must be removed which causes blockages and inefficiencies, including government overreach. In the “negative theology” of neoliberalism, the state as such is transfigured into “the absolute evil,” the source of all social ills.<sup>30</sup> To an even greater extent, the market comes to serve as the model for governance.

Any practice or group of practices can be summarized under the heading of governmentality, which “conducts the conduct of men,” including technologies of self-control.<sup>31</sup> Neoliberalism, especially in its North American form, is the first form of power which makes its own self-restriction a primary constitutive element. From here on out, the legitimacy of a government will be predicated upon the degree of its self-restraint, as well as the corresponding freedom of economic players. What makes American neoliberalism compelling for Foucault is the radicalism of the economism it introduces into all sectors of society. Every process can be reimagined in economic terms. Subjectivity itself can be articulated in terms of “human capital.”<sup>32</sup> This concept signals the extent of the subject’s reduction to an aspect of the flow of capital in late modernity. The worker is a “machine/stream complex,” an anonymous machinic component which can also be conceived of as an autonomous “enterprise” in itself.<sup>33</sup> Every individual is a business, incorporating inputs and giving birth to new outputs. All of us are economic agents. In late modernity the economy is generalized, extended to every sector. “*Homo oeconomicus*,” says Foucault, is “an entrepreneur of himself,” a self-organizing, self-creative molecule.<sup>34</sup> From a posthumanist perspective there is no clear limit to this extension of the category of general economy. Here Foucault is not claiming that *homo oeconomicus* is a delusory capitalist reduction of reality to the profit/loss dyad.

<sup>24</sup> Michel Foucault, *The Birth of Biopolitics. Lectures at the Coll ge de France, 1978-1979*, trans. by Graham Burchell (New York: Picador, 2008), 3.

<sup>25</sup> Foucault, *The Birth of Biopolitics*, 19.

<sup>26</sup> *Ibid.*, 16.

<sup>27</sup> *Ibid.*, 35-6.

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*, 42.

<sup>30</sup> *Ibid.*, 116.

<sup>31</sup> *Ibid.*, 186.

<sup>32</sup> *Ibid.*, 220.

<sup>33</sup> *Ibid.*, 225.

<sup>34</sup> *Ibid.*, 226.

Rather, it composes a virulent truth-construct which is actually transforming social life in its own image. Precisely the virulence of the “free market” idea is what makes it fascinating for Foucault. Even in regard to contemporary ideas already prevalent in the 1970s (which today we would call “transhumanist,” i.e., the radical enhancement of human beings through biotechnological means), Foucault does not see such future developments as implying the problem of racism. Today, good genes are a limited but nonetheless free good. The market will find a way to integrate genetics into market processes.<sup>35</sup> What is important from our perspective is the transformation of society into an aggregate of “enterprises.” The individual is at once an investor, an entrepreneur and a form of accumulating capital, operating itself by latching onto profitable flows. General economy brings with it a generalization of the “enterprise-form,” while the limitless nature of market logic will have important ramifications when it comes to the issue of contingency.<sup>36</sup>

The imperative to “let things be” is in the process of being expanded to social phenomena which were previously considered “deviant.” Two specific examples are crime and unemployment. Foucault extensively cites the Nobel-Prize winning economist Gary S. Becker’s 1968 paper “Crime and Punishment: An Economic Approach.” Neoliberalism has found a way to normalize criminality, strategically integrating the latter into the programming of society. Neoliberalism is chaos-programming. Arguing against those advocating for a tough-on-crime policy, Becker claims that crime can be interpreted in terms of “profit/loss” calculations. Criminality is an industry, and criminals are just as rational as other economic individuals.<sup>37</sup> Crime in general is a “supply” provided by criminals to the justice system and society at large, while the criminal justice system “pays” this supply of negative goods (crimes) with punishments. Because criminals - understandably - seek to avoid punishment, in an economic sense they can be said to behave in a rational way. In this manner, criminals can be integrated into the sum of rational economic agents, at the price of eliminating their anthropological specificity. Foucault calls this process the “anthropological erasure of the cri-

minal.”<sup>38</sup> Instead of a deviant, irrational, not entirely human person, neoliberalism conceives of the criminal as a rational entrepreneur seeking to maximize profits while keeping costs down. The *homo penalis* is transfigured into *homo oeconomicus*.<sup>39</sup>

Through a consequential use of the *homo oeconomicus* construct, Becker is able to bracket the human characteristics, motivations and anthropological specificities of the criminal. What makes an agent criminal in Becker’s view is the temporal divergence in their profit/loss calculations from the rest of society.<sup>40</sup> This makes possible an amoral account of crime. It does not appear that Foucault in any way attaches a negative connotation to this development. In a 2013 symposium, François Ewald said to Becker that “you were a liberator for Foucault, a liberator from past models, with this new objectivation of criminal behavior.”<sup>41</sup> The amoral Nietzschean liberator tasks us to go beyond good and evil. The view that Foucault somehow takes a moralizing position is rather implausible.<sup>42</sup> What makes the generalization of the idea of market actors a theoretical “liberation” is, that an economic agent does not have to be endowed with rational insight into their own actions to qualify as economically rational. Becker separates economic rationality from reflexivity: economically, that is, generally speaking, an agent is “rational” insofar as it “accepts reality,” and evidences behavior which shows that this is indeed the case.<sup>43</sup> This minimalization of rationality is what allows for the expansion of economic rationality to all areas of society.

The flexibility of *homo oeconomicus* makes possible an integration of unpredictable, irrational agents into the system of neoliberal governmentality. In Foucault’s view, Becker’s 1968 paper is a revolutionary development in social theory, because it allows for a permissive view on crime. The economist writes of an “optimal” level of crime, in which the costs of fighting crime do not outweigh the social damage

<sup>38</sup> Foucault, *The Birth of Biopolitics*, 258.

<sup>39</sup> *Ibid.*, 250.

<sup>40</sup> Becker, “Crime and Punishment,” 9.

<sup>41</sup> Gary S. Becker, François Ewald and Bernard Harcourt, “Becker and Foucault on Crime and Punishment: A Conversation with Gary Becker, François Ewald, and Bernard Harcourt: The Second Session,” *University of Chicago Coase-Sandor Institute for Law and Economics*, Research Paper No. 654 (2013), 3.

<sup>42</sup> David Newheiser, “Foucault, Gary Becker and the Critique of Neoliberalism,” *Theory, Culture and Society*, Vol. 33, No. 5 (2016): 14.

<sup>43</sup> Gary S. Becker, “Irrational Action and Economic Theory: A Reply to I. Kirzner,” *Journal of Political Economy*, Vol. 70, No. 1 (1963): 163-68.

<sup>35</sup> *Ibid.*, 228.

<sup>36</sup> *Ibid.*, 242.

<sup>37</sup> Gary S. Becker, “Crime and Punishment: An Economic Approach,” in *Essays in the Economics of Crime and Punishment*, eds. Gary S. Becker and William M. Landes (Cambridge, MA: National Bureau of Economic Research, 1974), 1-54.

inflicted by criminality. Crime is optimal if it causes less losses to the public than the costs of the criminal justice system considered as a whole.<sup>44</sup> The reverse also holds: a justice system is more efficient if it can spend less on the restitution of damages originating from crime. Under the neoliberal biopolitical regime, "penal policy has ... renounced the objective of the complete suppression and exhaustive nullification of crime."<sup>45</sup> Neoliberal biopolitics accepts contingency as a fact of life. Governmentality is a game of balancing probabilities, seeking to integrate contingency into power games, striving for the maintenance of a permanent state of uncertainty.<sup>46</sup> Rather than ending crime altogether, the neoliberal path follows a logic of "minimalization." Becker maintains the need for the extensive use of fines, which would attach a price to each criminal act.<sup>47</sup> Although the antisocial nature of crime is not eliminated, this move allows for an economic legitimation of criminality. Risk can only be mitigated, but never ruled out altogether. Every regime which accepts the power of chance, codifying the uncontrollability of economy, can be called "biopolitical." As Foucault notes, "economics is an atheistic discipline; economics is a discipline without God; economics is a discipline without totality; economics is a discipline that begins to demonstrate not only the pointlessness, but also the impossibility of a sovereign point of view over the totality of the state."<sup>48</sup> The economy of uncontrollability governs a headless society. Neoliberal biopower is acephalic.

### The COVID-19 Pandemic and the Posthuman Opening of Biopolitics

The considerations outlined above can be applied unproblematically to the nonhuman dimension. At one point in his March 17, 1976 lecture, Foucault mentions two examples which are highly relevant to our situation. The first is the permanent possibility of thermonuclear conflict. This would constitute a mode of biopower in overdrive, so extreme that the management of life results in "the

power to kill life itself."<sup>49</sup> The second possibility relates acutely to the COVID-19 pandemic: this is the accidental escape of biopower from any human framework. Artificial viruses - bioweapons - show the possibility of a "biopower" which is "beyond all human sovereignty."<sup>50</sup> Because the virus fails to respond to interventions, it shows the fluidity of the human dimension. Present day world-society must accept the invasions of non-human agents. Although it is still uncertain as to whether neoliberal governmentality can indeed overcome the COVID-19 pandemic, the idea of impermeability has suffered a fatal blow. A crack has emerged in the self-immunizing global Human Security System. Similarly to the experience of the United States in the 1960s and 1970s, being compelled to integrate the fact of criminality into its own social programming, world society today must adapt to the pervasive presence of Coronavirus. Neoliberal biopower is a form of management open to flows, its entire *raison d'être* being predicated on creating and maintaining an ecology of unhindered mobility. Neoliberalism is an "ecological form of intervention," aiming for population-level modifications of behavior, and not the disciplining of the individual.<sup>51</sup> Life is economized, becoming an element in the management of risk. To live is to manage contingency.<sup>52</sup> The virus itself poses no exception to this imperative. It responds to its ecology to a degree. We may be justified in calling it minimally "rational." Striving for maximal proliferation, the virus, like other economic agents, is a profit-maximizing device. Searching for hospitable endogenous environments, the virus avoids soap and disinfectants. Becker's idealized *homo oeconomicus* is so minimal that even an irrational agent lacking a brain can act as if it were economically rational.

The acceptance of the autonomy of the virus as a non-human agent is what differentiates neoliberal discourses from those we may call "nonliberal." Neoliberalism, synonymous with the herd-immunity approach, is permissive when it comes to infection rates, whereas nonliberal methods of disease prevention attempt to slow down the process. It is not just a case of analyzing government responses to the situation, but also of interpreting the virus itself. Our goal is to

<sup>44</sup> Becker, "Crime and Punishment," 23.

<sup>45</sup> Foucault, *The Birth of Biopolitics*, 256.

<sup>46</sup> Michael Dillon, "Governing through Contingency: The Security of Biopolitical Governance," *Political Geography*, Vol. 26, No. 1 (2007): 41-47.

<sup>47</sup> Becker, "Crime and Punishment," 44.

<sup>48</sup> Foucault, *The Birth of Biopolitics*, 282.

<sup>49</sup> Foucault, "Society Must Be Defended," 253.

<sup>50</sup> *Ibid.*, 254.

<sup>51</sup> Foucault, *The Birth of Biopolitics*, 260.

<sup>52</sup> Gordon Hull, "Biopolitics Is Not (Primarily) About Life," *The Journal of Speculative Philosophy*, Vol. 27, No. 3 (2013): 329.

outline what a permissive posthuman neoliberal biopolitics would look like, a mode of power which accepts and even instrumentalizes nonhuman agencies. As a reality in itself, the virus contains an excess that makes it inaccessible to power. The unpredictability of death from infection introduces new difficulties into the programming and engineering of society. The Coronavirus is an uncontrollable posthuman excess of sovereignty, threatening to undo the body politic through large-scale infection. The COVID-19 pandemic, which originated in the People's Republic of China, is still surrounded by mystery. For example, medical professionals do not know exactly through what mechanisms the virus kills its hosts. Doctors are uncertain as to whether the virus itself is to blame, or if the exaggerated immune system response is what actually results in death.<sup>53</sup> This uncertainty extends to the process of diagnosis, as well as policy responses. Death connects with the unknown, introducing an inescapable agnology. On the one hand, death is impossible to thematize as a transition from the profane to the sacred, at least in modern or postmodern secularized societies where the plausibility of religion has declined.<sup>54</sup> The nothingness of secularized death is mediated by the chronic ontological instability of the virus itself. In the final section of our article, we highlight some contemporary philosophical responses to the COVID-19 pandemic, emphasizing in particular the posthumanist and nonhumanist possibilities of exiting the modern biopolitical regime. The relative permissiveness of neoliberal biopolitics shows that society is capable of taking the virus as an economically rational agent into account. By the end of this piece, hopefully, we will have gained an understanding of why the concept of biopolitics is still relevant, while also highlighting that biopower can escape human control altogether. In so doing we connect to the broader theoretical movement which has been characterized by Richard Grusin as the "nonhuman turn."<sup>55</sup> According to our view, while nonhuman alterity is capable of integrating into the workings of neoliberalism, not even the permissive regime can fully exhaust the alterity of the virus in itself.

<sup>53</sup> Heidi Ledford, "How Does COVID-19 Kill? Uncertainty Is Hampering Doctors' Ability to Choose Treatments," *Nature*, No. 580 (2020): 311-12. <https://www.nature.com/articles/d41586-020-01056-7>.

<sup>54</sup> Interestingly, in India, some have taken to praying to the virus, personifying it as "Corona Devi." This represents a starkly different economy from Western rationality.

<sup>55</sup> Richard Grusin (Ed.), *The Nonhuman Turn* (Minneapolis, Minnesota: University of Minnesota Press, 2015).

The COVID-19 pandemic has provoked a stream of intellectual responses, which are colored, so to speak, by our own prior relation to alterity. What does "alterity" mean? Our use of the term relates to the undecipherable, the uncontrollable, in a word, the contingent, ungovernable element. Alterity is an agency which insinuates itself into human structures of governance, producing problems not easily resolvable in the context of liberal democracy. Externality becomes frighteningly internal. Alterity is a horrifying opening onto contingency. Uncertainty reigns supreme, and beshadows the horizon of governance. According to Slavoj Žižek, "the situation is too serious to lose time with panic."<sup>56</sup> To say the least, the Slovenian philosopher does not mince words. Either we follow a brutal individualist utilitarianism or adopt a new, reformed form of global communism. We can be forgiven for seeing Žižek as a rusty, broken, red clock. More communism is always the answer, no matter what the problem happens to be. Assuming there is ever a dualistic alternative is to play according to modernist political rules. But reality is more complicated than the Left vs Right (i.e., Opposition vs Government, or "Permanent Opposition" vs "System"). Binary coding only gets you so far. The rejection of the predominant status quo becomes a tiresome, conservative convention after a while, as evidenced by the theoretical lameness of Giorgio Agamben's lamentably predictable response to the crisis. Like Žižek, we can predict in advance what Agamben will write. The pandemic and the governmental responses are examples of biopolitics, which the Italian philosopher seems to associate with an apocalyptic conspiracy of governance against the populace. This is not much more than a rather schematic use of Foucault's insights without Foucault's value neutrality.<sup>57</sup> The emphasis on the completely nonhuman nature of the virus represents a third alternative which, following Graham Harman and the OOO/Speculative Realist movement/s, recognizes the innate tendency of objects to withdraw from contact, be it human access or the accessibility to

<sup>56</sup> Slavoj Žižek, "Global Communism or the Jungle Law, Coronavirus Forces Us to Decide," *Russia Today* (March 10, 2020). <https://www.rt.com/op-ed/482780-coronavirus-communism-jungle-law-choice>.

<sup>57</sup> We do not wish to engage more extensively here with the considerable debate Agamben's blog post generated. Neither do we seek to entirely discount Agamben's claims altogether. For a translation of the original text, cf. Giorgio Agamben, "The Coronavirus and the State of Exception," trans. by Julius Gavroche, *Autonomies* (March 3, 2020), <https://autonomies.org/2020/03/giorgio-agamben-the-coronavirus-and-the-state-of-exception>. For a defense of Agamben's train of thought, see Babette Babich, "Retrieving Agamben's Questions," *Philosophical Reflections* (April 30, 2020). <https://babettebabich.uk/2020/04/30/retrieving-agambens-questions>.

other objects. This recognition is already present in Foucault, who explicitly addresses cases of objects (nuclear weapons and bioweapons) escaping human control. A renewal of politics must take the autonomy of real things into account, without undermining them into manifestations of an evil infrastructural "power that be." An object is always more than the sum of circumstances from which it originated.<sup>58</sup> Coronavirus too is a novel reality, something in addition to a wet-market in Wuhan Province or the networks of global travel which made its propagation possible. The alterity of objects demands a politics open to contingency and chaos, the Coronavirus itself being a nature-cultural entity. Bizarrely, the treatment of the disease, the vaccine, also necessitates a hybrid technology. Pharmaceutical companies use the cruelly extracted blue blood of horseshoe crabs to test for contaminants in medicinal ingredients.<sup>59</sup> A hybrid can only be treated through the mobilization of new hybrid agencies, penetrating binaries, forking them into a variety of directions. Political reactions must be interpreted in light of the inexhaustibility of the object itself.

Jean-Luc Nancy, describing the various computer models of infection, speaks of a "viral state of exception," implying that alterity cannot be separated from other phenomena, especially the media of communication. Spectral phenomena haunt the media which constructs the state of exception by enabling the flow of information regarding the rate of infection, the number of deaths and the rate of recoveries.<sup>60</sup> The media amplifies the COVID-19 pandemic by creating virulent panic reactions, emphasizing the sense of danger. Nobody is safe, not even the children. Nancy emphasizes that contemporary biopower must respond not only to the endogenous economic, health and institutional effects, but also to the danger posed by the chaos of communication. Can a mode of governance be imagined which is capable of integrating chance? As the coronavirus has been sweeping across the world, various philosophers have been searching for answers. Unsurprisingly, following Agamben's lead,

many contemporary thinkers have emphasized the concept of biopolitics in relation to the COVID-19 pandemic. Sergio Benvenuto, while emphasizing the uncertainty surrounding the death rate of the virus, also highlights the economic collapse caused by social distancing, which is greatly impacting countries severely affected by the virus such as Italy. Benvenuto shows that panic is a pervasive ecological category, affecting entire populations. Along with panic comes alienation on a scale not seen before. The good citizen acts in a panic-stricken manner.<sup>61</sup> Decisions brought to slow the spread of the virus, such as the lockdowns implemented in most of the world, are made following a preventive logic. The threat must be stopped before it is present. As Benvenuto reminds us, however, governance is faced at this juncture with a "biopolitical decision," and most of the relevant choices are presently being made by the World Health Organization rather than local bodies.<sup>62</sup> What does the phrase "biopolitical decision" mean? The most basic activities become regulated in a way without precedent in living memory, at least in the few states which remained liberal democratic throughout the twentieth century. These strategies of isolation were supposedly required to prevent the dissolution of the body politic. The various international organizations brought biopolitical decisions which were then swiftly internalized, but this in itself is not enough to allay suspicions and exclude contingency. In Benvenuto's view, what makes the coronavirus horrific is the extent of the unknowns we are facing. The non-human agency and the speed of its proliferation show that the fear of the unknown is not entirely unfounded, resulting in the creation of a territory in which the human dimension is being ever further eroded, and excluded to the benefit of the nonhuman.<sup>63</sup> Rocco Ronchi draws on different themes when writing about the Coronavirus. Against the biopolitical homogenization enacted by quarantine and lockdown, the virus represents a heterogeneity. In Ronchi's view, the immaterial ambiguity of the virus, its double status as mediated representation and materialized agency, as well as the speed of its flows, makes it resemble accelerated global capital flows. From the

<sup>58</sup> Graham Harman, "Strange Realism: On Behalf of Objects," *The Humanities Review*, Vol. 12, No. 1 (2015): 3-18.

<sup>59</sup> Alex Fox, "The Race for a Coronavirus Vaccine Runs on Horseshoe Crab Blood," *Smithsonian Magazine* (June 8, 2020). <https://www.smithsonianmag.com/smart-news/race-coronavirus-vaccine-runs-horseshoe-crab-blood-180975048>.

<sup>60</sup> Jean-Luc Nancy, "Viral Exception," trans. by Emma Catherine Gainsforth, *European Journal of Psychoanalysis* (February 27, 2020). <https://www.journal-psychoanalysis.eu/coronavirus-and-philosophers>.

<sup>61</sup> Sergio Benvenuto, "Welcome to Seclusion," trans. by Emma Catherine Gainsforth, *European Journal of Psychoanalysis* (March 2, 2020). <https://www.journal-psychoanalysis.eu/coronavirus-and-philosophers>.

<sup>62</sup> Benvenuto, "Welcome to Seclusion."

<sup>63</sup> Ibid. This can also be said to apply to the broadly beneficial ecological effects of the subtraction of human agency from the scene. The less humans are travelling, the more carbon dioxide emissions go down.



1970s onwards, many social theorists such as Marshall McLuhan and Jean Baudrillard drew on the virus-metaphor when describing social communication (we could also mention the nineteenth century sociologist Gabriel Tarde, who imagined social phenomena along the lines of self-replicating viral cultural contents). Today the comparison between viral media content and COVID-19 is one which lends itself as evident. But, as Ronchi shows, such a comparison is “too straightforward,” and fails to account for the very real ontological difference between the media and biological phenomena.<sup>64</sup> Any real theorization of alterity is excluded from the outset if we seek to reduce material processes to similes for communication. More is at stake here.

It appears that no restriction can entirely exhaust the being of biological agents. The contingent is already present at the moment of political decision. Instead of thinking in mutually exclusive binaries, it is time to let heterogeneity into our thinking. Becker's revolutionary approach was to integrate deviance into the programming of social reality, and something similar is required today, a revolution in thinking about society which reintroduces chance into the mix. Two divergent policy responses can be seen. On the one hand, we have restriction, the modernist, nonliberal, bio-authoritarian approach which has been adopted by most national governments at the behest of the World Health Organization. This is the logic of lockdown. The second approach, the stratagem of herd immunity, is the more radical and, arguably, more progressive and permissive mode of a explicitly neoliberal biopolitics. Scandalously, herd immunity posits the avoidance of social closure at all costs. The goal is to allow the infection of the human population (with the exception of the chronically ill and aged), building up immunity, while preventing damage to the economy. All this is conducted under the paradigm of risk management. As Sweden's chief epidemiologist, Anders Tegnell, notes, “we can't kill all our services. And unemployed people are a great threat to public health.”<sup>65</sup> From a Foucauldian viewpoint,

this semantics is interesting because of its juxtaposition of the *lumpenproletariat* and the virus. Both are dangers to social homeostasis. Neoliberal biopolitics is guided by the view that risks must be balanced against one another. This leads to an instrumentalization of contingency in managing risks. Although several national governments showed a willingness to use the herd immunity approach, only Sweden ended up following this path. In terms of the social system's own self-definitions, the program was a success. Sweden reported far more deaths per capita than neighbouring Norway, but GDP kept on growing, outperforming other European economies.<sup>66</sup> Herd immunity has resulted in a successful sacrifice of humans for economic gain. Already certain neoliberal outlets are touting the Swedish model as a successful solution to the crisis which ought to be applied globally.<sup>67</sup> Permissiveness is the primary imperative of neoliberalism. Flows must never be halted, because blockage results in inefficiencies. The neoliberal biopolitics of herd immunity presents itself as a teleology of openness. But the radical alterity of Coronavirus or Corona Devi cannot be wholly integrated into any mode of biopolitics, nonliberal or neoliberal. Herd immunity as a stratagem presents us with an opening which is to be exploited by posthumanist future-politics.

Reacting to Nancy, Roberto Esposito - drawing on Foucault's work - shows that Nancy overemphasizes the role of technological mediation in the pandemic, as if digital media metaphors were easily adaptable to biology and vice versa. Esposito speaks of a technological situation or condition in which virality is already there prior to the differentiation of culture and life. The concept of the viral has infected various disciplines and language games, but this also obscures the very real divergences between the sectors and territories of society.<sup>68</sup> Biopolitics is, for Esposito, itself a viral paradigm, an infectious discourse. Through the interventions made possible by biotechnology and other instruments, biopolitics is capable of reaching

<sup>64</sup> Rocco Ronchi, “The Virtues of the Virus,” trans. by Emma Catherine Gainsforth, *European Journal of Psychoanalysis* (March 14, 2020). <https://www.journal-psychoanalysis.eu/coronavirus-and-philosophers>.

<sup>65</sup> Samuel Lovett, “Coronavirus: Scientist Leading Sweden's COVID-19 Response Says U.K. Lockdown Has Gone Too Far. Epidemiologist Anders Tegnell ‘Sceptical’ of British Containment Measures and Insists Swedish Strategy ‘Beating’ COVID-19,” *The Independent* (April 5, 2020). <https://www.independent.co.uk/news/health/coronavirus-uk-lockdown-sweden-scientist-response-gone-too-far-a9448026.html>.

<sup>66</sup> Jon Miltimore, “Sweden Sees Economic Growth in 1<sup>st</sup> Quarter Despite Global Pandemic,” *Foundation for Economic Education* (May 30, 2020). <https://fee.org/articles/sweden-sees-economic-growth-in-1st-quarter-despite-global-pandemic>.

<sup>67</sup> Nils Karlson, Charlotta Stern and Daniel B. Klein, “Sweden's Coronavirus Strategy Will Soon Be the World's,” *Foreign Affairs* (May 12, 2020). <https://www.foreignaffairs.com/articles/sweden/2020-05-12/swedens-coronavirus-strategy-will-soon-be-worlds>.

<sup>68</sup> Roberto Esposito, “Cured to the Bitter End,” trans. Emma Catherine Gainsforth, *European Journal of Psychoanalysis* (February 28, 2020). <https://www.journal-psychoanalysis.eu/coronavirus-and-philosophers>.

ever deeper layers of reality, but also of implementing new modes of permissiveness. Pervasiveness does not mean total control, but rather the controlled instrumentalization of chaotic phenomena such as bioterrorism, migration and climate change. In Esposito's view, Agamben's adaptation of biopolitics as power conspiracy fails to do justice to the situation: "governments are nothing more than grim executioners, and taking it out on them seems more like a diversionary manoeuvre than a political reflection."<sup>69</sup> The state of exception is itself viral, and we must, in Esposito's view, return to Foucault's original work. Such a return is precisely what we have tried to achieve. While we do not entirely agree with Esposito that politics and life are now almost one and the same, theory has to account for monstrous hybridity in all its forms. Far from being a mere instrument of government, "the exception" is "becoming the rule in a world where technical interconnections of all kinds" permeate social reality.<sup>70</sup> The mistake is to reduce an emergent hybridity to a product of governance. No longer can politics go on as a separate functional system. If life is always already deformed by technology, while politics is medicalized, then medicine too is being politicized. Puzzlingly, what none of the thinkers mentioned above really emphasize is the manner in which permissiveness gains a posthuman opening in the herd immunity approach.

Foucault's biopolitics lectures allow us to envision a mode of biopolitics which resigns from both control and discipline. The agony of power demands self-restraint. Contingency, in the form of crime or infection, is to be permitted as part of the normal functioning of society. Permissiveness seems to be very much the name of the game when it comes to biopolitics in the twenty-first century. Implicitly this radical mode of openness is what is at stake in permissive policing and herd immunity alike. Against the modernist model of a homeostatic society closed to its chaotic environment, the externalities are being internalized. Safety is outmoded. Breaking down the inherent racism of closure requires a recognition and acceptance of alterity. We can advocate as best we can for the right of other beings to be. In this project, speculative realism is invaluable. Levi R. Bryant has written of the need for a fragmented mode of thought which recognizes the irreducibility of the Coronavirus

to any particular perspective, as well as a rethinking of what community means.<sup>71</sup> Uncomfortably, we realize that we must share our communities and bodies with nonhuman others. Death is pervasive, Coronavirus persists on packaging, door knobs, the surfaces of textile fabrics, but so is viral alterity, as distinct from any profile or aspect. The pandemic has rendered the world in general a temporarily inaccessible, foreign, uncanny place, while also illuminating the richness of reality. Bruce Clarke has characterized authentic posthumanism in terms of a "nonhumanism" which actually goes beyond the human element as such. The nonhuman, as radical posthumanism, would therefore incorporate any scenario which envisions the elimination of the human altogether.<sup>72</sup> Contemporary posthumanist philosophy, as well as evolutionary theories, all take account of a future nonhuman condition of human disappearance. Authentic posthumanism envisions the end of the human. Posthumanism is much more than yet another iteration of humanism. David Roden writes of a "speculative posthumanism," which can be used productively to theorize completely alien agencies such as viruses, while opening up social thought to the prospect of anthropo-extinction. Roden advocates for a deeply posthuman posthumanism, which would give us a representation of nonhuman agents.<sup>73</sup> Claire Colebrook's "ethics of extinction," as well as Patricia MacCormack's "ahuman theory" also give us novel ways of thinking about the end of the Human Security System.<sup>74</sup> Roberto Esposito's positing of the "inhuman," the "non-discursive" reality of "he who is absent," a category of subjectivity lying outside of self-immunization, is also a promising line of inquiry.<sup>75</sup> Human abolition could very well represent the next stage in the elaboration of an emancipatory politics of openness. If we are to go beyond closure, a politics of acceptance is required.

<sup>71</sup> Levi R. Bryant, "A World Is Ending," *Identities: Journal for Politics, Gender and Culture* (April 3, 2020). <https://identitiesjournal.edu.mk/index.php/IJPGC/announcement/view/21>. See also pp. 48 in this issue.

<sup>72</sup> Bruce Clarke, *Posthuman Metamorphosis: Narrative and Systems* (New York: Fordham University Press, 2008).

<sup>73</sup> David Roden, *Posthuman Life: Philosophy at the Edge of the Human* (London and New York: Routledge, 2015), 22.

<sup>74</sup> Claire Colebrook, *Sex after Life: Essays on Extinction*, Vol. 2 (Ann Arbor, Michigan: Open Humanities Press, 2015); Patricia MacCormack, *The Ahuman Manifesto: Activism for the End of the Anthropocene* (London and New York: Bloomsbury, 2020).

<sup>75</sup> Roberto Esposito, *Immunitas: The Protection and Negation of Life*, trans. by Zakiya Hanafi (London: Polity, 2011), 196.

<sup>69</sup> Esposito, "Cured to the Bitter End."

<sup>70</sup> Ibid.