

Biopolitical Models and the Hygiene of Tact

Jan Christoph Suntrup

The corona crisis reveals the ambivalence of the human condition in the 21st century. The number of victims, the shutdown of public life, the pragmatic and sometimes worrying adjustment of political procedures and the revolution of the rules of social behavior, which constitute a dramatic restriction of basic rights, provoke the common feeling that we are living in exceptional times. As justified as that impression may be, given the fact that for most people affected by the crisis its implications are indeed unprecedented, this does not seem to be the whole picture. Terrorist attacks, financial crises, war-induced streams of refugees, and the devastating effects of climate change have fostered a widely spread emergency mentality that receives claims to and experiences of exceptionality with a certain routine – at least on the part of those privileged persons who are not entirely absorbed, sometimes in an existential fashion, by trying to cope with the effects of the current pandemic. Academic discourse is without doubt part of this emergency routine, sometimes reminding of Blumenberg’s observation in *Work on Myth* according to which “stories are told in order to kill (*vertreiben*) something. In the most harmless, but not least important case: to kill time. In another and more serious case: to kill fear”,¹ fear of the unknown, or rather, with some observers, the fear of revising their analytical categories. Unfortunately, not all commentators currently show the Socratic wisdom of Jürgen Habermas who recently stated that “there has never been so much knowledge about our ignorance and the compulsion to act and live under uncertainty”.²

Howsoever, most instances that are quick to be labelled exceptional trigger routines and rituals of coping. Politicians speaking of urgency and necessity and quickly changing the rules of procedure is something citizens worldwide are experiencing on a more or less regular basis. Generally, the expectation of crises and catastrophes is part of the specific temporality of risk societies. The idea of risk is intrinsically connected with the “aspiration to control and particularly with the idea of controlling the future”,³ thus emphasizing the power of human action over the fatalist belief in the inescapable forces of nature, god, or history. While the perspective of risk includes the belief that decisions matter, the prospect of controlling the future is nevertheless bound to fail, as in many social domains “the future becomes ever more absorbing, but at the same time opaque. There are few direct lines to it, only a plurality of ‘future scenarios’”.⁴ For Ulrich Beck, one of the pioneers of risk sociology, modern “risk

¹ Blumenberg: *Work on Myth*, p. 34.

² Habermas: “So viel Wissen über unser Nichtwissen gab es noch nie”.

³ Giddens: *Risk and Responsibility*, p. 3.

⁴ *Ibid.*, p. 4.

societies” are characterized by the self-observation that “we live in a world that has to make decisions concerning its future under the conditions of manufactured, self-inflicted insecurity”, while renouncing the conviction that these unintended effects of (successful) modernization can be fully mastered.⁵

To be sure, the plurality of current crisis narratives shows that the awareness of *self-inflicted* insecurity is not commonly shared. While some voices stress the likelihood of mutated and dispersed viruses in the Anthropocene, there is no lack of political leaders (and other commentators) who deny the very existence of a crisis, nourish conspiracy theories (the “Chinese virus”), or try to shift the debate on common ground (“we are at war with the virus”). To sum up, a general anticipation of future catastrophes (and hence “states of exception”) is rather common, while the search for causation and scape-goats follows different paths. Politically, this specific perspective on the future has been translated into different strategies and objectives of prevention. While an *ex ante* evaluation of decisions taken under conditions of uncertainty always runs the risk of being cheap, there is some evidence that in most countries the main focus was on the “war on terror”, culminating in some cases in a medicine of hyper-prevention with “autoimmune” consequences (as observed by Derrida⁶ and others), i.e. the gradual self-destruction of the democratic and legal body by the same measures (of surveillance and restrictions of basic rights) which were purported to protect it. On the contrary, despite multiple warnings and crisis simulations, the public health sector has suffered from a policy of under-prevention, often having fallen prey to privatization and austerity.

Evidently, the corona pandemic raises the question of its biopolitical implications. Michel Foucault had introduced the term “bio-power” in the 1970s to refer to a “number of phenomena that seem to me to be quite significant, namely, the set of mechanisms through which the basic biological features of the human species became the object of a political strategy, of a general strategy of power, or, in other words, how, starting from the eighteenth century, modern Western societies took on board the fundamental biological fact that human beings are a species”,⁷ thus introducing modern population management based on new analytic means such as statistics and the comprehensive collection of data. Bruno Latour, apparently exasperated by the very strict restrictions on circulation in France, recently commented “that by remaining trapped at home while outside there is only the extension of police powers and the din of ambulances, we are collectively playing a caricatured form of the figure of biopolitics that seems to have come straight out of a Michel Foucault lecture”⁸ instead of launching the necessary ecological reforms for a revised 21st century biopolitics. When Latour, however, feels sent back to the state of the 19th century, a closer look at Foucault’s lectures might be rewarding to gain a better understanding of different models of pandemic management that can be observed at the moment. Although Foucault officially dedicated a whole lecture series to the topic of biopolitics in 1978/79, he never developed this concept in a satisfactory way. At the same time, his work is shouted through with biopolitical observations in a wider sense and proves

⁵ Beck: World at Risk, p. 8.

⁶ Derrida: Autoimmunity.

⁷ Foucault: Security, Territory, Population, p. 1.

⁸ Latour: Is this a Dress Rehearsal?

especially revealing when illustrating the historical transformation of power models by focusing on the fight against infectious diseases.

In the Middle Ages, the spread of leprosy was countered by a strict model of exclusion, involving “first of all a rigorous division, a distancing, a rule of no contact between one individual (or group of individuals) and another. Second, it involved casting these individuals out into a vague, external world beyond the town's walls, beyond the limits of the community. As a result, two masses were constituted, each foreign to the other. And those cast out were cast out in the strict sense into outer darkness. Third, and finally, the exclusion of lepers implied the disqualification – which was perhaps not exactly moral, but in any case juridical and political – of individuals thus excluded and driven out”.⁹

According to Foucault, this exclusionary power model more or less disappeared until the end of the 17th century, becoming stepwise replaced by the disciplinary model, whose strategy is expressed in the plague regulations that operate with different means than exclusion, “literally imposing a partitioning grid on the regions and town struck by plague, with regulations indicating when people can go out, how, at what times, what they must do at home, what type of food they must have, prohibiting certain types of contact, requiring them to present themselves to inspectors, and to open their homes to inspectors”.¹⁰ This disciplinary model was linked to a specific politics of space, replacing physical and juridical exclusion from the community by the technique of quarantine, the meticulous assignment of places, and constant surveillance of every individual.¹¹

Finally, the fight against small pox serves as an illustration for the rise of security technologies; disciplinary techniques are not suspended in this process, but strict surveillance of every individual is less important than precise statistical data about the population and specific parts of it, providing knowledge about “how many people are infected with smallpox, at what age, with what effects, with what mortality rate, lesions or after-effects, the risks of inoculation, the probability of an individual dying or being infected by smallpox despite inoculation, and the statistical effects on the population in general”.¹² The more is known about the statistically “normal” processes of the disease, the more the fight against it may transcend a general order discipline. What is more, in the case of inoculation and vaccination, the disease is no longer banned, but biologically included by making it part of the solution. Thereby, these security technologies enable a form of refined risk assessment, which is much more compatible with the rights and liberties in liberal societies than the disciplinary model.

For Foucault, the depiction of all these medical strategies serve as illustrations of comprehensive power models way beyond the narrowly biopolitical sphere. Nevertheless, they may serve the present observers of the corona pandemic as useful ideal types.¹³ An authoritarian

⁹ Foucault: *Abnormal*, p. 43.

¹⁰ Foucault: *Security, Territory, Population*, p. 10.

¹¹ Foucault: *Abnormal*, p. 46.

¹² Foucault: *Security, Territory, Population*, p. 10.

¹³ Sarasin: *Mit Foucault die Pandemie verstehen?*

system such as the Chinese, which turns more and more into a totalitarian system of complete digital surveillance of its citizens, is able to resort to the harsh plague model (implemented in Wuhan), while liberal democracies principally rely on the small pox model, which allows for a proportionate restrictions of rights by limiting risks and granting freedom as far as possible. At the same time, the last weeks have given ample evidence of the limits of this model, as under-equipped health systems and ignorance of the concrete effects and impact of the virus incite many national governments to take refuge in the disciplinary model. To my mind, a return of the leprosy model, the possibility of which Philipp Sarasin discusses,¹⁴ is not very likely. Recurrent ideas such as getting rid of restrictions of movement, including denying the elder special protection, in order to return as soon as possible to business as usual, does not imply a return to the binary model of leprosy suppression by deliberate exclusion, but rather makes it clear that the protection of life as such is not prioritized in any case.

The metaphor of “herd immunity”, which has been used by many politicians who have opted against a restrictive handling of the crisis, is ambivalent, as Thomas Dreier has underlined in a former commentary on this web page,¹⁵ as it conveys the impression of protection by the community on the one hand, while featuring a Darwinian touch by implying the idea that some members of the herd might be dispensable for the sake of the many. Anyone acquainted with Foucault’s governmentality lectures cannot fail to notice at this point the blatant contradiction between the image of herd immunity and Foucault’s analysis of Christian pastoral power, a model in which the pastor (the shepherd) was obliged to care for the salvation of the whole congregation (the fold) without sacrificing just one sheep – *omnes et singulatim*...¹⁶

This idea of pastoral power should be kept at the back of our mind when turning to the probably most famous contemporary theoretician of biopolitics, Giorgio Agamben. Unlike Foucault, Agamben does not regard biopolitics as a modern phenomenon, having instead become known for his statement that Western politics is from the start inextricably bound to mastering life in a biopolitical way: “Western politics first constitutes itself through an exclusion (which is simultaneously an inclusion) of bare life”.¹⁷ The *homo sacer*, which could be killed without punishment, but not sacrificed, was simultaneously expelled – banned – from the legal and the religious order and still was included (by being an obscure figure of Roman law) into law. In Agamben’s eyes, this production of bare life is the main signature of sovereignty, which is situated in a topologically analogous position by standing at the same time outside and inside of the law. Thus, both *homo sacer* and the sovereign are in this sense exceptional personae, “limit figures”,¹⁸ which leads Agamben to the bold thesis that “at once excluding bare life from and capturing it within the political order, the state of exception actually constituted, in its very separateness, the hidden foundation on which the entire political system rested”.¹⁹ In the course of Agamben’s grand narration, the *homo sacer* is still haunting Western societies in the different

¹⁴ Ibid.

¹⁵ Dreier: Law as Culture in Times of Corona, p. 11.

¹⁶ Foucault: Security, Territory, Population, lecture 5.

¹⁷ Agamben: Homo Sacer, p. 7.

¹⁸ Ibid., p. 27.

¹⁹ Ibid., p. 9.

shapes of refugees, over-comatose patients or victims of ethnic wars, up to the point that he declares all citizens to be virtually *homines sacri* in our times.²⁰

As successful as this conceptual apparatus has become in the humanities and social sciences, it betrays a lack of analytical sharpness and faculty of judgment, which can also be conceived in Agamben's multiple commentaries to the corona crisis, which started with comparing the "alleged epidemic of coronavirus" against all established evidence to a normal flu²¹ before bemoaning the failure of priests to embrace the sick and comparing the justification of rights restrictions on the base of overriding moral principles to Adolf Eichmann's invocation of Kantian ethics as self-defense.²² Agamben does not seem to see any remarkable difference between Eichmann, who sent millions of victims into the gas chambers, and his infamous distortion of the Kantian concept of duty on the one hand,²³ and the impetus of saving, while in Italy masses of corpses were carried away by military trucks, as many lives as possible on the other hand. For Agamben, however, the essential is as follows: "A norm that affirms that it is necessary to renounce what is good in order to save what is good is as false as the norm that, in order to protect liberty, forces one to renounce it".²⁴ Even though a general suspicion against political restrictions of rights and liberties can be credited as civic virtue, given the fact that emergencies have often been used (look at Poland, Hungary, or Israel) to infringe on basic rights in an enduring way, sometimes even transforming "commissary dictators" (Carl Schmitt) into permanent ones – to reject, as Agamben does, this argument and the possibility of a balancing of goods altogether, betrays an ethics of purity, which misfits the complexity and demands of political decisions.

Beyond all these aberrations, however, there is a fundamental thesis that deserves scrutiny:

"The first thing the wave of panic that's paralysed the country has clearly shown is that our society no longer believes in anything but naked life. It is evident that Italians are prepared to sacrifice practically everything – normal living conditions, social relations, work, even friendships and religious or political beliefs – to avoid the danger of falling ill. The naked life, and the fear of losing it, is not something that brings men and women together, but something that blinds and separates them".²⁵ And Agamben goes on:

"Men have become so used to living in conditions of permanent crisis and emergency that they don't seem to notice that their lives have been reduced to a purely biological condition, one that has lost not only any social and political dimension, but even any compassionate and emotional one".²⁶

²⁰ Ibid., p. 111.

²¹ Agamben: The Invention of a Pandemic.

²² Agamben: Ich hätte da eine Frage.

²³ Arendt: Eichmann in Jerusalem, chap. 8.

²⁴ Agamben: Ich hätte da eine Frage.

²⁵ Agamben: Clarifications.

²⁶ Ibid.

This is the well-known *homo sacer* sound with an insignificant variation of the *nuda vita* theme. I will restrict myself to just a few comments. First of all, critics of the *homo sacer* narrative have rightly argued that human beings, as miserable as might be their condition, can never be reduced to their biophysical condition, as they are always constituted by social and cultural processes (and not only in a passively subjected form, but with real agency, usually including the possibility of resistance). “Every way of life is biocultural and biopolitical”.²⁷ And what is the alleged “fear of losing naked life” if not a social (and very emotional) process? What is more, is the act of caring for the health of the most vulnerable just a matter of the sacralization of naked life as such and not – at least occasionally – a very emotional and compassionate act? Agamben is right that social life is fundamentally reproduced by common rituals, which is why the restriction on funerals, by which many friends and relatives of the deceased were precluded from taking leave of them, is indeed dramatic. This is why a permanent reflection on the balancing of health security concerns and other human needs is necessary. At the same time, Agamben has no sense for “distant socializing” (beyond the virtues and vices of online communication), which can be expressed in the norm of so-called “social distancing”.

Perhaps this is the right time, at the conclusion of this concededly indecisive essay, to consult a classic text that has nothing to do with viral infections, but nevertheless tells us a lot about the civilizing and socializing force of distance-keeping: Helmuth Plessner’s *Limits of Community*, published in 1924, when it was directed against radical models of community from the right and the left in the fragile Weimar Republic. One of the most important chapters of this essay is tellingly entitled “The Hygiene of Tact”, in which Plessner describes a form of sociability (*Geselligkeit*) between the distant interaction of business life and forms of transgressive social bonding. The concept of tact relies on a whole anthropological theory, as for Plessner by “a culture of restraint, the mature person first demonstrates his full competency. The animal is ultimately direct and honest in expression; if it depended on nothing more than expression, nature would remain better off with elementary forms of beings and spare itself the fractured being of humans”.²⁸ Again, this is not a commentary to a widespread infectious disease – but the current crisis might give us the occasion to recall the socializing force of the “art of not coming too close”²⁹ (*die Kunst des Nichtzunahetretens*).

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²⁷ Connolly: *The Complexities of Sovereignty*, p. 29.

²⁸ Plessner: *The Limits of Community*, p. 162.

²⁹ *Ibid.*

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Jan Christoph Suntrup is Visiting Professor for Culture Theory at the University of the Bundeswehr Munich. From 2010 until March 2020, he worked at the Käte Hamburger Center for Advanced Study in the Humanities "Law as Culture" as a Researcher, Research Coordinator and Fellow.