

**Review Essay. Giorgio Agamben, *Where are we now?*
& Other Writings**
Where are we now? The Epidemic as Politics. Trans. Valeria Dani
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Most of the texts composed by Agamben *ex tempore* in response to the epidemic were collected in a book entitled *A che punto siamo? l'epidemia come politica*.² This was published in June of 2020, as – in England at any rate – the attempt at a lockdown of a population was finally reaching a point of exhaustion and abandonment. The English translation of the book was published much later, in February 2021, when there seemed to be a much more troubling reluctance, at least on the part of a certain portion of the population, to abandon enforced confinement. At the time of writing (December 2021 and January 2022), this seemingly endless dialectic between enclosure and ‘opening up’ is continuing even beyond its promised end, after the last day.

Practically speaking, the delay that necessarily affects the transition between languages allowed the English translation to contain four more chapters than the Italian:

State of Emergency and State of Exception

The Face and the Mask

What Is Fear?

On the Time to Come.

All of these were included in the expanded Italian edition that appeared in September 2021³ with the addition of:

Capitalismo comunista (Communist Capitalism)

Gaia e Ctonia (Gaia and Cthonia)

Filosofia del contatto (Philosophy of Contact)

L'arbitrio e la necessità (Arbitrariness and Necessity)

La guerra e la pace (War and Peace)

La nuda vita e il vaccine (Bare life and the Vaccine)

¹ Later reprinted unchanged by Rowman and Littlefield. Paperback: ISBN: 978-1-5381-5760-2. Many thanks to German Primera for reading the present work in an earlier rendition and for his advice on ways to improve it.

² *A che punto siamo? l'epidemia come politica*. Macerata: Quodlibet, 2020.

³ *A che punto siamo? L'epidemia come politica. Nuova edizione accresciuta*. Macerata: Quodlibet, 2021. An expanded version of the first English translation appeared in October 2021, published once again by Eris.

Cittadini di seconda classe (Second Class Citizens)

Tessera verde (Green Pass)

Uomini e lemmings (Men and Lemmings).⁴

As time passed, Agamben's concerns came to encompass the character of a society that ostracises those who refuse to recognise the messiah that has arisen as the true one, if only because such a promised termination risks acting as something like a retroactive justification for all of the 'measures' that have gone before ('just until the vaccine arrives...'), not to speak of the shattering consequences of instituting such a moralising apartheid.⁵

We shall in the present work also incorporate other texts, by Agamben and by others, as they appear necessary to a proper understanding of the book currently under review.

At the time of their original publication, we followed the release of these texts chronologically – we still are following them, in the mid-winter of 2021–22, almost two years later. Reading them again, particularly Agamben's contributions, this time bound together between the covers of a book, allows us to traverse them at our own pace, and in whatever order seems most reasonable to us: as Hegel put it, once history has reached its end, the epochs are laid out before us simultaneously, not consecutively, and they may then be filtered and rationalised so as to form the moments of a single concept, which thought traverses at an infinite speed, and synthesises, when it thinks. Such is the experience of finding these marvellous, lapidary pieces all together, once again. So profoundly did they colour our way of thinking and speaking that they seem always to have existed, and the relation of influence between their speech and our own (often silent) thought becomes very difficult to determine.

Our experience was most immediately of the English context, and thus we shall expand on Agamben's remarks largely by (implicit) reference to that experience. We shall also position Agamben's thoughts in the context of other philosophers who entered the debate, sometimes much later, and very often in direct or indirect response to Agamben's bold opening. This essay attempts a

⁴ Neither the Italian, in either edition, nor the English includes 'Some Data', 'Phase 2', 'What Colour is the Night?', a number of very short pieces, sometimes comprised of citations or paraphrases of others (from Lichtenberg to César Vallejo) or the more substantial 'When the House is on Fire', which was eventually published in *Quando la casa brucia. Dal dialetto del pensiero*. Macerata: Giometti & Antonello, 2020 (translated by Kevin Attell as *When the House Burns Down: From the Dialect of Thought*, London: Seagull, 2022, forthcoming) and includes other short works less immediately or less obviously related to the virus: these other texts have not, to our knowledge, previously been published online, as were the other texts to which we have referred here, on the website of Agamben's publishers, Quodlibet: <https://www.quodlibet.it/una-voce-giorgio-agamben>.

⁵ His most recent interventions, sometimes in collaboration with Massimo Cacciari on 'vaccination' (for it is not clear that this word is appropriate to this type of therapy – we shall use it for convenience) and its certification, may be found here: <https://www.iisf.it/index.php/progetti/diario-della-crisi/date/2021/8.html?catid=35>.

robust defence of Agamben's position, whose very earliness has allowed it to become something of an easy target – perhaps more for various types of media and pseudo-philosophers often writing and speaking therein, than for those other philosophers, who nevertheless only rarely fail to take their distance from it, whether respectful or not. In any case, the effect for those who think as he does has been to add to an intolerable physical isolation a still more suffocating intellectual and discursive ostracisation, as if one could be philosophically leprous. But in the end, Agamben remains quite distinctive, and thus worthy of especial attention, given how few professional philosophers, even those versed in biopolitics, have truly opposed what it is that Agamben tirelessly denounces.⁶

In fact, Agamben's writings represent the most penetrating and unwavering intervention, a pure origin renounced and forgotten in what ensued. It is time to revisit this origin as we approach – almost incredibly – the third year of the most extraordinary legal prohibitions of human community (along with movement, thought, speech...) and now with the most disturbing conditions set for re-entering that community, a set of conditions that is being allowed to become limitless: one must effectively be certified as 'healthy' (a malleable term if ever there was one), and is turned back at the border of this community if whoever has the power to set these conditions adjudges that one's papers are not in order – as if, to use Roberto Esposito's terms, community and immunity should absolutely coincide.

Another reason for incorporating some of the many other texts that were written by others besides Agamben, apart from their inherent interest – even if only as symptoms of a failure that seems endemic to an abjectly cowardly and insular academia, unable to see forms of life, requirements, and sufferings other than its own, and which, as a joyful 'normality' was returning to places of public gathering in the later Summer of 2021, seemed intent on prolonging the state in which it found itself surprisingly at home – is to allow us to delineate the borders of the concept that Agamben presents us with, in a more nuanced way. These texts will let us consider other possible moments of the concept of the epidemic that might have formed part of Agamben's own, and which often stake out its boundaries in such a way as to set it in starker relief.

Inventing an Epidemic

Agamben's text opens by speaking of 'the invention of an epidemic'.⁷

⁶ Those figures may be found in the references below, and if we have no space for them all here, they shall be included in a forthcoming book version of the present text. The short intervals that separate the publications, often condensed into the space of a few months, together with their unusual form, has necessitated the somewhat regrettably non-standard form of citation that we have allowed ourselves here.

⁷ *Where are we now?* 11ff. Of the term itself, Agamben says this: "Invention" in the political sphere should not be understood in a purely subjective sense. Historians know that there are, so to speak *objective* conspiracies that seem to function as such without being directed by an identifiable subject. As Foucault showed before me, governments that deploy the security paradigm do not necessarily produce the state of exception, but they exploit and direct it once it

Nothing should be less controversial than a statement such as this.

The question of what becomes visible and what remains in shadow is that of the transcendental conditions for the formation of entities, in which post-Kantian philosophy has instructed us for centuries. Analytic philosophers may be forgiven in that respect for having said so pitifully little in criticism of the gesture of ‘invention’.

We can speak here of the manufacturing not just of consent, but of a consensus or dogma, with regard to the interpretation of both the disease itself and the response that was supposedly demanded by it. This invention has proved so successful that to many it has come to seem as if there simply was no alternative to the hitherto unheard of enclosure of populations, the ‘non-pharmaceutical intervention’, which was at first rendered acceptable only by the promise of a pharmaceutical invention that would arrive at some indefinite point in the future. The incarceration of the healthy, at the level of entire national populations, along with the closing of national borders, was presented as necessary on the supposition – based on a set of eminently contestable and contested predictions⁸ – that the more usual manner of treating diseases might not be possible in this case (isolating one’s self, visiting a doctor if one cannot spontaneously improve, and if directed by them, in the worst cases, a spell in hospital). ‘Lockdowns’ were, in the end, on the very most charitable interpretation, a remedy for a health service that lacked capacity. That an entire population could undergo such hardship for such a reason still fails to astonish us as much as it should. The reasons for that failure shall be a concern of ours in what follows.

So exceptional were the measures, it took no small effort to convince the majority (if indeed they are convinced) that the disease itself was equally unprecedented. The consensus surrounding event and response was formed by means of an extraordinary deployment of the media by the government, including an astonishingly infantilising and violent campaign of advertisement instituted directly by the government.⁹ This took place over the course of a very few months at the beginning of 2020. With the passing of time, along with the retention and recurrence of the measures taken, and the need to give some meaning to this mass suffering (‘this cannot all have been for nothing’), the consensus has hardened into a dogma, affirming that one and only one conception is plausible. It is this question of a doctrine’s exclusive acceptability that any serious philosopher should have begun by interrogating: philosophy’s task when faced with dogma is to put it in

occurs’ (*Where are we now?*² 27). And of the distinction between epidemic and pandemic: ‘The epidemic – which always recalls a certain *demos* – is thus inscribed in a pandemic, where the *demos* is no longer a political body but, instead, a biopolitical population’ (Agamben, *Where are we now?*² 68).

⁸ On the ‘Imperial model’ and its flaws, cf. Toby Green, *The Covid Consensus: The New Politics of Global Inequality* (London: Hurst, 2021), 55ff.

⁹ The connection between government and media is addressed by the present author’s other essay from the current volume, on Esposito and Agamben, with particular reference to the latter’s *Kingdom and the Glory*.

question, with either scepticism or the more Kantian form of critique. This would involve seeking the very conditions for the possibility of the formation of such a dogma, and thus initiating a critique that, under the influence of scepticism, confines the claims to certain knowledge within bounds, restraining Reason from assertions that it is not justified in making. If we allow the notion of an ‘epidemic’ to include both the supposed cause and the response postulated as necessary, then we can say that philosophy must, if it is to remain true to its own (post-Kantian) nature, ask after the processes and motivations that went into the ‘invention of an epidemic’. How did it come about that to speak of any other response to a disease has become logically and morally unacceptable? In rather trivial terms – for we are speaking about an a priori exclusion from *logos* and *epistēmē*, and little could be more serious – ‘censorship’, and kindred forms of negation (‘blocking’, ‘no-platforming’...), that we shall be speaking of indirectly and to which we shall return explicitly in conclusion.

Each of the dogmas we are faced with on the two sides of the epidemic involves positing a differentiated multiplicity as if it were an undifferentiated unity. The first dogma affirms that the dissemination and peril of the virus are ‘total’ and this is expressed – either denoted or connoted – by means of the very word ‘pandemic’. This term encompasses the ‘all’ (πᾶν) and at least subliminally conveys the message that disease is everywhere and poses a threat to everyone equally. Every aspect of the way in which the affair was presented by government and media affirmed as much, at least once the need to justify harsh measures had come to urge itself upon those in power, from the initial messages which intoned sententiously that ‘anyone can die of it’, right up to a later phase in which even those who did not have it, and were unlikely to suffer even mildly if they did, were instructed to act as if they had it. What mattered was not actuality, but potential: a potential we did not even know that we had. As Byung-Chul Han puts it, we have all been potential terrorists for several decades now, but at least in that respect we know whether or not that is what we are; in the present case we are told that the right thing to do is not simply to suspect everyone else of being a potential bearer of disease, but to suspect even ourselves.¹⁰

¹⁰ ‘At airports everyone is treated like a potential terrorist. [...] The virus is a terror in the air. Everyone is suspected of being a potential carrier of the virus, and this leads to a quarantine society, which, in turn, will lead to a biopolitical surveillance regime’ (Byung-Chul Han *The Palliative Society: Pain Today*. Trans. D. Steuer (Cambridge: Polity, 2021), 18). The hysterical obsession with ‘testing’, so that one’s true – and otherwise concealed – identity (as infectious) might be revealed, is therefore akin to the x-rays and other intrusions that one undergoes here: but in this case, the security procedure is ever so slightly distinct from a passport check. This gap is steadily being closed, as the question of one’s identity, of what one really is, gets collapsed together with one’s ‘health status’. This has become ever more clear as the question of certification (which integrates one’s potential infectiousness with a proof of identity already rife with biometric data) has come more and more to occupy the forefront of governmental attention – almost as if this were the ultimate goal from the very beginning, or close to it.

The second dogma affirms the same with respect to the predominant response to the virus: the police strategy of ‘lockdown’¹¹ – legal confinement, isolation, and separation, the prising apart – by force of law – of the social bond to the point of severance, compulsory shunning and self-ostracisation. This was presented overwhelmingly, after a certain point, as the only adequate response, and as applying everywhere, to everyone, at all times.

Philosophy is once again and always obliged to ask: how did such a state of affairs become possible? The very first questions that philosophy asks of any phenomenon fall under two headings: the ‘that’ (in Latin, *quod*) and the ‘what’ (*quid*): does it exist, and if so, what is its nature? Existence and essence. This makes it all the more surprising that most philosophers still appear to speak without blinking of a ‘pandemic’, or in an even tone of ‘lockdowns’, as if these were unquestionable facts, mere givens, rightly enjoined and these injunctions simply to be obeyed, by the virtuous majority (if there is one), to be doubted only by the illogical and the immoral, in a deranged howling that emanates from the margins of respectable discourse, and that should righteously be confined there.

Principles and Pragmatism

If we allow that there is at least a question as to how one might respond to such an event as a virus, then there is at least one fundamental decision that must be brought

At the heart of everything that is taking place here – and Han is acutely attuned to this, as well – is a destruction of any question of trust, belief, or faith, in the name of an absolutely certain and all-pervasive Knowledge. Once again, no philosopher after Kant should have remained impervious to this distinction and its fate.

¹¹ The official jargon makes no secret of the fact that this is a police response: ‘lockdown’, a term blessedly unfamiliar to English audiences before March 2020, comes to us on loan from the lexicon of American law enforcement. To underline this point, Donatella Di Cesare speaks of ‘house arrests’ (*arresti domiciliari*) (Di Cesare, *Immunodemocracy: Capitalist Asphyxia*. Trans. D. Broder (Pasadena: Semiotext(e), 2021), 84, cf. 89 & 90). Lambros Fatsis and Melayna Lamb devote a brave book – with an apposite title – to a critique of the very notion of ‘a law enforcement response which *treated the public as the virus*’ (*Policing the Pandemic*, 1).

As Agamben has it, health moves very suddenly from being a right to being an obligation – thus begins the new reign of ‘biosecurity’, the criminalisation of failing health: either its failure or the failure to protect it – or even, still more absurdly, the failure to protect those ‘services’ which protect it (*Where are we now?* 56). Even the *potential* for unhealthiness is enough to warrant legally mandated confinement or curfew. And it is true that such an infringement, such a legalisation would likely have difficulty in ensuring its observance without the deployment of force. We are now compelled by police and in some countries by the army not to get ill, for our (moral) duty is to protect the very services that were instituted to protect us in moments of illness.

One witnesses a similar logic – at least at the level of advertising – with respect to the other ‘emergency services’: in England, at least, one is often confronted with posters proclaiming, apparently in all seriousness, ‘You wouldn’t call the fire brigade to put out a candle’.

(The troubling confusion of legality and morality – often touched upon at the earliest stages of a philosophical education in the form of an elementary fallacy – that has blighted social and political life for the last few years, demands a serious treatment that we cannot properly attempt here.)

to the fore in the very first instance: the question of the absoluteness of principles and values.

It would be perfectly possible — and often, but not always, Agamben may be read as adopting this stance — to affirm the absoluteness of the ‘human rights’ (if that expression were in any way adequate here) that are violated by these non-pharmaceutical measures quite irrespective of the seriousness of the disease.

The other position is one which ameliorates this absoluteness by adopting a pragmatism that relativises the absoluteness of any principle whatsoever. This manifests itself in the language currently used by politicians and all those in power of ‘difficult decisions’ (or in the paternal way British politicians, of either sex, have taken to speaking, ‘tough’ decisions). This effectively means that whatever principles or values one might hold dear are to be rescinded, and those subject to these powers will be made to renege on those principles and to reject those values — by force if need be. (One could imagine a better world in which a decision would be characterised as ‘difficult’ if it involved *adhering* to one’s principles in the face of strong temptations to compromise them.)

If we adopt the former position then the actual ‘facts’, if such can ever be established and indeed if such there be, regarding the severity of the disease and the character of the virus that causes it are irrelevant; if the latter, we might be forced to accept a certain threshold beyond which such measures might be countenanced. Clearly we have been faced with the latter, almost everywhere, and what caused these malleable principles to bend was in fact merely a prediction, a prognostication of seriousness, later withdrawn, and then an impossibility of proving a counterfactual: what might have happened had ‘we’ not... But it was enough.

The Nature of a Pandemic

Let us then, for the moment, give the benefit of the doubt to the latter position, and assume that the nature of the disease might be such as to justify the suspension — or even abandonment — of certain legal rights and moral obligations. If this were the case, then it would unquestionably be a matter of commensurability, and thus we would need to say something about the event, and whether the title ‘pandemic’ was just. To determine whether we have indeed lived through a pandemic, and so to answer the question of the ‘that’, we would need to say just what a ‘pandemic’ is, and then to determine whether the distribution of the particular crown-shaped virus first individuated in 2019 (from which two features the disease engendered by it acquired its name) meets that description.

Things are by no means straightforward here: the definition of ‘pandemic’ has a history, and is thus demonstrably mutable, and for reasons which are not at all confined to the medical.¹² The official definition of a ‘pandemic’ was changed

¹² For a summary of this history, with particular reference to the defining authority of the World Health Organisation, cf. Green, *The Covid Consensus*, 163–66. As soon as institutions of any kind are involved and acquire such authority, one loses any right simply to assume that what is involved in such definitions is an entirely unimpeachable ‘scientific objectivity’.

quite recently for the sake of a virus in its way quite similar to the one that has come to monopolise our attention of late. This alteration allowed a certain body (the World Health Organisation) to authorise itself in pronouncing this particular incidence to be ‘pandemic’. In the conventional understanding of the word, a pandemic encompasses all (πᾶν) of the people (δῆμος), and as a result the measures taken in the face of it must be equally global and indiscriminating, to be applied pervasively within cultures and across them: total and so utterly intolerant of ‘dissent’. Such measures require observance; they must be ‘locked’ in place, by police and military force if necessary.

David Cayley, a student and expositor of Ivan Illich, has emphasised the efficacy of the very designation ‘pandemic’.¹³ Given that the effects of this act of naming are precisely what we are attempting to understand, we have followed Agamben himself in frequently replacing the word ‘pandemic’ with the more cautious ‘epidemic’ (*epidemia*), thus transporting us in speech and thought to a moment *prior* to this performative gesture and the decisions that led to it.¹⁴

The very word ‘pandemic’ was crucial in allowing these measures, which originated in more explicitly totalitarian regimes, to appear acceptable in democratic regimes. As Cayley puts it, ‘the declaration by the World Health Organisation that a pandemic was now officially in progress didn’t change anyone’s health status but it dramatically changed the public atmosphere. It was the signal the media had been waiting for to introduce a regime in which nothing else but the virus could be discussed. [...] If you talk about nothing else, it will soon come to seem as if there is nothing else’.¹⁵ No other diseases, no other causes of death, nor any ‘side-effects’, physical, psychical, social, economic (in wartime these are spoken of as ‘collateral damage’) carried any weight, being shunted into invisibility or irrelevance, deferred to the future where they might not be seen to count as ‘corona

¹³ David Cayley, ‘Questions about the current pandemic from the point of view of Ivan Illich’ <https://www.quodlibet.it/david-cayley-questions-about-the-current-pandemic-from-the-point>, 8th April 2020.

¹⁴ The gesture of renaming an epidemic ‘pandemic’ also encourages a political transition in the sense of the conception of the human community, which is thereby encouraged to conceive itself as a ‘population’, subject to a form of thinking that might be named in terms of either ‘public health’ or, which is the same but broader, ‘biopolitics’: ‘The epidemic – which always recalls a certain *demos* – is thus inscribed in a pandemic, where the *demos* is no longer a political body but, instead, a biopolitical population’ (Agamben, *Where are we now?* 68). And indeed the shift to a form of ‘population thinking’ among the very people targeted by the media and governmental ‘messages’ involved precisely a shift, effectively from the first person, to the second, to the third, the third which each of us was to become, to consider ourselves as anonymous parts of a larger population, all of the members of which were involved in an obscure game of protecting one another, but never themselves, such that no-one was in the end protecting anyone in particular, but one was simply keeping ‘levels’ of incidence among this population somehow acceptable, according to shifting criteria. David Cayley was highly attuned to this shift thanks to his studies with Ivan Illich, to which we shall return.

¹⁵ Cayley, ‘Questions’. Cf. Bernard-Henri Lévy, *The Virus in the Age of Madness*. Trans. Steven B. Kennedy (New Haven: Yale UP), 79ff.

deaths' were made to. The sensationalistic media adopted with a dubious enthusiasm a wartime mentality in which nothing else mattered apart from winning this 'war' in the name of which everything might be sacrificed, including long held principles and basic human decencies.

The announcement of a 'pandemic' on the part of a body which seemed to be taken as trustworthy, authoritative, and 'objective', was partly responsible for bestowing upon this coronavirus the extraordinarily exclusive visibility that it attained among all of the many and various diseases that were more or less eclipsed by the sheer spectacle of the thing and the fascinated terror that was quite deliberately manufactured in those looking on, forced to look on, with nothing else to look at.¹⁶ It was constituted as *the* pathogen of overriding importance, to the government, the media, and even the health services themselves. To the exclusion of all else.

Did it Exist? Has an Event Taken Place?

Apart from the question of definition, which demonstrates that an event can become something simply by way of a – presumably not disinterested – redefinition, and apart from the question of the decisions taken as to which of many equally serious or trivial diseases are to become visible in such a glaring fashion, the existence of such an event as a 'pandemic' should be uncontroversially questionable. This is not least due to the fact that measures were taken precisely in order to *pre-empt* that event's complete unfurling. This means that no advocate of the efficacy of lockdowns can simply say that the event happened, completely, altogether. Everything that has been done to us was done precisely in order to prevent that. Those gestures would forfeit their justification if the event were said to have happened as it might.

But there are other reasons for questioning the apparent uniqueness of this one event and thus its very eventual character. As has already been indicated, philosophy after Kant has devoted itself in large part to identifying the necessary conditions that must be in place in order for entities to reveal themselves to us in the way that they do. Crucial to the formation of both the pandemic and the police-response was the question of visibility – what comes to the fore and what remains in the background in any particular situation. Why did it happen that every other cause of death, present and past, every other reason to become ill, every other potential social, economic, and political problem, was elided from mediatic presentation for the past two years (save for those lighter moments when restrictions were temporarily suspended and one could finally breathe again; only then was light allowed to be shed upon the sheer extent of the waiting lists, the deficits and losses of social, cultural and economic life)? No-one can, in all good faith, pretend that we were dealing with the most deadly disease in our history, the urgency of 'protection' which it was said to dictate rightfully outweighing all of this

¹⁶ Cf. Laura Dodsworth, *A State of Fear: How the UK Government Weaponised Fear during the Covid-19 Pandemic* (London: Pinter & Martin, 2021), *passim*.

devastation.¹⁷ At the very least a trip to the poorer parts of the world, not to speak of earlier moments in our own history, would establish that rather vividly.

One of the factors that seems to have been decisive in the ascent of the coronavirus is the status of the particular group that is perceived to be – or is presented as – sick and dying: if millions die each year of mosquito bites in the distant Tropics, of diarrhoea and sepsis, even if this is also announced by WHO, the event goes unnoticed in the West.¹⁸ But if there is a ‘concern’ that hospitals in the more affluent parts of the world might overflow – forgetting for a second, or for as much as two years, that this occurs every winter and that doctors are compelled by their very vocation to make choices as to who is to be treated and when – it is in part because death would become ‘public’, exceptionally visible, over *here*, with a tangible presence that is then available for (mostly sensationalistic, even gleeful) amplification by the media. Suddenly this perfectly quotidian affair of the old, sick, fragile, or unlucky passing away in their thousands acquires an unaccustomed phenomenality, easily capable of eclipsing the already obscure and far more numerous deaths and disorders of other kinds taking place elsewhere – not to speak of the thousands of deaths which occur every day, quite unnoticed, under quite normal conditions, in our own territories.

Why should this particular event be deemed a pandemic, and one which warranted absolutely exceptional measures, whilst other events, much more fatal, both concurrent and historic, dealing death slowly or rapidly, are not and do not?¹⁹

¹⁷ Although, as Cayley point out in reference to the Canadian prime minister, this was precisely what the rhetoric of politicians unambiguously affirmed (Cayley, ‘Questions’).

¹⁸ Cf. Matthew Ratchiffe and Ian Kidd on sepsis, ‘Welcome to Covidworld’ <https://thecritic.co.uk/issues/november-2020/welcome-to-covidworld/>, November 2020; Alex Broadbent on the other, much more serious diseases plaguing the African continent, ‘Lockdown is wrong for Africa’ <https://mg.co.za/article/2020-04-08-is-lockdown-wrong-for-africa/>, 8th April 2020; and, on the African context more generally, Toby Green, *Covid Consensus*, esp. Ch. 3. Cf. Lévy, *Virus in the Age of Madness*, for a more global approach to the same enforced invisibility.

¹⁹ A number of writers have contrasted the response to the coronavirus of 2019, understood as an event, with the (limited) response to climate change, also understood as an event, but one which unfolds at a much slower pace, an event which is presumed to be degrading and, already, albeit in a way that is in larger part storing this up for the future, ending far more lives, both human and non-human (cf. Bruno Latour, ‘Is This a Dress Rehearsal?’, *Critical Inquiry* <https://critinq.wordpress.com/2020/03/26/is-this-a-dress-rehearsal/>, 26th March 2020; Andreas Malm, *Corona, Climate, Chronic Emergency: War Communism in the Twenty-First Century* (London: Verso, 2020), 3 et al., which was written as early as April 2020; Bruno Latour and Dipesh Chakrabarty, ‘The Global Reveals the Planetary’, in *Critical Zones: The Science and Politics of Landing on Earth*, ed. B. Latour and Peter Weibel (Cambridge, MA: MIT, 2020), pp. 24–31; Dipesh Chakrabarty, ‘An Era of Pandemics? What is Global and What is Planetary About COVID-19’, *Critical Inquiry* https://critinq.wordpress.com/2020/10/16/an-era-of-pandemics-what-is-global-and-what-is-planetary-about-covid-19/?fbclid=IwAR3rEngBjpm97_pwjSmgf5s_4JRxjrYSQRHtkPQu0JBsuPGMGBatR4o1XSI, October 16th 2020).

This leads us back to the question: did the pandemic take place? It is perhaps beyond doubt – but only so far as any falsifiable scientific statement ever is – that there is such a thing as a virus which received the abbreviated name SARS-COV2 around the winter of 2019–20, even if a virus is a particularly difficult entity to classify and even to isolate; it is neither living nor dead, in some respects a literal ‘non-entity’. But did the disease it is said to cause unambiguously come to pass, and in such a manner as to warrant the way in which it was described and the measures taken to remedy it?

The Piety of the Event and ‘Philosophical Narcissism’

In questioning the full occurrence of the event, we have had in mind something like the notion which Alain Badiou has made his own. If we consider the epidemic as a potential ‘event’ in this sense, the question as to whether or not the virus itself amounted to anything could *only* be decided after the fact, and on the basis of the *consequences* of the event: ‘Events produce transformations that prior to their taking place were not even possible. In fact, they only begin to be “after” the event has taken place. In short, an event is such because it generates “real” possibility’.²⁰

One of the ways in which events prove their eventual character is by refusing to fit into existing conceptual schemes: in this way, in order to be thought, they demand the invention of new concepts and perhaps even a new way of thinking (and in turn a new way of acting). One frequent response on the part of those who advocate harsh restrictions of communal life, in good faith or bad, has been to suggest that any philosopher who asserts that the epidemic can be made intelligible by already established modes of thinking (which by itself may be taken to imply that no exceptional measures are warranted in this particular case) is simply refusing to accept the novelty of the event.²¹ In extreme cases, a curious argumentative move is then made against philosophy itself (Agamben’s in particular, but often as an

That said, we should introduce a note of scepticism even here: once measures to combat the current event have been rendered acceptable, and this state of exception normalised so blatantly, one is led to question any event which might elicit a similar set of measures, now that a precedent has been set: climate change seems to be first among these, whether it is serious or not, the one overriding problem facing the world or just one amongst many.

Curiously enough, the incidence of the epidemic has provided the occasion for one of Agamben’s own extremely rare excursions into the question of environmental damage (‘Gaia and Chthonia’, <https://www.quodlibet.it/giorgio-agamben-gaia-e-ctonia>, December 28th 2020, reprinted in the second Italian edition of *A che punto siamo?*).

²⁰ Rocco Ronchi, ‘The Virtues of the Virus’, <https://www.journal-psychoanalysis.eu/on-pandemics-nancy-esposito-nancy/>, 14th March 2020.

²¹ Daniel J. Smith has urged us, in a cautious and significant piece, not to assert but to countenance the *possibility* that the event is exceptional. ‘On the Viral Event’ https://www.journal-psychoanalysis.eu/on-the-viral-event/?fbclid=IwAR08av4U3cjcsCLk38RDmAL6Za91F576Dfb2amK541QS_luQLY0ZTAbm_pRw, 25th June 2020. This in the course of pursuing those aspects of the affair which Agamben is said to omit; although whether every item on the list he provides can be said to be anything other than a continuation of ongoing events is not altogether clear.

acknowledged representative of philosophy as such) as if philosophy could only be the application of a conceptual scheme already set in stone, rather than the constant and restless refusal to remain content with any one, or – as with Hegel – the spontaneous and presuppositionless generation of new categories followed by the identification of this conceptual structure in the very fabric of the world itself, so far as this is possible.²²

But here, we risk drawing near to a kind of piety before an event so exorbitant that all rational thought as such blasphemes it. Anything but a kind of blind acceptance of a certain dominant narrative, based on the pronouncements of a certain group of scientists, and a certain set of politicians and their media, should be rejected as dangerous heresy. This piety of the event is perhaps what has allowed the extremely dubious analogy to be drawn between any serious form of critical thinking with regard to the virus and holocaust denial. The notion of denial in this case, as Agamben effectively shows, should be banished from philosophical discourse altogether, along with all of the other abstract negations (in Hegel's sense, absolute annihilation, oppositional exclusion) that have come to characterise contemporary life and academic life in particular, in the form of 'cancellations': a negation that always attempts to exclude the opponent from reason itself on the grounds of a self-authorising assertion to the effect that the other person is negating something in a non-rational way, presumably under the influence of dubious ulterior and perhaps unconscious motives.²³

What such an argumentative gesture forecloses is the possibility that the event *is* intelligible in terms of Agamben's – or anyone else's – earlier philosophy.

²² Alexei Penzin speaks of a 'philosophical narcissism' in this case ('Pandemic Suspension', *Radical Philosophy* 2.08, Autumn 2020).

Sergio Benvenuto, in an otherwise useful piece that considers the question of comparative statistics, avers that, 'this is not the time for philosophy': '[i]n some cases, spreading terror can be wiser than taking things "philosophically"'. (Benvenuto, 'Welcome to Seclusion', *Antinomie* <https://antinomie.it/index.php/2020/03/05/benvenuto-in-clausura/>, 2nd March 2020). He even comes close to identifying the very notion of a philosophy of history with the 'conspiratorial' or 'paranoiac'. As we shall see, Agamben himself also risks proposing such an identification, but in quite another tone and with quite different intentions.

Benvenuto is by no means alone in thinking, albeit without enthusiasm and with serious reservations, that any old thing can be inflicted on populations if it is deemed 'good for them': as an unwitting testimony to the aristocratism that characterises the preponderance of academics in this respect (or at least those possessed of the most strident and amplified voices), cf. Fabienne Peter, 'Can Authoritarianism ever be Justified?' <https://www.newstatesman.com/world/asia/2021/08/can-authoritarianism-ever-be-justified>, 27th August 2021. Apparently, it can.

²³ Agamben, *Where are we now?* Ch. 16, 'Two Notorious Terms'. Just plausibly, Agamben is writing most immediately in response to Donatella Di Cesare, who, in a brave text that remains close to Agamben's theses, to the point of reading at times like a systematisation of them, but *avant la lettre*, falls to speaking, albeit cautiously, of 'conspiracy theories' (the other of Agamben's 'notorious' or 'infamous' words) and 'denialism' (*negazionismo*) (Di Cesare, *Immunodemocracy*, 65–73).

And this seems to be an equally unphilosophical presupposition, in need of demonstration.

What might allow one to suggest that current events are potentially intelligible in terms of an already extant philosophy? One option would be to demonstrate a discrepancy between the event and the response made to it. Such a gesture need not in fact involve itself in the unprincipled pragmatism alluded to above, but could simply be a matter of demonstrating to those whose flexibility with respect to principle has allowed them to assert the commensurability of the response, that it is in fact disproportionate. This would imply that some other as yet unexplained motivation lies behind the measures taken, and bars at least one of the ways in which the event might be argued to be exceptional.

Agamben has insisted upon the fact that far worse epidemics have occurred in the past – and indeed we know that many more people die for other reasons every day – and no such response has ever been mounted.²⁴ Thus it is the very disproportion between event and response that must be explained: such a disproportion is completely elided if one simply assesses whether or not an event has taken place – and asks what its nature is – on the *basis* of the responses given, since this presupposes that there must by definition be a commensurability between the two. This is indeed what has happened, and in fact the event itself came to be continually redescribed precisely in order to justify the continuation of the particular response that had been elected, to the point of rescuing it from the sheer absurdity that it became. The magnitude of the event is measured first in terms of deaths, then hospitalisations, then cases, then... in November 2021, in England, a promise of an irreversible turn away from restrictions was broken simply in the name of what had been employed so as to justify the measures of March 2020 in the first place: non-knowledge. One simply didn't know what this new variant was capable of – a variant baptised with the ominous foreign-sounding name, '*omicron*', alarming to those who do not know Greek and remain blissfully unaware of the fact that a much more ominous '*o*' was yet to come. Given this paucity of certainty, it was argued, one should lock people down just to be 'on the safe side'.

The response has been so extreme, and so prolonged, that it cannot but have had retroactive effects on our perception of the magnitude of the event that might have taken place but presumably did not, and this thanks to the extremity of the remedial measures themselves.²⁵

²⁴ Agamben, *Where are we now?* 18 & 28.

Curiously, Alain Badiou draws the exact opposite conclusion from the 'non-exceptional' character of the virus: complete obedience to measures which are anything but non-exceptional. State power is not in fact even to be criticised for implementing such exceptional measures, for these seem to Badiou quite normal as well: 'the powers that be [...] are in fact simply doing what they are compelled to by the nature of the phenomenon' (Badiou, 'On the Epidemic Situation', trans. A. Toscano <https://www.versobooks.com/blogs/4608-on-the-epidemic-situation>, 23rd March 2020); cf. Alain Badiou, *Sur la situation épidémique*. Paris: Gallimard, 2020 (published 27th March 2020).

²⁵ Cf. Cayley, 'Questions'.

A counter-presentation of a fuller set of data, or of a dissenting interpretation of the hegemonic data, reveals the incommensurability of event and response, and thus opens up the necessity for an explanation of the response that would itself be non-medical. It is to this explanation that Agamben devotes himself, an explanation which, given the unexceptional character of the event, can indeed be ‘old’, and this would involve the philosopher in no ‘narcissism’ at all. It might indeed be a sign of courage.²⁶

Some Data and ‘The Science’

Agamben does indeed have occasional recourse to the ‘data’. He insists on the fact that the discrepancy between the unimpressive data regarding the effects of the virus in relation to other diseases and causes of death (not to speak of the dangers of the proffered solutions, pharmaceutical or otherwise), and the political mobilisation that followed is so vast as to warrant serious theoretical investigation.²⁷ Thus Agamben does indeed incline towards a sceptical gesture, and often on the basis of statistics which were often not at all presented by those in power, or were only obscurely so; figures which dispel the aura of exceptional gravity that has come to surround the event. Such a presentation of data could in any case be justified by their omission from the official narrative and the consequent stifling of debate, along with the all too swift elision of the question of interpretation which the Humanities and Social Sciences at any other time would insist upon in the reception of any scientific ‘facts’. This gesture might have led to a rightful shattering of the apparently monolithic notion of ‘the Science’, which has, at least rhetorically, played such a significant role in the events of the last few years. The near silence of professional philosophers of science, if not epistemologists and scholars of the Human Sciences in general, has been quite damning.

It may be that it is precisely to insist on the concealed disunity of science that Agamben himself has recourse to statistics. Speaking later in the Summer of 2020, of a jurist who pronounces a ‘health emergency’ with ‘no medical authority’, he affirms that, ‘it is possible to submit many opposing judgements that are certainly more reliable – all the more so since, as he [the unnamed jurist in question] admits, “conflicting voices are coming from the scientific community”’.²⁸ One of the most disturbing aspects of the last two years, which should have been among the most troubling for the scientists themselves, is the way in which these alternative voices, many of them eminent, from the natural sciences, the medical profession, and the pharmaceutical industry, were not only excluded from serious consideration but deliberately translated for the public imagination so as to assume the distorted form

²⁶ Byung-Chul Han is another figure who has refused to bend the trajectory of his thought in the face of the pressures of the moment.

²⁷ Agamben, ‘Alcuni dati’ (‘Some Data’) https://www.quodlibet.it/giorgio-agamben-alcuni-dati?fbclid=IwAR2YHUep7jLiq57DPCc8TWzSv9_Su3RZeVIXwcEUBrBNmFF5jh_O2cO WPxQ, 30th October 2020.

²⁸ *Where are we now?* 83.

of ‘conspiracy theories’ or (lunatic) ‘fringe’ science. To avoid complicity in such obviously vicious things, and to appear to be on the side of the virtuous, most media simply excluded all dissenting voices, save occasionally to make an example of them. As Agamben insists, ‘there is no consensus among scientists – even if the media are keeping quiet about this’.²⁹

Agamben himself supplements the mediatic silence by providing what he suggests should have been provided all along, and that is the overall ‘mortality rate’ from the previous ‘normal’ year (1772 deaths every day in Italy alone³⁰) along with the data relating to the effects of the recent coronavirus set alongside those from a previous year for cancer, cardiovascular disease, and respiratory diseases in general: ‘The real texture of the epidemic can only be ascertained by comparing, in each instance, the communicated data with statistics (categorised by disease) concerning the annual mortality rate’.³¹ Agamben thus makes a point that is simply one of the most basic intellectual ‘hygiene’ (a metaphor now forever corrupted): figures presented in isolation, often in the form of slogans and images, have more of rhetoric than of truth. The quite blatant instilling of fear that is involved in presenting a daily tally of deaths from a single cause, to which almost every media outlet fell for so long, will stand eternally to their discredit. It seems to have been essential to elide the other data that would have contextualised and thus bestowed a lesser significance upon this number, in order to motivate compliance with the repressive actions imposed on this pretext.

In addition to this essential contextualisation and comparison, one has every right to question the reliability of whatever methods and tests were used to generate the ultimate number of ‘cases’ (another word misused for reasons that were presumably ideological: being conflated with often asymptomatic ‘infections’³²).

But one can prolong the questions regarding these deaths still further: do sciences of mortality and morbidity even speak so bluntly of such a thing as ‘a death’ equal with respect to all of the others? Do they not take into account the number

²⁹ *Where are we now?* 45, cf. 10.

³⁰ *Where are we now?* 43.

³¹ *Where are we now?* 44, cf. 47 & 18. Cf. Sergio Benvenuto, ‘Welcome to Seclusion’.

³² Cf. Karina Reiss & Sucharit Bhakdi, *Corona False Alarm? Facts and Figures*. London: Chelsea Green, 2020, 15f. One could multiply almost without limit the statistical concerns here: these ‘cases’ will include ‘false positives’ as a result of remnant RNA from earlier encounters with the same and related viruses. And one should not forget the once well-known affair of the certification of deaths – coroners’ inquests rarely carried out, co-morbidities dismissed as irrelevant, deaths often simply presumed to be ‘of Covid’, particularly if a positive test result has been returned within a certain period of time prior to death, often ignoring the fact that a patient was admitted to hospital with something else, potentially terminal, but, as so many did, this being one of the prime sites of contagion, contracting Covid-19 after admission. Sometimes such presumptions were even rewarded. And once these fearsome figures have been established, they are then presented not just in isolation from every other cause of death, but with little attention paid to longitudinal trends, and innumerable other factors. So many decisions that could have gone otherwise; the fact that they did not in so many cases suggests a motivation beyond the merely ‘scientific’.

of years expected to remain for that type of life, the time lost to death's 'prematurity' (if such it was, when viewed across the whole population, for a disease where the average age of death 'from' the virus stands higher than eighty years; and there can be prematurity of death in general only across an entire population viewed as such). Perhaps most importantly, what could justify the complete elision – from a certain point onwards – of differential susceptibilities among the 'demographic', particularly in relation to the age of those who succumb?

But questions were not, it seems, to be asked, for – if one trusts, naively, to the good faith of those instigating these measures and those supporting them – to do so would be to introduce uncertainty and 'hesitation' (a word and a notion which seem to have fallen into disfavour, though it is the very heart of philosophy), to the point of disobedience: which is the very last thing those in power seemed to brook.

All of this ideological exclusion goes to create a vision of an essentially plural science as a monolithic entity capable at all times of generating sure and certain knowledge that is absolutely unequivocal. And thus in its directives, too: one can, therefore, in all good conscience, without hesitation, present one's actions, however violent and harmful, as 'following "The Science"'. Once this vision of 'the Science' is presented by those who authorise themselves to enunciate it, it has a significant effect upon the mediatic presentation of 'scientific consensus', for any of the voiceless alternatives to the hegemonic account are then thrust into invisibility and forced to seek refuge on the fringes of 'respectability', largely on the internet or in smaller online and offline communities, a marginalisation which only renders their appearance still less respectable. This has the advantage of making it easier to dismiss these already strangulated voices as merely crankish, and thereby to bolster the hegemonic position.

This is not to say that science as an *idea* does not pursue a single truth and a unique form, but at least in this case, the idea that there was 'a Science', even a 'consensus', was manufactured and – it may be presumed – presented to the public for reasons that stand apart from the scientific.

David Cayley, following Ivan Illich, has devoted himself to determining how the natural sciences in particular could have achieved such a hold over our political life. He demonstrates that in order to achieve sovereignty one must first be seen to acquire *unity*, indivisibility, the absence of strife and dissent: 'contemporary society is "stunned by a delusion about science" [Illich]. This delusion takes many forms, but its essence is to construct out of the messy, contingent practices of a myriad of sciences a single golden calf before which all must bow'.³³

Once it has been endowed with the appearance of unity, science can adopt, or have bestowed upon it by those in power, the role of a sovereign leader. Power can then devolve upon Medicine and the various branches of the natural sciences

³³ Cayley, 'Questions'; cf. Cayley, 'Pandemic Revelations' <https://www.davidcayley.com/blog/category/Pandemic+2?fbclid=IwAR2fID6gWCw4AjCSII-QYIfQgtUv04PsmtsAaoFDZvdnhpY9HqFUE1QZT4>, 4th December 2020; cf. Green, *Covid Consensus*, 15.

in the form of the capacity to make binding decisions with respect to society and politics. As David Cayley points out, the very act of attributing such authority to ‘the Science’ – or to science as such – is a *political* decision, even if the decision is one that abdicates power in favour of the scientists: ‘Epidemiologists may say frankly, as many have, that, in the present case, there is very little sturdy evidence to go on, but this has not prevented politicians from acting as if they were merely the executive arm of Science. In my opinion, the adoption of a policy of semi-quarantining those who are not sick [...] is a political decision’.³⁴ One could, in other words, *not* have transferred decision-making powers to the doctors; one might even have listened to those in the humanities, had they spoken above a whisper.³⁵

The construction of ‘the Science’ in the context of recent events reveals at least two moments which may be identified as ‘political’: first, consider a panel such as the United Kingdom’s Scientific Advisory Group for Emergencies (SAGE, a non-accidental abbreviation, already implicitly licensing the attribution of power to this ‘wise’ group). A panel implies a multitude of voices: those in power must decide which views to give prominence to, which to represent and which to act upon – this, as so often in this affair, is a question of what becomes visible and what does not. Even if the decision simply amounts to a choice to abide by the vote of the ‘majority’, this very choice is itself political, or meta-political in the sense that it involves a decision regarding how politics should be conducted.

Secondly, one can identify an even earlier political decision, and one more likely to recede into a still deeper obscurity as a result of its very priority: decisions had to be made as to the very constitution of the panel itself, thus determining the range of options from which the first decision selects.

In both of these moments, some voices are heard whilst some are denied a hearing; in the first case, they speak and are then silenced, while in the second they are never allowed to speak at all. In either case we witness a decision which is taken and then elided, a decision which casts certain voices to the margins of *logos*. As a

³⁴ Cayley, ‘Questions’. Donatella Di Cesare has devoted an important chapter to the topic of ‘Government by Experts: Science and Politics’ (Di Cesare, *Immunodemocracy*, 50ff), which is more than can be said for Anglophone philosophers of science, who, at precisely this moment, should have come into their own, but chose something else.

³⁵ Such a silence is belatedly being broken, and Toby Green is warmly to be praised for his bravery in leading the way with *The Covid Consensus*. A forthcoming volume follows in his footsteps by demonstrating in a number of its ramifications that it is not only the Right who ought to and could have spoken out against these measures: Peter Sutoris, Aleida Mendes Borges, Sinéad Murphy and Yossi Nehushtan (eds.), *Time for Debate: Perspectives from the Humanities and Social Sciences on Lockdowns* (London: Routledge, 2022), in which a much shorter version of the present work will be found. Agamben himself could also be situated in a tradition that might be identified as a certain form of Leftism, marginalised but once again stirring and still more vigorously in light of the failure of all parts of the institutional Left to present any kind of opposition to recent events.

result of the decision to erase multiplicity, the government and media can present a very particular semblance of unity: ‘scientific consensus’.

Seeing the Future: Predictions

But what was the foundation of this supposed consensus? It was a prediction. The responses to the virus were justified not on the basis of what was happening, and could barely be justified by what did happen; they were presented as being justified on the basis of what *might* happen. They were grounded not on something actual but on something *possible*, which was laid out in the form of a prediction that was based on a very particular model, which is inherently contestable and was vigorously contested.

The model chosen as the basis for action predicted a future that was supposedly far enough beyond the scope of what could be addressed by conventional means – and indeed beyond pre-existing plans for dealing with pandemics – that it was taken to justify the actions that were to follow. It is one thing to attempt to present a reported state of the actual situation as a pretext for action, but here measures were taken on the basis of a prediction with regard to a future the character of which could never be verified, by definition, unless no action were taken at all or one could isolate an exactly comparable country (for measures were in every case national, or at least state-wide in the case of the United States of America) that could be used as a ‘control’.

And yet this ambiguous, forestalled status of the event, far from leading to questions regarding the justice and proportionality of lockdowns, the certainty of their rectitude and inevitability, led, after a moment’s uncertainty, to an ever more convinced faith in their efficacy: it seemed to be implicitly believed that in the absence of certain knowledge, what was needed was not a critical appraisal of those predictions which took the place of this knowledge, but a simple and obedient belief in the correctness of one particular predictive model. Despite their very repetition or simple continuation demonstrating these measures to be ineffective in terms of what they were said to achieve, the fact that these measures were taken and the predictions failed to materialise was understood, implicitly or explicitly, as a testimony to the exactness of those predictions and the justness of the actions they urged.

Another thing Kantians and post-Kantians should know by heart: at the limits of reason and knowledge stands faith: predictions came to play the role of prophecy, and scientists that of prophets. With faith come endless commandments to obey, promised ends in the form of messianic moments, and the ostracising or sacrifice of heretics. This, together with the role given to ‘the Science’ in political decisions, at least in part explains why Agamben speaks of ‘Science as religion’.³⁶

³⁶ Agamben speaks of the religions of both science and medicine (*Where are we now?* 45, Ch. 12 *passim*, *inter alia*), and even ‘health-religion’ (*ibid.*, 97), although he does not explicitly compare prediction with prophecy.

The Disunity of Lockdowns: *Gestell*

We have examined the event itself, and the various unities that have been manufactured in order to justify it; we have also shown how philosophy, represented here by Agamben, is obliged to put in question this unity in the name of a disunity or differentiated multiplicity many strands of which must be marginalised in order for the ideological impression of unity to be created. This gesture may be seen all the more vividly in the case not of the disease but of its supposedly unique remedy. Here the impression of unity is all the more significant, indeed it is essential to the very (putative) functioning of the cure: a ‘stay at home’ order cannot but present itself as total, and yet it can never be so complete; but nevertheless, the *appearance* of totality by itself can have significant effects.

Any serious philosophical response to the mass enclosure of human beings has to begin from the fact that it is *not* what it is presented as being: universal, as if the command to ‘stay at home’ or – still more offensively, speaking this time in American – ‘shelter in place’, could possibly be heeded by everyone. A ‘lockdown’ is possible only if it excludes some, and perhaps more than half the population: most of all, those who maintain ‘our’ ‘essential services’ – which is to say, those which allow us merely to survive.³⁷ This is in large part the working class, to whom the message was never addressed and upon whom the potential for virtue and its all too public performance (‘virtue signalling’) could never have been bestowed.³⁸

The functioning of a single procedure applied in an undifferentiated way everywhere amounts to what Heidegger called a ‘*Gestell*’ – a framework that produces multiple instances of the same (or rather, the identical), from heterogeneous material, each part of which is singular. This ‘en-framing’ constitutes the *essence* of technology, for Heidegger, a tele-technology without which it seems difficult to imagine the enclosure could even have been envisaged.³⁹ This global

³⁷ This transformation of the sense of ‘essence’ would figure prominently within a more general consideration of the corruption of language that has gone hand in hand with the promotion of repression over the last two years: this other sense of *logos* will remain largely in the background here, as our attention is focused more on the logic of the affair, but it remains a crucial philosophical task for the future.

³⁸ Slavoj Žižek, in his generally confused contributions, has at least insisted upon this point from very early on (Žižek, *Pan(dem)ic! Covid-19 Shakes the World* (London: Polity, 2020), 26, cf. 122). Working at home was always a middle-class prerogative, if not a luxury devoutly to be wished at any other time by those lucky enough to have gardens and space and quiet, and this allowed a group whose voice was already heard more readily than others to embrace the transvaluation of values that occurred in almost every aspect of our relations to our fellow man in a way that the working class could not. Middle class radicals and Marxists showed themselves particularly insensitive to the exclusion of the working class, in their fanatical commitment to lockdowns, of which the *Guardian* newspaper now stands as a perversely proud monument.

³⁹ ‘Digital devices have for quite some time accustomed us to distant, virtual relations. The epidemic and technology are here inseparably intertwined’ (Agamben, *Where are we now?*² 62, translation slightly modified). On the role of technology in lockdowns from a slightly different, Heideggerian perspective, cf. Mark Sinclair, ‘How the Rise of Digital Technology Facilitated Lockdown’, *The Critic* <https://thecritic.co.uk/how-the-rise-of-digital-technology-facilitated->

framework, something which does indeed lock down human beings and cultures in spite of their differences and their uniqueness, has introduced desperately deleterious – and differential – effects, even on the very physical health that it was supposed to be protecting, but these have been, like so much else, thrust into invisibility, or to the relative visibility of a margin where they may exist as useful objects of ridicule and contempt, or as markers of the nobility of the sacrifice (the ‘difficult decision’) made in the name of something higher (‘life’, always and in every case to be ‘saved’), thus shoring up the hegemony of the dominant narrative.⁴⁰

The essence of a lockdown is that of something which *cannot* be total: it destroys itself if it is, for the confinement of the working class would render life impossible to sustain; and yet it is something which must *present* itself as total, for any acknowledgement of an alternative strategy risks undermining its observance by those who can. In this sense we can say that the lockdown did exist, still does exist, and yet never could. It sustains itself by means of its own impossibility.

The Time of Lockdowns

The strange totality of the lockdown also has a temporal aspect. These restrictions could be embarked upon only if an implicit promise was made that they would eventually come to an end. This was the moment at which non-pharmaceutical interventions could give way to the pharmaceutical: the arrival of the Vaccine. And as must happen when such a role is assigned to an advent, the apparent arrival of the Messiah in actuality has introduced problems of its own, since the question must arise as to whether *this* messiah is true or false, effective or not, lasting in its effects or only fleeting, more or less dangerous than the disease it palliates, and for which types of people? But irrespective of its quality and its effects, given the function that it serves in bringing with it the promised end, it is urged – and even forced – upon adult and child, with a tireless coercive aggression, still further inserting wedges between human beings, often dividing the social body in new ways, across new lines, whilst still imagining it can present a united front.⁴¹ The vaccines

[lockdown/](#), 8th January 2021. On the patently non-egalitarian distribution of such technology in any case, cf. Mark Wong, Ch. 11 in *Time for Debate*. It was, yet again, the preserve of the middle classes.

⁴⁰ On the impact of the police-response on the ‘third world’, cf. Green, *The Covid Consensus*, esp. Ch. 3; cf. Alex Broadbent, ‘Lockdown is Wrong for Africa’. And in relation to the differential effects of a single action when it comes to sex, race and immigration, cf. Angela Mitropoulos, *Pandemonium: Proliferating Borders of Capital and the Pandemic Swerve* (London: Pluto Press, 2020), Introduction (e-book, n.p), Tina Chanter’s forthcoming text on the topic, and that of Lambros Fatsis and Melayna Lamb, *Policing the Pandemic: How Public Health Becomes Public Order* (Bristol: Policy Press, 2022).

⁴¹ Already, in England, not by any means the least liberal country in this respect, one will simply be excluded from various parts of social and cultural life, and at least several types of employment, if one has not accepted it. We have also witnessed the remarkable pronouncement that children were to be vaccinated for the sake of their *mental* health, and earlier on that despite the existence of studies demonstrating the danger of the virus to be so minute that the risk of side-effects in children of this age outweighed the benefits of the vaccine, and despite the

are in this sense by no means a purely medical matter: they embody the price that must be paid if one is to re-enter human community following its closure, along with the concealment of the face and all that entails.⁴² Their function is not simply – perhaps not even primarily – to eradicate the disease, but to restore normality, or at least to reiterate the promise of it, or to render that promise more concrete (even as it perhaps infinitely recedes), and so to coax the frightened back into social life and to restore a functioning economy.⁴³

government's own advisory panel recommending against it, vaccinations of the young were urged for 'broader reasons', and most recently, in a patent contradiction, in response to a 'variant' which was deemed newsworthy precisely because it seemed possible that it resisted the effects of the injections administered, a still further and more intensive distribution was promulgated, and a debate as to its potentially compulsory nature effectively initiated, whilst other countries in Europe had already set their sinister example. (At the time of writing (22nd January 2022), in England, almost all measures put in place in a hasty panic in face of this variant at the end of November 2021 have already been rescinded.)

⁴² On the deterioration of political life that results from the concealment of the face, cf. Agamben, 'The Face and the Mask', *Where are we now?* 86ff. Much could be said about this gesture, which was the first condition that those in power discovered could be set as the price for a restoration of 'normality'. Then it was the vaccine. And since that has not been enough, a return to masks, and now the potential for an interminable set of further conditions, of which we have no reason to believe that endless 'boosters' will constitute the end.

Once one establishes conditions in the eyes of the law that differentiate between citizens in any way, rendering them unequal in that context, one has a literal apartheid, even if it is not a racial divide (although it has been pointed out that given the extremely high levels of caution displayed by certain historically persecuted racial groups in relation to inoculation, 'vaccine passports' will effectively be that in a still more literal sense). Thus the use of this word in contexts such as this is by no means always metaphorical, and is in no case hyperbolic.

⁴³ This is the role of certification, which in Italy has assumed the English title, '*green pass*', assuming the most innocent interpretation of what is taking place (cf. Giorgio Agamben & Massimo Cacciari, 'A proposito del decreto sul *green pass*' (On the Green Pass Decree) https://www.iisf.it/index.php/progetti/diario-della-crisi/massimo-cacciari-giorgio-agamben-a-proposito-del-decreto-sul-green-pass.html?fbclid=IwAR1Xg_2HcbBe8zhjG4GsPUzn7x509r_c3hqqNqc5VwajtF-a1ugaTH8c9D8, 26th July 2021; & Agamben, 'Tessera verde' (Green Pass) <https://www.quodlibet.it/giorgio-agamben-tessera-verde?fbclid=IwAR0Aie5ZXKeT3jEzqp9c0Lrvets2klmmofG-oLZoFhCom5rzTwYbDfImdY>, 19th July 2021 et al., included in the expanded version of *A che punto siamo?*)

To go beyond the most innocent interpretation, certification has been taken simply as a way in to the gathering of information that begins or develops with certification, while some explanations for the bewildering vigour that has characterised the promotion of these gene therapies even go so far as to whisper of 'depopulation'. The television series *Utopia*, in the original British version and its remarkably timed American remake, was just one among many cultural products which had capitalised upon this notion, demonstrating it to be very much abroad in the popular imagination. A reconsideration of *V for Vendetta* would also be illuminating at this level.

The Rhetoric of Civil War

Given their contradictory nature, their untested character, and the immense damage they were always certain to cause, how could lockdowns come to be accepted in such an apparently unanimous way? We have no space to deal with all of the strategies employed, through channels so numerous and with a single voice so deafening as to warrant the title ‘totalitarian’.⁴⁴ But we might profitably investigate a certain pervasive rhetoric that has been used effectively to quell dissent and to ostracise doubters, thus restoring the impression of totality and consensus to the most eminently incomplete and disputable of measures – and that is the language of war. The particular character of this discourse may supply the clue that will lead us to the philosophical heart of Agamben’s response to the epidemic itself.

The language of war seems to have proliferated in our culture more generally following the dissipation of the Cold War, which spelled the end of international war and marked the beginning of an era of ‘civil wars’ or internecine strife. In light of this, it became more natural for the language of war to be generalised and turned on the unity of the social body, so as to instigate a battle designed to exclude certain parts of it as (internal) ‘enemies’. We can now wage war on crime, on drugs, on terror, on certain social attitudes, certain uses of language, and finally on the virus⁴⁵ – and by extension on those who appear to ‘us’ as its advocates, who would let it roam free rather than keeping it locked up and controlled, along with its potential bearers (and in play, ultimately, is indeed the brutish opposition between total control and total absence of control, as if things could ever be that simple when it came to immunity, let alone anything else). Thus the body politic is purified of immanent disorder.⁴⁶

⁴⁴ Cf. Dodsworth, *A State of Fear*, 94 et al. Agamben has been accused of exaggerating the connection between the now proven manufacturing of fear and true ‘totalitarianism’ (cf. Roberto Esposito, ‘Cured to the Bitter End’, *Antinomie* <https://antinomie.it/index.php/2020/02/28/curati-a-oltranza/>, trans. anon. at <https://www.journal-psychoanalysis.eu/on-pandemics-nancy-esposito-nancy/>, 28th February 2020), but this book, for all its journalistic limits, demonstrates that those charged by the British government with ‘behavioural control’ found themselves compelled to employ a similar vocabulary (cf. <https://www.telegraph.co.uk/news/2021/05/14/scientists-admit-totalitarian-use-fear-control-behaviour-covid/>, 14th May 2021).

For an explanation of how lockdowns might have come to be accepted in the democratic West, cf. Carlo Caduff, ‘What Went Wrong: Corona and the World after the Full Stop’, *Medical Anthropology Quarterly* 34:4, pp. 467–87 (composed April 2020) & Byung-Chul Han, *Capitalism and the Death Drive*. Trans. D. Steuer (Cambridge: Polity, 2021), Ch.15.

⁴⁵ Along with Agamben (*Where are we now?* 28 et al.), Byung-Chul Han has written on the analogies between the ‘war on terror’ and the supposed war on the virus (Han, *The Palliative Society: Pain Today*. Trans. D. Steuer (Cambridge: Polity, 2021), 18).

⁴⁶ Agamben, following Carl Schmitt up to a certain point, speaks of a convergence of both global and civil war in the form of a ‘global civil war’: ‘An epidemic, as is suggested by its etymological roots in the Greek term *demos* (which designates the people as a political body), is first and foremost a political concept. In Homer, *polemos epidemios* is the civil war. What we see today is that the epidemic is becoming the new terrain of politics, the battleground of a global civil war

As Cayley points out, the rhetoric of war immediately affirms that the situation is one of crisis, and that there are but two sides, friend and enemy, for and against, diametrically opposed, without any ‘third’ position available, according to an ancient law of logical discourse (*tertium non datur*): ‘Wars create social solidarity and discourage dissent – those not showing the flag are apt to be shown the equivalent of the white feather’.⁴⁷ This patriotic language stirs and sways us by means of its emotional character, while it ‘moralises’ the entire situation: to be on the ‘other side’ is not simply to adopt a position which is false; it is to be guilty of disloyalty and immorality.⁴⁸ Even if dissent were grounded in something true, to give voice to it would be wrong.

The Logic of Immunity

A body can be at war with itself, and sometimes – it is said – a certain part of it must be sacrificed in order for that body to survive. This would be to restore the body to full health by ‘immunising’ it. The efficacy of the language of war together with its pervasive character may be explained by the fact that it reflects something of the tacit logic of lockdowns themselves: they demand for their efficacy a belief in their uniqueness and totality: it is necessary that they be thought to be the only possible response to the event in question, and that their reach, once imposed, be limitless.

Furthermore, the notion of sacrificing a part for a whole that is inherent in the justification for war may be found in the arguments given for lockdowns themselves by their proponents: certain aspects of human life had to be sacrificed if they were ever to be enjoyed again. Crucially, though, even if this promised future was indefinite, the promise had to be at least implicitly made, in order to ensure that the measures would appear temporary, for only on such a condition could they even be broached.⁴⁹

Those capable of working ‘from’ home seemed able to mistake one sacrifice for the other, covering over the fact that half the population was not so capable.

In any case, the logic of these interventions demands that a certain portion of our humanity should be sacrificed, temporarily or in part, in order that our identity might be protected. This is a logic that Jacques Derrida was among the first to speak of by analogy not with sacrifice but with *immunisation*.⁵⁰ If one is fighting

– because a civil war is a war against an internal enemy, one which lives inside of ourselves’ (*Where are we now?* 59–60).

⁴⁷ Cayley, ‘Questions’.

⁴⁸ Cayley, ‘Questions’.

⁴⁹ Toby Green, having shown that the damage to bare life caused by lockdowns outweighs the most extreme predictions of what might have been inflicted by the disease itself, understands this not as the sacrifice of the present to the future, but of the future to the present (Green, *Covid Consensus*, 28, 80).

⁵⁰ To spare the reader a long series of references, let us refer here to the present author’s ‘Of (Auto-) Immune Life: Derrida, Esposito, Agamben’ in Darian Meacham (ed.), *Medicine and Society: New Perspectives in Continental Philosophy* (Dordrecht: Springer, 2015).

against an enemy — a disease, for example — by these means, one does not reject it altogether, but rather one introduces within oneself a milder form of that very disease. One does so in order to build up immunity with respect to any more acute version of the same thing, thus to impede its uncontrolled ingress, which in extreme cases would threaten our integrity. Generalising this logic, any notion which attempts radically to exclude its opposite from its own identity, from the very outset, blockading its borders with military force, can only fail to be what it is. An excess of one's self amounts to a loss of self, full self-identity to a falling short.

To render this abstract logic more concrete, we might appeal, as Derrida does, to democracy: democracy can never be *purely* democratic if it is to be democratic. The moments which demonstrate this most clearly are those in which a non-democratic party seems likely to be democratically elected, having promised, if elected, to abolish the democratic process. In order to avert this worse evil, democracies have to be prepared to suspend democracy temporarily in order to save it, and thus they are required by the very nature of democracy itself to act anti-democratically.

Analogously, contemporary advocates of 'non-pharmaceutical interventions' assume that to reduce human life temporarily to a subhuman life of isolation, distance, and facelessness is an acceptable price to pay for the survival *of* that human life. Indeed this is the only way to achieve an immunity that 'we' apparently do not yet possess — and once again, everything hinges on a totalising manner of thinking: there can be absolutely *no* pre-existing immunity of any kind, for anybody — which given the frequency of our exposure, from the youngest age, to other coronaviruses, is at the very least somewhat implausible. But the merest hint of such an immunity was vigorously excluded from the narrative set down by those in power, rendering our only saviours both a supposedly absolute lockdown enduring indefinitely and the unique pharmaceutical saviour awaiting us as its promised end. Thus the message sent was that we simply had to survive (in captivity), in order then — perhaps — later on, finally, to live more fully.⁵¹

⁵¹ 'Today — waiting for a vaccine, that is, induced immunity — immunisation by distancing is the *only* line of resistance behind which we can, and must, barricade ourselves. At least until the threat subsides' (Roberto Esposito, 'The Twofold Face of Immunity', trans. Arbër Zaimi, *Crisis and Critique* 7:3 (2020) <https://crisiscritique.org/uploads/24-11-2020/roberto-esposito.pdf>, 24th November 2020, 77, emphasis added). Esposito pits his own position directly against Agamben in these terms: 'I personally believe that the defence of life is a value superior to any other — if only because it is presupposed by them [these other values]: in order to be free or to communicate with others, one must first be alive' (ibid., 78). This is precisely the position, with bare life standing as a 'presupposition' for all other forms of life, that we are about to challenge. That said, Esposito does nuance his position by way of the suggestion that even what is supposed to be 'bare' life ought to be understood in a way more akin to the understanding of *Leben* given by the life-philosophers from at least Wilhelm Dilthey onwards, a life that spontaneously creates meaning and value (cf. Esposito, 'Vitam instituere'. Trans. Emma Catherine Gainsforth. <http://www.journal-psychoanalysis.eu/vitam-instituere/> (undated, c. March 2020) & *Istituzione*. Bologna: Mulino, 2021, English translation as *Institution* forthcoming from Rowman and

But such an immunising, sacrificial procedure is not without its risks, in two directions: either one resists the outside so rigorously that one becomes too much and therefore not sufficiently one's self; or one concedes so much to one's opposite that one ends up becoming that very thing. In both of these ways, the logic of immunity always risks slipping into an excessive version of itself that would amount to *auto*-immunity. In this state, the imbibing of the poison fails to function as it ought, due to excessive incursion or an adverse reaction *to* that ingress on the part of the organism's immune system that then closes it down altogether. Thus the measures taken to protect one's identity end up destroying it: democracy tips over into tyranny; the temporary suspension of human life becomes permanent; the exception becomes the rule, or, as they were so quick to begin saying, we enter into a 'new normal'. For Derrida, it seems, it is a question of 'measure' in another sense, perhaps even of 'judgement' (a faculty we have apparently lost over the last two years, perhaps mistaking one form of 'discrimination' (taste) for another).

Cancelling the Neighbour: Coincidence of Opposites, Community and Immunity

Here we begin to approach one of the great divergences between Agamben and his opponents. An extraordinary range of philosophers have allowed themselves to endorse the police-response to the virus on the presumption that this restriction of human community does not go so far as to become what Derrida identifies as a destruction of identity in the passage into its opposite. Either this state of auto-immunity has *not* been reached and we remain in a temporary phase during which a community of immune individuals can be sustained and is acceptable *as* a temporary measure; or these thinkers seem to go so far as to rule out this auto-immune excess even as a possibility, as if human community can endure as what it is *whatever* gets done to it; finally, they may even risk accepting what the dominant narrative sometimes dares to suggest, that this state is in fact to be infinitely prolonged, and that the entire future of human community must take an immune form: contact replaced by distance, visibility by concealment, protection taken to involve a passing on the other side, love to assume the form of spurning the other: a 'tele-' life.

What must be presupposed by any endorsement of measures as extraordinary as 'social distancing' is that community and immunity, proximity and

Littlefield, 2022; cf. *Instituting Thought: Three Paradigms of Political Ontology*. Trans. M. W. Epstein. Cambridge: Polity, 2021).

For a representative but philosophically less interesting example of the same kind of critique, cf. Anastasia Berg, 'Giorgio Agamben's Coronavirus Cluelessness', *The Chronicle of Higher Education*, https://www.chronicle.com/article/giorgio-agambens-coronavirus-cluelessness/?bc_nonce=pb1u7aangzpjor9revr5wp&cid=reg_wall_signup, 23rd March 2020. We shall address these critiques at some length, particularly Esposito's, in the book version of the current text. Some hints as to the direction we might take may be found in the two essays devoted to these thinkers in the present volume.

distance are not *essentially* incompatible.⁵² Roberto Esposito speaks here of the

⁵² Jean-Luc Nancy and Slavoj Žižek may both be seen to approve of this ‘paradoxical’ notion (Jean-Luc Nancy, ‘Communovirus’, *Libération*, 24th March 2020. Trans. David Fernbach <http://www.journal-psychoanalysis.eu/communovirus-english-and-french-text/>, 22nd April 2020. This becomes Chapter 2 of Nancy, *Un trop humain virus*. Paris: Bayard, 2020; & Žižek, *Pan(dem)ic!* 77).

Catherine Malabou has a more nuanced take on the affair which attempts to take a distance from the collective of those in quarantine as a result of the virus (or rather the command to quarantine one’s self even if one has never encountered such a thing) and considers the isolation as bracketing the social in such a way as to allow us all the better to examine it and to open up a relation to those beyond this collective and one’s own immediate circle of friends (‘To Quarantine from Quarantine: Rousseau, Robinson Crusoe, and “I”’, *Critical Inquiry*, <https://critinq.wordpress.com/2020/03/23/to-quarantine-from-quarantine-rousseau-robinson-crusoe-and-i/>, 23rd March 2020). (The notion of bracketing in the Husserlian sense has often arisen in philosophical accounts of the transformation of human community over the past two years, and while there is unquestionably some truth in the idea that we have been allowed to re-examine human community as a result of its cessation, this presupposes both the temporary character of this ‘suspension’ and concedes too much to a universalising way of thinking that we have here set ourselves to resist.)

Oxana Timofeeva has in a number of texts broached the possibility of identifying not with our (healthy, pure, isolated, immunised) human others but with infectious life-forms themselves, both human and non-human, in a solidary mass (Timofeeva, ‘Do Not Offend the Flies’, trans. Andrej Jovanchevski, *Identities* https://identitiesjournal.edu.mk/index.php/IJPGC/announcement/view/27?fbclid=IwAR3xYI0G644y_UJWJVxIjmiuWOxFeLjcf76GCKGVtEGRDqoKRnQkOtWpbmI, 6th April 2020. First published in Russian on the very same day as Malabou’s intervention at <https://svg.ma/@oksana-timofeeva/nie-obizhaitie-mukh>, 23rd March 2020; ‘Georges Bataille: A Pandemic Read’ <https://tqw.at/the-moment-of-truth-george-bataille-and-the-pandemic-timofeeva/?fbclid=IwAR3mZSLFXrmqdHGijjginmqAOBFvZaP1IH0Oqx1ySIPWHRwxynGMLXMqpHU>, 28th April 2020; ‘For Sharing the Space’ <https://www.e-flux.com/announcements/332093/voices-towards-other-institutions-4-oxana-timofeeva/>, 24th June 2020; ‘From the Quarantine to the General Strike: On Bataille’s Political Economy’, *Stasis* 9:1 (2020); ‘We Covid Ticks’ <http://artsoftheworkingclass.org/text/we-covid-ticks?fbclid=IwAR34Pv99e-7idoMNRyFPU6HyKZK1PBDBSUNoumSOUND2-2oMI5SJWDI7zM>, 27th January 2021; ‘Rathole: Beyond the Rituals of Handwashing’, *e-flux* #119 (June 2021) <https://www.e-flux.com/journal/119/400227/rathole-beyond-the-rituals-of-handwashing/>).

Byung-Chul Han notes something else that we have allowed ourselves to assume in common with the virus as such: ‘The fight for survival must be juxtaposed with an interest in the *good life*. A society that is gripped by the mania for survival is a society of the undead. We are too alive to die, and too dead to live. Our overriding concern with survival we have in common with the virus, this undead being which only proliferates, that is, survives without actually living’ (Han, *The Palliative Society: Pain Today*. Trans. D. Steuer. Cambridge: Polity, 2021, 17; cf. *Capitalism and the Death Drive*, Ch. 1: ‘Capitalism and the Death Drive’, *passim*; cf. Catherine Malabou, ‘Contagion: State of Exception or Erotic Excess? Agamben, Nancy, and Bataille’, *Crisis and Critique* 7:3 (2020), 225).

In the all three cases, Timofeeva, Han, and Malabou in her later interventions, a crucial – and insidious – facet of the enforcement of lockdowns is revealed to us: the virus shares many traits with those who have suffered the most in Western countries, if not everywhere – the young,

opposition between *communitas* and *immunitas*, which even he seems to imagine, in this context, to be capable of coinciding without either part losing its identity.⁵³

But for Agamben, especially given the regression in the understanding of immunity from the hospitable to the hostile demonstrated by figures like Esposito, this simply cannot happen, and once one immunises one's self against one's neighbour, the other is being treated first and foremost as an (enemy) agent of infection, before they are encountered as a human being.⁵⁴ The neighbour as such is abstractly negated: 'Others, whoever they are – even loved ones – must not be approached or touched. Instead, we should establish between them and ourselves a distance [...]. Our neighbour has been abolished'.⁵⁵ Agamben repeatedly describes the situation as one in which the 'neighbour' – a highly determined figure in his thought – ceases to exist: 'Our neighbour has been cancelled'.⁵⁶

It is crucial to underline the fact that the obligation so to cancel the Other is not ethical but legal, if we are to avoid a confusion that Agamben elsewhere denounces: 'the new element [of the current phase in the history of biopolitics] is that health is becoming a *juridical* obligation'.⁵⁷ Like Nancy and Žižek, Agamben also speaks of the situation we are presented with as a 'paradox', but here the word takes on a quite different tone: 'as soon as a threat to health is declared, people unresistingly consent to limitations on their freedom that they would never have

healthy, and mobile (cf. Sinéad Murphy, 'Stay Safe: The Abuse and Neglect of Care', <https://off-guardian.org/2020/07/19/stay-safe-the-abuse-and-neglect-of-care/>, 19th July 2020, among many other contributions which have shed a stark light upon the immense harm done to the young in particular, and the state's barbaric indifference to it).

⁵³ Esposito, 'The Twofold Face of Immunity', 74, cf. 75–76. Both immunity and community are mutually necessary for Esposito, and what we have witnessed in the West in the 20th Century is a tendency towards an imbalance in favour of the immune, leading to what Esposito describes as an 'immunitary *syndrome*', in which immunity and the protection of the individual (or the imposition of measures in the name of 'security', in response to manufactured threats) take priority. What remains unclear is how in the present situation he can, in some of his earlier interventions, apparently endorse the paradoxical coincidence of community and immunity, even if he insists that this must be temporary, when immunity itself does not undergo the careful rethinking that it does in Esposito's earlier work, which might have allowed this compatibility to be posited. Here the immunity is entirely hostile, and not at all hospitable (cf. Esposito, *Immunitas: The Protection and Negation of Life*. Trans. Z. Hanafi. Cambridge: Polity, 2011 [2002], 16–17, 164ff et al; cf. the present author's other text in the current volume along with the Editorial).

⁵⁴ One is indeed *legally* compelled to adopt such an unethical attitude: 'the recent orders [...] transform, in effect, every individual into a potential plague-spreader' (*Where are we now?* 15); Agamben urges us to 'remember[...] that our neighbour is not just an anointer and a possible agent of contagion, but first of all our fellow to whom we owe our love and support' (ibid., 20).

⁵⁵ *Where are we now?* 15–16.

⁵⁶ *Where are we now?* 18, cf. 29; 20; 36. Byung-Chul Han speaks in an eponymous book of the other's 'expulsion' (*The Expulsion of the Other: Society, Perception and Communication Today*. Trans. W. Hoban. Cambridge: Polity, 2018).

⁵⁷ *Where are we now?* 29, emphasis added. For similar worries about a fully immune community, legally mandated, cf. Donatella Di Cesare, *Immunodemocracy*, 63, 76–7.

accepted in the past. We are facing a paradox: the end of all social relations and political activity is presented as the exemplary form of civic participation'.⁵⁸ This remarkable *coincidentia oppositorum* has become possible in the late twentieth century thanks to the intermediation of digital technology, allowing contact to be both broken and yet maintained in another sense: 'wherever possible, machines can replace any contact – any contagion – among human beings'.⁵⁹ But this is precisely what is intolerable for Agamben, and the coincidence between immunising gestures of distantiation and community constitutes the abolition of the latter and the negation of humanity itself.⁶⁰ Our task now is to understand why this is the case.

Herd Immunity and the Question of Sacrifice

Let us ask ourselves: what if we were not to stand apart? What if we could not do otherwise on pain of sacrificing our very humanity? Would that be to sacrifice immunity in turn? In fact, such a contagious form of community need not be incompatible with immunity when the latter *is* given a different sense, no longer the separation of isolation but an immunity acquired by way of exposure, a (perhaps) regulated openness as opposed to an absolute closure. This is one aspect of what has gone by the name of 'natural immunity' or 'naturally acquired immunity'. These are immunities which pre-exist the incidence of a new virus, of the kind provided, for instance, by T-cells, carried over from previous exposure to the many other and older forms of coronavirus. These render it likely that a significant percentage of the population will already possess some form of natural immunity to any new form of coronavirus and has no need to wait upon the arrival of the artificial.⁶¹ This in turn renders the threshold for herd immunity more readily attainable, to incur less of the 'sacrificial' that it is often taken to involve, and the necessity for large populations to flee exposure becomes less pressing.

⁵⁸ *Where are we now?* 60. Agamben shows that already in 2013, Patrick Zylberman had identified this as one aspect of a political strategy: 'the total organisation of the body of citizens so as fully to reinforce adhesion to governmental institutions, producing a sort of superlative civicism wherein the imposed obligations are presented as proofs of altruism' (ibid., 56, cf. Zylberman, *Tempêtes microbiennes: Essai sur la politique de sécurité sanitaire dans le monde transatlantique*. Paris: Gallimard, 2013, 385–91 et al.).

⁵⁹ Agamben, *Where are we now?* 15–16.

⁶⁰ Byung-Chul Han adopts a similar position: 'The hysteria of survival makes society so inhumane. Your neighbour is a potential virus carrier, someone to stay away from. Older people have to die alone in their nursing homes because nobody is allowed to visit them because of the risk of infection. Is prolonging life by a few months better than dying alone? In our hysteria of survival, we completely forget what a good life is. For survival, we willingly sacrifice everything that makes life worth living: sociability, community and proximity. In view of the pandemic, the radical restriction of fundamental rights is uncritically accepted' (Han, *Capitalism and the Death Drive*, 120).

⁶¹ Cf. Reiss and Bakhdi, *Corona: False Alarm?* 101ff.

But this alternative approach, along with any other, became almost immediately swallowed up in an opposition that was defined in terms of ‘control’. ‘Herd immunity’ itself became one of the most vilified terms of the early debate for it was said that if we do not ‘control’ the virus, we simply lose control of it, and that would be effectively to sacrifice the vital in the name of this immunity of the flock or the group, a gesture that came to have its moral character almost irrecoverably blackened – until the advent of the vaccines, which immunised in a way that was said to avoid exposure to danger, while opening a path at the end of which the law of large numbers could be used to ensure that the greater part of an entire population could be subject to the surveillance allowed by digital certificates of immunity. The one kind of control (of the virus) immediately allows the other (of the population). It was said that herd immunity could not provide the former kind of control, but to even stage the debate in such terms allows one to imagine that its failure to provide the latter may also have been a significant factor in its fate.

The excommunication of those promoting herd immunity makes it all the more bizarre that an analogous logic should have been resuscitated for the sake of a campaign which urged vaccination on less and less vulnerable sections of the population, so as – it was said – to ensure a sufficiently high level of immunity (and still more implausibly a diminished capacity to ‘transmit’ the virus) *across a population*. Thus herd immunity was revived, but this time as if it could only be achieved synthetically. Any other way of acquiring immunity beyond the artificial was ruled inadmissible.

In the way that the calculation of risk and future predictions of the course of the epidemic were made, media and government seemed intent on suggesting that there was a kind of absolute and universal vulnerability, which depended upon a *total* absence of pre-existing immunity. This at least was how things ended up after the first few weeks of lockdown, when the media allowed itself a certain measure of the proper function of the Fourth Estate, which is to question and debate the decisions of those in power. Once the total control of police measures had been decided upon, it was as if the elision of any other possibility – specifically any differentiability or multiplicity within the social body – were necessary in order to ensure compliance on the part of those not at risk.

At the beginning, partly thanks to the overwhelming rhetoric of war that was employed by those in power to overwhelm any alternative responses and accounts of the event itself, one was either *for* the police-response, unprecedented in its (still so often unacknowledged) violence – largely if not altogether inefficacious, despite repeated attempts – or one was effectively a murderer, a Spencerian or Malthusian, an advocate of ‘natural selection’ in the social realm, ‘social Darwinism’ of a sort, in which the weak lost out for the sake of the strong. No one ever said ‘Nietzschean’, of course, and particularly not the Nietzscheans, who had forgotten their master’s teachings on moral interpretations and started aggressively policing everyone else’s moral probity, particularly in an academic setting.

The rhetoric of war demands that any traitorous desertion to the opposite side, or even its countenancing in the form of a rational discussion, be deemed entirely unthinkable. The alternative strategy of herd immunity, even in that more cautious form which did not advocate an undifferentiated, universal exposure but described its position in terms of ‘focussed protection’,⁶² adopted in light of the astonishing discrepancies in the relative vulnerabilities of different demographics, had to be eradicated from respectable debate altogether. On the most charitable interpretation, this decision was taken so as to ensure compliance with the much more unheard-of police response, almost impossible to justify if a less repressive alternative were considered admissible.

One of the main strategies by which this approach to the incursion of a virus has been marginalised, at least among leftist intellectuals, has been simply to align it with neoliberal capitalism (another ‘enemy’), that simply allows the same liberty to the virus as this politico-economic doctrine allows to the market. Such a strategy is thus aligned with the political Right, in the sense of a non-interventionist understanding of the State that lets the inherently truthful or logical forces of the market and – in this case – the virus unfold spontaneously according to their own logic: or, so this gesture was translated, they are ‘let rip’; one loses ‘control’.⁶³

It thus came to be accepted that any doctrine espoused by one’s (political) enemy could be considered a priori false, as if in their desperation and fear, the differentiated way of thinking beyond the opposition that post-Kantian philosophy has cultivated since at least Hegel, if not Heraclitus, had entirely slipped their minds. The consequence of this has been to translate the affirmed opposition in terms that Derrida made us familiar with in speaking of Levinas, Bataille, and Foucault: there is reason or speech (*logos*), and beyond that there is violence, the violence of that which has been silenced or of that which silences it: in both cases, war is waged. The other, the violent one, the illogical and immoral, must be excluded from all civilised debate, unheard or immediately closed down, forced to speak in an unnaturally strident tone caused by the strangulated discursive position from which it cries out.

Little has come to be more maligned than the idea of an alternative approach, but it cannot be denied that even for advocates of the police response, for whom we are already well beyond the question of principles and into that of their bending in the name of pragmatics, the question is one of thresholds: nothing like the strategy chosen in 2020 has ever seriously been attempted on a national scale for any previous virus; the British government’s ‘pandemic plan’ which was already in place recommended nothing like it but was silently jettisoned early on. At what point and for what reasons, good or bad, is an approach which at least minimally respects constitutional and legal rights deposited?

⁶² As proposed by one of the spontaneous (scientific) organisations devoted to questioning the predominant response, whose position was expressed in the Great Barrington Declaration: <https://gbdeclaration.org/>.

⁶³ Žižek is one of the writers most given to this gesture (cf. *Pan(dem)ic!* 100–101, 120ff et al.)

Was it simply that one strategy seemed to allow for sacrifices, while — miraculously — the other could be made to seem as if it did not? Even a number of serious philosophers interpreted the strategy of herd immunity as involving ‘sacrifice’ — and so powerful had the biopolitical valorisation of ‘life’ become that even so much as a single life lost seemed unacceptable to them.⁶⁴ And yet the implicit logic of *their* favoured response is precisely a sacrificial one, in which a part of one’s life, or more accurately, certain parts of the social body (including education and culture) are suspended, ruined, or otherwise killed, in order for the body to save itself in some other more ‘streamlined’ form. How has one strategy come to be seen as entirely devoid of sacrifice, whilst the other has been condemned for the very fact that it includes it?

Beyond reasserting a certain semblance of balance, one can go even further and ask whether herd immunity presupposes any sacrifice at all? If one accepts differential vulnerability, which among the very young rises to a near total or (on some accounts) total invulnerability, no sacrificial element at all is involved in their exposure. And if indeed a certain number of people die in the process, or in the meantime, more honesty would perhaps entail admitting that ‘sacrifice’, if it simply means ‘people dying’, will happen whatever strategy one chooses.

One of the great lessons of philosophy, not to say biology, is that death is inherent in finite entities, or at the very least in sexuated ones (just as viruses and any number of contagions and infections are an ineradicable companion of organic life).⁶⁵ The sanitising behaviour which has come to pervade our culture is one which scrubs the surface of the organism so clean and discourages contact with

⁶⁴ But cf. Peter Sloterdijk, ‘Co-immunism in the Age of Pandemics and Climate Change’, Noema, <https://www.noemamag.com/co-immunism-an-ethos-for-our-age-of-climate-change/>, 12th June 2020. Sloterdijk’s reactions to the virus and the police-response are collected in *Der Staat streift seine Samthandschuhe ab: Ausgewählte Gespräche und Beiträge 2020–2021 (The State Removes its Kid Gloves)*. Berlin: Suhrkamp, 2021 (cf. pp. 30ff for a German rendition of what appears to be an English original).

⁶⁵ This insight remains perhaps the principal merit of Simon Critchley’s short text on the virus appended to his *Bald: 35 Philosophical Short Cuts*, ed. Peter Catapano (New Haven: Yale UP, 2021), 225ff. Otherwise the text is instructive as an emblem of the overwhelming majority of the responses made to the virus by philosophers, being devoted primarily to broadcasting its own (implicitly virtuous) fear, stressing the ‘vulnerability’ of ‘all life’, including theirs, and their (explicitly virtuous) concern for others. It begins with the telling first person plural, arrogating to itself the imaginary voice of everyone, in a manner that verges on the mawkish: ‘We’re scared’ (ibid., 225).

Frankly, we are not, and a little less fear (whether of one’s own overactive conscience, one’s trade unionist reputation, or of death and debility) and somewhat more courage would have spared us more misery than these proudly fearful ones seem able to imagine.

For a less credulous reading of fear in this context, cf. both Dodsworth, *A State of Fear* and Agamben, *Where are we now?* 88ff for a contribution entitled ‘What is Fear?’

If one must be frightened, why should one not be equally fearful of what is lost when a democratic population is placed under curfews and house arrests, as Frank Furedi suggests, albeit a little timidly (Furedi, *Democracy under Siege: Don’t Let Them Lock it Down!* London: Zero, 5).

other organisms so hysterically that it seems possessed of such an inane ignorance of the actual functioning of immune systems as to be in the grip of a certain kind of death wish itself. Such was even recognised by the British government as a risk for the winter of 2021–22, with the absence of exposure to (other) pathogens resulting in a diminished ability to resist even relatively mild ones like influenza. This hostile-immunising response seems to embody the belief that dying (not to speak of becoming ill) as such could or should ideally not happen at all. This positing is at least something that is risked by the extreme character of the taboo on death in our culture. The absolute aversion to the public visibility of death and infirmity is a significant factor in at least the efficacy of the media strategy in bolstering the repressive ‘solution’ to this epidemic. By rendering it as visible as possible in all manner of tendentious and alarming images, one breaks the taboo and unleashes all manner of anxiousness and aversive behaviour.⁶⁶

Such a repression of death has allowed it to return in an altogether distorted, confused and confusing form, diffused everywhere and over everyone as a generic threat. But we know this is not real: the only question we have to ask is which conclusion to draw from the differential vulnerability that is displayed with respect to this particular disease: 1) given that this susceptibility is virtually non-existent in anyone healthy and of working age, quite possibly absolutely non-existent in school children and infants, measures which disproportionately damage their development are at the very least harder to justify; 2) but this is precisely what allows those who manage to discern some moral gesture in the restrictions to construe their actions as absolutely altruistic, a ‘sacrifice’ (if altruism and sacrifice can or should ever be imposed on anyone, let alone those deemed too young or too impaired to decide for themselves) – if it did benefit themselves, it would not have the same value in terms of the accretion of self-worth. Hence we find so many appeals to a kind of sentimental altruism which likes to tell itself that it is acting for the sake of the others, the vulnerable, when really it is acting out its own disavowed and projected fear.

⁶⁶ On the implicit ideal of ‘immortality’ that underlies a good deal of contemporary life and its oblivious attitude towards dying (as well as its avatars, including pain), Byung-Chul Han says the following: ‘The virus is a mirror. It shows what society we live in. We live in a survival society that is ultimately based on fear of death. Today survival is absolute, as if we were in a permanent state of war. All the forces of life are being used to prolong life. A society of survival loses all sense of the good life. Enjoyment is also sacrificed for health, which, in turn, is raised to an end in itself. [...] The more life is one of survival, the more fear you have of death. The pandemic makes death, which we have carefully suppressed and outsourced, visible again. The constant presence of death in the mass media makes people nervous’ (Han, *Capitalism and the Death Drive*, 120). ‘The pain-free life of permanent happiness is not a human life. Life which tracks down and drives out its own negativity cancels itself out. Death and pain belong together. In pain, death is anticipated. If you seek to remove all pain, you will have also to abolish death. But life without death and pain is not human life; it is undead life. In order to survive, humans are abolishing themselves. They may succeed in becoming immortal, but only *at the expense of life itself*’ (*The Palliative Society*, 60).

Against the Logic of Immunity

Both sides accuse each other of sacrificing something, whilst trying to rid themselves of such a stain: for Esposito and the opponents of herd immunity, anyone who refuses to constrict human community in the ‘normal’ sense is guilty of sacrificing life;⁶⁷ while for those of any other persuasion, the restrictions made are sacrificing something more valuable: freedom and many other facets of the very essence of the human.

Agamben tends to accept, in his own way, Aristotle’s enduring definitions of the human being as the linguistic or rational animal (*zōon logon echon*) and the political animal (*zōon politikon*). The measures which separate human beings from one another – by means of physical walls, distance, or invisibility – have, on his account, stifled the very conditions for linguistic and political life.⁶⁸ Agamben has insisted upon something like an auto-immune or self-sacrificing loss of identity on the part of the political life of man: the scandal of churches closing their doors to the new lepers whom St. Francis embraced, the cancellation of funerals and marriage, the closure of educational establishments along with most institutions of human culture, the prohibition of love and friendship.

And yet, is this really a sacrifice in the strict sense? Let us recall that many of these measures have been either legally compulsory or normatively ‘expected’. In either case, immense pressures of coercion have been exerted on all and sundry, the included and the ‘exempt’ alike. It has been legally or normatively *demanded* that human beings sacrifice crucial parts of their very humanity, right up to the very visibility of their faces, their ethical singularity of Levinasian account. Can a sacrifice that is demanded of another by a sovereign power really be called a sacrifice?

⁶⁷ ‘[T]his choice [for herd immunity] is, honestly, a form of eugenics, and in some ways even thanatopolitical, because it entails the deaths of a considerable number of people who would otherwise live. For herd immunity to develop, many of the weakest people are destined to die, as Boris Johnson also admitted. [...] Let’s say that my assessment of herd immunity is a rather negative one: it acts as a form of autoimmune disease, that is, it tries to protect life through the death of a part of the population. The only non-negative population-wide form of immunity – i.e. one not based on the sacrifice of innocent victims – depends on the discovery of a vaccine. That is, if we ever get one’ (Esposito, ‘The Biopolitics of Immunity in Times of COVID-19: An Interview with Roberto Esposito’, <https://antipodeonline.org/2020/06/16/interview-with-roberto-esposito/>, 16th June 2020). ‘[A]t a time when we are doing all that is in our power to stay alive, as is understandable, we cannot renounce the second life – life with others, for others, through others. This is not, however, allowed, in fact it is, rightly and logically, forbidden. [/] To consider this sacrifice as unbearable, when there are those who are risking their lives in hospitals to save ours, is not only offensive, it is ridiculous’ (Esposito, ‘Vitam Instituere’).

⁶⁸ *Where are we now?* Ch. 19; cf. ‘The Face and Death’ https://www.quodlibet.it/giorgio-agamben-il-volto-e-la-morte?fbclid=IwAR2jSwf_yQnm2CwDascKhLMQjds0dsZObO70CIEuIPfRmv0RUv8j3Dxoj7A, 3rd May 2021. First published as ‘Il volto e la morte’, *Zurich Zeitung*, 30th April 2021, and included in the expanded version of *A che punto siamo?*

Although Agamben himself does not put it in quite these terms, we might elucidate his opposition to the police-response by demonstrating how his own logic differs strikingly from the logic of immunity.⁶⁹ This will help us to elucidate such statements as the following, which in the writings on the epidemic taken in isolation Agamben tends to leave unexplained: ‘The false logic is always the same: just as it was asserted in the face of terrorism that freedom should be abolished in order to defend freedom, now we are told that life has to be suspended in order to protect life’,⁷⁰ and ‘[a] norm which affirms that we must renounce the good to save the good is as false and contradictory as that which, in order to protect freedom, imposes the renunciation of freedom’.⁷¹

It is not the case that an opposition can temporarily collapse itself in order to protect the identity of one of its poles in the long run. It seems that for Agamben auto-immunity is not simply a risk that the immune system runs but is effectively implied even in the most temporary of sacrifices or compromises: human community ought *never* to be reduced to immunity in the sense of distancing and hostility, for then – at least in light of the current state and aims of sovereign biopolitical power – one is *already* lost.⁷²

⁶⁹ This will perhaps casts a new light on Agamben’s response to the vaccine and its promise of immunity, first of all in ‘La nuda vita e il vaccino’ (<https://www.quodlibet.it/giorgio-agamben-la-nuda-vita-e-il-vaccino>, 16th April 2021, like all of the following, reprinted in the expanded version of *A che punto siamo?*) which treats it solely in the context of the human being’s status as bare life, before developing an increasing concern with regard to its safety (‘Uomini e lemmings’ [‘Men and Lemmings’] <https://www.quodlibet.it/giorgio-agamben-uomini-e-lemmings?fbclid=IwAR2yon-vSihGKn0tE0LUENgMmojSIMZ9oEml2Q8T5pioHTRmx0FNkxmThw>, 28th July 2021) and the way in which a certain coercion has replaced actual legislation that could simply render vaccinations legally compulsory but at the cost of rendering the state liable for the consequences, a liability that in Italy at least it was unwilling to accept, preferring, as with the gesture of asking its potential patients to ‘protect the health service’, to transfer responsibility from the state to the citizen (‘Cittadini di seconda classe’ [‘Second Class Citizens’] https://www.quodlibet.it/giorgio-agamben-cittadini-di-seconda-classe?fbclid=IwAR3EyZ1PBQFb3qjdbexIuzKxvhPPQhfSiNBaT0YHvyZ4i_WrKzy8i27_Ap_A, 16th July 2021; ‘Tessera verde’ [‘Green Pass’] <https://www.quodlibet.it/giorgio-agamben-tessera-verde?fbclid=IwAR0Aie5ZXKeT3jEzqp9c0Lrvets2klmmofG-oLZoFhCom5rzTwYbDfImdY>, 19th July 2021; along with a text in *La Stampa*, 30th July 2021), and culminating in two texts written with Massimo Cacciari, op. cit., inter alia.

⁷⁰ *Where are we now?* 28.

⁷¹ Ibid. 37.

⁷² ‘Doubtless someone will rush to respond that what I am describing is a temporally limited condition, after which things will go back to how they were before. It is remarkable that anyone could say this in good faith, given that the very authorities that have proclaimed the emergency are endlessly reminding us that we will have to go on observing the same directives when this is all over, and that “social distancing” [...] will be society’s new organising principle’ (ibid., 36; cf. 39). For a similar reading of the situation cf. Han, *Capitalism and the Death Drive*, 121; *The Palliative Society*, pp.14ff; cf. ibid., p.62n1 for a direct reference to Agamben from this chapter.

To establish the falsity of the immunitary logic, which presumes otherwise, and tells itself that the compromise with one's opposite that always risks an auto-immune exacerbation is essential to the very nature of what it is protecting, provided it is only temporary, Agamben identifies a tacit presupposition on the part of the advocates of lockdown: that a particular form of life, like the human's, can be distinguished from the *unqualified, unformed* life, upon which it would be founded. This presupposition must be made by any argument that advocates the temporary reduction of a full human life to sheer survival – to constrain the same for the sake of the same. This diminished life will in some contexts be described by Agamben as 'bare life' (*nuda vita*), a life denuded of any form or potential that would evade the laws governing the public realm of the *polis* – and now, by extension, the *oikos* – or be protected by them. The sole potential of a life reduced to mere survival is that of dying, and even that terminal decision lies in the hands of the one who wields power in that particular setting: the 'sovereign', whether that be a single figure, as in monarchy, autocracy, or tyranny, a group of people, as in oligarchy and aristocracy, or the whole civilian body, as in a certain kind of democracy. It can even be a doctor, or a scientist; or Medicine or 'Science' as such.

Biopolitics

The manner in which the protection of life and health became not just a 'good' or a right but also a political and legal *obligation* is the subject of the meta-political philosophy of 'bio-politics'.⁷³ This is the doctrine according to which matters of life and death have become – or have always been – the concern of (political) power, rather than simply being private matters of the home and the family. For Agamben, biopolitics is much older than Michel Foucault, one of the progenitors of the theory, considers it to be: far from emerging towards the end of the eighteenth century, with the birth of the 'Modern Age', a certain sovereign power over life may be discerned from the very beginning of the history of the West. Life, along with its various capacities, from nutrition to reproduction, was not governed by the laws instituted by the sovereign in the Ancient Greek world to govern the public life of the city (*polis*); life was instead fostered privately in the home (*oikos*). Agamben demonstrates that this very fact of being excluded from the political sphere may be understood as an *act* of exclusion carried out *by* the sovereign ruler of the political sphere. Hence those confined to the home and to private physical life would have been consigned there, refused admission to full civic life, by sovereign power. Thus we can say that the very opposition between private and public life, home and city, and the distribution of different sets of living beings between the two, is effectively

⁷³ '[T]he citizen no longer has a right to health [...] but is instead forced by law to be healthy ("biosecurity")', to secure and protect health and the services which maintain it (Agamben, *Where are we now?* 56). Even the *potential* for unhealthiness is enough to warrant legally mandated confinement or curfew. For an account of a legally obligatory, fully immune community, in a similar vein, cf. Di Cesare, *Immunodemocracy*, 63, 76–7.

carried out by the sovereign itself, and thus *both* of its poles may be said to be subject to law and its power.

The private biological life of the home and the politico-linguistic life of the city might – at least in hindsight – be identified with the Greek terms *zōē* and *bios* respectively. Everything fundamental to Agamben's work hinges on a correct understanding of this distinction, and the exact perspective from which this distinction is made. The act of distinguishing between these two notions, that separates bare life from a fuller kind of life, presupposes that the one who makes the distinction wields a certain amount of power over *both* forms. This includes the life of the home and those associated with its upkeep – in the Greek world: women and slaves – for those confined to the home were thereby forcibly excluded from civic life, which alone counted as properly human. What these domestic animals amounted to was effectively decided upon by the sovereign, even if the laws he made were effectively null and void once one crossed the threshold.

For Agamben, what has changed in the Modern Age and even more so in the twentieth Century is that this distinction has altogether collapsed; the life that was included within the purview of the sovereign's power purely by means of exclusion is now quite explicitly within its remit. Power now devotes the greater part of its strategising to the conquest of 'mere life' – the health, life, and death of human beings understood in the statistical form of 'populations' or 'demographics'. What was once considered to be an external separation between two spheres (*polis* and *oikos*) and two distinct groups of human beings, has now become a division *internal* to each human being: one has one's properly human life, and distinct from that, absolutely subject to political power, one's anonymous bare life. Remarkably, it is also by virtue of this bare life that one participates in civil life, since in this way one falls within the dominion of the sovereign once again. This alone could allow one's very health to form part of one's 'civic duty'.

All of this is to say that the very separation between qualified human life and subhuman bare life is itself the deed of the sovereign, or at least the result of a certain history of this power's transfigurations, and an incontrovertible sign that sovereign power is in play. The distinction between *zōē* and *bios* – mistakenly criticised by many who do not see the perspective from which it is made, as if it were simply Agamben's own, or something he finds to be straightforwardly present in the Greek sources themselves – is the textual trace by which we can pursue this sovereign power to distinguish right back to the beginning of Western political thought. The very opposition itself, from its original form right up to its collapse into a troubling indistinction at the end of history, is the product of a sovereign form of power.

Speaking of the separation of life into 'a purely biological entity on the one hand, and a social, cultural, and political existence on the other', Agamben suggests

that, '[w]hat the virus has shown clearly is that people believe in this abstraction'.⁷⁴ And for good reason: (medical) technology has made such a separation effectively possible, with artificial respiration and other technologies capable of suspending the half-dead in a kind of undead life, a zone halfway between life and death or at the point of their overlap – thus embodying the cultural artefactual preconditions for the production of a life so denuded that even the existentialist freedom of suicide is beyond its reach. Such is the power of modern medicine and modern techno-science: they have created a new form of life.

But what is crucial for Agamben is that this separation – and the power that accrues to the doctors and scientists who were able to install it – be rigorously confined within the walls of the hospital and *not* allowed to roam freely around the city beyond.⁷⁵ And yet this is exactly what has happened over the last two years, if not throughout the whole of the last century, with the result that this type of life, held within the grip of the sovereign medico-scientific power, has become the model, legally mandated in many cases, for all social life: 'this body, artificially suspended between life and death, has become the new political paradigm by which citizens must regulate their behaviours'.⁷⁶

On Agamben's account, any argument which appeals to this separation is effectively relying upon – and by extension accepting – both sovereign power and its attribution to medicine and science. Although we have no space adequately to discuss this matter here, we can say that Agamben's entire political philosophy has devoted itself to finding a way in which to *disable* this type of power structure once and for all and to seek out a new way in which communities can be bound together – beyond sovereign power, its law, and the separation of public and private life, or more precisely, today, beyond the *particular type of indistinction* which prevails between the two, and which has issued in the production of bare life. Thus we are seeking a politics that would forever rule out the emergence, *however temporary*, of such a life.

It can therefore be seen that Agamben's critics misunderstand his reproach to *them* when they protest that they are not solely valorising the survival of bare life over human life, but are rather merely protecting that bare life in order later to restore a fully human life.⁷⁷ Agamben's reproach is that this temporary suspension of human life amounts to an endorsement of a transcendent sovereign power and

⁷⁴ *Where are we now?* 63; cf. 'we have divided the unity of our vital experience – which is always and inseparably corporeal and spiritual – into a purely biological entity, on the one hand, and a social [sic, *affettiva*, affective, emotional] and cultural life, on the other' (ibid., 35).

⁷⁵ '[I]f this condition is extended beyond the spatial and temporal boundaries that pertain to it – as is presently being attempted – so that it becomes a sort of social behaviour principle, we may fall into contradictions from which there is no way out' (ibid., 35, translation modified).

⁷⁶ *Where are we now?* 64.

⁷⁷ Cf. Berg, op. cit.

a form of politics which has reached a certain point of exhaustion and is revealing ever more patently the danger of allowing such a machine to run on empty.⁷⁸

This may be presumed to be one of the principal roots of Agamben's repeated assertions according to which the conditions imposed by isolation, distance, and invisibility cannot provide the model for a *new* community, as many of his fellow philosophers at least temporarily allowed themselves to believe: 'I do not believe that a community based on "social distancing" is humanly and politically liveable'.⁷⁹ Elsewhere he speaks of such a non-community as one subjected to that most renowned image of sovereign power, the Leviathan: 'only tyranny, only the monstrous Leviathan with his drawn sword, can be built upon the fear of losing one's life'.⁸⁰ These visions of an immune community, in which members of a flock fearfully flee all contact with their fellow living creature, are ultimately visions of a society under the sway of sovereign power. They allow us to remain entrapped within a theory and practice of political life that has long since passed its expiry date and thus hinder the conception of a new form of communal relation. They prolong the old in a distorted form that emphasises its most malign aspects, which show themselves to be becoming ever more inventive, whilst stifling the new.

⁷⁸ This is why we should not presume that Agamben himself is making the same separation that he accuses the current regime of insisting upon, and simply valorising the other (separated) half (qualified, supposedly fully human life). To demonstrate this and to explicate its meaning would take a much more extended reading of Agamben's *œuvre*, but it rules out the reciprocal accusation according to which sacrifices are taking place on both sides.

Here one would have to raise the whole question of what alternative 'solution' to the 'problem' of the epidemic we might be offering. We have confined ourselves as far as possible to a preliminary consideration that merely opens up the possibility of another strategy: we have attempted to dismantle the opposition between 'taking control' of the virus and 'losing control' altogether, an opposition which could only lead us down the path that we have already taken.

Perhaps this would indeed lead us to a more extended consideration of 'herd immunity' than we have been able to give here, limited as we are by space and indeed by simple expertise. Some such solution might be urged upon us by yet another false totality that has been put abroad in recent times, in which the differentiated susceptibility of the civilian body was elided so as to depict an almost entirely fabulous situation in which 'we' were 'all in it together', and in which everyone had to keep the other safe and to be kept safe in turn, such that every affront to human decency could be construed as an act of altruism. To acknowledge this differentiation is to allow the strategy effectively to draw near to that of '*focussed* protection' and to minimise or even eradicate altogether its supposedly 'sacrificial' character.

⁷⁹ *Where are we now?* 31.

⁸⁰ *Where are we now?* 24–25. On the connection between tyranny and fear, cf. Dodsworth, *A State of Fear*, 94 et al. In 'What is Fear?' in particular, Agamben has shown himself to be acutely attuned to the manipulations of the 'fears' of a population (all too openly assumed by politicians themselves, who frequently, as if confessing to a certain humanity, pronounce themselves 'worried' — or even, with a dreadful Americanism, 'spooked' (*Omicron* will have that effect...), or, in more patrician and paternalistic terms, 'concerned') (*Where are we now?* 88ff).

The Bareness of Life and ‘Differential Vulnerability’

But it is possible to conceive our current state differently, and to affirm that bare life is not in fact so bare as all that? We might begin to draw this essay to a close by considering a potentially instructive alternative to Agamben’s approach: certain other thinkers, relatively close to him and largely of a certain biopolitical affiliation, have suggested that the situation he analyses in terms of the sovereign separation of bare life is not as parlous as he imagines. In truth, life is not so indiscriminately naked, not so unqualified and lacking in stratification as all that. If this were true it would have repercussions for the way in which we might critically appraise the current state of affairs and even cause us to reconsider the attribution of responsibility to a thoroughly malign sovereign power. In this context, in which we are more or less confining ourselves to a certain set of Agamben’s writings, we shall consider only those objections which have been raised in respect of the epidemic.

Daniele Lorenzini, scholar of Foucauldian rather than Agambenian biopolitics, points out that ‘biopolitics is always a politics of *differential vulnerability*’. Some lives are more worthy of life than others, and some indeed are more bare than others, and since life has been taken into the political sphere, the decision upon this worthiness is taken by whoever or whatever wields power.⁸¹ Thus one should not imagine that the life upon which power fastens is uniform in the way that Lorenzini takes Agamben to think.

To speak of vulnerability here: we are still making biopolitical distinctions, avowedly so: in terms of the health of a stratified population. And it would seem that, for Agamben, even beginning to think about such things is already to separate off a purely biological substrate from its cultural superstructure or ‘form-of-life’.⁸² To argue either that life deserves, as a matter of biological survival, to be lived interminably *or* that some lives are unworthy of being lived are both biopolitical alternatives to be avoided since they separate the substrate of biological life from what should, from Agamben’s perspective, be considered the ‘form of life’.

But at another level this differentiation is crucial when it comes to resisting the police-response, for the mass incarceration of the healthy took place under the auspices of a forgetting of this differentiation: Agamben identifies a kind of artificial equalisation, not on the part of the theorist, but on the part of the sovereign powers. Despite an inequality at the level of susceptibility (passivity), we are falsely equalised at the level of infectivity (activity). Whether or not we are *actually* at risk, ill or not,

⁸¹ Daniele Lorenzini, ‘Biopolitics in the Time of Coronavirus’, *Critical Inquiry* https://critinq.wordpress.com/2020/04/02/biopolitics-in-the-time-of-coronavirus/?fbclid=IwAR0WVuinDavyow_7RCVjIYA650kD9-lvyvWtMRUT6WoV5mSAC4DIX1_wuI, 2nd April 2020.

⁸² Would this be the place to rehabilitate Judith Butler’s suggestion according to which differentiability emerges more significantly at the level of the symbolic-cultural roles which people have been forced to adopt? ‘The virus alone does not discriminate, but we humans surely do, formed and animated as we are by the interlocking powers of nationalism, racism, xenophobia, and capitalism’ (Butler, ‘Capitalism Has its Limits’ <https://www.versobooks.com/blogs/4603-capitalism-has-its-limits>, 30th March 2020).

we should act as if we are, because everyone, of any stratum, is equally a *potential* spreader of the plague.⁸³ What matters more than the actuality of our situation is its potential. On these grounds in particular we are told that it is right to cancel our neighbour.

The Question of the Other

Elettra Stimilli had already suggested that bare life as such should be understood as *vulnerable* life, a passive life that is *eo ipso* owed ethical duties. Human life is unable to fend for itself and so immediately opens, for the sake of its very *survival* and from the very first months of life until the very last, onto a relation with others.⁸⁴

As Hannah Arendt was among the first to insist, as part of an attempt to distance herself from Heidegger and the supposed foundation of community in a mutually isolating death, this type of caring-for (after reproducing) vulnerable life is precisely what takes place in the *home*. For Stimilli, we can learn something of this domestic form of life, and transform our politics on the basis of it, thanks to the conditions of quarantine. We learn that bare life is never so solitary or simply bare: it immediately implies relation, sociality, community of a certain kind, and thus the immunity that allows survival is not distinct from the communal relations in which the individual life must be bound up in order to live.⁸⁵ Thus we encounter one final attempt – this time much more thoughtful and hence powerful – to assert the compatibility of immunity and community that Agamben’s account has set itself against.

What is not clear on Stimilli’s allusive account is how the prohibition of physical proximity can be reconciled with the taking care of vulnerable life, particularly at the beginning but also at the end of a life. We may nevertheless find the rudiments of an answer contained in the brief texts that Stimilli devotes to the epidemic: we have seen that the rhetoric of civil war has shaped public discourse over the last two years; for Stimilli, we must consider the matter differently, by

⁸³ Cf. Agamben, *Where are we now?* 14ff; cf. 18. Although this is a ‘fact’ that remains at the level of science and thus subject to falsification and revision, the notion of the ‘asymptomatic spreader’ is among the most dubious put abroad mediatically and governmentally over the last two years, not least because it has had the most severe consequences for the healthy and for the normal course of life. It should have become clear by now that such a process of infection is at the very least comparatively rare, with the preponderance of infections taking place in confined spaces of ‘care’ or respite (cf. Reiss & Bhakdi, *Corona False Alarm?* 32f). But without the purported invisibility of the danger, the enforced yielding up of identity and the consequent power wielded over the life of the citizen, would likely not have been possible (Agamben, *Where are we now?* 15 & 35; ‘Alcuni dati’).

⁸⁴ Elettra Stimilli, ‘Being in Common at a Distance’, Trans. Greg Bird in *Topia*, <https://www.utpjournals.press/journals/topia/being-in-common-at-a-distance?=&>, March 9th 2020.

⁸⁵ Elettra Stimilli, ‘The Italian Laboratory – Rethinking Debt in Viral Times’. Trans. Greg Bird <http://www.journal-psychoanalysis.eu/the-italian-laboratory-rethinking-debt-in-viral-times1/>
Original: <https://antinomie.it/index.php/2020/03/29/il-laboratorio-italia-ripensare-il-debito-ai-tempi-del-virus/>, 29th March 2020.

examining the non-bellicose language of the home. For her, we should occupy the level neither of global war nor of civil war, but rather remain inside the home: we must find a discourse other than that of the ‘state of exception’ – the rhetoric of (global or civil, or even Agamben’s own global civil) war. On Stimilli’s account, a renovated vocabulary of the domestic may then be transferred from the private to the political: ‘Being in common at a distance is the practice that makes it possible to invent new words, new positions, new horizons. It instils something that is already occurring. But it is a practice which requires much patience. [/] A practice that countless women have experienced on their skin over the centuries, in their homes. [/] We will rediscover the centrality of the domestic condition. We have the opportunity finally to uncover the neglected political potentiality of a private sphere’.⁸⁶

At this stage we might pause to note that, as with the shared ancestry in Arendt’s work on the topic of reproductive life, this gesture is somewhat akin to the one which Agamben himself is ultimately pursuing. For him as well, the problem with the current situation resides on the threshold between home and city and an illegitimate form of its crossing on the part of biopower that must be replaced with a new understanding of the same transgression. Agamben wishes not to restore the opposition but to think its indifferenciation in a new way. But everything hangs on how one understands this collapse. Would Stimilli’s Arendtian suggestion appeal to Agamben? The problem seems to be that her philosophy risks *naturalising* bare life, in the sense of taking it to be a natural kind with naturally occurring characteristics (vulnerability, and its differentiability or otherwise); not as a creation of sovereign power, but as a given. Then, in its attempt to rethink the political life of man, it simply takes the features of domestic and reproductive life, and renders them political without mediation. Thus it effectively transplants the private into the public – or perhaps we might say: falling victim to a common confusion between *zōē* and bare life, it bypasses those distortions, which we have just alluded to, that take place in the seizure of life by political power.

In fact, *pace* Stimilli, bare life is not a natural or naturalisable notion; rather, for Agamben, bare life is formed through an eminently *political* gesture of inclusive exclusion. The target of Stimilli’s criticism seems to be a conception of bare life that takes it to be non-relational. But this risks embodying once again a conflation of *zōē* with bare life, for at the very least, in Agamben’s thought, bare life enjoys some sort of relation with the political community, and certainly a relation with sovereign power itself which precisely institutes that relation of inclusive exclusion between the political realm and bare or naked life. And indeed, at the most extreme point, to which we have been pushed in recent years, if not for the whole of the last century, we are *all* such ‘*homines sacri*’.⁸⁷

⁸⁶ Cf. Elettra Stimilli, ‘Being in Common at a Distance’.

⁸⁷ We would also propose that bare life is not altogether deprived of power, and that the task of constructing a ‘positive’ or ‘affirmative biopolitics’, if such a thing remains intelligible in Agamben’s conceptual scheme, is precisely to demonstrate how the minimal human traits of

It is the transplantation of the life of the home into the political sphere that prevents Stimilli from resisting as fiercely as she might the fully immunised community that Agamben has shown to be complicit with biopolitical sovereign power, thus supplying us with the means to think against it.

Conclusion: The Closure of the *Logos*

An event may then have taken place, or what has occurred may merely have been taken as a pretext, but the effect of the response has been to exacerbate a sovereign biopolitical power to such an extent that it has assumed a form which has never been so explicitly affirmed and with so little shame. At the very least, a debate must be had over the lines to be drawn in terms of what can be justified by the event that is said to have taken place, and perhaps what concerns us most is the exclusion of dissenting voices from rational discourse, as if the slightest criticism constitutes an irrational negation of the kind one finds in the Freudian conception of ‘denial’, or the ‘-phobias’ which these days are pinned upon any number of figures who dare to question a discourse that has become hegemonic. What each and every case seems to have in common is the way in which the gatekeepers of the prevalent view, or the view which it takes, often in very narrowly confined contexts, to be prevalent, share the same aim and the same strategy: to silence their opponents in advance, so the discursive field is neither threatened nor called upon to defend itself; the opponent, in *ad hominem* fashion, is then pathologised such that any negation they may propose with respect to the discourse in question is presented unambiguously as a *non-rational* negation (denialist, phobic, and so irrational or poorly understood by the one wielding it – ultimately it is indeed perceived as a weapon, capable of inflicting violence and so ‘threatening’ to the ‘safety’ of a ‘safe-space’).

In the case currently under consideration, we are speaking not of academic conventions but of a position backed up by the full weight of the law, and as a consequence the merest critical question – indeed a question of any kind – comes to be considered as a threat to law and order itself, a negation or a call to negate. But since when have philosophers felt obliged to submit their questions to the state beforehand? Or to its mediatic arm which aids it in coercing public opinion and consent? *Logos* itself, in whatever translation we might choose to give it today so as to render it intelligible (‘rational debate’, ‘discussion’, ‘free thought’, ‘free speech’...) is in danger if we allow this state of affairs to persist, and, although public discourse itself seems unable to countenance any value beyond ‘survival’ and ‘saving lives’, perhaps one day, when a sufficient weight of discourse has built up in the wake of interventions like Giorgio Agamben’s, some cracks in this discourse might be prised open such that this incarnation of *logos* becomes at least minimally amenable to the idea that once reason itself is silenced, the risks are far more acute than those which any virus could present.

linguisticity and politicality may be derived or generated *from* bare life, and so restored thereunto in a new form. Perhaps in the end this will lead us to a *fourth* kind of life, beyond *zōē bios*, and bare life, which from very early on went by the title – one amongst many – of *zōē aionios*.