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City Law School Research Paper 2020/14

*At War with Themselves: Coronavirus, Commodification
and Conspiracy*

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At War with Themselves: Coronavirus, Commodification and Conspiracy.

David M. Seymour

Abstract

This paper discusses the connection state responses to coronavirus and the emergence of conspiracy theories.

The first section of this paper argues that the dominant response to society's confrontation with coronavirus was by integrating it within political economy's framework of social and legal relations that reduces 'nature' to a commodity; that is, a species of private property freely exchangeable with its market competitors.

The paper moves on to discuss the connection between commodification and conspiracy theory in which the concept of (individual and collective) *sacrifice* takes centre stage. However, unlike other instances of commodification, where social survival rests on humanity adapting to the commodification, at stake here is nothing less than physical survival. It is the intense anxiety brought about by this shift that accounts for the equally intense outbursts of recent conspiracy thinking about the virus.

The paper concludes by placing these developments within the specific context of current political and social developments, most notably, the ascendancy of populism.

Keywords:

COVID-19; Coronavirus, Conspiracy, State, Market

“After six months it is surely time to relax the rules so that individuals can take more personal responsibility and make more of their own decisions about the risks they are prepared to run.

“The generation of the second world war had been prepared to risk life to preserve freedom. This generation is ready to risk freedom to preserve life.” Former Australian Prime Minister, 1st September, 2020

Introduction

This paper examines lockdown as governments’ responses to the coronavirus pandemic, the market’s response and how and why this response often articulates itself through the medium of conspiracy theories. As we will see, the market response to lockdown brings to light long existing contradictions and tensions that are inherent in the modern nation-state or body politic. It will also illustrate how the tensions relating to the pandemic have been incorporated into more recent social and political developments, most notably the relatively recent revival of populism. For reasons that will become clear, it is the nature of *commodification* that forms the analytic centrepiece of these discussions.

Responses to the Coronavirus Pandemic:

i. Lockdown and the Market

The almost immediate and universal response to the pandemic was what came to be known as *lockdown*. The purpose of lockdown was quite straightforward. Its aim was to limit as much as possible any social contact outside of domestic settings in order to halt the spread of the virus. The executive’s announcement of lockdown was accompanied by a series of emergency measures and decrees to ensure its effectiveness.

Despite some important exceptions, to all intents and purposes, lockdown brought with it the (temporary) suspension of the normal operations of the market along with a limiting of market-premised juridical rights. Places of production, distribution and consumption

were closed and related individual, private rights such as freedom of movement, freedom of assembly and others were likewise severely curtailed.

ii. The Market and Lockdown

Although deemed necessary to contain the virus, lockdown and the suspension of the market was fraught with difficulties. There is little doubt that for the vast majority of people, the loss of the ability to go to work associated with lockdown and the closure of places of work due to the suspension of the market meant a severe threat or actual loss of businesses, employment and income leading to potential losses of housing, healthcare and other basic amenities of life, especially in countries where state support was either inadequate or non-existent. The immediacy of this threat was felt especially by the self-employed and/or the owners of small businesses. From the perspective of the market, the loss of social survival became a very real possibility. Moreover, alongside these material concerns were the less tangible but very real harms relating to mental health, domestic abuse and harms relating to the hiatus of children's education and socialising.

The Conflict between Lockdown and the Market or The State and Civil Society

The conflict between the imperatives of lockdown and those of the market can be reframed in broader terms as a conflict between the universal and particular. On the one hand, lockdown emphasises the collective aspects of the body politic (i.e. public law and public health of the population as a whole); while, on the other hand, the market's conception of the 'public good' frames it as an aggregation of emphasises autonomy (i.e. individual interests and private rights)

However, the point to be made here is that while the pandemic has brought this conflict into relief, the conflict between the state and market-mediated social relations is inherent in the very structure of the modern body politic. Although they were born at the same moment, the necessary relation between them has always been fraught with tension. Indeed, it may not be too much to argue that one of the core debates of the last century

and a half has centred around the legitimacy or otherwise of the state's intervention in the workings of the civil society and the market. In recent times, since at least the late-1970's it has been the core ideological debate in many nation-states both within and beyond Europe. We can understand the specific conspiracy related contours of the response to the response to the pandemic within both the long-term and more recent tensions between state and market.

In offering an account of this response, I look at the matter from the point of view of the market and those whose livelihoods are most at threat by its suspension.

The Commodification of Coronavirus

For those whose social survival was dependent on the continued operation of the market there was a desire to 'normalise' the virus. They sought to take the sting out of its uniqueness by downplaying its catastrophic potential of causing mass harm and deaths. The most obvious means to achieve this end was for the market to remake the virus in its own image. To achieve this goal and in keeping with a market-oriented society's relationship with nature in general, it sought to turn the virus into a *commodity*.

For present purposes, all we need to know about a commodity is that, regardless of its actual content or use, all that matters is that it can be exchanged for something else. In other words, whether something is a chair or a washing machine – or indeed, a disease – all that matters is that it can be exchanged for something else; that is, that it can take its place within the market. By presenting the virus as a commodity, therefore, not only does the virus become just one more product amenable to be exchanged for any other but also that it is a matter of 'individual freedom' whether one chooses it over a host of other equally available goods. More often than not, in a manner that reflects the connection between commodity, market and law, this response was framed in the language of *private rights*.

We can see this attempt at commodifying the virus through the various equivalences or exchanges that were suggested. First, there were notion that is it 'just like' the common cold or 'the flu' or SARS. Once reduced in this way, therefore, the argument continues that just as those illnesses and outbreaks did not necessitate the suspension of the market, neither should coronavirus. Similar claims included the idea that since people die of these illnesses anyway, what difference if they die of something else? More callous was the equivalence and exchange to be made not only between diverse goods and services, but between commodities and human beings; a point that we will have need to return to below. This category includes the view that it is worth exchanging the lives of the elderly or 'weak' for those of the young or 'strong'. Again, these claims were often couched in the language of private law that can be translated to the claim that in the wake of lockdown, people had 'a right' to take the risk of illness and death to carry on working and earning a living. As we will see, this commodification, market-normalisation and valorisation of private rights comes to be strengthened against what is increasing seen as an overbearing and illegitimate use of public law and/or state intervention which attempted to recast the right to bear risk as not only (considering the contagion of coronavirus) for the individual but also for body politic as a whole.

However, at this point, it is worth noting the ways in which these *external* relations between the individual and the market have been *internalised*. By this I mean, that the conflict between the state and civil society, universal and particular, takes place within modern subjectivity itself. We are, at one at the same time, part of the public realm (i.e. the collective or, in this context, the state) and also of the private realm (individual participants in the market). From this point, it follows that the conflict between lockdown and the market can be found *within* the modern social subject itself. As we will see, it is this subjective aspect that gives to the conflict its particularly aggravated articulation.

From the Rational to the Irrational

There is nothing novel about the tension between the market and the state. It has been present ever since the emergence of the modern body politic. Indeed, the fault lines of this relationship formed the gist of the ideological mill from at least the early 18th century; and, as with present conflict has articulated itself in the language of both political economy and of jurisprudence. However, what is curious is that this orthodox tension has reappeared in Covid times in the language of ‘conspiracy theory’. Again, the answer to this question is present in the history of the modern body politic even if its specific form has a more recent cause. Before continuing, however, a few words are needed on what we mean by ‘conspiracy theory’.

I have argued elsewhere that we can think of a conspiracy theory in a way Arendt thinks about ‘ideology’ in the context of antisemitism.¹ Ideology for Arendt, is not the unfolding of reality, but, rather, the unfolding of the idea that commits violence on that reality through distortion and lies. Thus, just as antisemitism is the unfolding of the *idea* (of the negative concept of ‘the Jew’), so too, in the present context, is conspiracy theories relating to the *state* the unfolding of the negative idea of its original concept; again, one that distorts and denies the messiness reality of reality.

However, for the purposes of this paper, what I am interested in is not the connection between antisemitic imaginings and coronavirus (although, unsurprisingly there are many), but rather the connection between conspiracy theories about the state and coronavirus. As we will see, these conspiracy theories are distortions and imaginings of a real political phenomenon that runs deep in the very nature of the modern body politic.

Personification

One of the elements of conspiracy theories about the state is personification. Critical theory of the market tells us that those involved in the business of commodity-exchange

¹ Seymour, D. M. ‘Continuity and Discontinuity: From Antisemitism to Antizionism and the Reconfiguration of the Jewish Question’ *Journal of Contemporary Antisemitism* 2(2) (Fall 2019)), pp. 11–23

see the world in that image. That is to say that just as the nature of business and business success is believed to be a matter of personal interactions and individual effort, that view is projected onto the workings of the world *in toto*. This conception of the *personification of social relations* means that obscure and complex social and political workings are reduced to the belief that someone, somewhere, is responsible for the fate of the world. This misrepresentation of reality results in the paradox that, if something good happens, then it must be the result of individual effort, but, if the opposite occurs, this can only be the result of secret, malevolent powers; or, what amounts to the same thing, this negative outcome must be because some person or group of people have secretly and illegitimately interfered so as to derail the good outcome dictated by the promise of industriousness alone.

Although as we have seen, this notion of personification has been at play for many conspiracy theories in the past, it is noteworthy that in many jurisdictions, it is the state that has become the object of the fantasy of personification.

The first point to note is the reduction of 'the state' to a singular, unitary and independent entity, rather than as a diverse body of institutions intimately connected and related to the institutions of civil society and the market. There are several variations of personification that follow once the state has been reduced in this way. On one end of the spectrum, there is the notion that 'the state' has been hollowed out and has become the plaything of 'hostile' and 'alien' powers. As such, 'the state's' *national interest* has been replaced by the interest of these other powers. More often than not, this process is explained through personification in which the hostile or alien power is referred to in the language of 'elites' in general and foreign elites in particular. Examples here include, 'the cosmopolitan elite', 'the Global elite', 'the scientific elite' or, in more condensed but no less personalised terms, 'The Rothschilds' or, simply, 'Soros'. At the other end of the spectrum is a belief in what has come to be termed, 'the Deep State'. The 'Deep State' points to a slightly different notion that State institutions and democratically-elected

bodies are sham institutions and are only empty vessels controlled by a clandestine network of individuals who, like parasites, feed off and destroy the bodies in which they are embedded. The common theme for all such theories is, as noted, the malevolent work of an individual or network of individuals that has seeped into and taken over the national body politic leading to its (inevitable) demise.

Perhaps, the best example in the era of the pandemic is the notion that coronavirus is a hoax, the purposes of which are to give ‘the state’ the opportunity to destroy individual freedom, to work with certain multinationals or extra-national global conglomerates for the state to further its surveillance of the population, to vaccinate the population with some mysterious substance and so on and so forth. The most recent iteration of this type of thinking is Donald Trump’s claim that the clandestine operations of the ‘Deep State’ includes, *inter alia*, federal scientific advisers, various departments of state and drug companies conspiring together to hold back the release of an adequate vaccine to deprive both the current President and the American People, of a second Trump term. In this account, the current lockdown is only a foretaste of the damage ‘the State’ (now understood as the embodiment of certain persons or groups of persons) is said to have in store for economic freedom and individual rights.

To this notion of the personification of social relations in the context of malevolent influences with the free operation of the market, and one that underpins state-centred conspiracies around lockdown and coronavirus, we can add one more - *sacrifice, repression and projection*. It is here, that the tensions we see at the institutional level, manifest themselves within the individual themselves.

Sacrifice, Repression and Projection

In the discussion of the commodification of coronavirus, I noted the connection between commodification, the market and rights. Although this connection has long been recognised, Marx’s inversion between owner and commodity - that it is the commodity

that takes the owner to market - was radicalised by Adorno and Horkheimer. For these critical theorists, the commodity owner (including those who owned their own labour-power), adapted to the market by taking on the *characteristics of the commodity itself*; that is, that the commodity owner (the exchanger) takes on the characteristics of that which is exchanged, the commodity. As we have seen, the essence of the commodity is the primacy of its exchange-value at the expense of its use-value. In other words, for the market what counts, be it a washing machine or a person, is not the commodity's *particular* attributes (that a washing machine washes clothes or that a person is a unique individual who may or may not be at risk of illness), but rather, their *universal* aspect as an abstract article that can be exchanged for anything else regardless of any particular attribute. Indeed, from this perspective, it is the *particular* attribute that is seen as an *obstacle* to the universality inherent in market-exchange.

Adorno and Horkheimer frame this necessity through reference to *sacrifice* and *projection*. They argue that this need to disavow one's own individuality (one's particularity) be understood as *sacrificing* one's own uniqueness to the needs of the market. Indeed, this notion of *sacrificing* one's own health, if not one's life, for the market in the age of COVID-19 was referred to expressly by the Lt Gov of Texas, Dan Patrick which, was neatly summed up by *Vanity Fair* as calling for 'those most at risk, should volunteer to die to save the economy'.

At the heart of this notion of sacrifice, therefore, is repression. The endless pressure to sacrifice cannot but entail the need to repress those parts of themselves that have to be denied according to the dictates of the market (i.e. one's own particularity, including, one's own life as a unique and fragile human being). It is in this context, therefore, that anything that reminds them of what has been repressed is perceived as a *threat* or, more accurately, as something *taboo*, contact with which is not only excluded and forbidden but also appears as emanating from outside themselves and projected onto what is now perceived as alien and hostile powers.

In other words, rather than recognising their own uniqueness, their own particularity including their health, if not their *life*, as their own and their lives as part of a wider collective as an aspect of their own (socially-situated) subjectivity (since to do do would show the thinness of the veneer of a life reduced to a commodity), such attributes are perceived as external threats and projected onto seemingly 'hostile' others - for example, 'the State'.

As a consequence, in place of the actual tension that exists in the modern subject between the individual as a member of the public realm or state and as participant in the market, there comes into existence the belief in the absolute division between the two. Indeed, the more that participation in the market comes to the fore, the more the disavowal of that same person's role in the public realm of the state. The consequence is a total immersion in market-relations corresponding with the total disavowal of a life in the state. Juridically, this phenomenon expresses itself in the unremitting legitimacy of private rights and private law (i.e. contract) and the corresponding de-legitimising of public right and public law.

It is through such a formation, therefore, that the *institutional* conflict between market and state and the acceptance of one at the expense of the other, comes to be replicated within *modern subjectivity*. What begins and remains in tension at both the levels of institution and individual appears now as the absolute separation and dominance of the one (the market) over the other (the state). It is, moreover, the *violence* inherent in turning the tension between the two into a false, absolute and unreconcilable division that accounts for its (increasingly violent) articulation through conspiracy theories in form and in content.

Populism

The last point goes some way to explaining the general tenor of rise of conspiracy thinking within the context of the emergence of coronavirus and the structural tensions

or contradictions that exist in many developed market-societies. Yet, it is still not, historically speaking, specific enough in the sense that it does not quite capture the exact nature of today's unease in the wake of the pandemic and the specific conflict between lockdown and the market. The specific nature of this particular eruption of conspiracy theory is its incorporation in the more recent rise of *populism* in many market-oriented societies.

In various countries, most notably, the UK, the USA and Brazil, imaginings of contemporary state-based conspiracies have targeted not state outsiders (although this element is far from absent, but is usually as aspect of it) but insiders. Further, the sources of these theories are the elected heads of state or government. These particular variants of conspiracy thinking give it its connection with the more immediate context of the rise of 'populism'.

However, we need to be careful not to subsume different forms of populism as if they were all repetitions of, for example, Italian or Spanish Fascism or Nazi totalitarianism. As with the virus itself, so contemporary populism's incorporation of it within its own distorted imaginings brings with it something novel. The novelty here is that one of the most important and influential sources for anti-state conspiracy theories comes not from an 'outsider' so to speak, but from the embossment of the State itself, the President.

Paradoxically, It is the President (most notably, but not only Donald Trump) that has been the progenitor and voice of the anti-state conspiracy rhetoric. In so doing, Trump and others have come to be the embodiment or, perhaps more accurately, the *personification* of a United States now reduced to little more than 'the market' in which State and Federal administrations are identified as the 'enemy' or, in the rhetoric of populism, 'the Enemy of the People'.

What is particularly striking is the acceptance of the market alongside the rejection of the state as if a free-market in splendid isolation was something possible or, juridically speaking, as if private rights were possible not only with public rights but also with non-rights based aspects of state administration. (It is a common error to believe that the rule of law, the idea that no one person or body is above the law is exhausted through the framework of rights). In other words, what is new today, is populism's articulation through the language of private rights as if private rights were not only self-standing and separate in both form and content from other aspects of the body politic (including the state), but also that the state, in the most market-oriented of countries, a threat to the market itself.

In other words, populism serves as a means to cohere a body of individuals who, having disavowed the public realm and the state, see not only themselves solely through the prism of the market, of the realm of the exchange of commodities, but also who have taken on the characteristics of the commodity themselves.

Conclusion

It is in the light of this confluence of factors that the image of conspiracy theory relating to the conflict between lockdown and the market emerges; of a definition of a world in which the definition of 'the people' reduced to the status of a commodity, is understood solely by its relationship to the market and in which coronavirus appears as simple one 'good' among others, where the meaning of private rights entails sacrifice and where any attempt to ameliorate such sacrifice that emerges from within the state institutions that make the market possible in the first place, is treated as no more than the outcome of malevolent personal forces, the purpose of which is, in a final inversion, treated as not providing for improved health, but rather contains a threat to life itself.

However, to conclude on an optimistic point, at least for the vast majority such a view of the world is still prefixed by the word, 'conspiracy'. As long as this remains the case, there may well be light at the end of the tunnel, one that is not attached to an oncoming train.

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