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THE MOLE & THE SNAKE

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Abstract

This article starts from the Foucaultian notions of biopower and discipline, dealing with the strategies of the modern and contemporary capitalism. Introducing the term biopower into his research, Foucault is alluding to a series of transformations related to the capitalist system: life enters into the scope of power in terms of “controlled insertion of bodies” in the social apparatus of production, as well as in terms of an “adaptation of population phenomena to economic processes”. It involves the exchange of services on which the Fordist social pact was founded in the twentieth century. The life that is claimed in and against the relationship of capital concerns “needs” that refer to a “concrete essence of man”. In the undeniable awareness of a “triangulation” between sovereignty, discipline and biopower, the author, as a criterion for reading the dynamics of contemporary power, analyzes the theme of control referring to Deleuze. This is delineated in the double form of “biopolitical algorithms” and of the normalization that by means of the selection and targeted processing of big data and information packages, incessantly produced by social activity in and on the network, capture forms of life at the service of capitalism.

Keywords

Life, control, biopolitical algorithms, normalization.

Resumen

Este artículo se desarrolla a partir de las nociones foucaultianas de biopoder y disciplina relacionadas con las estrategias del capitalismo moderno y contemporáneo. Al introducir el término biopoder en su investigación, Foucault alude a la serie de transformaciones relacionadas con el sistema capitalista con las cuales la vida entra dentro del alcance del poder en términos de “inserción controlada de los cuerpos” en el aparato social de producción, como también en términos de una “adaptación de los fenómenos sociales a los procesos económicos”. Involucra el intercambio de servicios sobre el cual fue fundado el pacto social fordista en el siglo XX. La vida que se reclama en y contra la relación del capital se refiere a las “necesidades” que aluden a una “esencia concreta del hombre”. En la innegable “triangulación” entre soberanía, disciplina y biopoder, y como un criterio para leer la dinámica del poder contemporáneo, el autor analiza el tema del control que se refiere a Deleuze. Esto es delineado en la doble forma de “algoritmos biopolíticos” y en la normalización que, por medio de la selección y el procesamiento dirigido de *big data* y paquetes informáticos, producidos de manera incesante por la actividad social dentro y en la red, captura formas de vida al servicio del capitalismo.

Palabras clave

Vida, control, algoritmos biopolíticos, normalización.

When Foucault introduces the term biopower into his research, he is alluding to a series of transformations related to the capitalist system. Life enters into the scope of power in terms of “controlled insertion of bodies” in the social apparatus of production, as well as in terms of an “adaptation of population phenomena to economic processes”. Disciplines of the body and population regulations constitute the two poles – provisionally still separated at the height of the seventeenth century – around which the organization of power over life has developed. For this reason, biopower is a “two-sided technology” (Foucault, 1976, p. 183), which exceeds the limits of the juridical matrix of sovereignty and redefines the spatio-temporal profiles of reference and application. It also subsumes by investing life, which here is understood as being the set of individual skeletal-muscular constants to be regulated and framed within organized productive and reproductive processes, like the set of species-specific attitudes that make man a cooperative and relational animal.

Elsewhere, I have underlined that these two poles are in some way indiscriminate in the same semantic of the body (Chignola, 2014; 2015). In the wording of the first book of *Capital*, both the body (*Körper*) – that the Latin *corpus* takes from the Greek *sōma*, holding it back to describe the corpse, the material objectivity of the inert and mouldable body. On the other hand, there is the labour force inscribed as *dynamis* in the “lebendliche Leiblichkeit” subsumed in the ratio of capital (Marx, 1962, I, 2, p. 181) – *Leib, body*, in this second meaning derives from the Gothic root **Leif*, that insists in *Leben* as well as in English term *life* (Kluge, 1899) – indicates the ways in which the living – muscles and brain, is already a factory setting as Marx points out.

Capitalism could only consolidate itself by controlling the inclusion of bodies in the production apparatus and adapting population phenomena to economic processes. This process has required that a whole series of technologies pass through the society, redefining its meaning and concept – what now emerges as the “social”, a new adjectival that marks the refocusing of a whole series of knowledge and institutions aimed at making compatible the accumulation of men with the accumulation of capital – to enlarge and to reproduce the cycles of extraction of surplus value.

There are several things that must be kept of this Foucaultian approach to the problem. The first, obviously, is that Foucault never intended to distinguish political “epochs”. Disciplines and biopower interact with each other, distributing differently in the specificity of the technologies that are deployed in the value of life. The second, completely removed in the dialects of “bare life”, is that Foucault puts the same level the resistances and the lines of escape that counter the relationship of subsumption

of life to capital. I think that this can be said in close connection with the most innovative currents of Marxism of those same years (Negri, 2017, p. 193). Not only does he underline how life, never being fully integrated, keeps escaping the technologies that dominate it and that manage it (“sans cesse elle leur échappe” (Foucault, 1976, p. 188), but also assumes the datum of how, and not on the ideological or utopian level, rather than the concrete immanence of “real processes of struggle”, life as a political object has been literally taken and turned upside down against the system that was beginning to control it.

We are talking about a process that spans the nineteenth and twentieth centuries, the phase of world capitalism expansion, within which the general lexicon of rights serves as a translation for instances that no longer allow the ruler to decide – we no longer expect the emperor of the poor, nor the realm of the last days, nor even the reestablishment of ancestral justice – but rather directly, and without any mediation, claiming ‘life’ as a whole of affections and desires that cross the individual and that compose it with others: it is life, much more than the law, which has then become the stake of political struggles.

Obviously, this does not only concern the “basic needs” in relation to which the spectrum of inclusive and equalizing benefits of the Welfare State is progressively expanding. This is rather a part of the history of the institutions of biopower. It involves the exchange of services on which the Fordist social pact was founded in the twentieth century. The life that is claimed in and against the relationship of capital concerns “needs” that refer to a “concrete essence of man”, which Foucault (1976) means, literally, as “the realization of his virtualities”; as “fullness of the possible” (“ce qui est revendiqué et sert d’objectif, c’est la vie, entendu comme besoins fondamentaux, essence concrète de l’homme, accomplissement de ses virtualités, plénitude du possible” (p. 191)).

Here, it is a question of a decisive shift in the plan of rotation that involves sovereignty, discipline, and biopower. What is highlighted is not the evanescence of the devices of sovereignty and of discipline whose permanence remains settled on the institutional centre of gravity of the State, but rather the emergence of biopolitical resistances that politicize life – which Foucault calls: “the ‘right’ to life, to health, to happiness, to the satisfaction of needs” – not as something that can be demanded starting from the recognition of rights or in reference to the authorities that are entitled to rights, but rather as something that must be freed from the forms of regulation that go through them by making bodies and ‘life’ compatible with the Fordist regimes of accumulation. For this reason, what comes into question here are not only the bodies or what is objecti-

fied as “life” in the actuarial registers of the security devices of the welfare state: what illuminates the new terrain of confrontation between freedom and power at the height of neoliberal regulation of the economy. It should be remembered that for Foucault resistance is always the “chemical catalyst” that makes visible strategies and trajectories in the circulation of power (Foucault, 1982, p. 1044) – paths of subjectivation that impact the forms of neutralization and by capturing, filtering, harnessing and channeling the power of life, expressiveness is inhibited: “everything one is, and anything one can be” (Foucault, 1976, p. 191).

From here I intend to move on for a number of reasons. The first is to set a threshold point, both in relation to the debate on Foucault and biopolitics, and in relation to what it means to “govern life”. Life is not the passive object that the government undergoes, and the system of transformations of the power devices that refer to them do not cease to evolve different strategies to gain positions in the clash with its *irreducibility*. The second reason, in the light of the first, is to indicate the direction in which this intervention intends to move. I would like to try to move the terms of the discussion *beyond* Foucault, to resume questions and theoretical lines from the debate that stem and develop from Foucault (too). At this point, I would like to offer to the discussion, a series of elements that allow us to approach further transformations of devices and technologies aimed at the “governance of life”, both in relation to the control of bodies and the population in the world of capital, as well as in relation to the more general modalities by which the cooperation of men and women, also and above all with the freedom and the *surplus* that marks it with respect to the capitalist command and the measure of wages, and can be put to value.

1.

Deleuze was the first to rethink it, highlighting the points of rupture, the transition from disciplinary to biopolitical control, without referring the latter to the forms of the welfare state. He instead assumed the signature of the break that intervenes here, the crisis of the Bretton Woods system and the end of the convertibility of dollars into gold. Disciplinary societies – Deleuze explicitly refers to the work of Foucault – are societies in which the different institutions are separated and closed and in which the subject that crosses them is produced as an individual, starting from zero each time. School, army, and factory, to cite the places and times of the curricular identification of the subject,

divide its assembling process and work – this is basically discipline – at the bottom of a language, or of knowledge, an *analogous* foundation.

What he calls controlling companies, taking the term from Burroughs, are those that push their process far ahead, engineering it as an uninterrupted flow modulation. In the coin, the algorithm replaces the currency; the *moule*, which identifies a name, a number, a space de-terminated in a collective movement, is replaced by a permanent and flexible *moulage* – a deforming mold or a sieve, the meshes of which change continuously, Foucault tells us – whose operating logic, metastable and undulatory, connects heterogeneous points without separating them, leaving them, rather, coexist alongside one another (Deleuze, 1990, p. 242).

The exit from the disciplinary society is given in the breakdown of the measure of salary: the trend equilibrium point that is determined in the compromise between maximum development of productive forces, working day and optimization of the balance of relative surplus value, is replaced by the general logic of a company that decentralizes the legal instrument on which the balance is sustained – the contract – and requires a diversification of the remuneration based on individual benefits, interviews, ongoing training, constant evaluation of the individual based on objectives.

The examination is replaced by continuous control – operational linearity of the algorithm that traces singularity – (Deleuze, 1990, p. 243). Nevertheless, Foucault had identified the centre of the procedures in it. Within the framework of disciplines, it ensured the allocation and classification of functions, according to which maximal force and time extraction were organized. Genetic accumulation of subjectivation as a tapping of each person's own individuality in a synchronized mass movement. An “optimal composition of attitudes”, in that ritual form of social initiation for the subject who we could call *matricular*, according to Foucault (1975, p. 188).

It is understood that this approach to the problem does not simply follow on from Deleuze's conceptual invention. It responds to what the managerial and business literature codifies as a strategy. Since the '80s of the 20th century, the “strategic dimension” of the project now comes into the debate (Dardot & Laval, 2009, p. 275) – for the capture and the overthrow of the desire for autonomy and freedom that had triggered the antidisciplinary revolts, making the Fordist production systems ungovernable. The “deconstruction” and “dismantling” of the dependent work statute – taxonomies, job classification, contractual figures, *career steps* – are oriented – as in the case of money – towards the evanescence of the objective reference on which assigned credit is stabilized, and in this case, towards the continuity of the company and the system of tasks of the

social division of labour. The uncertainty and complexity that are then assumed, in business literature, as description of reality, become the factors on which the singularization of the subject is orientated, as well as to evaluate the subject's ability to adapt to the circumstances. Adaptation to a world that, from the crisis of homogeneous representations of the classes, now emerges as "exploded, parcelled out, composed solely of the juxtaposition of singular destinies" (Boltanski & Chiappello, 1999, p. 395).

This transition between a corporate organization and a division of labor is translated and organized by knowledges and disciplinary powers, and a controlling company in which other devices and other technologies appear, that Deleuze assumes as a problem. Here it is not important to note how Deleuze exposes himself to the risk, as many others will do, of constructing an ideal/typical contrast within the transitional scenario between processes that, in the material reality and in the frameworks of the same knowledge of the law, will continue to take place as intertwined processes. They are processes that are overlying, stratifying, and multiplying points of connection between heterogeneous logics. What interests me, in order to focus on some recent development in the debate afterward, is to underline some specific aspects of the Deleuzian conceptual operation.

The mole and the snake are the two zoopolitical figures evoked by Deleuze (1990) as indices of the accommodation of life to biopowers, and above all of resistant life: "la vieille taupe monétaire est l'animal des milieux d'enfermement, corn le serpent est celui des sociétés de contrôle" (p. 244). The mole has adapted to depth, to the earth. It is a form of life of stratification and crossing. Monetary, because it feeds on wages, and digs and builds tunnels, destabilizing them until they implode. These are the hierarchies on which a working day and measure of salary are founded. The snake, on the other hand, is an animal of ripple and surface. Figure of habit and change (Ravaisson, 1997, pp. 251-252): guardian of the rhythm of the habit of being, of pure *energheia* without implementation; pure icon of the movement as *energheia atelēs* (Aristotle, *PHYS.*, III, 2, 201 b 32; VIII, 5, 257 b 8; *Met.*, Q,6, 1048 b 29), the snake is a living exercise of deterritorialization and the elusive image of the power of what is to come.

The transition from one animal to another marks the transition between two different legal formations, "deux modes de vie juridique très différents", writes Deleuze, which correspond to a profound "mutation" of capitalism. If the societies of sovereignty are societies of machines, and a movement triggered by simple levers corresponds to the centralization of the command (from invisible threads that activate rigidly ordered descending dynamics), one would necessarily recall, in this regard, the images of the

State as a mechanism that Schmitt identifies at the time of Hobbes (Schmitt, 1936) and the administrative fulfillment of this logic of individual and collective activation in the post-revolutionary apologists of centralization such as Cormenin or Dupont-White (Cormenin [Timon], 1842; Dupont-White, 1860). Disciplinary societies are instead energy-consuming societies – the capital vampire is known to suck surplus-value for food to feed its own spectrality and to vivify, like a “beseeltes Ungehuer”, the dead-work crystallized in the factory system (Marx, 1962, I, 5, p. 209) – with, hence, “passive risk of entropy and danger of active sabotage”.

Compared to the latter – and this radical heterogeneity is what interests Deleuze – the controlling companies operate through codes that expose themselves to the risk of interference or piracy (Deleuze, 1990, p. 244) to the extent that they execute closely interfaced programs and that they are open to flows. It is again with an explicit reference to money that the difference between the two strategies of ordering and organization is exemplified: the discipline has always relied on a currency whose value refers to gold. Control, on the other hand, refers to fluctuations, to “modulations” which, as a reference value, assume percentages and exchange margins between the individual currencies.

The monetary analogy is obviously chosen with care. What interests Deleuze is not to focus on a liquid modernity in which subjects are simply liberated from anchorage to disciplinary institutions, but the particular form of production and control of subjectivity that is determined by the reorientation of capital from production to market. Raw materials, investments in fixed capital, transformation of steel into a finished product – here the analogical relationship that allows us to think about the uniqueness of the disciplinary device in the segmentation of its institutions: the school, the army, the factory as stations, different and converging, identifying the subjectivity – give way to assembly processes, market services and services, financialization of value, which work with algorithms and with fast rotation flow modulations.

Here, the subject is not identified by means of the decomposition and re-transcription of the corporeity which is docilely bent to the engineering of spaces and useful times. It can only be composed in a collective – the dazzling liturgy of the torment of Damians often makes us forget how the section on the discipline of *Surveiller et punir* is introduced by the equally iconically powerful postponement to the problem of the transformation of the peasant into a soldier, of the tramp into a worker. It can be identified by tracing what breaks it down into information and data subsumed at the numerical control algorithmic machine. What the machine feeds is not the energy expenditure of the production chains (strategic aim is not the elaboration of individuality to be

recruited at the command of a factory), but, as in the processes that mark the simultaneous operation of capital (Mezzadra & Neilson, 2015), the direct extraction of value from the living cooperation between singularities.

This is a decisive step, as we will see. However, we will continue to follow for a moment the stark contrast between disciplinary societies and controlling companies stylized by Deleuze. If the former work on the individual-mass node-discipline works on the compatibilization-synchronization of the individual with the collective organization of the process to which the individual is subsumed, then the controlling companies untie that knot by going back to the individual. They refer not to the subjectivity that modernity evolves from the centering ascribed to self-reflection, to willpower and to action (De Libera, 2014), but to the uninterrupted flow of information that breaks it down and that numbers it.

An individual is a serial number – a sign that identifies him, a fingerprint, a curriculum – but for the numerical machines of control, an individual as such does not exist; what is given, for the algorithms that process information, are “data”, “samples”, “bits”, *irradiable* to segmentary institutions, but separable, packable, purchasable, according to the variations of flow of which you can make the market or the “Banks” in which undulations can be preserved. From this process of dematerialization – and only apparent dematerialization, given that the control devices that are put on the line manage bodies, sift and condition the freedom of movement. They trace biometric parameters, are functional to the sale of health futures on the market – it is the same notion as the individual who is immediately invested. “Les individus”, in this spill from disciplinary and biopower companies, “sont devenus des individuels”, “et les masses, des échantillons, des données, des marchés ou des banques” (Deleuze, 1990, p. 244). What we are talking about is continuous variations of numerically processable data that can be assembled, on the track of the individual or of the populations rewritten as consumption bands, statistical indexes, resonances or data relationships, for marketing purposes, performance benchmarking and organizational functions, and securitarian profiling.

The notion of “dividual” introduced at this point is constructed by specific difference with respect to the actuarial and statistical management of individuals and populations that Foucault relates to biopowers. Here another notion of space and time comes into question – another notion of regulation and a different scan of temporality. While in the disciplinary societies the individuation process “keeps starting over again-always begins again” – the individual subject is distilled with respect to the animal, to the disordered and useless body that school, army, and factory systems find available as raw

material, in a process that makes the closure and discontinuity of its institutions its own secret and its limit. In controlling companies, it is a single and uninterrupted flow of information that is managed and treated as a series of possible for security (risks) or of immediate valorization (data).

If it is true that in disciplinary societies –supervised companies, perimeter institutions, codes of inclusion and exclusion for administrative spaces and followed by inspectors, jailers, educators, doctors, production engineers– laws are in place, vertically and as closure of the circuit of discipline, as a “password” (*mot d’ordre*), while “permits” (*mot de passe*) manage the flows of controlling companies instead, i.e., digital cards that continuously displace the border. *Dataveillance* (Amoore & de Goode, 2005) –spaces which require recognition to be crossed; algorithms for tracking, extracting and cross-combining data are the technologies that these lines of Deleuze anticipate.

It is worth quoting in full the dystopia referred to by Deleuze:

Félix Guattari imaginait une ville où chacun pouvait quitter son appartement, sa rue, son quartier, grâce à sa carte électronique (dividuelle) here faisait lever telle ou telle barrière; corn aussi bien la carte pouvait être recrachée tel jour, ou entre telles heures; Here we find the barrière, maize the ordinateur qui repère la position de chacun, licite ou illicite, et opere une modulation universelle (Deleuze, 1990, p. 246).

These lines do not lend themselves to any misunderstanding. Instead, they provide us with a point of entry into the debate on which I want to draw attention. It is true that the controlling company redefines its operating environment with respect to the closed space of discipline. But it is also true that if capitalism, even in the forms of post-industrial and financial accumulation that mark it today, continues to hold three-quarters of the world’s population in conditions of extreme poverty –too poor to be governed through debt, too numerous to be interned, Deleuze notices, who does not know the new forms of inclusion characterizing what Veronica Gago (2015) has called “neoliberalism from below” – then the fading of borders and boundaries that control will have to deal with. It will have to do with the irrefutable risk factor determined by the potential explosion of the *bidonvilles* (in terms of the population) and the ghettos (in terms of subjectivation or revolt, I add for my part) (Deleuze, 1990, p. 246).

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On the notion of “risk” – with what it entails in terms of redefining the spaces of the discipline in open environments of regulation and recomposition of the individual subject produced by them, in the statistical-demographic concept of population – Foucault builds the passage which requires security companies. In the latter, the technologies of which Foucault himself, anticipating Deleuze, refers to “control mechanisms” totally irreducible to the descending verticality and the esteem of disciplinary institutions (Foucault, 2004, p. 12), the notion of norm is re-formed and the company is reclassified as the sum of processes that aim at an immanent self-regulation supported by knowledge with a connotation tending to be self-reflective.

If “norm”, in its Latin etymology, refers to a mold or a form, to the model to which it directs, straightening it, a behavior or behaviour, then *norm* means “team”, a *prae-scriptio naturae* or a *lex*, in lexicon of Cicero. It is the equivalent of the Greek *orthos*, to which the disciplinary “orthopedics” of subjectivity refers to, on which Foucault fixes his attention. Instead, “normalizing” means to install a relational mirror in which each individual, subsumed to the generic and to the self-referential circularity in which the reference to the legislator – be it nature, ratio, sovereign or God – is obliterated, becomes the measure and image of all the others.

Biopolitical normalization – the algorithm that traces and treats risk assuming its recurrence as impossible to neutralize and to exorcize (a risk is not a danger nor a probability, as we will see later, but a reality immanent to the processes of socialization) – should be grasped in its specificity, which is that of drawing a parabola that distributes the individual points of its passage on the surface of the field of application. Within the framework of disciplines, it is the rule that sets, in advance, the criterion for the normalization of attitudes, gestures or conducts. Within the framework of biopowers, normality itself, that is, the curve that is given to highlight assuming the measure in the relationship between the subjects to elevate it to a sample, statistical mean, regularity, is immediately given as a norm. To quote Canguilhem (1998): the normal “is the norm established in the fact” (p. 206).

The action of the norms, as long as they operate by normalization and not by normativity, tends to override a second nature over nature. This means the “political” character of the rules, their derivative and social side gives an understanding of the past, precisely because its movement passes through elements that are always present,

in some way “already there” (behaviors, options, exchanges through which we give the *commercium*, that is the relationship between the individual and between the individual and the environment), although it can only be the result, in some abstract way, of the trajectory along which normalcy is established (Macherey, 2017, p. 10).

In the history of knowledge, Quetelet is notoriously known to have crystallized in the notion of *homme moyen*, not an elusive and indeterminate object, but rather a society inasmuch as it is objective, as its own variation, in the mirror of probability and statistics. The average man, we could say normal, is here identified as the *être fictif*, in which he assumes “the moyenne autour de laquelle oscillent les éléments sociaux” (Quetelet, 1991, p. 44).

Regularities are the social field exhibiting and subsuming its own descriptive criterion. They are regularities that allow the shot that makes the statistics, in post-revolutionary era, not a simple, alluvial, data collection, but the knowledge in which confirms the confidence in existence of an immanent legality to things (Hacking, 1990, p. 46) and by means of which it is possible to fix the parameter to classify phenomena – which are social phenomena, but resided as such by now irrecoverable processes of individuation – that neither law, nor the traditional forms of grouping or association, allowed to order (Hacking, 1982).

With his theory of the “average man”, Quetelet proposes a means to think and to represent the individual not in relation to an essence or to a nature – not even those that identify him with a will, or a centre of action –, but in relation to the statistical grouping expressed by a simple numerical variable. This statistical grouping is assumed without the need for a reference to something other than the mass of the data itself. This problem cannot be discussed in these terms after the French revolution. The new statistical science, which cannot become effective as knowledge that integrating probabilistic mathematical models – here is the rupture underlined by Hacking with respect to the older Statistik and the *Polizeywissenschaften*; the “subversive” character of the numerical series and the fundamental epistemological shift that is induced by them (Hacking, 1982, p. 280) – establishes a foundational relationship in the framework of a new science of man, the freedom and mobility of the subjects – mobility of desires, of options, of habits – with laws and tendencies whose objectivity cannot be stabilized from the internal apprehension of the variations and the oscillations that freedom and mobility themselves produce. It is a matter of finding the modality that allows us to approximate a regularity – not a unity, but a distribution curve – the diversity and the infinite fluctuation of the data; to discern the constancy of a law in the mass of particularities. Plus,

conversely, to capture individuality as a deviation, variation, limit, in reference to the “population” or to the series of data that necessarily include it (Ewald, 1986, p. 149).

It was noted that in the *Course* of 1978-79, Foucault progressively moved the focus of his attention from “biopower” to “government” or “governmentality”. “Governing”, in the genealogy of liberalism that is progressively produced, means setting the regulation down in the dynamic that interests, and the freedom draws as an exchange and as an immanent form of their relationship. It literally means “travailler dans la réalité”.

This entails a decentralization with respect to the sovereign device of the law – which creates the reality of the relationships in which it is applied – and a step beyond the disciplines that are much more constrained by the reality. They are conditions of possibility that need to be corrected or “straightened up”. Since the eighteenth century, it is “social physics” that is discussed when talking about politics; and that is the need to settle in the game of forces that reality itself expresses as the engine of its own process.

When Foucault speaks of liberalism, it is a theory, or better still, a praxis of government as an immanent regulation and an impossibility of detachment from the game that reality plays with itself, which refers to it. Letting go, letting things go on means making sure that reality takes place according to a process that is the actual process of reality as a relationship between the elements that describe it. Hence, the centering of the risk and safety analysis. A physics – a dynamics – of society cannot neutralize the vitality of the forces it computes and, in particular, the risk determined, both in objective terms and in subjective terms, by the freedom that nourishes them.

A risk can be treated as a deviation or as an objective limitation of corporate tension, or evaluated as the resource to be valued (Foucault, 2004, pp. 48-49). In the first form it constitutes one of the hinges of the modern political device (in Rousseau, the expression of the asymmetry between nature and civilization, which is given as compensation of human frailty with respect to the world’s burdens, in Hobbes, effect of the antisocial drive of free individual appetites that need to be tamed, *dresser*. “Ad societatem ergo homo aptus non natura, sed discipline factus est” is written in *De Cive*); in the second, the risk that the individual knows how to take charge, becomes the principle of business logic and, in terms of “conversion of the contingency into a fixed cost”, the insurance principle (Knight, 1964, p. 213).

In this double perspective, therefore, the risk inherent in the exercise of a freedom whose effects may be the most pernicious, the risk as such – not the simple uncertainty with a probabilistic ending; not the danger, the material of which can be attested – can be taken as a reference term for sector policies whose proliferation extends together

with the construction and *profiling* of “risk” situations. This means situations such as social insurance, environmental policies, and security strategies. They all designate “politically” what the risk is, fixing the curve of what is socially determined and accepted as such, given that risks, per se and as such, do not give them in nature (Ewald, 1993, p. 226), or propose itself as a global philosophy starting from which modernity as such is driven to rethink – sometimes exhibiting progressive claims– politics and its institutions (Beck, 1986, 2008).

In this perspective, risk becomes an institutional principle for politics. It recomposes in a sort of parallel to the theories of the social contract of the seventeenth century (Ewald & Kessler, 2000, p. 56) –the proliferation of sectoral policies of contemporary ‘governance’ (Arienzo, 2013) under a register that impregnates the institutional design with very particular modalities.

The risk which is a floating and undetermined is “open” to the social stipulation as well as to its encryption. It is also progressively assumed as the epistemic cut in terms of repositioning a moral (the relationship of the individual with himself and with others: capital to invest, opportunities to grasp, situations to cross), build political program (environmental protections, health and safety policies, actuarial tables indexed to singular and collective entrepreneurship), transfer skills (to independent administrative authorities, agencies, committees), recruit knowledgeable experts. While the lexicon and practice of normalization, in which risk is treated in probabilistic terms and assumed to be non-neutralizable, works as an instance of communication and translation for the self-reflexive definition and reinforcement of regulation standards and limits (Ewald, 1990, p. 148).

3

I pointed out in the opening that it is not possible to assume simplistically the turning points of the Foucauldian genealogy as indicators of vintage breakages. What seems to me rather be noticed is how within the triangle sovereignty, discipline, biopower, transits, and assemblies give access to dimensions and rhythms of the different institutional and juridical dimensions of contemporaneity. The insurance lexicon of the welfare state is obviously not the same as that which imposes on the individual to protect himself individually on the risks of the future and the standards of collective responsibility evolved as a self-regulating norm in the democratic-liberal societies of the first

half of the twentieth century. They are not the same through which neoliberal market rationality is imposed.

The last lines of the Deleuzian dystopia referred to above must be taken up within this framework. On the one hand, biopolitical control algorithms that modulate information flows, filter and channel the mobility of individuals and populations, but also produce reterritorializations, closed spaces, ghettos, and *bidonvilles*; on the other hand, databases and information packets that outline styles of consumption or capture forms of life and free cooperation and which can be put to value in what was agreed to call “platform capitalism” (Srnicsek, 2016; Armano, Murgia & Teli, 2017).

Now, I would like to draw attention to these issues, or rather, on these two different ways of “government of life”.

A first point of interest is defined around the new theories and new practices of penalties in the USA and in the United Kingdom. The prisons, as noticed, have not been abolished, nor has the death penalty in many states. A series of new institutions – a new “governance” of punishment – has however come to be defined and organized next to the prison, while more and more often prisons and their management have become business entrepreneurs. Between 1990 and 2009 the number of detainees in American private prisons grew by 1600% and – it seems to me an equally important figure – the group that holds the dominant position in the market, the Geo Group founded in 1954 by a former FBI official, George Wackenhut, now owns also several detention facilities in the United Kingdom, South Africa and Australia. But beyond this aspect, however, relevant to the processes of deconstitution that mark the contemporaneity – retraction of the state with respect to the monopoly of legislation and its execution, recruitment of mixed administrative agencies that hybridize public and private, increase of opportunities for enhancement and profit in fields traditionally subtracted from speculation – is the logic that underlies the new control devices in the criminal sphere and in the security policies that need to be highlighted.

In the discourse of American penalty – but more generally, in what appears as a device capable of generalizing well beyond those boundaries – the traditional axis stabilized on retribution, deterrence, and recovery – that is to say, on the classic-modern form of punishment and on its welfarist implementation – is settled, with a significant decentralization with respect to individual history and a fundamental reinvestment on the overall environment that acts as a reference for regulation, prevention, harm reduction and risk management.

It is not just a question of closing the circle between punishment and expiation by implementing the law in the individual case – here the sanction produces criminal careers and mere stockpiling of population groups, rather than social reintegration of individuals through work – but to slip the control for as many points of application as possible, reversing the temporal direction of the functions of punishment. One does not punish an act that has actually been accomplished, but governs the potential criminogenic of situations, evaluating risk as possibility – therefore as coming from the future – and triggering the characteristic recursion between the future and the present in which reality is dematerialized (the risk, which is a form of social perception, a reality does not possess it) and redesigned as a modulation of the operations that control it.

The threat does not have a real reference: the alarm that appoints it, isolating and intensifying one of the many dimensions of risk, performs not only with respect to it – a risk and a threat. It is only real in activating the devices aimed at their control and pertaining to a semiotics, a circulation of signs – but with respect to the powers or knowledge-experts they contribute to install and to produce the protocols that can be used on a case-by-case basis and legitimized (Massumi, 2010, p. 59).

With a decisive leaning in the direction of the environment processed by the algorithms that modulate it, the criminal device does not identify, pursue or punish individuals, instead it works, in a systemic way, to reduce the complexity of its operation, cooling the potential criminogenic events, describing normalization curves and preventing – distributing and loosening their convergence lines – the determination of nodes or accelerations that prove to be particularly “risky”, even when their actual occurrence proves unlikely. The control strategy has become smarter, more focused precisely because it is less rigid, much more focused on the demand for security and on the priorities emerging from society, more willing to collaborate with the communities in a preventive key, renouncing – it is another decisive aspect of the “Governmentalization” of power – to the monopoly of violence that was traditionally ascribed to it.

Focusing on the lexicon of prevention, moreover, it has become a plan for connection and exchange of information between agencies and experts who, having abandoned their educational, psychological or social specificity, can be recruited to work in tracking and modulating risky situations, in a process of outsourcing authority that continuously shifts the boundaries between public and private (Garland, 2001, pp. 169; 171).

A further effect is thus produced, in the wake of what we might call a retreat against the background of the statistic. Decentrating from the individual – and from the concep-

tual constellation that governs the resonance between individual responsibility, crime, expiation and treatment of the culprit—, what has been called the “new penology” is mainly aimed at classifying population groups on the basis of “dangerousness” that dissolves the materiality of the act, refuses to oppose it or compensates it. It is mainly concerned with managing, with managerial and non-transformative optics (Reichmann, 1986), the levels of risk that information and data make configurable by decomposing and recomposing individual and populations to the profiles to which they are made to be able to reorganize the distribution at the social level.

In this emerging perspective, for example, the question will not be to recover a drug addict, but to use tests that highlight drug use, to include the individual in open and modular risk classes that break it up into data relevant to criminal records, actuarial, health or education and, at the same time, to verify the impact that the percentiles of consumption and sale may have for the devaluation of a residential or commercial area. Criminal science has, therefore, the function of supporting the overall rationalization of the system – regulating individuals at work, would obviously mean up to contemporary capitalist relations to train soldiers for an army (even in reserve) non-existent... – and not to treat crime.

If the “new penology” is defined as the set of knowledges, technologies and practices that work to reduce the social costs of detention and to treat risk in the ways of an economy, as well as the control of flow that is equipped, as well as algorithms for processing and processing of data, geolocation and surveillance tools (electronic bracelets, signature devices, house arrest), models for the extraction and classification of information to prevention, classification grids for redistribution and reassignment, with an immediate effect of internal recolonization, segments and segments of the population in supervised spaces (Doyle, 1992), then its general task is to work as an algorithm for the administration and management of the social (risks, problems, questions) and is no longer bound to the individual to be punished and recovered, thus exonerating from the limits described by the functions up to now ascribed, at least mainly if not in exclusive terms, to judicial tasks (Feeley & Simon, 1992).

A quick glance at other contemporary devices of control provides us with a further confirmation. The magnetic card, imagined by Guattari as a “passport” for post-disciplinary mobility, has actually become what Michael Dear and Héctor Manuel Lucero (2005) have renamed as “Bajalta California”, the “frontera portátil” that migrants and frontiers carry inscribed on their own body. It is worth remembering, given that, in the vocabulary of dematerialization or post-, there is the risk of assuming as evanescent

those boundaries, that open for information and capital flows, remain in many cases as solid barriers opposed to the mobility of people (Balibar, 2002, p. 76). The notion of “frontera portátil”, however, allows us to assume –taking up the initial lines of this intervention– not only how the “frontier” is dislocated and mute, but also how it is continually displaced, so much by the challenge that is opposed to it. We are talking about freedom of movement as a subjective practice of men and women, as well as the devices that respond to that challenge, pursuing it. In this sense, boundaries do not simply have to do with the need to hinder or prevent flows, they become mechanisms that –by filtering, squeezing, channeling– tend rather to the articulation of their relationship (Mezzadra & Neilson, 2013).

In the recent debate, aroused also by the adoption of new measures for the granting of entry visas to the USA, many of the elements that I am interested in submitting to the discussion on this occasion are at our disposal. The potential entry of “risky” citizens –from certain areas of the world, of course, but, much more than this, traced as such by the series of divisions that break them down into data (access to the network, use of credit cards, traveling alone or with traveling companions of a particular ‘type’, in turn fixed by mobility, consumption options, circulation spaces)– has determined the grafting of a series of technologies developed for commercial, security, military, which marks a decisive step in relation to the evolution of biopowers.

A first relevant point in this sense is the dismissal of the notion of “probabilistic” risk proper to statistical knowledge and the transition to an evanescent notion of “possibility” that makes the threat *immanent*, precisely because it is always imminent. The threat never has a specific referent. Instead, it tends –for the structure that is proper to it– to a limit that is its own indeterminability, making itself the same environment (Massumi, 2010, p. 61) and redefining the latter in *modal* terms. The modality of the being that pertains to it is not ontic, but is precisely that of the *possible*.

This involves a series of further consequences. “Life”, as well as the subject, is in turn integrally de-realised and subtracted from the spatial coordinates that include it, exclude it or include it by excluding it. Giorgio Agamben (2003, p. 63) was able to underline, in his genealogy of sovereignty, how in the state of exception there is no question of delegating extraordinary powers –as in the misleading Schmittian reference to dictatorship– but rather the “emptiness” –a *kenomatic* vacuum, the stopping point– which exists between the law and its application. In the derealization that belongs to the control devices –control modulates flows, I remember– that “emptiness” is however completely saturated, not by norms, as in the ideology of the rule of law, but by algorithms that sift,

extract, cross, accumulate, and compare the data in which the living, rewritten from the mobility of his desires, his options, the positions that locate him in the trajectories of working or social life, is decomposed and provisionally reassembled as a sequence of *bytes*. In this case, logic is not the cinematic one. Tracing does not give rise to sequences, nor does it break down movement into diagrams –but that of the image offered in the simultaneous and revocable composition of individual points resonated by the algorithm; the logic of the *pixel*, not of photography, which has meant a lot in the definition of the paradigm of statistics (Galton, 1879) or of the social sciences (Amoore, 2013, p. 101; Rouvroy & Berns, 2013).

From the point of view of the temporal structures implicit in this shifting of the notion of risk from probability to possibility –that is to say: from statistics to control– a decisive passage is thus accomplished. If disciplinary logic is raised by rejecting the norm from the individual in which its effect is produced –here the problem is not the *recovery* of an unruly body, of an irreducible conduct, of a disordered movement, with the implicit reference to the past that is subtended, which is in question– in the biopolitical treatment of risk, *de-encrypted* in the signatures that anticipate it, is the spread of a *precautionary* logic that becomes operative.

This gives rise to the insurance company that had already found in the individual responsibility first (at the level of the liberal society: the “prudent family man” to regulate self-protection against the risks of unemployment or misuse of his freedom of the article 1382 of the *Code Civil*) and afterwards in the prevention (the form of solidarity with the organizational risks of production: pensions and mandatory health insurances, within the framework of the progressive and technological utopia that imagined as tentatively controllable, until they were exhausted the risks induced by socialization) its pivotal figures (Ewald, 2002). The social contract breaks along this double line of fracture and the algorithm that makes navigation –that is to say, the government– of the future possible, manages *in advance* the differentiation of populations or classes whose access is blocked (Castel, 1991, p. 288) or collects information that can be valuable for security or production purposes.

Two words on this, to conclude: the capitalist mode of production has seen a progressive centrality in logistics over the last few decades. That is to say, the calculation again: *loghismos*. The most recent literature (Cowen, 2014; Grappi, 2016; Rossiter, 2016) was able to point out how logistics from a simple science of military origin (“practical art of moving armies”, for the contemporary of Clausewitz, Henri de Jomini) has been imposed as a policy (the international mobility of goods requires particular assemblies

of security, space, law, geopolitically: “corridors”), a code (*software* as fixed capital), and as a form capable of producing autonomously value. The break of the twentieth-century social contract is not limited to handing over the individual transformed into an entrepreneur of himself, but implies his decomposition – its dividing – into data that allow the value to be extracted from cooperation without directly organizing it. They are integrated into localizations that redraw, for example, the collective spaces, subtracting them from the forms of classical urbanism. The city can be made worthy and precious by tracing the exchanges of data, the connectivity, the immanent potential of innovation to lifestyles or cognitive capital available (Rossi, 2017) and the uninterrupted data mining so made possible used as a matrix to orientate investments or to store the excess human material: ghettos and *bidonvilles*, as Deleuze told us.

However, besides this, and beyond the living labour, mostly migrant and precarious, commanded by them, the algorithms that work in the big platforms – Amazon, Google, Facebook... – extract value from entire life – if life is modulated in *bytes* – to which they interface. Here the *moulage* of the flow of information no longer meets its legitimacy in the imponderable threat evoked and traced by security experts, but in its immediate ability to capture, subsuming them to the law of value, as much as the circuits of desire and freedom they set up as a direct product of cooperation.

Pagerank – the algorithm that hierarchizes the google information – feeds on the intensity of the cognitive work of the men and women who *upload* the texts, determine their relevance, direct innovation (Pasquinelli, 2009). Also, it determines the financial value of Facebook, the number of users accessing it, and the power of the numerical matrix able to break down, package and sell the “traces” of their online activities. There are many other examples that could be made. The biopolitical and cognitive cooperation creates value or becomes a business (think *crowdfunding*), but in making profit return, that value tends to be captured, by direct extraction or by mere formal subsumption, from the capital (Mezzadra & Fumagalli, 2005). But what seems decisive to me is that in the contemporary relationship of capital, cooperation in many ways is autonomous: it does not need organization and exceeds the social measure defined by the working day and the salary. The snake has left the mole behind.

At this point, we might say that “government of life” now arises. Here, devices of power and liberation devices are again on the frontline of the battle on which Foucault called attention to be made. In it, it is a question, I believe, of repeating once again the Foucauldian gesture, not of understanding, but of “taking a stand”. If there is not and

there has never been an outsider to the power games, then now is neither the time, when its algorithms continuously trace our lives. Making its devices inoperative by disapplying them – that is, debuting in another when compared to law, technique and language (the first capture device, for Agamben (2006) – seems to me impossible and rather improbable. To reconcile forms of life in a world in fragments, a theoretical and political task, difficult, tiring and hard, but, really, indispensable.

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