MULTITUDE
WAR AND DEMOCRACY
IN THE AGE OF EMPIRE

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Political action aimed at transformation and liberation today can only be conducted on the basis of the multitude. To understand the concept of the multitude in its most general and abstract form, let us contrast it first with that of the people. The people is one. The population, of course, is composed of numerous different individuals and classes, but the people synthesizes or reduces these social differences into one identity. The multitude, by contrast, is not unified but remains plural and multiple. This is why, according to the dominant tradition of political philosophy, the people can rule as a sovereign power and the multitude cannot. The multitude is composed of a set of singularities—and by singularity here we mean a social subject whose difference cannot be reduced to sameness, a difference that remains different. The component parts of the people are indifferent in their unity; they become an identity by negating or setting aside their differences. The plural singularities of the multitude thus stand in contrast to the undifferentiated unity of the people.

The multitude, however, although it remains multiple, is not fragmented, anarchical, or incoherent. The concept of the multitude should thus also be contrasted to a series of other concepts that designate plural
collectives, such as the crowd, the masses, and the mob. Since the different individuals or groups that make up the crowd are incoherent and recognize no common shared elements, their collection of differences remains inert and can easily appear as one indifferent aggregate. The components of the masses, the mob, and the crowd are not singularities—and this is obvious from the fact that their differences so easily collapse into the indifference of the whole. Moreover, these social subjects are fundamentally passive in the sense that they cannot act by themselves but rather must be led. The crowd or the mob or the rabble can have social effects—often horribly destructive effects—but cannot act of their own accord. That is why they are so susceptible to external manipulation. The multitude designates an active social subject, which acts on the basis of what the singularities share in common. The multitude is an internally different, multiple social subject whose constitution and action is based not on identity or unity (or, much less, indifference) but on what it has in common.

This initial conceptual definition of the multitude poses a clear challenge to the entire tradition of sovereignty. As we will explain in part 3, one of the recurring truths of political philosophy is that only one can rule, be it the monarch, the party, the people, or the individual; social subjects that are not unified and remain multiple cannot rule and instead must be ruled. Every sovereign power, in other words, necessarily forms a political body of which there is a head that commands, limbs that obey, and organs that function together to support the ruler. The concept of the multitude challenges this accepted truth of sovereignty. The multitude, although it remains multiple and internally different, is able to act in common and thus rule itself. Rather than a political body with one that commands and others that obey, the multitude is living flesh that rules itself. This definition of the multitude, of course, raises numerous conceptual and practical problems, which we will discuss at length in this and the next chapter, but it should be clear from the outset that the challenge of the multitude is the challenge of democracy. The multitude is the only social subject capable of realizing democracy, that is, the rule of everyone by everyone. The stakes, in other words, are extremely high.

In this chapter we will articulate the concept of the multitude primarily from a socioeconomic perspective. Multitude is also a concept of race, gender, and sexuality differences. Our focus on economic class here should be considered in part as compensation for the relative lack of attention to class in recent years with respect to these other lines of social difference and hierarchy. As we will see the contemporary forms of production, which we will call biopolitical production, are not limited to economic phenomena but rather tend to involve all aspects of social life, including communication, knowledge, and affects. It is also useful to recognize from the beginning that something like a concept of the multitude has long been part of powerful streams of feminist and antiracist politics. When we say that we do not want a world without racial or gender difference but instead a world in which race and gender do not matter, that is, a world in which they do not determine hierarchies of power, a world in which differences express themselves freely, this is a desire for the multitude. And, of course, for the singularities that compose the multitude, in order to take away the limiting, negative, destructive character of differences and make differences our strength (gender differences, racial differences, differences of sexuality, and so forth) we must radically transform the world.

From the socioeconomic perspective, the multitude is the common subject of labor, that is, the real flesh of postmodern production, and at the same time the object from which collective capital tries to make the body of its global development. Capital wants to make the multitude into an organic unity, just like the state wants to make it into a people. This is where, through the struggles of labor, the real productive biopolitical figure of the multitude begins to emerge. When the flesh of the multitude is imprisoned and transformed into the body of global capital, it finds itself both within and against the processes of capitalist globalization. The biopolitical production of the multitude, however, tends to mobilize what it shares in common and what it produces in common against the imperial power of global capital. In time, developing its productive figure based on the common, the multitude can move through Empire and come out the other side, to express itself autonomously and rule itself.

We should recognize from the outset the extent of capital's domain. Capital no longer rules merely over limited sites in society. As the impersonal rule of capital extends throughout society well beyond the factory walls and geographically throughout the globe, capitalist command tends
to become a "non-place" or, really, an every place. There is no longer an outside to capital, nor is there an outside to the logics of biopower we described in part 1, and that correspondence is no coincidence, since capital and biopower function intimately together. The places of exploitation, by contrast, are always determinate and concrete, and therefore we need to understand exploitation on the basis of the specific sites where it is located and specific forms in which it is organized. This will allow us to articulate both a topology of the different figures of exploited labor and a topography of their spatial distribution across the globe. Such an analysis is useful because the place of exploitation is one important site where acts of refusal and exodus, resistance and struggle arise. This analysis will thus lead to the critique of the political economy of globalization based on the resistances to the formation of the body of global capital and the liberatory potentials of the common powers shared by global laboring multitude.

2.1 DANGEROUS CLASSES

Stalin's basic error is mistrust of the peasants.
—MAO ZEDONG

We are the poor! —PROTEST SLOGAN IN SOUTH AFRICA

THE BECOMING COMMON OF LABOR

Multitude is a class concept. Theories about economic class are traditionally forced to choose between unity and plurality. The unity pole is usually associated with Marx and his claim that in capitalist society there tends to be a simplification of class categories such that all forms of labor tend to merge into a single subject, the proletariat, which confronts capital. The plurality pole is most clearly illustrated by liberal arguments that insist on the ineluctable multiplicity of social classes. Both of these perspectives, in fact, are true. It is true, in the first case, that capitalist society is characterized by the division between capital and labor, between those who own productive property and those who do not and, furthermore, that the conditions of labor and the conditions of life of the propertyless tend to take on common characteristics. It is equally true, in the second case, that there is a potentially infinite number of classes that comprise contemporary society based not only on economic differences but also on those of race, ethnicity, geography, gender, sexuality, and other factors.
all forms of being for the simple sense of having. All human senses, including knowing, thinking, feeling, loving—in short, all of life—is corrupted by private property. Marx makes clear, however, that he does not want to go back to any kind of primitive communal ownership. He focuses rather on the contradiction in the logic of capital that points toward a new future resolution. On the one hand, as we have seen, capitalist private property rights are based on the individual labor of the producer, but on the other hand capital continually introduces more collective and collaborative forms of production: the wealth produced collectively by the workers becomes the private property of the capitalist. This contradiction becomes increasingly extreme in the realm of immaterial labor and immaterial property. Private property makes us stupid in part by making us think that everything valuable must be owned privately by someone. Economists never tire of telling us that a good cannot be preserved and utilized efficiently unless it is owned privately. The truth is, however, that the vast majority of our world is not private property, and our social life functions only thanks to that fact. As we have seen in this chapter, in addition to traditional forms of property such as land, industries, and railroads, new goods, such as genetic information, knowledges, plants, and animals, are becoming private property. This is an example of what we called earlier the expropriation of the common. Still, we could not interact and communicate in our daily lives if languages, forms of speech, gestures, methods of conflict resolution, ways of loving, and the vast majority of the practices of living were not common. Science would come to a standstill if our great accumulations of knowledge, information, and methods of study were not common. Social life depends on the common. Perhaps some day in the future we will look back and see how stupid we were in this period to let private property monopolize so many forms of wealth, posing obstacles to innovation and corrupting life, before we discovered how to entrust social life entirely to the common.

2.3 TRACES OF THE MULTITUDE

The question of whether humanity has a predilection toward the good is preceded by the question whether there exists an event that can be explained in no other way than by that moral disposition. An event such as revolution. Kant says that this phenomenon [of revolution] can no longer be ignored in human history because it has revealed the existence in human nature of a disposition and a faculty toward the good, which until now no politics has ever discovered in the course of events.

—FRIEDRICH NIETZSCHE

We saw in the last chapter how common productive flesh of the multitude has been formed into the global political body of capital, divided geographically by hierarchies of labor and wealth, and ruled by a multilevel structure of economic, legal, and political powers. We studied the physiology and anatomy of this global body through the topology and topography of exploitation. Our task now is to investigate the possibility that the productive flesh of the multitude can organize itself otherwise and discover an alternative to the global political body of capital. Our point of departure is our recognition that the production of subjectivity and the production of the common can together form a spiral, symbiotic relationship. Subjectivity, in other words, is produced through cooperation and communication and, in turn, this produced subjectivity itself produces new forms of cooperation and communication, which in turn produce new subjectivity, and so forth. In this spiral each successive movement from the production of subjectivity to the production of the common is an innovation that results in a richer reality. Perhaps in this process of metamorphosis and constitution we should recognize the formation of the body of the multitude, a fundamentally new kind of body, a common
body, a democratic body. Spinoza gives us an initial idea of what the anatomy of such a body might be. “The human body,” he writes, “is composed of many individuals of different natures, each of which is highly composite”—and yet this multitude of multitudes is able to act in common as one body.104 If the multitude is to form a body, in any case, it will remain always and necessarily an open, plural composition and never become a unitary whole divided by hierarchical organs. The traces of the multitude will present the same disposition and faculty toward the good that Kant finds in the revolutionary event.

THE MONSTROSITY OF THE FLESH

Postmodern society is characterized by the dissolution of traditional social bodies. Both sides in the debate between “modernists” and “postmodernists,” which until recently inflamed academic and cultural discussions, recognize this dissolution. What really divides them is that modernists want to protect or resurrect the traditional social bodies and postmodernists accept or even celebrate their dissolution.105 In the United States, for example, many authors, facing the breakdown of traditional social organizations and the threat of a fragmented individualistic society, evoke nostalgia for past social formations. Such projects of restoration—often based on family, church, and country—have long been a staple of the vision of the Right, but the most interesting and passionate recent pleas have emerged from the mainstream Left. Consider, for example, Robert Putnam’s widely read account of the decline of civic and community organizations in the United States. Bowling clubs, bridge clubs, religious organizations, and the like used to provide a basic means of social aggregation, forming social groups and a cohesive society. The decline of such civic and community groups is a symptom of the general decline of all forms of social aggregation in the United States, Putnam argues, leaving the population not only bowling alone but living alone in a wide variety of ways.106 A similar tone of nostalgia and regret for lost community dominates a series of popular studies about the recent changes in work. Traditional forms of labor, such as factory labor and even more so craft work, provided stable employment and a set of skills that allowed workers to develop and take pride in a coherent, lifelong career with a durable social connection centered on their jobs. The passage from Fordist to post-Fordist labor arrangement, with the rise of service labor and “flexible,” “mobile,” unstable types of employment, has destroyed these traditional forms of work, along with the forms of life they generated. Instability, they lament, undermines character, trust, loyalty, mutual commitment, and family bonds.107 Such accounts of the decline of traditional social forms and communities, tinged with nostalgia and regret, also correspond to a certain extent with calls to patriotism from one stream of the U.S. Left, which predated September 11, 2001, but was strongly reinforced by the events of that day. For these authors, love of country is another (and perhaps the highest) form of community that will—in addition to guaranteeing the defeat of enemies abroad—hold at bay the anomic and individualistic fragmentation that threatens our society at home.108 In all of these cases, civic associations, work, family, and country, the ultimate object is the reconstruction of the unified social body and thus the recreation of the people.

The mainstream European Left shares this sense of nostalgia for traditional social forms and communities, but in Europe it is most often expressed not in laments of our current state of isolation and individualism but in sterile repetitions of worn-out community rites. Community practices that used to be part of the Left now become empty shadows of community that tend to lead to senseless violence, from rabid soccer-fan clubs to charismatic religious cults and from revivals of Stalinist dogmatism to rekindled anti-Semitism. The parties and trade unions of the Left, in search of the strong values of old, seem too often to fall back on old gestures like an automatic reflex. The old social bodies that used to sustain them are no longer there. The people is missing.

Even when something that resembles the people does emerge on the social scene in the United States, Europe, or elsewhere, it appears to the leaders of the institutional Left as something deformed and threatening. The new movements that have arisen in the last decades—from the queer politics of ACT-UP and Queer Nation to the globalization demonstrations at Seattle and Genoa—are incomprehensible and threatening to
them, and thus monstrous. It is true, in fact, that with modern instruments and models today’s social forms and even economic developments can only appear chaotic and incoherent. Events and facts seem to flash in discrete, disconnected images rather than unfold in a coherent narrative. With modern eyes perhaps postmodernity is indeed characterized by the end of grand narratives.

One should do away with all this nostalgia, which when not actually dangerous is at best a sign of defeat. In this sense we are indeed “postmodernists.” Looking at our postmodern society, in fact, free from any nostalgia for the modern social bodies that have dissolved or the people that is missing, one can see that what we experience is a kind of social flesh, a flesh that is not a body, a flesh that is common, living substance. We need to learn what this flesh can do. “The flesh,” Maurice MerleauPonty writes in a more philosophical register, “is not matter, is not mind, is not substance. To designate it, we should need the old term “element,” in the sense it was used to speak of water, air, earth, and fire.” The flesh of the multitude is pure potential, an unfomed life force, and in this sense an element of social being, aimed constantly at the fullness of life. From this ontological perspective, the flesh of the multitude is an elemental power that continuously expands social being, producing in excess of every traditional political-economic measure of value. You can try to harness the wind, the sea, the earth, but each will always exceed your grasp. From the perspective of political order and control, then, the elemental flesh of the multitude is maddeningly elusive, since it cannot be entirely corralled into the hierarchical organs of a political body.

This living social flesh that is not a body can easily appear monstrous. For many, these multitudes that are not peoples or nations or even communities are one more instance of the insecurity and chaos that has resulted from the collapse of the modern social order. They are social catastrophes of postmodernity, similar in their minds to the horrible results of genetic engineering gone wrong or the terrifying consequences of industrial, nuclear, or ecological disasters. The unformed and the unordered are horrifying. The monstrosity of the flesh is not a return to the state of nature but a result of society, an artificial life. In the previous era modern social bodies and modern social order maintained, at least ideologically, despite constant innovation, a natural character—the natural identities, for example, of the family, the community, the people, and the nation. In modernity the philosophies of vitalism could still protest against the damaging effects of technology, industrialization, and the commodification of existence by affirming the natural life force. Even in Martin Heidegger’s critique of technology, when vitalism has become a kind of nihilism and aesthetics, there are echoes of the long tradition of existentialist resistance. Every reference to life today, however, has to point to an artificial life, a social life.

The vampire is one figure that expresses the monstrous, excessive, and unruly character of the flesh of the multitude. Since Bram Stoker’s Count Dracula landed in Victorian England, the vampire has been a threat to the social body and, in particular, to the social institution of the family. The threat of the vampire is, first of all, its excessive sexuality. Its desire for flesh is insatiable, and its erotic bite strikes men and women equally, undermining the order of heterosexuality. Second, the vampire undermines the reproductive order of the family with its own, alternative mechanism of reproduction. New vampires are created by the bite of both male and female vampires, forming an eternal race of the undead. The vampire thus functions in the social imagination as one figure of the monstrosity of a society in which the traditional social bodies, such as the family, are breaking down. It should come as no surprise, then, that vampires have become so prevalent in recent years in popular novels, film, and television. Our contemporary vampires turn out to be different. The vampires are still social outsiders, but their monstrosity helps others to recognize that we are all monsters—high school outcasts, sexual deviants, freaks, survivors of pathological families, and so forth. And more important, the monsters begin to form new, alternative networks of affection and social organization. The vampire, its monstrous life, and its insatiable desire has become symptomatic not only of the dissolution of an old society but also the formation of a new.

We need to find the means to realize this monstrous power of the flesh of the multitude to form a new society. On one hand, as Merleau-Ponty makes clear, the flesh is common. It is elemental like air, fire, earth, and water. On the other hand, these various monsters testify to the fact that
we are all singular, and our differences cannot be reduced to any unitary social body. We need to write a kind of anti-De Corpore that runs counter to all the modern treatises of the political body and grasps this new relationship between commonality and singularity in the flesh of the multitude. Once again, Spinoza is the one who most clearly anticipates this monstrous nature of the multitude by conceiving of life as a tapestry on which the singular passions weave a common capacity of transformation, from desire to love and from the flesh to the divine body. The experience of life is for Spinoza a search for truth, perfection, and the joy of God. Spinoza shows us how today, in postmodernity, we can recognize these monstrous metamorphoses of the flesh as not only a danger but also a possibility, the possibility to create an alternative society.

The concept of the multitude forces us to enter a new world in which we can only understand ourselves as monsters. Gargantua and Pantagruel, in the sixteenth century, in the midst of that revolution that created European modernity, were giants that served as emblems for the extreme powers of liberty and invention. They strode across the revolutionary terrain and proposed the gigantic endeavor of becoming free. Today we need new giants and new monsters to put together nature and history, labor and politics, art and invention in order to demonstrate the new power that is being born in the multitude. We need a new Rabelais or, rather, many.

INVASION OF THE MONSTERS

In the seventeenth century, alongside erudite libraries and laboratories of fantastic inventions, arose the first cabinets of monstrosities. These collections had all kinds of strange objects, from malformed fetuses in jars to the “human-chicken” of Leipzig—all the kinds of things that could feed the imagination of Frederik Ruysch in Amsterdam to create his spectacular allegorical assemblages. Even in the absolutist kingdoms it became common practice to create cabinets of natural history, full of curiosities. Peter the Great, after having constructed the city of Saint Petersburg in an extraordinarily brief time through the suffering and sacrifice of millions of workers, bought Ruysch’s col-

lection and on the basis of it constructed a natural history museum in Saint Petersburg. Why such an invasion of monsters?

The rise of monsters in the seventeenth and eighteenth centuries coincided with the crisis of the ancient eugenic beliefs and served to undermine the old teleological assumptions in the emerging natural sciences. By eugenic beliefs we mean the philosophical framework that identifies both the origins of the cosmos and the ethical order in a metaphysical principle: “He who is born well will rule happily.” This Greek principle infiltrated the Judeo-Christian creationalist worldview through thousands of paths. As for the teleological assumptions, these view every creature and its development as determined by the ends or finalities that link it to the order of the cosmos. It is no coincidence that eugenics and finalism would in the course of “Western civilization” be united: fixed origins and ends maintain the order of the world. But in the seventeenth and eighteenth centuries this old order of civilization was open to question. While the great wars that founded modernity wrought indescribable suffering, monsters began to incarnate the objections to the order determined by eugenics and finalism. The effects were even stronger in politics than in metaphysics: the monster is not an accident but the ever present possibility that can destroy the natural order of authority in all domains, from the family to the kingdom.

Various modern luminaries, from Count de Buffon and Baron D’Holbach to Denis Diderot, investigated the possibility of new normative figures in nature or, really, the relationship between causality and error and the indeterminacy of order and power. The monsters even infected the most enlightened ones! This is where the real history of modern European scientific method begins. Before this point, as D’Holbach charges, the dice were loaded, and the orderly results we saw in the development of nature were fake; now the game is finally no longer rigged. That is what we owe to monsters: the break with ideology and eugenics opens the problem of what the source of creation is, how it is expressed, and where it will lead.

Today, when the social horizon is defined in biopolitical terms, we should not forget those early modern stories of monsters. The monster effect has only multiplied. Teleology now can only be called ignorance and superstition. Scientific method is defined increasingly in the realm of indetermination and every real entity is produced in an aleatory and singular way, a sudden emergence of
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the new. Frankenstein is now a member of the family. In this situation, then, the discourse of living beings must become a theory of their construction and the possible futures that await them. Immersed in this unstable reality, confronted by the increasing artificiality of the biosphere and the institutionalization of the social, we have to expect monsters to appear at any moment. “Monstrum prodigium,” as Augustine of Hippo said, miraculous monsters. But today the wonder comes every time we recognize that the old standards of measure no longer hold, every time old social bodies decompose and their remains fertilize the new production of social flesh.

Gilles Deleuze recognizes the monster within humanity. Man is the animal, he claims, that is changing its own species. We take this announcement seriously. The monsters are advancing, and scientific method has to deal with them. Humanity transforms itself, its history, and nature. The problem is no longer deciding whether to accept these human techniques of transformation but learning what to do with them and discerning whether they will work to our benefit or detriment. Really, we have to learn to love some of the monsters and to combat others. The great Austrian novelist Robert Musil poses the paradoxical relation between madness and surplus desire in the figure of Moostruggler, a monstrous criminal; if humanity were able to dream collectively, he writes, it would dream of Moostruggler. Musil’s Moostruggler can serve as the emblem for our ambivalent relation to monsters and for our need to enhance our excessive powers of transformation and attack the monstrous, horrible world that the global political body and capitalist exploitation have made for us. We need to use the monstrous expressions of the multitude to challenge the mutations of artificial life transformed into commodities, the capitalist power to put up for sale the metamorphoses of nature, the new eugenics that support the ruling power. The new world of monsters is where humanity has to grasp its future.

PRODUCTION OF THE COMMON

We have seen that the flesh of the multitude produces in common in a way that is monstrous and always exceeds the measure of any traditional social bodies, but this productive flesh does not create chaos and social disorder. What it produces, in fact, is common, and that common we share serves as the basis for future production, in a spiral, expansive relationship. This is perhaps most easily understood in terms of the example of communication as production: we can communicate only on the basis of languages, symbols, ideas, and relationships we share in common, and in turn the results of our communication are new common languages, symbols, ideas, and relationships. Today this dual relationship between production and the common—the common is produced and it is also productive—is key to understanding all social and economic activity.

One resource in modern philosophy for understanding the production and productivity of the common can be found in American pragmatism and the pragmatic notion of habit. Habit allows the pragmatists to displace the traditional philosophical conceptions of subjectivity as located either on the transcendental plane or in some deep inner self. They seek subjectivity rather in daily experience, practices, and conduct. Habit is the common in practice: the common that we continually produce and the common that serves as the basis for our actions. Habit is thus halfway between a fixed law of nature and the freedom of subjective action—or, better, it provides an alternative to that traditional philosophical binary. Habits create a nature that serves as the basis of life. William James refers to them as the enormous flywheel of society, which provides the ballast or inertia necessary for social reproduction and living day to day. Marcel Proust’s great novel, in a rather different register, meditates at length on the necessity of habits for life and the significance they give the small deviations from them: the late goodnight kiss from mother, dinner one hour earlier on Sunday, and so forth. Habits are like physiological functions, such as breathing, digesting, and circulating blood. We take them for granted and cannot live without them. Unlike physiological functions, however, habits and conduct are shared and social. They are produced and reproduced in interaction and communication with others. Habits are thus never really individual or personal. Individual habits, conduct, and subjectivity only arise on the basis of social conduct, communication, acting in common. Habits constitute our social nature.

Habits look not only backward but also forward. If habits were simply rote repetition of past acts, following the grooved ruts in which we walk...
every day, they would be merely dead encumbrances. “We may think of habits as means, waiting, like tools in a box, to be used by conscious resolve,” John Dewey wrote. “But they are something more than that. They are active means, means that project themselves, energetic and dominating ways of acting.” Habits are living practice, the site of creation and innovation. If we look at habits from an individual standpoint, our power to change may appear small, but as we said habits are not really formed or performed individually. From the social standpoint, in contrast, from the standpoint of social communication and collaboration, we have in common enormous power to innovate. Really the pragmatists give priority to each the individual nor the social. The motor of production and innovation lies between the two, in communication and collaboration, acting in common. Habits are not really obstacles to creation but, on the contrary, are the common basis on which all creation takes place. Habits form a nature that is both produced and productive, created and creative—an ontology of social practice in common. 

We can already recognize a concept of the multitude emerging from this pragmatic notion of habit. Singularities interact and communicate socially on the basis of the common, and their social communication in turn produces the common. The multitude is the subjectivity that emerges from this dynamic of singularity and commonality. The pragmatists’ notion of social production, however, is so linked to modernity and modern social bodies that its utility today for the multitude is necessarily limited. John Dewey’s work, more than that of any of the other pragmatists, develops fully the relationship between pragmatism and modern social reform but also makes clear how it is limited to modernity. Dewey is best known for his efforts in education reform, but he was also actively engaged in efforts to reform the U.S. political system, particularly in the 1920s and 1930s. Dewey claimed that industrial modernization and corporate capital have created not only economic disaster but also a disastrous political situation in which the public cannot participate actively in government. He even polemicized against Roosevelt’s New Deal reforms because they did not go far enough: rather than a planned economy, Dewey advocated what might be called a planning democracy. He insisted, in other words, on separating the political from the economic in order to enact a pragmatic political reform. Whereas the economic realm for Dewey is condemned to instrumentality—in modern industry habit only appears as dumb repetition—the political is the realm in which communication and collaboration can fulfill the democratic promise of the pragmatic notions of habit and social conduct. Dewey thus demonstrates both the applicability of pragmatism to modern political reform and its limitation to modernity. What we need to recognize today is not the road to the productive and productivity of the common that extends equally from the political to the economic and all the realms of biopolitical production. The productivity of the common furthermore must be able to determine not simply the reform of existing social bodies but their radical transformation in the productive flesh of the multitude. 

There are indeed numerous theories that accomplish this transformation to the conditions of postmodernity, and we can summarize them well in the conceptual shift from habit to performance as the core notion of the production of the common. Examples include the feminist and queer theories of performativity that mark a postmodern anthropological transformation. These new theories of the body that emerged in the 1990s go beyond the old adage that we should “remember the body,” because leaving the body out and failing to recognize sexual difference, as philosophy and politics have traditionally done, assumes the male body as the norm, perpetuating and masking the subordination of women. Feminism has a necessarily contradictory relation to the body, since, on the one hand, the body is the site of the oppression of women, and, on the other, women’s bodily specificity is the basis of feminist practice. The new theories of the body seem to resolve this paradox insofar as they are really against the body and for the common performativity of queer social flesh—and here we can begin to glimpse the connection to pragmatism and its notion of social life in common. Judith Butler articulates the richest and most sophisticated theory against the body and also develops clearly the performative processes of constitution. Butler attacks the natural conception of sexual difference, the traditional feminist conception, in other words, that gender is socially constructed whereas sex is natural. The natural conception of sex or the social and political body of “woman,” she maintains, subordinates the differences among women in terms of race and sexuality. In particular, the
natural conception of sex brings with it heteronormativity, subordinating the position of the homosexual. Sex is not natural and neither is the sexed body of "woman," Butler explains, but rather like gender they are performed every day, the way that women perform femininity and men masculinity in their daily lives, or the way some deviants perform differently and break the norms. Against critics who charge that her notion of gender performativity credits the individual subject with too much volition and autonomy, as if each of us could decide each morning what to perform that day, Butler has to insist repeatedly that such performances are constrained by both the weight of past performances and social interactions. Performance, like habit, involves neither fixed immutable nature nor spontaneous individual freedom, residing instead between the two, a kind of acting in common based on collaboration and communication. Unlike the pragmatists' notion of habit, however, queer performativity is not limited to reproducing or reforming the modern social bodies. The political significance of the recognition that sex along with all other social bodies is produced and continuously reproduced through our everyday performances is that we can perform differently, subvert those social bodies, and invent new social forms. Queer politics is an excellent example of such a performative collective project of rebellion and creation. It is not really an affirmation of homosexual identities but a subversion of the logics of identity in general. There are no queer bodies, only queer flesh that resides in the communication and collaboration of social conduct.

Another example of the new role of performativity is provided by the linguistic theories that grasp the postmodern economic transformation. When Dewey confronted the modern industrial paradigm he viewed the characteristics of factory labor as running counter to democratic exchange and tending to form a silent and passive public. Today, however, post-Fordism and the immaterial paradigm of production adopt performativity, communication, and collaboration as central characteristics. Performance has been put to work. Every form of labor that produces an immaterial good, such as a relationship or an affect, solving problems or providing information, from sales work to financial services, is fundamentally a performance: the product is the act itself. The economic context makes clear that all of these discussions of habit and performance have to be given the sense of doing or making, linking them to the creative capacities of the laboring subject. Paolo Virno captures the nature of the new economic paradigm by using linguistic performance as both metaphor and metonym for the new aspects of contemporary production. Whereas factory labor is mute, he claims, immaterial labor is loquacious and gregarious: it often involves linguistic, communicational, and affective skills, but more generally, it shares the primary characteristics of linguistic performance. First of all, language is always produced in common: language is never the product of an individual, but rather is always created by a linguistic community in communication and collaboration. Second, linguistic performance relies on the ability to innovate in changing environments based on past practices and habits. Whereas factory labor tended toward specialization and fixed, determinate activities repeated over extended periods, immaterial labor requires the ability to adapt constantly to new contexts—according to the flexibility and mobility we spoke of earlier—and perform in these unstable and indeterminate contexts: solve problems, create relationships, generate ideas, and so forth. The faculty of language, that is, the generic power to speak, the indeterminate potential prior to any specific thing that is said, is according to Virno not only an important component of immaterial labor but key to understanding all of its forms. "The contemporary organization of labor," Virno writes, "mobilizes generic human linguistic competence: in the execution of innumerable tasks and functions it is not so much a matter of familiarity with a determinate class of enunciations, but the aptitude to produce various sorts of enunciations; not so much what is said but the pure and simple power-to-say." The link Virno establishes between linguistic and economic performativity highlights once again the triple relation to the common: our power to speak is based in the common, that is, our shared language; every linguistic act creates the common; and the act of speech itself is conducted in common, in dialogue, in communication. This triple relation to the common illustrated by language characterizes immaterial labor in general.

Needless to say, that life in common tends to characterize the performance of immaterial production does not mean that we have realized a free and democratic society. As we argued earlier in this chapter, exploitation today tends to act directly on our performances through the control
of the common by capital. The most we can say at this point is that the wide social diffusion and economic centrality of these practices of the common in our world provide conditions that make possible a project for the creation of a democracy based on free expression and life in common. Realizing that possibility will be the project of the multitude.

BEYOND PRIVATE AND PUBLIC

Before moving on we should make this philosophical discussion about the production of the common a little more concrete by relating it to legal theory and practice. Law has always been a privileged domain for recognizing and establishing control over the common. The production of the common, as we have seen in philosophical terms, tends to displace the traditional divisions between individual and society, between subjective and objective, and between private and public. In the legal realm, especially in the Anglo-American tradition, the concept of the common has long been hidden by the notions of public and private, and indeed contemporary legal trends are further eroding any space for the common. On one hand, in recent years we have witnessed numerous legal developments that increase the powers of social control by eroding “privacy rights” (which are called “subjective rights” in Continental legal theory and what we would call “rights of singularity”). In the United States, for example, women’s right to legal abortion and homosexuals’ legal rights have been argued and sustained primarily in the name of privacy, by the insistence that these acts and decisions are outside the public domain and thus outside of government control. The forces against abortion and homosexual rights work against this privacy and the protections it affords. The attacks on the private, furthermore, have grown exponentially with the war on terrorism. Legislation in the United States, such as the USA Patriot Act, and in Europe has greatly expanded the right of the government to conduct surveillance over domestic and foreign populations. The capacities for surveillance have also been increased by new technological systems, such as Echelon, the secretive project of intelligence agencies of the United States and other governments to monitor global electronic communications, including telephone, e-mail, and satellite communication. All of this reduces the division that separates and protects the private. In the logic of antiterrorism and counterinsurgency, in fact, since security must in the final instance come before all else, there really is no “private.” Security is an absolute logic of the common or, really, a perversion that conceives the entire common as the object of control.

On the other hand, we have already discussed examples in the economic realm of legal attacks on the public. Privatization is a central component of the neoliberal ideology that determines the strategy of the major powers that rule over the global economy. The “public” that is privatized by neoliberalism are generally property and business enterprises previously controlled by the state, from railroads and prisons to parklands. We have also discussed in this chapter the great expansion of private property into realms of life that were previously held in common, through patents, copyright, and other legal instruments. At the extreme point of this logic, economists go so far as to claim that every good should be privately owned in order to maximize its productive use. In the social, in other words, the tendency is to make everything public and thus open to government surveillance and control; and in the economic, to make everything private and subject to property rights.

We cannot understand this situation without clarifying the confusions created by the terminology. The “private” is understood to include the rights and freedoms of social subjects together with the rights of private property, blurring the distinction between the two. This confusion results from the ideology of “possessive individualism” in modern legal theory, particularly its Anglo-American version, that conceives every aspect or attribute of the subject, from its interests and desires down to its soul, as “properties” that are owned by the individual, reducing all facets of subjectivity to the economic realm. The concept of the “private” can thus lump together all our “possessions,” both subjective and material. The “public” too blurs an important distinction between state control and what is held and managed in common. We need to begin to imagine an alternative legal strategy and framework: a conception of privacy that expresses