

## A User's Guide and Précis for *Contract and Contagion* by Angela Mitropoulos

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All page references in square brackets are to Angela Mitropoulos *Contract and Contagion: From Biopolitics to Oikonomia* Minor Compositions, distributed by Autonomedia, Brooklyn NY 2012. ISBN 978-1-57027-256-1

This text is intended as an unfinished, work-in-progress document and record of our thoughts as we worked through this text. Updates and expanded versions may be submitted via [rshields@ualberta.ca](mailto:rshields@ualberta.ca)

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Angela Mitropoulos begins her central work, *Contract and Contagion*, with a Preface that suggests to me a certain indebtedness to Michel Serres practice of reading old texts not directly as philosophical works but as foundational stories and mythologies to think with. She identifies Lucretius *clinamen*, the stochastic swerve of atoms as a commitment to the forceful dynamism (*dynamis*) of the world, against teleologies, Providence and determinisms. This random quality gives rise to uncertainty but also opportunity and according to Machiavelli, who also presents the rule of the Prince modelled on that of the patriarch of a household, an *oikomene*, classically described by Xenophon in a text on household management: “Man’s well-being depends on his vanquishing *Fortuna*...” This Renaissance agency is *Virtù*, a masculinist definition of the capacity for self-government, political agency and the nature of production, reproduction and the political. *Virtù* realizes *potenza*, potential, and power. From that point, Mitropoulos insists, *Oikonomia* was no longer about household management. The relation between the public and private, *polis* and *oikos* is realigned into an *oikopolitics*.

Mitropoulos introduces the crux of *oikonomia* as the combination of equality and hierarchy that rests on the precepts of the management of self and others: the “expression of property in one’s self – under conditions of uncertainty.” [11] Uncertainty occurs not simply as the unpredictable event of the *clinamen*, but also through forms of contingency and contagions such as the classical scourge of the plague. Chapters 1 and 2 sketch *Oikonomics* as involving devices such as contract, to stabilize these dangerous dynamics by transforming contingency into necessary duties, and allocating risks by stipulating what benefits and costs will accrue from specified actions and in specific contexts. Chapter 3 is thus devoted to the theme of Insurance and the syndication or social distributions of risk.

For Mitropoulos, the nation-state is a historico-geographically specific conflation of households and householding with the State. In Machiavelli, this includes a gendered conception of *virtù* (as in *vir* man, *virile*) and opportunity (*fortuna*, a passive but favourable situation) argued by Arendt in *Human Condition* Ch. 3 “*virtu* is the response, summoned up by man, to the world, or rather to the constellation of *fortuna* in which the world opens up, presents and offers itself to him, to his *virtu*.” *Virtù* is expressed idiomatically as “go for it” and seems personified by the contemporary fetish of the “entrepreneur.”

Ch. 1 is dense. It detours through a discussion of covenants and performativity, which is essential to contracts that specify the “doing of and action.” Because they are artifices oriented to the future, as in

the logic “if x then y,” “contracts are part of the making of what they say.” [20] Missing in this discussion is any mention of Sociology’s foundational contribution on contingency, Tarde’s work on contagion under the rubric of “mimesis.” An extended discussion of neocontractualism is intended to explain how the unbreachable covenant morphs into the breakable contracts of capitalism. However this is less satisfying in part because it is abstract and perhaps because it is told through classical texts such as Hume, Hobbes’ rather than anchored by a case history. If, for example, “the language of contract circumscribed the horizon and sense of freedom, furnishing the lexicon through which freedom’s inauguration was proclaimed, its hindrance denounced, and its eclipse lamented” [31] it would be easier to understand how this plays out in the richness of family and work if one did not require a knowledge of discourses on freedom. The result is a certain uneasiness with the author’s argument. Pateman’s *The Sexual Contract* on contract and patriarchy might be a useful background reading. In essence, however, contract is presented as essential to organizing “what will happen when and if”. It organizes and assigns duties, obligations and rights. Mitropoulos central point is that these rights include the genealogical right to inheritance and the duties of servitude. These are ancient precursors and foundations of both social contract and the wage contract.

Mitropoulos critique of *oikonomia* is intended to highlight the complexity of the history of capitalism as involving both the world of production and reproduction, public and domestic, *polis* and *oikos*. Capitalism is a nexus of class, race, gender and sexuality in which a genealogical understanding of the *oikos*, household, is a central organizer [52]. She will extend this to settler-Indigenous histories and colonial relations in later sections and texts. Chapter 2 affords a number of commentaries on Arendt’s, Balibar and Foucaults’ readings of politics and the patriarchal, or more properly, patristic, qualities of their understandings and usage of genealogy. Mitropoulos seeks to expand the understanding of *oikopolitics* as *biopolitics* by pointing to the importance of the contract.

Oikonomia is also an arrangement, a composition or aesthetic [21; 56].

This book presents the contract as not only a logic but as smuggling in affects. Capitalism depends on excluded, domestic labour that is “below the line” and discounted. Capitalism’s *oikopolitics* includes unwaged labour as “obligation, indebtedness and gift through definitions of contract as a species of unbreakable covenant, in the presumption of contract as the performance of voluntary submission, reciprocity and exchange, and in the divisions of labour as the attributions of gender, race, citizenship and sexuality, that are arranged and characterised as the naturalised order of the *oikos*.” [66] But here Mitropoulos *oikos* can be read as more than merely the household: it can be read as also the community in which one volunteers, the neighbourhood where one helps out or provides mutual forms of aid and caretaking, and also workfare as a secondary sector “servile in demeanour.” [190] Capitalism’s “performativity of sacrifice and gift in the contractual, the projective geometry of genealogy and common law, the transformation of contingency into the necessity of risk and its *oikonomic* allocation, the wager that presumes an infinite contract akin to covenant – is a version of neocontractualism. [112]

“Insurance is the dream of inoculation, the spreading of risk that constantly reconfigures the boundaries between capitalist speculation and the incertitude of value, between free labour and slavery, between those who are inoculated and those who test out the vaccine, between the contractual projection of calculable value and the uninsurable risk and, not least, between life and death” proclaims the opening of Chapter 2. Insurance shifts from forms of calculated gambling in the face of uncertainties to prudence in the face of estimated risk. This includes not only maritime shipping but the risks of

disease amongst slave cargos that could be inoculated with smallpox in Africa and in they survived would be fit for market in the New World [85].

A lengthy Chapter 3 on value and queerness loops around a series of questions of the exceptions and outsides of heteronormativity, including the closet, barebacking, the Caucasus as the edge of Europe proper and so on, to develop an argument that the American frontier is the scene of an extension of the *oikopolitical*.

“the frontier has appeared as that which lies on the far side of the border. Not that space on either side of a border, but that which is perceived to be beyond clear jurisdiction: the not-yet bounded territory simultaneously figured as the prospect of new markets and traversed by lines of escape, the primal scene of capitalist accumulation and contract, a space yet to be colonized, without decipherable genealogies of property and right that would distinguish who deserves from who does not. Here, colonization should not be construed as dispossession (which would assume prior possession and its reckoning as loss) but rather as the processes by which the proper orders of capitalist property are installed or reimposed, shaped through reference to precedent and approximation, unfolded across new terrains by the peripatetic but often deeply contractarian subject.” [113]

This opens a debate on dispossession and settler-colonialism. Mitropoulos main interest seems to be those who are denied the rights of citizens – queer folk, women, children, the racialized and slaves – and the spaces where these rights are in play and not taken for granted. It is of interest that performativity is not reintroduced, for the discussion turns to the extension of empire by unorthodox or illegitimate means such as authorizing piracy, or the experiments and approximations of common law [101].

The frontier echoes in its own way the household as a site of uncommodified labour, the politically excluded (minors, the mentally challenged, and also those who face other barriers such as language and mobility to full participation) and non-citizenship. The frontier is a space where “territory” is actively instituted as “land”, in the sense of real estate, through contracts. This often excludes those who are historically present and occupying the territory, but who are excluded from the regime of contracts, such as the Metis after the Riel or Northwest Rebellion in Canada (1885).

If “we are how we live”, then what infrastructure would support living / reproducing or “householding” in a way that is outside of capitalism? What forms of not just indebtedness but attachment and interdependency i.e. solidarity has been foreclosed and what forms could be implemented (and this implies that they would be necessarily enforced)?

Comments; contract leans on precedents, on what we know rather than what we should think about. The remembered past precedes us, actions within this precedence structure are future-oriented. Future is social life, determined outside of the agora

“Annotation Infrastructure Infra-Politics” forms the seque from Ch. 3. with a discussion of betweenness, the undercommons and “liminal and recombinant spaces” besides or below formal politics. These are not only epitomized in the distributive politics of infrastructure and informal forms of infrastructure that support informal communities or resistance movements such as in Tahrir Square (2011). These form an “infra-politics.” “Contracts, inasmuch as they are future-oriented bonds, are

infrastructures that seek to crystallise the allocation of relational risk because connection is always contingent.” [116] “Infrastructure is therefore not the base that determines in the final instance, or it is much more and something other than substructure or medium. It is, more precisely, movement and relation as these take form.... Infrastructure is the answer given to the question of movement and relation.” [117] “To think politics as infrastructural is to set aside questions of subjectivity, identity, demands, promises, rights and contracts, and instead to render visible the presumptions that the knots of attachment, adherence, care or fondness and have already been tied by nature or supposedly incontestable forms of connection (by kinship, race, money, sexuality, nation, and so on). The materialities of infrastructure render it the most pertinent political question there is.... neither hte...artisan...nor the loom...but the weave.” [118]

Comment on the infrastructural: Contracts appear as an “infrastructure of obligation...indebtedness” [22]. Infrastructure is relational (e.g. the in-between c.f. Star and Bowker, Mitropoulos key reference), a platform (e.g. Amazon), a crystallization of risk and contingency. Not a substructure but “movement and relation as these take form” and as a provision which permits/limits certain movements and specific relations. It is thus attachment and (often naturalized) material forms of care or the pastoral. It makes a certain world, so it is about worlding. [116-18] Infrastructure is susceptible to an analysis as a “Being with” c.f. Jean Luc Nancy [117]. It could be analysed as liminal.

We might link the Infrastructural to “Everyday life”: Moten and Harney’s “undercommons” as “‘liminal and recombinant spaces’ that are situated besides and below the institutionalised politics” (which sounds a great deal like Lefebvre’s discussions of Everyday Life).

Chapter 4 turns to theories of contagion and the media usage of the notion of epidemic as in the “obesity epidemic”. Contagion is often conflated with control over migration (Bashford and Hooker *Contagion*). Epidemic rhetorics mark state initiatives to set limits and norms, thus borders around the social as much as around territories. Mitropoulos considers the contemporaneous emergence of neoliberal globalization and state responses to the “obesity epidemic” in developed countries [121ff]. Critiquing the accounting and statistical sociology from Quetelet to Gary Becker, she notes, “The problem of obesity is that it presents an uninsurable risk: “the panic about obesity is geared toward the reconfiguration of intimate self-control under the actuarial heading of “globesity” that has its origins in the determination of insurance premiums in the 1930s.” [126]

Comments: For Baudrillard the problem is deformity by excess of conformity, strange obesity, not protective fat, mode of disappearance of the body. Redundancy, no more limits, no more transcendence.

Theories of contagion are linked to notions of virtue; this involves shifting understandings of the will, masculinity, citizenship and rights in relation to the performativity of contract and its probabilistic allocation of risk. [129] Obesity proposes a “virtual mean” (Burry “Obesity and virtue” cited p. 129). Mitropoulos critique of Foucault’s *Lectures* (1977-78) is that

“There has been no irreversible epochal shift between the imposition of the line of hygiene (cordon sanitaire) and the deterritorialised flow, no permanent transition from the territorial to the biopolitical to governmentality in the sense that Foucault is generally assumed to have argued there has been. The difference between these two approaches was always one of geopolitics, demography, cartography rather than chronology or teleology, which is to say: of

zones that echoed the classical social contract's demarcation between spaces of a putative contractual peace and that which was deemed akin to the State of Nature. If, seen from one side of this distinction, the emergency and the crisis were once regarded as the logical antithesis of the ordinary, as Mariella Pandolfi remarks of the humanitarian interventions in Kosovo and Albania, the "emergency no longer constitutes an extraordinary or exceptional temporal category." She goes on to say that "in the territories of humanitarian intervention, it [the emergency] has become the sole temporal modality of the new social contract."<sup>35</sup> Seen from the other side of this distinction, then, one in which crisis and the emergency are already routine, the question of the proliferation and expansion of the emergency poses a question about emergence as the conflictual field of capitalist innovation... [130-1]

This passage summarizes Mitropoulos critical position and contribution re. Foucault's enterprise and mainstream presentations of his scholarship.

Chapter 5 shifts to argue that the conception of epidemics rests on the presumption of external risks (e.g. viruses) but the problem may be endemic which posits an intrinsic pathology inherent in the oikonomic arrangements of population and territory [133].

Using neocolonial examples from settler states (Australia) this chapter expands on the conventional wisdom that neoliberalism involves state non-interventionism.

"to the extent that Foucault mapped the biopolitical as a transition from the "safety (sûreté) of the Prince and his territory" – that is to say, sovereignty – to a politics of "the security (sécurité) of the population" he misconstrued a persistent dynamic as a more or less irreversible historical shift. One of the ways in which Foucault marked this shift from sovereignty to population was as a modification of the terms of the social contract, from the guarantee of territorial integrity to those coordinates of guarantee that run along the lines of insurance, risk management, protection and so on... questions of geopolitics, the organisation of space and borders, and what he called "the old model of the family" were set aside as irrelevant to what he described, somewhat ambiguously but echoing Smith and Hayek.... there "is no localization, no territoriality, no particular grouping in the total space of the market." Instead, "the bonds of sympathy and benevolence" ...Foucault relegated to the orders of "civil society".<sup>24</sup> Yet, Smith's understanding of sentiment was a theory of the spontaneity of familial affection<sup>25</sup> – moreover, the organisation of repugnance and benevolence (which has certainly been evident during the Intervention) has proceeded along the axes and premises of the familial/racial." [142]

Thus Foucault is rebuked for misreading Blackstone's legal *Commentaries* which Mitropoulos contends do not discard property as simply textual but are an "anxious" text preoccupied with the emerging late C19 legal fiction of capitalist property rights. [144-45] She illustrates this with the present day example of attempting to convert tribal areas to private property and the roots of current household economic theory in classical *oikonomia*.

Comment: Watch the 1950s movie *Rebecca*.

Chapter 6 considers patterns and limits reflected in assumptions of capital and borders that "transform lines of flight into points of exchange" [157] becoming, for example, the form of arbitrage and

exploitation of pools of human capital at lower wages. This chapter critiques Polanyi from a Marxist perspective as naturalizing as Manichean both community and the commons.

“the very idea that the complex imbrication of family, nation and race pre-dates the rise of capitalism is both anachronistic and restores the foundations of capitalist futurity in the midst of uncertainty. In the move from the writing of the Manifesto to the volumes published under the heading of Capital, not only is there a significant shift from the theme of alienation to that of surplus labour, but the intervening texts (most notably, the notebooks of the Grundrisse) are preoccupied with elaborating on a capitalist dynamic which consists in the overtaking of limits and, simultaneously, their imposition. Marx refers to this as the “double movement.” The theory of alienation, unlike that of surplus labour, implies the loss of something that was previously possessed.” This is supplanted by the theory of surplus value the theory of alienation has a tendency to play out a restorative and compensatory politics in a naturalisation of the contractual, precisely when the question of the distribution of abundance and the imposition of austerity is most uncertain, manifesting less as the consequence of a natural order than the conditions of social and political arrangements that, it might be added, could change. Premised on notions of property in self (which is to say, the pivotal assumption of contract theory as elaborated by Locke and others), the complex diffusion of contracts can be made to re-appear as the natural order of indebtedness, of belonging and, of course, of the ownership and transmission of property and properties. [160-1]

Migration raises both issues of economic and oikonomic right. “Capitalism requires the legible inscription of property ownership (in other words, genealogy) so as to effect its legitimate transfer and transmission across space and time.” [161]

The concluding pages of the chapter integrate the diverse preceding chapters and themes.

“In the frontier, the Machiavellian understanding of chance joins with Lockean notions of rights, property and enclosure to produce not (as Marx suggested) the annihilation of class, but the naturalisation of the oikonomic limits and self-managed foundations of capitalist expansion. The contract is fractal in its scalability of the pattern of oikonomic re/production. The contract is fractal in its scalability of the pattern of oikonomic re/production. The points of departure and those of arrival are points of exchange.” [172]

Annotation Affective Labour raises the problems of both affective labour and the blurring of work and work at home. Surplus labour is allocated along oikonomic lines. Mitropoulos suggests that the oikos can be troubled not by reorganizing its borders but by disaffection: “detachment from the oikonomic that signals attachments otherwise.” [175]

Chapter 7 Flora and Fortuna is a case study that explores the case of tulip mania in the 1630s using the themes of contagious mania, imported exotic goods, contracts and rights.

Chapter 8 Neo-Contractualism Faith based Capitalism considers American conservative’s political rhetoric of the early 2000s. Household economics appears as economics’ answer to the problem of unpaid domestic labour. The household is a political economic convention that sets up the question of the cost of the reproduction of labour-power. For economists such as Becker, household labour absorbs inefficiencies but Mitropoulos ironically notes their lack of grasp of the political aspects of

labour. The example of queuing is on one hand inefficient but on the other the pretext for a political protest over a racist refusal of service.

Chapter 9 *Mutuum Mutare* considers the last 30 years of monetary crises and the history of debates about usury (esp. Around 2009). From medieval times to the 1930s to the crises of the 2000s, a resurgence of moral rhetorics is synchronous with economic crises. These are characterized as “Theories of financial contagion assume the existence of loose ties.” [207] However, subsequent policies of neocontractualism reinforce contracts governing debt while limiting the liabilities of capital.

“This is not only a question of banking but, more broadly, of faith, promise and the authentication of value as these resonate across contracts simultaneously rendered as social, marital, industrial and fiduciary.

The question of borders is, then, more than analogous. Recalling capitalism’s bloody inauguration in the enclosures and witch hunts...sermons against the sin of usury have always implied that crises might be transcended in the determination of a boundary between that which is excessive and that which is proper...” [209]

The threat of usury is that it involves debts whose repayment cannot be guaranteed and therefore should not have been promised. Thus the future stops being a calculable version of the present, breaking the basic promise of capitalist markets.

For example, Fordism is a realignment of the factory, household and domestic market. Henry Ford’s antisemitic texts critiqued financial capital and interest/usury as an obstacle to Fordism because they risked projecting “a future unable to be captured by the productively interlocking flows, geopolitics, and architectures of gender, citizenship, sex and race.” [211] Reading Keynes’ taxonomy of economies in which interest rates are important to the classification, she discerns “a question, then, of the security or insecurity of the contract (whether sexual or economic), and of the tensions between contract and circulation, the union and dissolution of bodies and fluids.” [212] These include a sexualized problematic of how to domesticate desire.

Mitropoulos spatialises the logic of the arguments in this book in order to fuse fields in parallel schemes. For example:

“schematically, the rentier lays out fence lines – within which there exists a monopoly on violence, including that which secures the legitimacy of the currency – can command labour to be exerted, guarantee contracts and so on. The rentier shifts from being a good (finance) capitalist to a parasitic usurer when they lend to those who cannot (or will not) repay. But the question f...is how this ostensible conflict between good and bad capitalism unleashes a redemptive, morally sanctioned violence to, as Obama remarked, put “people back to work” or, on the other hand, declare them superfluous, parasitic.... Whether this legitimated violence unfolds in the form of what Tatjana Greif has referred to as the New Inquisition (against unproductive sex and gender indeterminacy) announced by Pope Benedict XVI...or, as with the emergence of the welfare state last century, in the expansion and proliferation of wars more officially declared and undertaken, the question is of the domestication of the crisis. There is no such thing as a non-violent counter-cyclical.” [215]

These short koans are epiphanic statements, “no such thing as a non-violent counter-cyclical” often follow her summative statements.

Mitropoulos closes on an examination of debt servitude. She considers US student debt at the time the book was written – a racialized system of deferring declining income and other systems at risk of large-scale default. This and a discussion of historical financial bubbles recaps the problem of financial contagions (cf. Hatfield Cacioppo and Rapson *Emotional Contagion*). Corporate “Bailouts perform a similar function. For everyone else, debt and speculation remain morally suspect” but bailouts run against the “logic of commensurability, representation and right that ostensibly links income and labour, yet construes surplus labour as a type of indebtedness. That is to say, workers [the public] are assumed to owe employers more work than is reckoned necessary for their own renewal.” [219] The corporations are too big to fail.

The management of complex systems of debt and risk is discussed via Haldane’s evaluation of quarantine and the cordon sanitaire in “Rethinking the Financial Network” which draws on management of species decline in fisheries, HIV/AIDS and infection. Contagion presents a problem of promiscuity, which troubles lines of descent, right and ownership. [225-6]

Mitropoulos notes experiments with “promiscuous infrastructures” in protest camps and occupations. “the seemingly tangential arguments over how to organise the labour that goes in to sustaining the occupations, how to arrange kitchens, energy, medical care, shelter...in the very question posed of how to take care of each other in conditions of palpable uncertainty, live the pertinent issues of the oikos” [229] – that is, the form in which the economic and political are entwined.

“It is not surprising, then, that in her discussion of the occupations at the University of California, Amanda Armstrong begins with foreclosures and the transformation of universities into real estate in order to go on to highlight the centrality of “bonds of care” to both the protests and the creation of a different kind of university.... the growing calls for mass student default mark a challenge to “the temporal logic of indebtedness,” the discovery of “a present in which our debts are only to one another.”” [229]

Mitropoulos concludes with a discussion of the clinamen swerve and an oblique hope: “Debt may well serve as the projection of the present into a calculable, foreclosed future. Or, in the congruence of default and occupation, the crowds just might wander beyond the intimate reckonings of human capital’s self imposed imperatives into the creation of infrastructures of another kind of indebtedness and conjecture.” [230]

Comment on the spatial: In *Contract and Contagion*, infrastructure is a liminal form, thus implies a liminal, relational space. It also organizes a set of relations; that is, a space or topological neighbourhood and potentially an entire manifold (i.e. a space or a world).

Property is a contractual space.

Borders are major spatial elements for Mitropoulos. They are bifurcations in this topological space, but are not presented as an infrastructure of division, disconnection or cutting of the topology. Limiting proliferates at many scales as a phenomenon, intimate to global. At the scale of the city the ghetto is characterized by “stigma, constraint, spatial confinement, and institutional encasement” that divide space so as to “maximize the material profits extracted out of a group deemed defiled and defiling.” [Waquant “What is a Ghetto” cited p.194]



Genealogy is an exemplary form of the marking of lines and limits of entitlement, property, rights i.e. of spatialization and spacing social interaction. Genealogy is prominently visible in frontier spaces, or moments of uncertainty for capitalism (cf. S. Best *Fugitives Properties* p.109). Genealogy is integral to politics of recognition by transforming multiple, irreducible, complex relations into contractual relations (“recognition of to whom and what we owe our existence” [93])

Her work is dealing with spatial ordering and orders, i.e. social spatialisation [65]. She questions the view of the private household as separate from public ordering of the nation state and sees this as not a natural division but the result of a repression of informal labour and labourers (women, slaves and others who provide the reproduction of labour).

Thus she critiques non-spatial Foucauldian genealogy for its abandonment of the spatial character that enriches his earlier “archaeological” studies. She also critiques the tendency of digital capitalism to disaggregate work and workers.