

EMPIRE AND THE NEW TIMES: TOWARDS A CRITICAL THEORY OF BIOPOLITICAL PRODUCTION

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The death of Antonio Negri, one of the most significant European leftists of his generation, comes at a moment when his efforts to theorise postmodern power appear to have been dramatically challenged by the movement of historical circumstances. When he and Michael Hardt produced their surprise best-seller, *Empire* (2001)¹, at the turn of the Twenty-First Century, *pax Americana* seemed to herald the generalisation of a new ‘logic and structure of rule’ across the entirety of capitalist social life (Hardt and Negri 2019). The spread of networked information technologies, the integration of rival geopolitical blocs, and the waning influence of the institutions of modernity seemed to spell out a fundamental change in the experience of global capitalism: ‘all could see that some kind of new world order was emerging’ (Hardt and Negri 2019). *Empire* represented Hardt and Negri’s attempt to sketch-out the contours of this new reality, which they understood to entail the ascendance of ‘the forces of immanence’ (*i.e.* the forces of an unmediated social commons) over the ‘transcendent powers’ of modern sovereignty (*i.e.* the apparatuses of the state, bourgeois value-extraction and the institutions).

Moreover, *Empire* represented a renovation of the Marxist method which was developed in response to criticisms levelled against it by figures associated with poststructuralism and postcolonial studies (Negri and Zolo

¹ The text *Empire* (2001) will be italicised, while the concept of ‘Empire’ will not. Both will be capitalised to adhere to the treatment of the concept in Hardt and Negri’s work.

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2008:13). However, the work did not enact this renovation by confronting the contradictions between Marxism and its late Twentieth Century critics head-on. Instead, *Empire* argued that the time for classical Marxism finished with the waning 'domination' of industrial production (2001:282). The new times called for new theory and new praxis, as the 'tactical preoccupations of the old revolutionary school' were said to be made 'completely irretrievable' by globalisation's installation of an inescapable new form of sovereignty (2001:59). *Empire* therefore provides Twentieth Century Marxism with an injunction to go with the times, theorise the present, and avoid the tired old strategies and slogans that feel so comfortable.

About two and a half decades on and that same injunction threatens to render *Empire*, as well as its elaborations *Multitude* (2005), *Commonwealth* (2009) and *Assembly* (2017), as somewhat peripheral works in the annals of Marxist scholarship. After all, there are new new times. The community of nations is splitting back up into rival blocs. Industrial productive capacity and access to primary resources are once again the foremost concern of wealthy economies. Information technologies bear closer resemblance to digital fiefdoms rather than horizontal networks of peers. The politics of the nation-state and the authoritarian personality are ubiquitous. Such processes of sovereign rivalry and network-fragmentation feel altogether at odds with key themes of *Empire*, and with these changes have come a fresh set of social theorists that have lined up to assert a new historical break within (or even out of) capitalist social relations (Durand 2022; Varoufakis 2023; Wark 2019).

Given these historical transformations, and the inescapable need to reflect on the legacy of Antonio Negri, this article will assess the contemporary relevance of *Empire*. It will not do so through an empirical accounting which weighs-up the many and varied claims of the book against the realities of global capitalism today. Instead, it will attempt to extricate *Empire's* insightful reading of capital's 'symptoms of passage' from its naïve pronouncements regarding the *telos* of that historical movement. In making this argument, it will draw on several prominent critiques of Hardt and Negri's work from within the Open Marxist school, a body of critical theory that emerged at a similar time as Hardt and Negri's collaboration which also attempts to disrupt a certain kind of dogmatic Marxism.

In its rejection of 'closed forms of thought that allow for the construction of generally applicable frameworks, categories and models' (Charnock

2010:1295-6), Open Marxism criticises social theory that repeats the bourgeois political economist's mistake of analysing the movement of economic categories without accounting for the appearance of human life within those self-estranged forms. It is a Marxism which aims at prying open the historical foundations of capital's conceptuality in order to keep alive the possibility of its ultimate negation. Rather than narrating the ever-changing face of capitalist society, the purpose of Open Marxism is to isolate and name the historical conditions that confine human life within its relentless dynamic. This methodological focus has meant that a number of Open Marxists (Dinerstein and Pitts 2021; Holloway 2002, 2009; Pitts 2018) have criticised Hardt and Negri's attempt to tell the story of capitalism's new times in *Empire*.

However, while finding significant value in Open Marxist responses to Hardt and Negri's work, this article will depart from these critiques by affirming the possibility of a critical theory of 'biopolitical production' which can elaborate on key aspects of *Empire*. In order to make this case, it will argue that:

- The most compelling throughline in *Empire* is its exposition of the manner in which biopolitical production concretely hybridises economic, political, and cultural life.
- *Empire*'s historical relevance is compromised by its construction and embrace of a new revolutionary *telos* from within the qualitative reality of biopolitical production.
- This embrace of biopolitical production is derived from Hardt and Negri's notion that capitalist authority is wedded to particular kinds of concrete work and workplaces.
- The Open Marxist understanding of capitalism foregrounds capital's abstract domination of human social life through the (monetary) value form.
- An understanding of capitalism on Open Marxist terms falsifies the notion that any particular kind of concrete work could imply a necessary path out of capitalism.
- Exploring the 'strange immediacy' of biopolitical production, through a new body of critical theory, could nevertheless be a valuable project.

In making the above argument, this article seeks to establish *Empire* as a critical text for understanding contemporary capitalism, but not on its own

terms. It argues that Hardt and Negri's seminal work remains as historically vital as it ever has been, but that this vitality has always been limited by its failure to reckon with the strangeness of capitalist categories and the abstract quality of capital's social domination.

What is Empire?

Hardt and Negri's concept of 'Empire' refers to the emergence of a new form of sovereignty 'materializing before our very eyes' (2001: xi). It is a concept which posits that globalisation has led to a historical conjuncture in which power increasingly 'regulates social life from its interior' (Hardt and Negri 2001:23). That is, political authority no longer produces prescribed models of subjectivity in order to reproduce its own position above the everyday activity of a polity. Rather, modern political, economic, and cultural institutions are merging and creating a 'smooth' world in which the rigid demarcations and architectures of capitalist modernity are made porous (Hardt and Negri 2001:329). It is within this transformation that Hardt and Negri locate a crucial dynamic in which 'economic production and political constitution tend to increasingly coincide' (Hardt and Negri 2001:41).

On the surface, this development might seem like a somewhat staid entry into the annals of Marxist literature. Significant volumes of Marxist scholarship have been dedicated to the idea that, although the economic and political spheres exist as a diverse set of institutions within capitalism, the two are in fact internally related within the historical movement of class struggle. Over a century ago, Lukács argued that the illusory separation between the political and the economic was the 'most striking division in proletarian class consciousness and the one most fraught with consequences' (Lukács 1971:71). However, Hardt and Negri are not interested in restating the case for the essential unity of 'the political' and 'the economic' behind the illusions of capital's reified social forms. Rather, *Empire* claims that capitalist modernity's dogged policing of the boundaries separating the two categories is itself becoming redundant.

Essential to the novelty of Empire's concept is the insight that '[p]ower is now exercised through machines that directly organize' brains and bodies (Hardt and Negri 2001:23). Social power no longer stands over productive human life and manages its movement towards particular outcomes, as had been the case in modernity. Rather, Empire implicates its apparatuses of

capture and discipline within the everyday relationships of human beings. As productive labour is increasingly defined by flows of embodied experience, code and knowledge, the machines which produce commodities are increasingly the same as the machines which reproduce capitalism. For this reason, Hardt and Negri argue that if it ever made sense to theorise an economic base constituted by class relations, and a political superstructure constituted by state power and cultural discourses, then these categories must finally be retired (Hardt and Negri 2001:27-30).

Once again though, the novelty of this theory might be questioned. The claim could be made that Marx always understood the spheres of production and exchange to be key terrains of subject-formation in which both commodities and particular political subjectivities are simultaneously produced. In some of his earliest reflections on the nature of capitalist social life Marx explicitly identifies the existence of this constitutive dynamic: '[l]abor produces not only commodities: it produces itself and the worker as a *commodity*' (2012:69). The production of labour as both a self-estranged identity and a commodity are conceived of as being internal to the production of all commodities. However, Hardt and Negri are not simply restating this claim either. Instead, they are arguing that because the commodities that go to market are now increasingly constituted by lived experiences, the production of cultural and political action is simultaneous with commodity production and exchange.

Unlike the production of consumer durables or mined minerals for example, the immaterial production which occurs when one human being produces language, embodied experience, or knowledge for another human being necessarily traverses strict delineations of the economic, cultural, and political. The 'biopolitical' form of production is made up of the same stuff that politics and culture are made of - images, data, bodily stimulation, codes, symbols, and emotions. This simultaneity implies that the traditional distinction between production and social reproduction is becoming increasingly tenuous as social labour comes to produce 'life itself' (Hardt and Negri 2001:258).

By way of illustration, one might consider how the advertising firm deploys signs laden with political and cultural histories to promote a particular set of commodities. According to Hardt and Negri's thesis, the deployment of such signs does not simply tap into a pre-existing cultural and political context in order to produce an economic outcome. Rather, it takes on an aspect of social reproduction. Workers in the advertising firm

produce a particular political, cultural, and economic reality as their commodities concretely shape the desires and values of those who come into contact with the products of their work. Hardt and Negri argue that, when such forms of immaterial labour become the 'hegemonic sectors of production' (2001:33), the regulation of capitalist society increasingly occurs within the everyday relationships of individuals. Workers engaged in biopolitical production define the affective and symbolic terms of human social life and, in doing so, they modulate the prevailing norms, beliefs, and political imaginaries of society at large.

The embrace of capital's immanence

Compelling in both its simplicity and capacity to speak to contemporary experiences of production and social reproduction, this argument represents the strongest throughline of *Empire*. And indeed, most of the book is spent trying to decode the complex 'symptoms of passage' pointing towards the new political order which is built to capture the value being produced from within the labours of biopolitical production. In doing so, Hardt and Negri provide an exhilarating portrait of capitalism at the turn of the twenty-first century, as well as a number of original readings of capitalist history which centre on the transforming desires and struggles of the 'multitude', their term for the collectivity of human social power. However, in addition to *Empire's* symptomatic sketches, throughout the work is also an ambitious prognostic gesture: instead of lamenting the movement towards Empire's new form of political authority, Hardt and Negri revel in the coming of the new capitalist order.

The pair's embrace of Empire is rooted in the fact that the new order's authority necessitates an effacement of the 'transcendent powers' of modern sovereignty: those apparatuses of industrial capitalism which assert themselves over the top of human social life through particular institutional regimentations (e.g. the school, the factory, the asylum, and the prison). Instead, biopolitical production is said to necessarily involve the reallocation of authority towards the immanent, or unmediated, power of the global 'multitude'. This liberatory trajectory is set into motion by two forces.

Firstly, it is created by the new productivities of the 'multitude' that are engaged in biopolitical production through the production of 'life itself' in the manner described above (Hardt and Negri 2001:22). The ability to

create political and cultural life through the immediate relationships of production and exchange means that centralised regulatory apparatuses are permanently on the back foot. And secondly, capital itself is said to constitute a force of horizontality which diffuses the capacity of fixed institutional powers to regulate social life. Indeed, the contradiction between ‘the transcendence of modern sovereignty’ and ‘the immanence of capital’ is given a central role in the historical development of Empire, as Hardt and Negri argue that the history of capitalism is characterised by the existence of a conflict between capital’s deterritorialising dynamic and the constituted powers of the state and civil society (2001:327).

Capital is defined as an immanent power on three counts (Hardt and Negri 2001:326). Firstly, it is said that primitive accumulation forces individuals from ‘codified territories’ in which they have fixed social roles, which are dictated by geographically specific traditions. Secondly, all social value is refracted through the universal equivalent of money, thereby making all former claims to title, status and privilege irrelevant except by virtue of their relation to money. And thirdly, the laws of capital are generated from within the relations of production and not authorities ‘from on high’. Due to the fact that capital possesses these tendencies, its emergence is placed within the history of European humanism’s ‘revolutionary spirit’, which they claim to be characterised by ‘the affirmation of the powers of this world, the discovery of the plane of immanence’ (Hardt and Negri 2001:71).

In a theoretical move echoing Weber’s analysis of the protestant ethic, Hardt and Negri suggest that capital’s foundations were laid by European philosophies of immanence, which reconceptualised power as a product of material activity on earth, rather than the divine impulse of the heavens (2001:165). However, embedded within the immanent trajectory of capital is the negation of this deterritorialising dynamic by the apparatuses of the state, which are conceived of as institutions that are external to capital but necessary to facilitate its movement through the social field (Hardt and Negri 2001:165). The contradiction between these immanent and transcendent forces constitutes a continued process of development which has shaped the history of capitalism from its earliest epoch. However, according to *Empire*’s historical narrative, this struggle has not been an equal battle ‘but rather a one-sided movement from sovereignty’s transcendent position towards capital’s ‘plane of immanence’ (Hardt and Negri 2001:327).

Fundamentally, Hardt and Negri's embrace of the passage to Empire is rooted in their contention that it represents a devolution of power towards the immediate relations of individuals who are engaged in social production as social reproduction. This transformation does not just represent a new paradigm of regulation but rather a clear advance towards an immediate form of social organisation beyond the reach of the nation-state's sovereignty. Further, biopolitical production's capacity to generate immanent forms of socialisation suggests a 'greater potential for revolution' because it allows for the emergence of a form of social existence which exceeds any given apparatus of domination external to the multitude (Hardt and Negri 2001:393). As such, they argue that 'biopower and communism, cooperation and revolution remain together, in love, simplicity, and also innocence' (Hardt and Negri 2001:413). This kind of lyrical embrace of capital's 'immanent' trajectories constitutes the aspect of *Empire's* legacy which should be forcefully rejected.

***Empire's* theory of value**

In an attempt to 'to develop the concept of revolutionary power (the *potentia* of the multitude) as a positive, non-dialectical, ontological concept' (Holloway 2002:82), Hardt and Negri affirm an idealised line of flight out of capitalism which is predicated on the phenomenological characteristics of current techniques of production. In doing so, they ignore the restlessness of the human social world and ossify a particular idea of what might be to come. Hardt and Negri criticise thinkers of the Enlightenment who uphold a 'transcendental' view of world history (2001:78-87), laden with the teleologies of rationality, human nature, and the state, however their own forces of immanence appear to move with as much historical inevitability as any Enlightenment teleology.

Scholars associated with the Open Marxist school have argued that a key aspect of *Empire's* embrace of capital's immanent trajectories is its failure to appreciate the portrait of capitalist power provided by Marx's 'Critique of Political Economy' in *Capital Volume I* (1990) and other works. Open Marxists understand this critique to emphasise the abstract quality of capital's social domination: its construction of a synthetic social standard as the organising principle of human society and the domination of human life within this measure. This section will briefly set out the theory of capitalist labour and value that is presented in *Empire*. In doing so, it will

illustrate Hardt and Negri's view that capitalist authority is a kind of physical wrangling of labour into spaces of production. The following two sections will then illustrate the folly of this conception by expounding on the Open Marxist reading of Marx's Critique of Political Economy.

In an essay entitled 'Value and Affect' (1999), published shortly before *Empire*, Negri argues that the capitalist value-form is fundamentally challenged by the ascendance of biopolitical production. It claims that, in modernity, labour-power was the only use-value which existed inside *and* outside of capitalist production (Negri 1999:80-1). As a living force which was formed in the institutions and the relationships of civil society, it was always subject to logics which deviated from, and contradicted, the demands of capital. Capital was therefore forced to engage in the Sisyphean task of wresting labour power back into the sphere of production because it was the only input which could augment the natural world and generate use-values capable of being exchanged at market (Negri 1999:80). Negri understands the Marxist category of 'labour time' to be a measurement of the extent to which labour was able to be corralled into the sphere of production.

As such, the measurability of labour time relies on the existence of a 'unity of labour' which is defined by its difference from the life-sphere of social reproduction (Hardt and Negri 2005:145). The spatio-temporal division of work from leisure is crucial. Labour time is a united whole because it stands in opposition to the time of social reproduction. The dominance of biopolitical production creates a problem for the reproduction of capitalist society, understood in these terms, because that which was 'outside' of production is immediately implicated within it (Hardt and Negri 2005:145). The simultaneity of cultural, political, and economic production means that the spheres of production and social reproduction are increasingly hard to define. The 'smooth surface' of Empire has meant that the measurement of time spent working becomes increasingly incoherent and, as a result, the extractive apparatuses of capital are existentially challenged.

The category of labour that is deployed in this argument is an altogether concrete one. Labour is conceived of as a materially existing set of activities in the world which stand in opposition to other material activities. It is the stitching of linen in warehouses, the dialling of phone numbers in telemarketing offices and the extraction of iron ore from the Pilbara. That is, labour is an activity which is defined by the exercising of

muscles and minds, and the emergence of value from that activity is a function of its scarcity in relation to the time of leisure. In opposition to this characterisation of capitalist life, Open Marxists argue that the ‘unity of labour’ which predominates in capitalism, and is explored in Marx’s mature works, is a unity of the concrete and abstract aspects of labour.

The Open Marxist theory of value

Against Hardt and Negri’s argument, which affirms the idea that capitalist social relations are inherently challenged by the open architectures of biopolitical production, this section will explain why Open Marxists understand capitalism to be a society characterised by the impersonal domination of a temporal social standard which necessarily trespasses any number of spatial boundaries. In particular, it will draw on the works of Bonefeld, Dinerstein and Pitts to explain the connection between primitive accumulation, the two-fold nature of capitalist labour and ‘socially necessary labour time’ in order to provide a portrait of the key characteristics of capital’s abstract authority.²

In accordance with their reading of Marx’s Critique of Political Economy, Open Marxists argue that the moment of generalised commodity exchange is the same point at which the market appears as the objective expression of social validity (Bonefeld 2020:44). In other words, when ‘every product is produced for sale from the outset and all wealth produced goes through the sphere of circulation’ (Marx 1990:733), the market becomes the sole arbiter of whether a given activity has been socially meaningful. If the market judges that a particular effort is socially valid, then the means of subsistence might be granted to the party seeking sale. In distinction from the political economists of his day, Marx does not explain the importance of the market in capitalist life with reference to any natural tendency to ‘truck, barter, and exchange’ (Smith 1981:25). Rather, the dependence of the individual on the market must be historically established through the process of ‘primitive accumulation’, or the separation of the individual from the means to live without sale (Dinerstein and Pitts 2021:121-2).

² In doing so it will also draw on figures associated with the anglophone branch of the New Marx Reading, including Arthur (2004) and Postone (1993). Many Open Marxists draw heavily on the work of the New Marx Reading. For more information, see Bonefeld (2014:6-10).

Marx famously analysed primitive accumulation with reference to the *Enclosures Acts* in England, the legal means through which the peasantry was pauperised as a result of their forced expulsion from common land (1990:877-95). However, Open Marxists do not understand primitive accumulation to be a process which occurred in the distant past of capitalist history, but rather view it to be a fixed aspect of capitalist society which is necessary to the concept of capital. That is, primitive accumulation is the historical and theoretical condition upon which capitalist wealth is based because it produces and reproduces the need to live through market exchange and the sale of labour power (Bonefeld 2011:382). This point is said to be central to Marx's Critique of Political Economy because it is the living condition which guarantees that human effort is mediated through the 'personifications' of capitalist class relations (Marx 1992:963).

At the same time that the process of primitive accumulation is generalised, and exchange relations become a ubiquitous means of subsistence, Marx argues that something strange happens. A single commodity becomes the means through which all others express their value without any individual having chosen for this outcome to occur. In this situation the commodity 'in general' comes face to face with each individual commodity, as though 'alongside and external to lions, tigers, rabbits, and all other actual animals, which form when grouped together the various kinds, species, subspecies, families etc. of the animal kingdom, there existed also in addition *the animal*, the individual incarnation of the entire animal kingdom' (Marx 1976:27). That object is money: the commodity stripped of all its specificity and practically existing as both the measure and the objective 'sole form' of value (Marx 1990:227). The orientation of production and exchange around the accumulation of money means that everyday human activities increasingly appear as universal, and qualitatively indistinguishable, 'incarnation[s] of abstract human labour' (Marx 1990:169).

According to Open Marxists, the twofold character of labour is a vital concept because it identifies the fact that capitalist production simultaneously appears as both a physical process and a strangely abstract process oriented around the expansion of monetary value (Bonefeld 2020:46). Accordingly, Marx calls the two sides of this 'twofold nature', or 'dual-character', concrete labour and abstract labour (Marx 1990:131-8). Concrete labour, or 'useful labour', is the aspect of labour that produces use-values (Marx 1990:132): the physical goods and services which constitute the sensuous existence of the commodity world. Such labour is

always a concrete process of production because it is tied to particular locations, bodies, and procedures, even when it involves relatively immaterial processes such as thinking, feeling, and affecting. It is the somewhat intuitive aspect of labour that is well understood within Hardt and Negri's above characterisation.

Abstract labour, on the other hand, is a more complex category. It is that aspect of labour which relates the individual expenditure of effort by individuals to the totality of human efforts existing as commodities. It is concrete human labours 'reduced to human labour pure and simple' (Marx 1990:135). Based on this idea, it has often been said that it is that aspect of labour which produces the value of commodities. However, the concept of 'produces' here is complex because, as already discussed, in capitalism the ultimate arbitration of value occurs at the point of exchange (Dinerstein and Pitts 2021:75). Exchange is the moment at which the general equivalent of money 'abstractly negates all difference of use value between commodities and thereby declares them all identical as values' (Arthur 2004:41). It is the moment price emerges as 'the money-name' specifying the magnitude of exchangeability between one commodity and all others (Marx 1990:195).

As such, abstract labour is not some secondary production process that happens over the heads of labourers without them realising it but is in fact a relation that their labour must assume if it is to be socially validated. Abstract labour is the social form which 'irons out the differences' between various labours and allows for the emergence of wealth in its most abstract state: it is labour 'abstracted from' its concrete, qualitative characteristics (Pitts 2018:26). It is a kind of social relationship which concrete activity assumes when its products appear in the commodity form and take on a particular degree of exchangeability at market. Here, the labour of the advertising firm may once again be considered in order to reflect on this 'two-fold nature'.

Upon the advertising firm's signing of a new contract, a concrete labouring process is set-off in which an advertisement is designed, produced, and marketed. This production is local, it takes place in a particular setting with particular software, contractual obligations, and deadlines. It is a social process which is specific to the bodies, minds and relationships of those individuals that produce for the firm. At the same time however, these labours are not oriented towards the specific goals of the project at all. The project is the bearer of a gambit which seeks to secure profit and, with that

profit, social subsistence. The concrete activities of those working at the firm are therefore subsumed within the universally equivalent effort to make money. In this sense, the labour of the advertising firm is identical with that of the car manufacturer, the investment bank or the sweatshop because it is the labour of expanding a money stock owned by a capitalist. Thus, Marx writes that ‘it is in this quality of being equal, or abstract, human labour that [...] [labour] forms the value of commodities’ (1990:137).

The two sides of Marx’s two-fold nature of labour are practically related through the concept of the universal standard of ‘socially necessary labour time’ (Marx 1990:129); the ‘time of capital’ (Bonefeld 2020:47). Abstract labour appears, after the fact of production, as quantities of socially necessary labour time because time is the only aspect of labour which can be measured when labour is reduced to its most general form. That is, when labour is reduced to motion and activity *as such*, the question of magnitude can only be addressed in terms of temporal intervals. As Marx writes: ‘the pendulum of the clock [...] [becomes] as accurate a measure of the relative activity of two workers as it is of the speed of two locomotives’ (Marx 2009:22). Generalised market exchange creates a state of qualitative reduction which renders temporality as the one variable that counts, in terms of social validation.

The need to secure monetary profit produces ‘a fictitious norm of labour timing’ which must be enforced to assure that the firm remains competitively viable (Pitts 2018:42). The capitalist cannot allow the production of a commodity’s sensuous form to use up more units of socially necessary labour time than those that are embodied by the price that the commodity garners in exchange. In this way, a synthetic temporal social standard comes to both measure and constitute the concrete reality of living labour. On the one hand, it spurs capital into action counting and accounting for the concrete labour of the firm, the industry, and the nation-state. On the other hand, it produces a universal basis for monetary wealth.

The Open Marxist critique of Hardt and Negri

The immaterial labour involved in biopolitical production is a specific form of concrete labour which has always existed in capitalist history. It produces use-values constituted by bodily experiences and symbolic exchanges. It is therefore immaterial by virtue of 'its products' (Hardt and Negri 2005:109). Its supposed disunity is based on the concrete traversal of these products between the spheres of work and life. However, as the above discussion should make clear, despite the spatial traversal that occurs between these spheres, all the commodified activities of biopolitical production must still take place 'in time'.

As discussed, advertising firms must churn through their latest contract and win another (Pitts 2020). Home-care workers are GPS tracked to assure adherence to a maximally loaded schedule of clients (Strikwerda 2020). Uber Eats drivers die on the roads trying to deliver meals in as little time as possible (Om *et al.* 2021). Writ-large across the 'smooth surface' of biopolitical production is the command to go faster. The accumulation of money-capital necessitates the economisation of time at every possible step to meet, and best, the expected social standard. Biopolitical production is no different. Thus, Pitts argues that 'whether concrete expenditure of labour exceeds the quantifiable confines of the working day does not impact upon the ability to capture and measure value' (Pitts 2018:41).

Hardt and Negri's claim that capital's apparatuses of capture and command are waning because thinking cannot be performed 'on command' and affective relations can't be made 'to order' (Hardt and Negri 2009:270), must therefore be read in a new light. Instead of understanding this situation as a world in which the apparatuses of value-extraction and discipline are waning, it should be read as a new set of managerial practices suited to the generalisation of a particular type of concrete labour. As Hardt and Negri themselves acknowledge, less formal disciplinary systems can only be maintained while this lack of regimentation allows circuits of capital to be completed more efficiently.

In other words, thinking for the purpose of producing communicative commodities can only avoid being directly managed if that same compulsion is carried out through 'self-management'. This self who is doing the managing as a 'human capital' cannot fall behind. Indeed, without the shared space of the factory, the office or the bricks-and-mortar

shop, capital's temporal discipline can become even more efficient as the individual is stripped of the collective struggle against the capitalist as a personification of capital's abstract discipline. Instead, the deadline is self-imposed and internalised as an instance of self-fulfilment: as a necessary step in the validation of the self as capital (Feher 2009).

Pitts argues that Hardt and Negri's lack of regard for the discipline instantiated by capital's temporal compulsion produces a kind of 'reverse productivism' (Pitts 2018:176). The degradation of life in and through the extractive architecture of the workplace is diagnosed as the destructive element of capital's authority (Dinerstein and Pitts 2021:59). The position of the biopolitical labourer is imagined to be a unique standpoint for the critique of capital because it seems to pose a challenge to the formal sphere of work. This position fundamentally misses the unique social form of capitalist labour: its existence as a bearer of the capitalist's effort to expand a given stock of monetary value.

In capitalism, both capitalist and worker are disciplined by the universal dependency on competition for monetary value: social power disembodied from all concrete deployments. All manner of concrete production processes, from the marketing of a new advertisement to the shipment of a barrel of oil, may constitute a waste of human labour if those activities expend more socially necessary time in production than they gain through sale. Market dependency creates an authority that appears to objectively act on human society and which is articulated through temporal compulsion because it is the universal measure of production when production is reduced to human activity in general. Open Marxists argue that such an authority is not inherently challenged by the capacity for biopolitical production to exist inside and outside of spaces of production simultaneously.

The strange immediacy of Empire

Hardt and Negri's failure to grasp the abstract domination expounded in Marx's Critique of Political Economy leads Pitts and Dinerstein to declare *Empire* to be a work of 'insignificant theoretical and textual stature' (2021:49). At one level, their dismissal of *Empire* is understandable, given Hardt and Negri's dangerous flirtation with a capital-affirming determinism which lyrically embraces the trajectories of the present.

However, there is also something reckless in rejecting the relevance of *Empire* altogether.

Along with works produced by collaborators such as Lazzarato (1991), Hardt and Negri were the first to attempt to describe the entanglement of economics, politics and culture that *concretely* takes place in acts of biopolitical production. Dismissing *Empire* feels like it is also a dismissal of the existence of that concrete reality. This lack of sensitivity to the possibility of concrete historical difference within capitalist society is among the reasons that Bieler, Bruff and Morton criticise the totalising vein within Open Marxist thought which renders the present as an ‘undifferentiated mush of capital’ (2010:30).

Best’s work on the ‘strange’ immediacy of contemporary affect provides a useful hint towards what a critical theory of biopolitical production might look like, as an alternative to simply dismissing *Empire*. Methodologically, Best leaves behind Hardt and Negri’s search for a pure historical subject living and labouring in an unmediated social ‘multitude’. Instead, she is committed to a dialectical analysis of capitalist life which focuses on the strange constitution of the capitalist subject within the mediations of contemporary social forms: a constitution which is strange by virtue of its appearance as a thing which is independent of society as a whole. For Best, the dialectical method counters this fetishised reality by offering ‘the shock of recognizing oneself in relation to the other, in relation to the social totality that at first seems to stand “over and against” [...] and which one discovers is essentially an extension of one’s own subjectivity’ (2011:81).

In doing so, Best’s theory of affect builds on the works of first-generation Frankfurt School theorists by arguing that a key goal of critical theory is to represent the manner in which immediate human reactions are bound-up in the conceptuality of dominant social relations. She writes that authors like Adorno, Horkheimer, Fromm and Benjamin attempted to represent ‘the reorganisation of human perception, personality, instinct, desire, aesthetic preferences, and the faculties of taste, sight, and listening [...] by the logic of capital’ (2011:2). They did so in order to ‘defamiliarize the concept of the personal’ such that the self can be found in the concept of society, and society can be found in the concept of the self (2011:72). Instead of reading biopolitical production as an ‘immediate’ product of the ‘multitude’ exchanging acts of communication, problem solving and affect, Best argues that the domination of biopolitical production really

brings on an abundance of mediation at ever greater depths of human experience (2011:80).

As has been the case in this article, Best considers the communicative commodities of the advertising industry as a paradigmatic example (2011:78-80). The advertising industry's deployment of affective commodities is designed to create the impression of immediate desire through the production of overcoded images and narratives. As such, Best argues that the consumption of these commodities entails the consumption of particular ideals which regulate social life from the interiority of the subject, just as Hardt and Negri describe in *Empire*. However, in contrast to Hardt and Negri, Best does not romanticise this internalised logic as some essential expression of the subject's innate desires. Instead, she argues that biopolitical commodities come to embed certain political, economic, and cultural desires within ever more intimate aspects of subjective expression. Thus, she argues that:

When social and cultural narratives are internalized so thoroughly in this way, the affective responses they produce – these social and collective responses – are also internalized, claimed, appear to be as “personal” as instincts or impulses, and can be mistaken for an expression of immediate and precoded productivity or desire. (Best 2011:80)

The affective immediacy which Hardt and Negri so enthusiastically embrace is therefore demonstrated to be of a strange sort because it is an immediacy which is a product of ubiquitous social mediation. And yet, this sense of immediacy has a reality to it as individual desire and the transfer of affect increasingly regulates individual behaviour in a manner which seems ‘precoded’ and authentically personal to the individual subject. As such, Best affirms Hardt and Negri's idea that affect represents ‘an emerging new modality of power and production’ (Best 2011:78), however she rejects the idea that this modality exists in a manner which is inherently antithetical to the social forms of capitalist society.

Once biopolitical production is understood in these terms, a new terrain of enquiry opens which allows for a thoroughgoing critical theory. Such theory could be sensitive to the manner in which the ubiquitous mediation of values within the transfer of biopolitical commodities may transform the concrete conditions of contemporary political, economic, and cultural life, whilst also affirming the fact that such concrete conditions are disciplined by capital's self-estranged authority. The strange immediacy of biopolitical production could be theorised without assuming that such

production represents an inherently liberatory trajectory. A small number of questions which might arise from such an approach include:

- In what ways might the simultaneity of cultural, economic, and political production *strengthen* the politics of the nation-state and the authoritarian personality?
- To what extent does the fusion of personal values with the production and consumption of biopolitical commodities lead to challenges for the organisation of social movements?
- Does the hegemony of biopolitical production (with its apparently less hierarchical models of social regulation) challenge the privileging of horizontality in leftist social movements?

These questions all attempt to pull apart aspects of biopolitical production which are suppressed within the triumphalism of Hardt and Negri's work. They gesture towards a field of study which could more fulsomely describe the articulation of the self and capitalism within the concrete experience of biopolitical production.

Such a field of study could build upon various efforts to theorise neoliberal social practices, including characterisations of human capital provided by Feher (2009) and Brown (2016), as well as recent theorisations of the authoritarian tendencies within contemporary political economy (Bruff and Tansel 2019; Ryan 2019). However, it could also mark itself as remaining allied with the Open Marxist tradition by asking after the constitution of these tendencies within capital's conceptuality and the foundational conditions of the money-society: the separation of individuals from the means to live without sale; the inescapability of market mediation; and the reduction of subjectivity to 'time's carcass' by the inexhaustible competition for units of socially necessary abstract labour time (Marx 2009:22).

Against the position adopted by some Open Marxists, it should be assumed that holding open the possibility of a rupture with capital's conceptuality is strengthened by the performance of an orienting analysis which represents the particular powers, technologies and desires appearing at a given moment in capitalist history. As Ryan notes, in his qualified defence of historical periodisation, '[t]here is neither strategic, nor theoretical utility in seeing constant change; similarly, there is no utility in totalizing all history into one theoretical category' (2019:121).

Without an orienting analysis, Marxism's asseveration as to the transience of capital's domination is rendered obscure and romantic. Resistance can only be waged by particular individuals in particular spaces with particular ideas and powers-to-act at their disposal. Contemplating the specificity of our collective constitution within a given moment of capitalist history can only strengthen the attempt to forge such a rupture in the present, so long as it is done in a manner which affirms the incompleteness of that constitution and the indeterminacy of that which is yet to come.

Conclusion

The argument presented here has moved from a description of Hardt and Negri's key insights in *Empire* to a critique of their determinism and then to a proposal for further work which could reject the latter while building on the former. This argument indicates that, a quarter of a century later, the analysis of biopolitical production developed in *Empire* continues to raise questions capable of illuminating certain aspects of social reality. However, as has been shown, Hardt and Negri's provocation is wrapped in a dogmatic determinism which says that biopolitical production involves an inherently radical set of productive techniques that challenge the capacity for capital's exploitation to be reproduced.

Ultimately, this misstep derives from Hardt and Negri's notion that biopolitical production is a productive technique which spills forward from the unmediated power of the human 'multitude'. For them, affirming the generalisation of biopolitical production and *Empire's* apparatuses of power means affirming the liberation of thinking and feeling bodies from the transcendent apparatuses of modernity. This theoretical separation of intuitional power from the individuals that constitute them supports the fantastical idea that human subjects in capitalism exist outside of their own social constitution and that this sociality asserts itself over their heads. In this way, Hardt and Negri reproduce a mythical image of capital as a vast machinery acting over and above human relationships, rather than a form of social organisation which exists on the mundane terrain of everyday life.

By contrast, a critical theory of biopolitical production, which follows the example set by Best's analysis, would be built on the assumption that the immediacy of political, economic, and cultural exchanges within the production and consumption of biopolitical commodities is a result of

hyper-mediation, and not its absence. This position allows for the possibility that biopolitical production contains contradictory tendencies which may be conducive to historical rupture but may also create conditions which restrict the capacity for social movements to organise in and against the abstract domination of capital's social forms. In doing so, it would constitute a body of thought which struggles towards a better understanding of capitalism's contemporary conjuncture in the course of affirming the immutable restlessness of human social life and the continued possibility of a decisive break with those social conditions that prevail in the present.

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