

Jury Report Spinozalens 2021-2022

The theme of the Spinozalens 2021-2022 is 'health, risk and society'. The jury came to its decision on a historical and a contemporary thinker over the course of four online meetings in the spring of 2021. After careful consideration, the Committee of the Stichting International Spinozaprijs has chosen Michel Foucault and Martha Nussbaum, with its reasons for doing explained in detail below.

Historical thinker: Michel Foucault (1926-1984)

The work of Michel Foucault (1926-1984) is extremely well suited to thinking about health from a critical perspective. Foucault came from a family of doctors, but during his studies his attention shifted from medicine to philosophy. Health and healthcare remained central themes of his work however, and in the final years of his life, he dedicated a great deal of attention to self-care, taking great inspiration from classical thinkers.

Analyses of Foucault's work were already circulating at the start of the pandemic, in particular because he had written about other pandemics, such as the Black Death and smallpox, and the quarantines, hygiene, vaccines and population policies that accompany them. Key themes in his work include biopolitics, normality and surveillance, topics which are more relevant than ever.

At the time Foucault's work came out, most members of the jury considered his work to be mind-blowing. At the same time however, the jury notes that his epigones often too readily invoke his work to lend weight to their (provocative) positions, which therefore makes bringing his work to the fore in a responsible way difficult.

Biopolitics

In *The History of Sexuality - I* (1975), Foucault describes how health gradually develops into political domain, an area where power is exercised over life and well-being. Every measurement is, according to Foucault, fact, and every fact is power, or in his words, 'biopolitics'. Later historical studies have elaborated on this idea further.

Translated to the Coronavirus era, the practice of publishing the number of infections, hospital and Intensive Care admissions and R-values at a set time each day is a perfect example of biopolitics, i.e. taking measurements to control population behaviour. For Foucault, this critical perspective starts by determining what you actually measure and what you publish on a day-to-day basis, as well as what you consider a risk and what you want to manage and control.

The real challenge will be dealing with this definition in the International Spinoza Award Foundation educational material without it becoming a basis for conspiracy theories.

Normality

In *Madness and Civilisation: A History of Insanity in the Age of Reason* (1961) and his later works, Foucault pays much attention to the definition of 'normality'. Who determines what 'normal' is? In the past, this definition largely revolved around cultural values, many of which were determined by religion; nowadays this normality is mostly defined by scientists and experts.

Consider current mental health care, which is often only treated (and insured) if it is classified if a suitable label from the Diagnostic and Statistical Manual of Mental Disorders is found for someone. Is this not avoiding the real question of what is ill and what is healthy? Foucault was very critical of (physically) hiding psychiatric institutions and their residents away on the fringes of society, yet the reversal of this trend by closing these institutions brings new dilemmas of management and normality with it.

With Foucault in mind, we could ask ourselves, both as people and as a society, how much non-normality can we handle?

Normality plays a major role in the day-to-day lives of young people, who will certainly feel attracted to the critical explanation of this concept in Foucault's oeuvre, also when it comes to sexuality. In *The History of Sexuality*, Foucault demonstrates that sexuality has only played a role in the definition of human identity and the distinction between 'normal' and divergent gender identities since the dawn of the Modern Era.

Surveillance and management

Foucault's ideas on surveillance are also highly topical. At this phase of the pandemic, they can play an important role in the discussion surrounding Corona apps, tests and vaccinations certificates. In this we are not only monitored by the state or by Google, as the former has also outsourced this to citizens themselves. There is no more efficient monitoring than self-monitoring.

In his later work, Foucault links self-monitoring to the Greco-Roman notion of self-care. This itself is also a form of biopolitics: governments govern on the basis of self-control by appealing to shared norms and values. For young people, surveillance is also relevant for other reasons, as Google registers all their online activities and programmes such as Zoom or Teams monitors them during exams.

Contemporary thinker: Martha Nussbaum (1947)

Martha Nussbaum is an original and eminent thinker whose work discusses a broad range of topics that are extremely relevant to the public discussion of healthcare and the (global) distribution issues that come with it. Throughout her work, Nussbaum uses both Western and Eastern sources and gives much attention to the contrasts between North and South, which has inspired wildly different audiences.

Two books stand out in this regard. *Creating Capabilities: The Human Development Approach (2011)* is hugely important because of the substantial theories about social justice that Nussbaum writes about, which perfectly fit the complex problems we are facing from globalisation in general and the pandemic in particular. Of equal importance is her earlier book *The Fragility of Goodness (1986, revised edition 2001)*, partly because it takes into account the vulnerability and powerlessness associated with these complex issues.

The Fragility of Goodness

To quote Nussbaum herself, '*Fragility* is, above all, a book about disaster, and the ways in which ethical thought comes to term with disaster.'

The Fragility of Goodness is a stunning piece of practical philosophy in which Nussbaum convincingly argues why human life is complicated and contains a wealth of conflicting values which can be totally incomparable. In doing so, Nussbaum opposes Kantian philosophers and Utilitarians who, in her view, are too rigid in their search for the correct answer in every situation. Using classical philosophers (Plato and Aristotle in particular) and tragedy writers, Nussbaum offers readers a guide for dealing with the vicissitude and uncertainty of human life.

The Coronavirus pandemic has confronted us with our own vulnerability and powerlessness. We are now painfully aware of the threat of disasters and non-manufacturability of life. In '*Fragility*', Nussbaum was one of the first to give a new take within moral philosophy to the notions of vulnerability and chance, central themes of Greek philosophy. Certain fundamental values, such as friendship or citizenship, expose people to risk because they make us vulnerable to fate or loss. Furthermore, value conflicts can prevent people from doing everything they have committed themselves to, something which also makes them vulnerable. For example, take the pursuit of immunity or other attempts to remove chance from our lives. These efforts ensure the disappearance of genuine human values from life; an invulnerable life is also an impoverished life.

Nussbaum's interpretation of tragedy writers also provides a critical view of vulnerability. Is suffering always inevitable or can it also be the result of malice, callousness or foolishness? And where is the line between them? With tragedies in mind, Nussbaum calls for introspection and change where resignation is not suitable.

Creating Capabilities

This book details the capability approach that Nussbaum developed with Indian philosopher Amartya Sen. Compared to *The Fragility of Goodness*, *Creating Capabilities* is a politically-charged book in which Nussbaum calls for a different view on the (economic) development of countries. We should no longer focus on narrow economic factors such as Gross National Product, but rather on the question of what options are available to people. Poverty is therefore defined very differently than within a purely economic approach specifically because of the lack of these (essential) possibilities.

Alongside a substantial theory about social justice, the book also provides a concrete list of basic capabilities that a country should strive towards, such as life, health and physical integrity. The focus is on individual choice and freedom; a society should offer its citizens opportunities or substantial freedoms, but it is up to individual citizens to decide whether to take them up on these.

Current Covid-19 measures could be assessed based on this list. How paternalistic can a government be when it comes to protect the health of people (and society)? How much room is there for individual responsibility during a pandemic when the consequences of unwanted individual choices can be very far-reaching? Nussbaum is very clear when it comes to health, assigning great value to freedom of choice and rejecting paternalism in policy-making, but should this also apply during a pandemic? In addition to central capabilities, Nussbaum places huge emphasis on social interaction (affiliation) and education, imagination, creativity and the arts, the exact things that are severely limited by lock-downs. To what extent do pandemics justify restricting these central capabilities? (In her other books, such as *Upheavals of Thought* (2001), Nussbaum emphasises the importance of art - especially Gustav Mahler - and emotions as markers of what is truly valuable to humans.) Has the pandemic perhaps revealed that the capability approach, with

its emphasis on individual freedom, cannot answer questions that concern society as a whole and therefore ignore the individual?

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