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From Corporal to Corporate: Defining the Body Politic in the Twenty-First Century

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The University of Southern Mississippi

FROM CORPORAL TO CORPORATE:

DEFINING THE BODY POLITIC IN THE TWENTY-FIRST CENTURY

by

Ashley Estelle Lord

A Thesis

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ABSTRACT

FROM CORPORAL TO CORPORATE:

DEFINING THE BODY POLITIC METAPHOR IN THE 21ST CENTURY

by Ashley Estelle Lord

May 2013

The following research project illustrates a transition of the body politic metaphor from the second century A.D. to present day. From this historical perspective it can be shown that a new body politic exists within Western, capitalist systems with the corporation serving as the head of the body and its buyers, the appendages. This paper claims that as with the previously accepted analogies of the body politic (“The Lord’s Two Bodies,” “The King’s Two Bodies,” and the body politic composed by consent of the governed) this corporate driven body possesses four key features that define all three previous manifestations: a sovereign head, an immortal sense of power possessed by the sovereign, an intangible body and a sacrifice required of members in order to join the body. Through a historical examination of the corporation, as well as a case study of Apple, Inc., it can be shown that the modern corporate body politic not only exists but possesses immense power. This power creates complex interactions between consumer and corporate, as well as corporate and laborer. Such relationships shed light on not only the authority of the global corporation but the overall power structure of the late capitalist system.

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clear examination of the examples of the bodies individually. From the time of Aungmye in the sixth century B.C.E., writers have described such interactions using a metaphor likening a body of citizens to that of a corporeal entity or human body. In this analogy, the body is usually portrayed with its seat of power (or sovereign authority) being the head and the rest of the body (or members) being other limbs or parts of the whole. Throughout history, the various embodiments of the body politic have assisted in defining not only the way power should or could be exercised but played an instrumental role in determining the relationship between the people and their leaders. Arguably, the entity who occupies the role of the head of the body exerts the most influence on the body's members. This head and, more importantly, the relationship it develops with the

CHAPTER I

INTRODUCTION

“The body politic, as well as the human body, begins to die as soon as it is born, and carries with itself the causes of its destruction.”¹

French philosopher Jean-Jacques Rousseau wrote these words in chapter eleven of *The Social Contract or Principles of Political Right*. The chapter, entitled “The Death of the Body Politic” describes the historical embodiments of the body politic and the successes and failures of each manifestation. Rousseau, like so many others of his time, recognized that the exploration of the body politic was necessary in order to predict the future actions of formal states and their citizens. Across regime types, the way in which the body politic is formed, sustains itself, and ultimately fails can be identified through a close examination of the examples of the bodies individually. From the time of Aesop in the sixth century B.C.E., writers have described such interactions using a metaphor likening a body of citizens to that of a corporal entity or human body. In this analogy, the body is usually portrayed with its seat of power (or sovereign authority) being the head and the rest of the body (or members) being other limbs or parts of the whole. Throughout history, the various embodiments of the body politic have assisted in defining not only the way power should or could be exerted but played an instrumental role in determining the relationship between the people and their leaders. Arguably, the entity who occupies the role of the head of the body exerts the most influence on the body’s members. This head and, more importantly, the relationship it develops with the

¹ Jean-Jacques Rousseau. *The Social Contract or Principles of Political Right*. (N.p.: Kessinger, 2004), 58.

individuals it controls constitute the body and can be used to help predict the actions of the members and explain the successes and failures of the body itself.

It is not coincidental that one of the most common analogies used to describe the dynamics of the sovereign and his subordinates emerges in the concept of corporality. Defined as having to do with or relating to the human body, the use of corporal metaphors began as a way to explore the inner workings of the relationships between leaders and their followers, as well as the consequences of such interactions. Further, it can be argued that the idea of mortality (and its antithesis immortality) can be found to influence politics on all levels. From the absolute sovereign having literal power over life or death in Thomas Hobbes' seventeenth century text *Leviathan* to Michel Foucault's twentieth century work in biopolitics, the legitimacy of control used to organize everyday lives of citizens is one of the cornerstones of political philosophy. The body politic metaphor is one lens through which to view such power relations. If it has changed, then it is logical to assume the power structure has changed. These new associations must be examined in an effort to explain the conversion as well as predict the impact of power on that particular body's members.

Capitalism operates as one kind of catalyst for the transformation of the power structure in the body politic. In fact, capitalism wholly undermines the traditional power relations that existed between the state and its people prior to its inception. With the free market system, the influence of non-state actors grows with each day. Economic exchanges are driven more by the power holders within non-formal institutions in the economic sector rather than the traditional, formal state executive. Throughout late capitalism, players such as corporations are placed in the middle of a power struggle to

uphold the capitalist economic structure and identity of the modern Western state. Through this exertion of influence and control, a type of body politic has literally been incorporated and is presently structured with the modern corporation at its apex, rather than the traditional sovereign at its head. Such a body politic has far reaching implications. If the corporation is acting at the apex of a newly identified type then the traditional body politic defined by a formal state actor ruling over a formal state community has altered. This alteration opens the door for additional players within the power structure of the Western state. Moreover, the consequences of the corporation's exertion of authority over its body of members must be analyzed in an effort to determine the long-standing effects of such an authority.

The idea of the corporation either creating a body politic or serving as a sovereign authority may appear to be farfetched at first glance. No argument is being made here, though, that the corporation has replaced the traditional sovereign or classic head of state. Rather, the corporation exerts its power over its own body of members while still existing *within* a formal state. Corporate authority only possesses control over *its* subordinates while still being subject in some way to the authority of the formal sovereign power. Still, if the corporation is able to generate a body of members, it is able to influence and act as a sort of sovereign leader over them. Thus, it is necessary to determine if such a body can be formed. The corporate body politic must meet past standards in order for the existence of a new corporation-driven model to materialize. To achieve the corporate body, three manifestations of the body politic metaphor provide a precedent by which to compare potential, future bodies. The theological concept of the Lord's Two Bodies generates the body politic of the Church. The King's Two Bodies

creates the body politic of an absolute monarchy, and a third example of the body politic composed by consent provide a historical models. Through the exploration of each, it can be shown that there are four connecting factors amongst body politic metaphors that my corporate driven body must meet. These traits are as follows:

1. A sovereign authority exists at the body's head.
2. There must be an immortal aspect of the body and the power associated with its head.
3. A sacrifice is required of the members to become a part of the body.
4. The members must act *as if* they are a part of such a body, as the body is not temporal and exists only metaphorically.

The first of these traits requires a sovereign authority at the apex of the body. This sovereign leader possesses power of some kind that is exerted over members of the body. While this power differs in strength and use, the existence of a sovereign is required for initial formation. There is also an immortal aspect of each body. From the theological Lord's Two Bodies on forward, one aspect of each body politic possesses this immortality. For the example of Christ's Church, it is the immortal soul and promise of eternal life. The member of this religious group gains eternal life upon the partaking of the Lord's two bodies through the ritual of the Eucharist. Within the monarchy, the power of the King moves from one natural body to the next with the demise of each monarch. Despite the King's death, his power to rule, as well as his kingdom moves down the line of succession in perpetuity. Following these examples, when the body politic is formed by consent, the need for such consent is eternal. As one group of citizens dies, the group that follows is asked to symbolically make the same agreement

to the state as their ancestors. Thus, the body politic is maintained beyond the mortality of its original members. Alongside this immortal transference of the body itself is the concept of the immortality of the body's sovereign head. Within the Lord's Two Bodies example, God is eternal, literally existing forever alongside his body. As long as His body of members exists to worship Him, His power over them is sustained. The King's Two Bodies is much the same. A belief in the passing of the Kingly body into the next successor provided the body members with the belief that the power of the throne never ceased as long as a new King was there to take the crown. The consent model also follows suit. Just as the body continues, the power vested in the sovereign is also eternal. As long as the consent continues to drive the formation of the body, the power of the sovereign over that body is maintained.

The third trait is a concept of sacrifice or the giving of the body for the good of the body. This act of martyrdom again finds its roots in Christian theology with relation to the Catholic body politic. Here, the dogma of the body is based on Christ's sacrifice for his people. With this act, all those within his second body (the Church) must offer their natural bodies for God, as he did for them. The same idea can be illustrated in the monarchy example, where the subjects are asked to give their lives for the head of state (the King) in a variety of ways from their literal lives as soldiers to the self-sacrificing of property and ownership rights. This latter sacrifice is the type of martyrdom found within the consent based body politic metaphors of John Locke, H.L.A. Hart and others. Within this model, all members of the body are required to sacrifice aspects of their liberties to be ruled over by the sovereign authority. By submitting to the body, they are submitting to the sacrifice of *natural* liberties by becoming subject to state laws.

Finally, the body politic requires its members to place themselves within its borders. The members must choose to enter the body of their own accord or remain within the body if born into it. This choice is despite there being no tangible bounds to bind the body together. Members must choose to exist within the body, acting *as if* they are members. It is a sort of psychopolitics where the members of the body remain within it because of a belief in the incorporeal image of their body. While in some cases there is a sense of a tangible border to the group, as in the case of The King's Two Bodies, the existence of distinct boundaries does not imply the existence of a corporal body within which the members reside. While in The King's Two Bodies example there is a formal nation in which members dwell, the boundaries of that kingdom do not define the monarch example. Rather, the power source of the sovereign head is not contingent on the formal land allotment over which he rules. His power is more pervasive than mere geographic borders. The symbolic nature of the land, his crown, his literal throne, his castle etc. does not act as the King's power source. Power is derived from the belief by the people in his power and submission to it by remaining members of the King's body. In the example of the consent-driven model, members do not offer any form of formal consent through the signing of a document or voicing of an official oath. Instead, the body is formed by the *belief* in such consent. It continues beyond the original members and subsists on the commitment of body members to the power of the sovereign authority. If support is lost, the body ceases to exist.

The proposed corporate model can be shown to possess all four of these traits. With the modern corporation at its apex, the corporation forms its own body politic with the buyers as members. The sovereign authority within this body is the corporation itself.

No one individual acts as sovereign, but power stems from the total embodiment of the corporation. This seat of sovereignty explains how the power of the corporate can be considered immortal. When one leader of the corporation meets his own mortality, the corporation does not cease to exist. Much like The King's Two Bodies example, the power of the corporation moves into the natural body of the next Chief Executive Officer. There is also the sacrificial aspect the corporate body requires of its members. By being incorporated, its members begin to show their submission and sacrifice on the level of subjectivities. Subjectivities here are defined as feelings, beliefs and desires. The corporation requires a kind of surrender or temporary suspension of traits in order to become a member. While this sacrifice is not physical, the choices each of these corporations engenders in its body's members must be noted. The corporate head produces an apparatus by which its members can look to rebuild themselves as corporate subjects. Consumers are told where to buy their products, which products to buy and how to use them. The images they issue from the head down into the limbs incorporate the members into a kind of economic exchange between the future member's subjectivities and the commodities that support them. At the end of this process, a new image exists replacing each individual subject's image with a collective body of consumers'. They cease to exist autonomously and only do so in terms of purchasing commodities and receiving images from these commodities. This reproduction of the corporate image is an expansion of personal sacrifice beyond the sacrifice of the consent based model. This time, though, instead of sacrificing rights to autonomy, the corporate body politic requires a sacrifice of subjectivities and identity.

Finally, the corporate model also possesses the trait of members placing themselves within the body. Since the body does not actually exist, by reproducing the image of the corporation, members place themselves within the corporate body and act *as if* they are members. Their purchasing of corporate commodities is driven by the image delivered to them through marketing campaigns. Members then indicate their submission to the body politic of the corporation upon the consumption of the commodity marketed to them.

The phenomenon of this corporate driven model can be observed through specific examples in the modern capitalist system. Perhaps one of the most prolific is that of the Apple Corporation. An examination of Apple's dealings provides a tangible example of how this body politic is formed. Beginning with their 1984 Super Bowl ad to the world to the present domination of the company in multiple industries, Apple provides an exemplary case of how the modern corporation grows from startup company to powerhouse in just three decades. The corporate evolution of Apple simultaneously marks the development of the Apple body politic. This one instance presents a concrete way to assess the potential of the corporate body, as well as an opportunity to consider the implications such a grouping could have on both its members and the power structure within the formal state.

To start, though, certain definitions must be clarified in order to make the argument for the corporate driven model. Beginning with the first trait of the body politic, it is important to identify exactly what is meant by sovereign in reference to the head of the body. This clarification is necessary to decide if the corporation is even able to occupy this role and helps to explain the root of corporate power.

CHAPTER II

IDENTIFYING THE SOVEREIGN

The body politic metaphor touches on one of the more controversial topics in political science, the concept of sovereignty. It can be argued that the metaphor provides a lens through which to view the relationship between sovereign power and its subordinates. The application of the concept of the body politic to the modern corporation will serve the same purpose. The examination provides a way to examine the inner workings of corporate control and the consequences of such interactions. Just exactly what is meant by sovereignty must be addressed, though, as the idea of corporations possessing sovereign power could be considered quite a leap from the traditional construct of such authority. The theory of sovereignty dates back to the sixteenth century C.E. From its inception, arguments over the lengths of such power and the ability to embody it have been waged by multiple authors. This canon of literature expanded the concept of sovereignty beyond a single authority over a state to the dominion over minute aspects of everyday decision making outside of formal government. The corporation-driven example names the corporation as the source of sovereignty within its body metaphor. The corporate sovereign exerts power over the shaping of members' identities. This process takes place alongside the more recognized sovereign/subordinate relationship of citizen to formal government. Both sovereigns exert power over the individuals within their political communities, or within the body politics over which they rule. In essence, multiple sovereign authorities exert their ascendancy simultaneously while maintaining their dominance. To justify such claims, a definition of sovereignty must be extracted from the literature by which to judge a

potential corporate sovereign. In addition, the relationship between the sovereign and the law is furthered by a corporate model and must also be addressed. The question of what makes law legitimate has been asked by a multitude of political philosophers. The answer to this inquiry evolves alongside the historical definitions of sovereign power. The belief that obligation stems from individual consent has been altered by contemporary research naming ideology as an *aspect* of sovereignty. Writers such as Michel Foucault, Antonio Gramsci and most recently Giorgio Agamben question the standard of consent as a means to legitimize law. Thus, the maintenance of ideology through non-state institutions undermine this standard and, instead, act as a new characteristic of sovereignty. This trait is a mechanism used by the sovereign to uphold the perceived legitimacy of their power. While each author has a different name for these non-state institutions (hegemony for Gramsci, biopower for Foucault, etc.), they all serve the same purpose: to assist the sovereign in upholding the structure of the state already in place. It is important then that the corporate sovereign once defined can be shown to inhabit this aspect of sovereignty. Through the manipulation of image and identity, the corporation utilizes ideology as a means of reinforcing the capitalist state. As such, it assists in furthering the understanding of sovereign relationships with and within the law.

This is jumping ahead a bit, though. To start, it is important to delineate between the concepts of national sovereignty and sovereign power. Within the field of international studies and international law, the modern idea of state sovereignty refers to the ability of a nation to act on its own accord without being subject to the approval of other states. The nation singularly makes all decisions and rejects control from any

outside source. Antonio Negri writes on such ideas in his essay "The Crisis of Political Space."

The concept of sovereignty is a concept of a power that has nothing above it. It is a secular conception of power, opposed to any notion of a power based outside its own dynamic. It is thus an absolute *quoadtitulum* reference to its source. However, when one considers it in its exercise *quoadexercitium* the concept of sovereignty is rather a singular concept. This in no sense diminishes its character of absoluteness, but it is precisely in singularity that sovereignty is exercised.²

Within the modern concept of state sovereignty, this singularity is manifested in the right of sovereign states to resolve conflicts both domestically and abroad. The state is considered master over its own territory and the state's ability to make agreements with other states, as well as pass and enforce rules over subjects within its own borders. Thus, state sovereignty is a term that encompasses a multitude of power relations that construct a system of organization and authority within the nation possessing sovereign power.

This concept of singularity does not end with state sovereignty but also applies to the interpretation of what can be labeled as classic sovereignty. There is an entity or entities that possess a distinct power over decision making. This archetype of sovereign authority is what will be linked to the potential corporate sovereign. The genesis of classic sovereignty stems from the work of Jean Bodin in *Les Six Livres de la République* where Bodin lays out the foundation for the modern theory of sovereignty. Published in 1576 against the backdrop of the French Reformation and subsequent Wars

² Toni Negri. "The Crisis of Political Space." *Common Sense*. (Harvard University Press, 1999) 33.

of Religion, *Les Six Livres* is ultimately concerned with “the absolute and perpetual power vested in a Republic.”³ Bodin placed this power in the hands of a singular keeper answering only to the Christian God. Bodin framed his argument for this ultimate authority by showing a need for such a leader, as well as the dangers that could result from his absence. For Bodin, the sovereign is absolute, unrestrained from all laws, wholly independent and indivisible.⁴ He describes the sovereign as being unable to

... be subject to the commands of another, for it is he who makes law for the subject, abrogates law already made, and amends obsolete law. No one who is subject either to the law or to some other person can do this.⁵

In addition, his rule must be unlimited. Bodin writes

I have described it as perpetual because one can give absolute power to a person or group of persons for a period of time, but that time expired they become subjects once more. Therefore even while they enjoy power, they cannot properly be regarded as sovereign rulers, but only as the lieutenants and agents of the sovereign ruler, till the moment comes when it pleases the prince or the people to revoke the gift. The true sovereign remains always seized of his power.⁶

As such, modern American offices such as President of the United States to Congressmen would lack true sovereignty for Bodin due to their only being allowed to rule for finite spans of time. Bodin considered only the death of the sovereign to be the proper end to a sovereign's reign, and during his lifetime, the sovereign was allowed to rule above all others in both an absolute and supreme fashion. Thus, the concept of sovereignty as laid out by Bodin is essential to the identity of the state the sovereign rules over. The definition of the citizen and the framework on which to base the state are dependent on not only who the sovereign is but the conditions of their authority.

³Jean Bodin. "Jean Bodin: Six Books of the Commonwealth: Book 1," *Jean Bodin: Six Books of the Commonwealth: Book 1. Chapter VIII*, n.d., http://www.constitution.org/bodin/bodin_1.htm (accessed December 10, 2012).

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

Hugo Grotius would build upon Bodin's theory of absolute sovereignty in *On The Law of War and Peace*. While Grotius defined the sovereign in a similar fashion to Bodin, he offered some important modifications. For Grotius, the sovereign did not have to be indivisible; instead, sovereign power could be possessed by more than one individual at the same time. While these circumstances were perhaps not ideal, Grotius wrote, "Many persons allege many inconveniences against such a two-headed government, but in political affairs nothing is quite free from inconvenience."⁷ With such inconveniences accepted, Grotius would go on to alter Bodin's theory in an additional two ways. Grotius declared sovereign power was not absolute but was subject not just to divine law, as Bodin believed, but also natural law.⁸ For example, ratification of laws decreed by the sovereign could be necessary but that sovereign still be considered the supreme power. Such delineation between supremacy and absolutism would be extended even further during the seventeenth century by such theorists as Samuel Pufendorf who claimed the sovereign didn't need to be the absolute power, but simply had to occupy the position of highest power in order to maintain his sovereignty over his people.⁹ Still in both Pufendorf and Grotius' theory of sovereignty, the idea is maintained of the sovereign being free from the restraints of those they rule to some extreme extent. Just who could hold this power of sovereignty, though? Unlike Bodin, Grotius introduced a new concept to his theory called the bearer of sovereign power. For Grotius, the sovereign may reside in either a general subject or in a special subject. The general bearer of power could be the government or the body politic as a whole, while

⁷Charles E. Miriam. *History of the Theory of Sovereignty Since Rousseau*. (N.p.: Ulan, 2011) 22.

⁸Grotius, Hugo, and Stephen C. Neff. *Hugo Grotius on the Law of War and Peace*. (Cambridge: Cambridge University Press, 2012) 2-128.

⁹ Ibid.

the special bearer could be the one person actually controlling the government, a king or dictator.¹⁰ The difference between the two is basically the same difference between attempting to determine which is responsible for sight: the eye itself or the body that possesses and houses that eye. So, does the sovereign power stem from the monarch or the body that houses and produces that monarch? For Grotius, it could be either.

Work on the bearer of sovereignty would be abandoned by the next great work on sovereign power only twenty-six years later. In *Leviathan*, Thomas Hobbes attempts to provide reasons for the formation of states. He comes to the conclusion that, prior to civil society, mankind is in a state of nature where all men are at war with one another and everyone is susceptible to attack, theft, etc. In this state of nature, there is no protection and as individuals existing in this state, human beings are weak. Therefore, they must join together to create a collection of individuals housed within a state with a sovereign authority presiding over them.¹¹ Like Bodin, Hobbes' sovereign is absolute, not only supreme, as in Grotius and Pufendorf's embodiments. This absolutism stems from the hypothetical contract entered into by individuals upon agreeing to the state. Hobbes writes

...because the right of bearing the person of them all is given to him they make sovereign, by covenant only of one to another, and not of him to any of them, there can happen no breach of covenant on the part of the sovereign; and consequently none of his subjects, by any pretence of forfeiture, can be freed from his subjection.¹²

¹⁰ Ibid.

¹¹ Thomas Hobbes. *Leviathan: Or, The Matter, Forme & Power of a Commonwealth, Ecclesiasticall and Civill*. (Cambridge: Harvard University Press, 1904) 3-12.

¹² Hobbes, 121.

Prior to this contract, there is no sovereign and there is no people. Both the body and the sovereign are created with the genesis of the contract.¹³ Just as in Bodin, the concept of sovereignty is crucial to the crux of the state and citizenry's identity, with neither existing until the creation of the state. Once this relationship is established, though, for Hobbes, there can be no other sovereign and no questioning of his authority. He makes this clear when describing the sovereign as holding "...the whole power of prescribing the rules whereby every man may know what goods he may enjoy, and what actions he may do, without being molested by any of his fellow subjects."¹⁴ Such promises return the theory of sovereignty to its absolutism origins.

Thus, by 1651, the concept of sovereignty in its classic sense is that of a definitive power that controls decision-making for a body of people. While Jean Bodin and Thomas Hobbes would claim this power to be absolute and exist in its most perfect form within a monarchy, the work of John Locke would build on the earlier writings of Grotius and give credence to the idea that the sovereign authority could be possessed by many, rather than just one. For Locke, there could be no absolute sovereign as the body that forms the state with a contract (similar to Hobbes) is the source of all law and power. The members of the body hold the sovereign ability to make decisions collectively. In addition, the members always possess the ability to overthrow their leaders who serve at the pleasure of the people. Locke believed there was a supreme authority held by the Executive, but this supreme authority is accountable to the people, as well as the representative legislature elected by that people. At all times, the members of the body make decisions about who their leaders are based on what their leaders do. If

¹³Hobbes, 121-126.

¹⁴Hobbes, 124.

the government at any time were to act in an unsatisfactory manner, the people possess the sovereign authority to overthrow it. Locke writes in his *Second Treatise of Civil Government*

...for no man, or society of men, having a power to deliver up their preservation, or consequently the means of it, to the absolute will and arbitrary dominion of another; whenever any one shall go about to bring them into such a slavish condition, they will always have a right to preserve what they have not a power to part with; and to rid themselves of those who invade this fundamental, sacred, and unalterable law of self-preservation, for which they entered into society. And thus the community may be said in this respect to be always the supreme power.¹⁵

With the ability to overthrow the government, this community maintains the sovereign authority within the state. Unlike in Hobbes' construction, though, the people have the right to end a rule they feel unfit. It is through the execution of such choice that they exert their sovereign power over their leaders.

With Locke's contribution, the literature on sovereignty, thus far, provides three characteristics of what is meant by sovereignty. First, as seen in all of its embodiments, sovereignty implies the possession of power which is wielded over those under the sovereign's control. While theorists from Bodin through Hobbes provide an argument for the authority of a monarchy, the main characteristic of what makes the monarch sovereign or the people sovereign is a sense of intangible power. This authority stems from the office held or the consent based social contract of John Locke. Still, in neither case is the power source concrete; rather, the ascendancy is implied and only upheld by those that subject themselves or are subjected to its command. As such, the corporation is not precluded as potentially acting as a sovereign authority in this sense over its own

¹⁵ John Locke, "John Locke: Second Treatise of Civil Government: Chapter VIII," *John Locke: Second Treatise of Civil Government: Chapter 13*, n.d., <http://www.constitution.org/jl/2ndtr13.htm> (accessed December 10, 2012).

members. If it can be shown that a body is formed with the corporation at its head, then according to this aspect of the definition, the corporation can potentially possess its own imperceptible source of authority. The problem, though, is that up to this point, the sovereign authority has only been defined as having power over or within a formal state. The precedence for this to change, though, involves the second aspect of the definition of sovereign provided thus far. With Locke, the sovereign moved from the realm of the monarchy and into the hands of the people. While Hobbes and Bodin argued the sovereign is an absolute individual, with Locke, the definition of sovereignty expanded to include a collective group of members within a body. These two camps could not be saying something more different. In fact, Locke's argument totally undermines the case presented by his predecessors. Such an abrupt change widens the definition of sovereignty to include other potential sovereign actors, as well as give precedence for sovereign authority to exist in more than one individual. This expansion is needed in order for the corporation to be vested with sovereign power. There is still a problem to be dealt with, though. For the corporation to possess sovereign authority (or the power associated with the term sovereign), the sovereign's domain has to be shifted from a state or formal political community toward individuals within specific sectors of that state. For this, we turn to the work of Carl Schmitt.

In his essay "Political Theology," Schmitt moves the theory of sovereignty beyond the individual authority that occupies the role of formal decision maker. He famously writes, "The sovereign is he who decides the state of exception."¹⁶ This exception is where rules are suspended in the juridical realm--the in-between of rule and

¹⁶Carl Schmitt, George Schwab, and Tracy B. Strong. *Political Theology*. (Chicago: University of Chicago, 2005) 13.

application, in which the sovereign decides where and when laws do not apply. It is a moment of lawlessness operating *within* the construct of the law allowing for additional laws or the removal of laws to occur. For Schmitt, the existence of such an exception is an essential cornerstone of the modern state.¹⁷ Giorgio Agamben gives many examples of Schmitt's theory throughout the history of sovereign power, one of which is the Roman court's *exceptio*, where a negative clause binds the *intentio* (intention) and the *condemnatio* (condemnation or guilty verdict). Through the *exceptio*, Romans were able to legislate exceptions to guilty verdicts due to certain circumstances that placed that crime within the *exceptio*. If a crime had been committed but was done so without malice, for instance, then the condemnation of the citizen committing the crime was not necessary.¹⁸ Such exceptions are carried into modern day juridical practices. For instance, in America, statutory rape laws possess multiple exceptions. Those accused of such a crime that fall between two years or less in age from their victim find themselves not guilty of the crime accused, despite the victim falling below the legal age of consent. In addition, murders deemed as being in the first degree occur within the state of exception that those accused of murder in the second do not find themselves due to the premeditation associated with the first.

For Schmitt, though, the sovereign's ability to determine this state of exception went beyond the courtroom and into every facet of society. The state of exception exists as the direct right of the sovereign to determine when rules can be suspended. This is true at all times even if the state's law says something to the contrary. At this point, the

¹⁷ "Political Theology"

¹⁸ Giorgio Agamben and Daniel Heller-Roazen. *Homo Sacer*. (Stanford: Stanford University Press, 1998) 23.

sovereign's determination of the suspension and the placement of the state of exception is not a matter of law, but a matter of fact. The most cited example of this in relation to Schmitt is the rise of power of both Hitler and Nazism in Germany- mostly due to Schmitt's direct involvement with each. Specifically related to the state of exception is the use of Article 48 within the Weimar Republic's Constitution. This allowed the President of the Republic to act outside the confines of the constitution and pass decrees and laws during an undefined *state of emergency*. In essence, it laid the groundwork of rule by presidential decree. With the 1933 appointment of Hitler as Chancellor, Hitler was able to invoke the state of exception by convincing then President Paul Von Hindenbergh to implement Article 48. With the President declaring this state of emergency or state of exception, the future of Germany changed. Hitler then extended the state of exception with Von Hindenbergh's death by issuing the Decree for the Protection of the People and the State. This decree would serve to eliminate all individual liberties within the Weimar Republic's Constitution were eliminated forcing its people to live within the state of exception determined by the sovereign (Hitler at this time), rather than the rule (the actual Constitution).

The German example serves to illustrate that the state of exception is not a place devoid of law or representative of any anarchic state. It is simply lawlessness operating within the law. Due to this crucial role in the legislative process, it is compulsory the state of exception exist in order for the law to be carried out, as it defines under what circumstances laws should be suspended. This creates a paradox compounded by the greater contradiction of the role the sovereign plays in deciding the exception. As stated previously, for Schmitt, the sovereign holds the power to state its own exception

generating what Agamben calls the paradox of sovereignty. The sovereign exists both outside and inside the confines of juridical law and is able to change the law without being limited by the original law. Schmitt says this in "Political Theology" when he writes the "authority proves itself not to need law to create law."¹⁹ This means the sovereign exists in an exception himself where the original legal structure does not apply to him personally. From Hitler's use of this exception in Nazi Germany to the American language of executive privilege, the sovereign is at once both in and outside the bounds of the legal system declaring an exception that cannot be enveloped by another. Agamben furthers this by discussing the paradox within the law that Schmitt's entire concept creates. He writes

It is not the exception that gets subtracted from the rule, but the rule that, suspending itself, gives rise to the exception and only in this way can constitute itself as rule, by constantly maintaining a relation to it... The situation that is created by exception can neither be defined as a factual situation, nor as a situation of right, but institutes between the two a paradoxical threshold of indifference.²⁰

The consequence of Schmitt's exception is that the sovereign power decides neither what is legal or illegal. The only decision made by the implementation of the state of exception is to determine what is fact and what is not. Agamben furthers Schmitt's work with the argument that at the point Schmitt says the sovereign decides these parameters creates the *threshold of indifference*. From here, the people and perhaps even the sovereign are unable to distinguish between the exception and the rule.

It must be noted that Schmitt's construction of the state of exception and its relation to a state of emergency (such as within the Weimar Republic) in which that

¹⁹"Political Theology," 21.

²⁰*State of Exception: Homo Sacer II*, 22-23.

exception can be declared is directly linked to the power of a dictator. Schmitt did not believe in the taboo associated with the concept of dictatorships. Moreover, he felt that parliamentary democracies were not only slow but ineffective at achieving legislative aims. Consequently, he believed that politics were decided by powerful people outside of the representative branches despite the people believing otherwise. He wrote in *On Dictatorship*, "If the constitution of a state is democratic, then every exceptional negation of democratic principles, every exercise of state power independent of the approval of the majority, can be called dictatorship."²¹ These constraints meant that a tradition of small moments of dictatorships already existed within the democratic framework. Thus, a longer extension of this practice should not be traumatic. By allowing for a state of exception when democratic rights are suspended, it creates an opportunity for governments to take decisive action without the delay of democratic processes. This exception created what Schmitt refers to in "Political Theology" as "situational law."²² The understanding by a people that this type of action was necessary allowed for a commiserating dictatorship within a democracy that could operate temporarily in times of need and accomplish more than the democratically elected officials. The sovereign would be the one that become the interim/temporary dictator who would have the monopoly power over making the final decision. This end is the crux of what Schmitt's exception hoped to do- define what the core of the sovereign's actual role and limit of power, if any, should be. He wrote, "Therein consists the essence of State sovereignty, which must therefore be properly juridically defined not as the

²¹*On Dictatorship*, 3-9.

²²"Political Theology," 21.

monopoly to sanction or to rule but as the monopoly to decide, where the word 'monopoly' is used."²³

The exception as described by Schmitt opens the door for further exploration of nontraditional embodiments of sovereign power. This includes the possibility for the corporation to take on characteristics of sovereignty. Giorgio Agamben provides one of the most current interpretations of the theory of the sovereign building on the work of Schmitt. Agamben looks deeper at the relationship between the state of exception and the law in which the exception exists and how this affects sovereignty. Going back to Schmitt's theory of the exception, for Agamben, the state of exception is the point at which the law incorporates the human being.²⁴ The idea is that if the state of exception can create exceptional processes, then it serves to say that it can also create subjects within that exception. Agamben points to a decree by President George W. Bush following the attacks on September 11, 2001 as an example of such incorporation. On November 13, 2001, President Bush issued a military order that added to the previously enacted Patriot Act regarding the detention of non-citizens suspected of terrorist activities. Prior to the November 13th order, the United States Attorney General was already imbued with the power to detain any individual suspected of terrorism or terrorist connections, but this new law wholly eliminated these individuals' legal status. They no longer were named or classified by any legal construct. They were not prisoners; they were not accused, but "they [were] simply detainees... subjected to pure de facto sovereignty to a detention that is indefinite not only in its temporal sense, but

²³ "Political Theology," 21-22.

²⁴ *State of Exception: Homo Sacer II*, 1-128.

also in its nature, since it is outside of the law and of all forms of legal control.”²⁵ With Bush’s decree, the individuals arrested by U.S. officials existed in an in-between of law and society and found themselves not afforded any rights or legal recourses. They were forced into a perpetual state of indetermination removed from the normal functions of society and stripped of the ability to operate within that society. Bush’s law reduced these detainees to the concept of what Agamben labels *bare life*. At this point, individuals placed within the exception are devoid of all characteristics that link them to society and force them into a metaphorical gray area where they are subject to the law but not participants in the system governed by that law. In short, for Agamben, one of the consequences whether intentional or not of the state of exception is that it allows for an “entire category[y] of citizens who for some reason cannot be integrated into the political system.”²⁶ They move from a qualified life to a naked life, stripped off their rights as citizens.

Agamben builds on this concept of bare life by referring to the practice of *homo sacer*. An archaic Roman law, Agamben defines his understanding of *homo sacer* using the words of Pompeius Festus in his treatise *On the Significance of Words*. Festus writes

The Sacred man is the one whom the people have judged on account of a crime. It is not permitted to sacrifice this man, yet he who kills him will not be condemned for homicide; in the first tribunitian law, in fact, it is noted that “if someone kills the one who is sacred according to the plebiscite, it will not be considered homicide.” This is why it is customary for a bad or impure man to be called sacred.²⁷

These individuals literally exceeded the law, residing in an exception where the state could not kill them or sacrifice them to the Gods, but, for whom, it was no longer

²⁵ *State of Exception: Homo Sacer II*, 3-9.

²⁶ *State of Exception: Homo Sacer II*, 2.

²⁷ *Homo Sacer*, 71.

classifiable as a crime for individuals within that society to take their lives. For Agamben, those citizens to whom *homo sacer* applied were reduced from the power of life and its inherent rights to a status of bare life. What is ironic is that these individuals denied a qualified life is that they are the direct mirror image of the sovereign deciding the exception. They are both within and outside the law. Both are able to be condemned but are suspended in a state where that condemnation necessarily does not apply.

Agamben provides a multitude of examples to further these principles and illustrate how the exception assists in creating the bare life. It is here that he begins to build upon the work of Walter Benjamin where Benjamin claimed that the exception had become the rule.²⁸ For Agamben, the state of exception becomes law through the means of the camp and its ability to reduce individuals to naked life. While he writes about concentration camps and multiple prisoner of war camps, one of his most convincing case studies is that of Guantanamo Bay. Agamben believed the removal of the suspected terrorists' status as citizens or more dramatically people at all reduced them to a bare life. He goes further, though. The actual power of life is taken away from these prisoners much like those to whom *homo sacer* applied in Ancient Rome. Take for instance the hunger strikes that occurred in the late 2000's. Prisoners within Guantanamo Bay refused to eat their food in an effort to protest what they believed to be their mistreatment. They declared that they would starve to death rather than subject themselves to what they called the continual injustice of their detention and treatment. The officials of the prison did not allow these strikes to continue, though. After only a few days, the prisoners were force fed prolonging their lives and taking away their

²⁸Ibid.

ability to commit suicide, or more specifically eliminating their control of when to end or for how long to prolong their own lives. It did not matter that some of these prisoners would die at later points in their imprisonment. They had lost even the means of taking their own lives.

What Schmitt and Agamben provide with this new component to the theory of sovereignty is a way to discuss how sovereign powers affect every minute aspect of the everyday life of those citizens over which they have authority. The sovereign's power exists outside the confines of the formal state and within the exceptions created by the law, something needed in order to justify the possibility of a corporate sovereign. More is needed, though, for the corporation to be considered sovereign; there must be some precedent for the sovereign authority existing outside of the confines of both the state and the law. Such work is continued by Antonio Gramsci. For Gramsci, the state is an organic political community that is always changing. To institute this change, groups within the state fight over how to shift consent. This battle is waged within the two sectors of the state Gramsci lays out in his *Prison Notebooks*.

What we can do, for the moment, is to fix two major superstructural "levels": the one that can be called "civil society", that is the ensemble of organisms commonly called "private", and that of "political society" or "the State". These two levels correspond on the one hand to the function of "hegemony" which the dominant group exercises throughout society and on the other hand to that of "direct domination" or command exercised through the State and "judicial" government. The functions in question are precisely organisational and connective.²⁹

Gramsci expands this theory of hegemony into a system where power is based on force and consent. In a capitalist state, Gramsci rejects the idea that there is a public

²⁹Antonio Gramsci. *Selections from the Prison Notebooks* (edited by Q. Hoare). (London: Lawrence & Wishart, 1971) 12.

sphere and then a private sphere devoid of politics. Instead, the State or political society is composed of the formal political institutions (military, legislature, legal system, etc), while the civil society is made up of the family, the education system, the workplace, etc. While this secondary sphere is identified as being non-state affiliated, Gramsci claims there is a definitive overlap. In the public realm, culture is defined, and this culture is politics by other means for Gramsci. Force is instituted within the public or political sphere, while in the private sphere, supposed non-political groups attempt to gain consent for the State.³⁰ Gramsci writes the law, education and the church claim to be non-political but, in actuality, are controlled by the ruling class and used to make the people believe and uphold the current system.³¹ The state wields power through these supposed non-political institutions. What Gramsci has provided here is a precedent of power being instituted beyond the formal spheres of government and within private institutions. These groups illustrate a way to undermine the consent needed in the Lockean and earlier concepts of sovereignty. Gramsci successfully shows how these non-political organizations can be used by the state to influence the average citizen. This citizen is manipulated, taught what to believe. The ideology replaces the need for legitimate consent, and, instead, the sovereign maintains power because of the hegemony constructed to help it do so. Thus, with the work of Gramsci and Schmitt, the conversation regarding sovereignty has expanded greatly, providing a way to encompass a potential corporate sovereign authority. The corporate sovereign acts in accordance with Gramsci's non-political groups. Since these groups provide support for the State, it is not unreasonable to associate the corporations with such encouragement, as they

³⁰Gramsci.

³¹ Ibid.

provide direct support for capitalism. Within the private sphere that Gramsci describes, corporations, through marketing campaigns, elicit the consent depicted in Gramsci's hegemony theory. Take for instance the modern corporations of Best Buy or Wal-Mart. Acting as agents of the market economy, their specific advertising of sales surrounding Labor Day, Memorial Day or the recent phenomenon Black Friday, entice consumers to consume. This consumption only serves to gain consent for the capitalist economy under which these consumers live. Still, is this enough for our definition of sovereign to include these corporate actors? While the corporation's ability to derive consent exhibits some semblance of power, does this justify the corporation as being labeled as a potential sovereign actor? Perhaps not. In order for the corporation to be considered sovereign, the ability to associate the type of power displayed by sovereign actors thus far with the corporation's ability to influence must be drawn out.

This is the moment where the work of Michel Foucault comes in. Most of Foucault's writings are on a variety of institutions (prisons, mental health facilities, etc.) and how power operates within these institutions. Foucault rejected the idea that power is essentially attributed to the traditional state sovereign and demonstrated through display. For example, the crown of the monarch, his throne, etc. are all displays of power lack any substance. These displays exist to produce fear and respect amongst subjects but hold no power of their own. Just because the Oval Office and the White House are representative of the seat of power within America, does not mean that if those images were destroyed, the sovereign power of the United States would be shaken. For Foucault, power runs much deeper than this. Power makes us who we are and operates through us. Power in this sense is productive.

This productive power takes on three roles. First, there is the concept of sovereign power which for Foucault is power as defined by the previous authors. It focuses on a central authority figure and is marked by the need to be obedient to that figure. During the eighteenth and nineteenth centuries, though, Foucault claims a secondary type of power developed, disciplinary power. This discipline operates by controlling the behavior of members of society.³² Much like Gramsci's hegemony, disciplinary power regulates activity, time, the organization of space through architecture, etc.³³ While power is not essentially about discipline, discipline of behavior is one way that power is exercised. Finally, there is pastoral power or a convergence of techniques to guide the conduct of members of a social body.³⁴ Much like a shepherd guides his flock, this pastoral power is where institutions guide individuals by exerting influence over them in various ways. Together, these three types of power lead to Foucault's larger theory of biopower. Foucault first introduced the theory of biopolitics in the first volume of *The History of Sexuality*. He argued there was a difference between the concept of sovereign power as explained up to that time and the power found within modern society. This contemporary system was no longer concerned with the training of the body, but, rather, the management of all aspects of life. It is focused on fostering or *disallowing* life, rather than the choice of killing or *letting live* found within historical practices of sovereign power. This biopower centers on biological life itself where the state begins to regulate customs, habits, health, reproduction, etc. within the population. In essence, biopolitics is the combination of politics and human populations where the

³² Michel Foucault and Robert Hurley. *The History of Sexuality*. (New York: Vintage, 1988).

³³ Ibid.

³⁴ Ibid.

life itself or more specifically the management, control and use of that life are manipulated as a new means of power.

Foucault argued biopower was controlled through the means of institutions. He spent much of his writings exploring how power operates within these institutions where it does not exist as simply a negative force that prevents or constrains. Modern power forces us to operate under a legal framework that claims to make us free and promotes equality, but under the biopolitical construct this is simply not true. When we submit voluntarily to institutions, such as employment contracts, we become subordinate to someone or something else, despite being under the impression of controlling our own lives. The reality is that in our everyday interactions we possess very little freedom. The moment the disciplinary power becomes biopower, Foucault called *the threshold of modernity*.³⁵ At this moment, sovereign power in its traditional sense is left behind opening the door for new sources of authority, like the modern corporation. Through its recruitment of subjects (or buyers), the corporation exerts the kind of disciplinary power Foucault describes. This recruitment takes place through marketing and advertising directed at the buyers the corporation is specifically attempting to engage.

Agamben furthers such beliefs by claiming modern biopower and the conception of sovereignty described by Bodin (an ultimate authority possessing ultimate power) are not separate but integrated within the exception defined by Schmitt. For Agamben, the sovereign's innate ability to decide the law as well as the exception all while existing outside of its control creates the possibility for biopower as described by Foucault. This ability serves as one of the major markers of sovereign authority. In fact, Agamben

³⁵ Foucault, *The History of Sexuality: Part One*, 1-213.

writes, "It can even be said that the production of a biopolitical body is the original activity of sovereign power."³⁶ With this, the idea of simply some external body attempting to control a people through physical force is abandoned. With the advancements from Schmitt through Agamben, the concept of power grows to encompass the very makings of identity and submission to a new type of power, a disciplinary power. Thus, if it can be shown that the corporation exhibits such power, then by Agamben's definition, the corporation possesses sovereign authority. While this seat of power does not replace the state sovereign, the corporation can exert control over aspects of the consumers' lives. As shown with Gramsci, the recruitment of subjects to gain consent for the state or structure is a type of power expanded by Foucault. In essence, the corporation can exert its influence through a means of disciplining its subjects or buyers.

With the work of these authors, a model of the sovereign outside of the formal bounds of the state can be constructed making way for the corporate to act as a sovereign actor. As such, with this achieved, the original two characteristics of sovereignty are also met by the corporation. It possesses power of some kind over those under its control through its influence over buyers. What is left now is to make a case for the corporation to possess a seat of authority over an actual body of members. It must be shown that a body can exist for the corporation to act as sovereign over. To achieve this case, the makings of a body politic must be examined in an effort to determine if the corporation driven body politic is able to sit alongside historical embodiments of the metaphor.

³⁶*Homo Sacer*, 6.

CHAPTER III

DEFINING THE BODY POLITIC METAPHOR

As already discussed, a sovereign authority is required as one of the four characteristics of the body politic. In the previous chapter, exactly what constitutes such a sovereign was identified. Just how this sovereign authority works in the construct of a particular body of members, though, must be determined. To achieve this, an exploration into traditional illustrations of the body politic metaphor is necessary. Understanding these commonly accepted examples provides a model by which to compare new bodies. In the sixth century B.C.E., Aesop tells the story of a body whose members are divided against themselves. Together, the members decide they will no longer support the body's stomach, resenting it for eating all of the food they gather, while it makes no effort to obtain such rewards. It is their collective belief that the stomach only consumes, never produces, and this imbalance cannot stand. As such, they hold a meeting in which they decide to deny the stomach any further sustenance. Their decision produces some unforeseen consequences though

[...] [A]fter a day or two the Members began to find that they themselves were not in a very active condition: the Hands could hardly move, and the Mouth was all parched and dry, while the Legs were unable to support the rest. So thus they found that even the Belly in its dull quiet way was doing necessary work for the Body, and that all must work together or the Body will go to pieces.³⁷

At its close, the moral of the fable teaches its readers that to work and sacrifice for the collective good is what is best for the individual. The pieces contribute to the maintenance of the whole, and without each piece doing its job, the whole ceases to

³⁷"The Belly and Its Members." *Aesop's Fables*, The Belly and the Members. Aesop. 1909-14. Fables, The Harvard Classics, n.d., <http://www.bartleby.com/17/1/29.html> (accessed September 13, 2012).

operate. Long since used as an argument for the greater good of the dominant social order and against subversive forms of organization, the story would become overtly politicized in the coming years. Though explicit morals were not attached to Aesop's writings until almost two hundred years after his death by Demetrius Phalerius, over the next two millennia, *The Belly and Its Members* would become instrumentalized to argue for a specific regime—an absolute monarchy, as seen in the seventeenth century C.E.

Published in 1668, La Fontaine rewrites Aesop in his own fable, "Les Membres et L'Estomac."³⁸ Here, La Fontaine explicitly labels the masses the various appendages and the monarch the belly. As in the original story, the rest of the pieces of the body revolt against the belly for doing so much work while the belly sits by and simply eats the literal fruits of their labor. And again, once the repercussions of starvation begin to take their toll, the parts of the body appreciate the stomach for its sustaining power and recognize that without it, the body would die. La Fontaine writes

Whereby the mutineers, at length,
Saw that the idle belly, in its way,
Did more for common benefit than they.
For royalty our fable makes,
A thing that gives as well as takes
Its power all labour to sustain,
Nor for themselves turns out their labour vain.
It gives the artist bread, the merchant riches;
Maintains the diggers in their ditches;
Pays man of war and magistrate;
Supports the swarms in place,
That live on sovereign grace;
In short, is caterer for the state.³⁹

³⁸Translated to "The Members and the Belly."

³⁹ La Fontaine. "The Members and the Belly," *Fables De La Fontaine*, n.d., <http://www.lafontaine.net/lesFables/fableEtr.php?id=752> (accessed September 12, 2012).

With this middle section of the fable, La Fontaine explicitly illustrates for his readers his conception of the relationship between the monarchy and its subjects. The monarch is the definitive lifeline for his state. In his absence, the body would cease to exist. It is here that La Fontaine extends the metaphor beyond Aesop's original use to link the mortality of both the state and the state's residents. Just as the metaphorical body would eventually starve, both the people and the kingdom in which they live would wither away to nothingness without the subsistence their King provided.

La Fontaine does more than just change the intention of Aesop's fable though. He additionally elevates the metaphors of both body part and body. As evidenced from his other writings, La Fontaine displays an acute ability to mold the French language throughout "Les Membres et L'Estomac." To begin, he manipulates the word *members*⁴⁰ to transition from meaning body part to member of a group of citizens, or gentlemen, as he labels them four lines down.

In whose bereavements all the members share;
Of whom the latter once so weary were,
As all due service to forbear,
On what they call his idle plan
Resolved to play the gentleman
And let his lordship live on air⁴¹

From here, La Fontaine treats the members not as personified appendages of a body but individual men concerned with the quality of their leader. These men consider themselves to be above what they label "burden beasts"⁴² and question the gluttony of their belly-king. At this point in the fable, La Fontaine switches back and forth between the personification of appendages of the body to literal members of a political body,

⁴⁰Translated from the French *les membres*.

⁴¹ Ibid.

⁴² Ibid.

generating both a comedic impact, as well as a lens for his intended metaphor of citizen and king.

Complicating this metaphor is the poem's allusion to Rabelais's *Quart Livre*, in which Pantagruel the Belly King exerts a tyrannical reign over his crew. In the English translation of "Les Membres et L'Estomac," the beginning of the fable refers to a "Boss Belly,"⁴³ differing from the original French which refers to this character as MessereGaster in the opening lines. This character is often used throughout literary history as a metaphor for the body politic but is especially resonant in the work of another French writer, François Rabelais. Published in 1552, *Quart Livre*⁴⁴ tells the story of its main character Pantagruel, and in chapters fifty-seven through sixty-two, the character of MessereGaster plays a large role. After Pantagruel and his crew are shipwrecked, they land on an island where Gaster serves as the mayor. Throughout his story, Rabelais refers to Gaster as the Belly King or simply the Belly, but this embodiment of the metaphor does not stop at the belly simply feeding on the fruits of the other members' labor but quite literally harvesting and exploiting them. Rabelais writes:

To this lordly king we had perforce to pay reverence, swear obedience and bear honor. For he is imperious, rigorous, round, tough, hard and inflexible... When he gives orders he admits of no delay or deferment... This is written. It is true. I have seen it. I certify to you that at MessereGaster's all heaven trembles and all the earth quakes. The name of his command is hop to it without delay, or die.⁴⁵

⁴³François Rabelais, and Donald Murdoch Frame. *The Complete Works of François Rabelais*. (Berkeley: University of California, 1999) 561.

⁴⁴Published in English under the title, *The Fourth Book of the Heroic Deeds and Sayings of the Noble Pantagruel*.

⁴⁵Rabelais, 561.

Due to this characterization, Gaster greatly disquiets Pantagruel and his crew. From here, in the coming chapters, they go on to observe the gluttony of Gaster, as well as his followers, which Rabelais calls Gastrolaters and are described as “belly-worshippers.”⁴⁶ This group provides toasts and sacrifices to Gaster serving only to reinforce his edacity. Pantagruel begins to question why the members of the island’s populous would let this go on. It is here that Rabelais references Aesop’s original fable. In chapter fifty-seven,

The captain was telling us how one day, on the model of the members conspiring against the belly as Aesop describes it, the whole kingdom of the Somates conspired against him to pull out of their obedience to him. But soon they felt the consequences of it, repented of it, and returned in all humility to his service. Otherwise they would have all perished of dire famine.⁴⁷

Rabelais’s conception of Aesop’s fable then with regard to Gaster must be taken into account when reading La Fontaine’s own embodiment of the tale. While the fable is often used to describe a staunch argument for an absolute monarchy, it is possible that La Fontaine intended for a certain audience to recognize the meaning behind his naming his belly king, Gaster. Perhaps his fable is not a retelling of Aesop’s, but a new illustration of Rabelais’s story of the Somates rebellion against their belly king. This would make the fable’s purpose then to speak against a king that makes its kingdom sick, rather than to support the kingship’s legitimacy to rule.

Such a concept of the belly propagating illness throughout the rest of the body will be returned to shortly. For now, though, the accepted belief when they were first published was that La Fontaine’s writings were meant to serve as support for the current monarch. In fact, his first edition of *Fables* including “Les Membres et L’Estomac” was

⁴⁶Ibid.

⁴⁷Ibid.

dedicated to the French Dauphine. As such, this potential display of support for the monarchy joined multiple other examples published from the twelfth to eighteenth centuries C.E. Over this time period, while the end result was to justify the kingship, the methodology to do so changed as the body politic was expanded in a multitude of ways. By the seventeenth century, C.E., another famous incarnation of the metaphor is seen to accompany the work of Thomas Hobbes. Published in 1651, *Leviathan* is Hobbes' political behemoth written to justify why a state is needed, as well as why that state should be ruled by a hereditary, absolute monarchy. To give a visual counterpart to this argument, *Leviathan* includes a frontispiece by Abraham Bosse. Bosse's image depicts a giant figure emerging from a hillside. The torso and arms of the body are made up of approximately three hundred persons facing inward toward the center of the drawing. The head of this figure has the distinguishable features of a man and is topped by a crown. Such drawings evoke Hobbes' own argument regarding the role the monarchy and its people should serve. Bosse's drawing is often interpreted by political philosophers to depict the body politic metaphor with the kingdom's citizens as the appendages and the King seated as the literal head of his own body, representing the center of reason and decision making for those he rules.

Switching the belly metaphor in Aesop to the depiction of the head with regard to Hobbes makes sense. For one thing, from the sixth century B.C.E. to Hobbes' seventeenth century C.E., medical knowledge and scientific understanding flourished. Due to this, the simple language used within the metaphor would change. In terms of Aesop's own time, the Ancient Greeks believed many misconceptions about the body, including thoughts about the purpose of the stomach, or gut. Many of the Ancient

Greeks considered the diaphragm or sometimes kidneys as being the seat of reason. For example, Hippocrates spoke out against such commonly held beliefs in the fifth century B.C.E. (approximately one hundred years after Aesop's writing)

I therefore assert that the brain is the interpreter of comprehension. Accident and convention have falsely ascribed that function to the diaphragm which does not and could not possess it. I know of no way in which the diaphragm can think and be conscious.⁴⁸

Such disagreement would not have been common, though. In fact, from the time of Homer, the beliefs held by the Ancient Greeks about the workings of the body, as well as the role emotions played in natural processes placed the ideas of ambition, courage, pride, anger and reason within the heart, diaphragm or thorax. The concept of the head acting as the central processing location for what we today consider to be the brain was not common, making Hippocrates' claims quite radical. Instead, there existed an ambiguity regarding where reason stemmed from, forcing the argument over concepts such as *psyche* (the totality of both the conscious and unconscious human mind) versus *nous* (intellect or understanding). There was no anatomical conception of the brain. The *psyche* and the accompanying part of our soul were considered the seat of rationality. Building on the work of Plato, within Book VI of *Nicomachean Ethics*, Aristotle writes in great length on these topics. He divides the soul (or *psyche*) into two parts, one that knows reason and one that does not. The portion that knows reason also divided into two halves: the lower part housing the portion that reasons and the upper part contemplation. This is combined with the idea of *nous*, or intellect, which is separate from reason, but

⁴⁸David J. Rothman, Steven Marcus, and Stephanie A. Kiceluk. *Medicine and Western Civilization*. (New Brunswick, NJ: Rutgers University Press, 1995) 144.

more like perception or a deeper understanding.⁴⁹ Combine these beliefs with Plato's assertion that the three parts of the soul were located within the brain (the mind), the chest (spirit) and the belly (desire) and Aesop's use of the word belly to describe where the seat of reason existed makes sense. Not until the dissection of actual human bodies in the third century B.C.E., when the central nervous system was discovered did these ideas begin to change. Then, in the second century A.D., the work of Roman researcher Galen would further such understanding. Following a series of experiments on various species of animal, Galen determined that the brain was the definitive location for consciousness, sensation and intelligence. From here, modern science began to develop a greater understanding of the anatomy of the body and brain, so by the seventeenth century any modern concept of where reason lay within the human body would attribute such traits to the head and not the belly. As such, it makes sense for the move from the belly to the idea of the head to occur within the metaphor of the body politic itself.

The advancement of the body politic metaphor used by Hobbes moves from being a metaphorical representation of one body with the people as limbs and the monarch the belly, to the king possessing and housing two actual bodies within himself. This metaphor (known as the King's Two Bodies) finds its roots in theology deriving from the theological Christian concept of *corpus mysticum*. The Catholic Church uses this concept in relation with their tradition of the Eucharist, or Holy Communion. The Church's followers partake in a ritualistic ceremony to pay homage to what they believe to be Jesus Christ's sacrifice of his body. This partaking, they believe, will give them divine life. With this sacrifice, Christ has allowed them passage into a religious body

⁴⁹ Richard Rorty. *Philosophy and the Mirror of Nature*. (Princeton, NJ: Princeton University Press, 1980) 38.

politic where he houses both his divine and mortal bodies. Such beliefs stem from the Church's interpretation of ten verses in Paul's letter to the Ephesians within the New Testament

3 Blessed be the God and Father of our Lord Jesus Christ, who has blessed us in Christ with every spiritual blessing in the heavenly places, 4 even as he chose us in him before the foundation of the world, that we should be holy and blameless before him. 5 He destined us in love to be his sons through Jesus Christ, according to the purpose of his will, 6 to the praise of his glorious grace which he freely bestowed on us in the Beloved. 7 In him we have redemption through his blood, the forgiveness of our trespasses, according to the riches of his grace, 8 which he lavished upon us. 9 For he has made known to us in all wisdom and insight the mystery of his will, according to his purpose who was set forth in Christ 10 as a plan for the fullness of time, to unite all things in him, things in heaven and things on earth.

11 In him, according to the purpose of him who accomplishes all things according to the counsel of his will, 12 we ho first hoped in Christ have been destined and appointed to live for the praise of his glory. 13 In him you also, who have heard the word of truth, the gospel of your salvation, and have believed in him, were sealed with the promised Holy Spirit, 14 which is the guarantee of our inheritance until we acquire possession of it, to the praise of his glory.⁵⁰

This marking is reenacted ceremonially each service with the taking of what the Church refers to as the two bodies of Christ and is based on the ritual of the Last Supper of Jesus Christ as described by Paul in his letter to the Corinthians.

23 For I received from the Lord what I also delivered to you, that the Lord Jesus on the night when he was betrayed took bread, 24 and when he had given thanks, he broke it, and said, "This is my body which is for you. Do this in remembrance of me." 25 In the same way also the cup, after supper, saying, "This cup is the new covenant in my

⁵⁰ Ephesians 1:3-14, *The Holy Bible, Revised Standard Version*, n.d., <http://www.biblegateway.com/passage/?search=Ephesians+1%3A3-14&version=ESV> (accessed September 13, 2012).

blood. Do this, as often as you drink it, in remembrance of me." 26 For as often as you eat this bread and drink the cup, you proclaim the Lord's death until he comes.⁵¹

As explained above, the bread during Communion represents the mortal body of Christ on Earth while the wine signifies the blood, or divine/immortal body of Christ. With the consumption of each, the Church believed its followers were connecting themselves to a transference between both parts of Christ. They thought this connected them to God himself and the eventual immortality of their soul they would receive at his hands in Heaven. Moreover, it is at this moment that the body politic of the Church is created. It is unable to exist until the members believe in their ability to place themselves within the body. This placement occurs at the moment of their consumption of the Eucharist. In essence, the body politic of Christ is only made material by the ritual in taking of the bread and wine in the manner described in these scriptures. This interpretation can be further supported in the lines that immediately follow the above passage. They explain how the improper treatment of the Eucharist can lead to separation from the body and an end to this existence.

27 Whoever, therefore, eats the bread or drinks the cup of the Lord in an unworthy manner will be guilty of profaning the body and blood of the Lord. 28 Let a man examine himself, and so eat of the bread and drink of the cup. 29 For any one who eats and drinks without discerning the body eats and drinks judgment upon himself. 30 That is why many of you are weak and ill, and some have died. 31 But if we judged ourselves truly, we should not be judged. 32 But when we are judged by the Lord, we are chastened so that we may not be condemned along with the world.⁵²

⁵¹ 1 Corinthians 11:23-26, *The Holy Bible, Revised Standard Version*, n.d., <http://www.biblegateway.com/passage/?search=1%20Corinthians%2011:23-26&version=ESV> (accessed September 13, 2012).

⁵² 1 Corinthians 11:27-32, *The Holy Bible, Revised Standard Version*, Bible Study Tools, n.d., <http://www.biblegateway.com/passage/?search=1%20Corinthians%2011:27-32&version=ESV> (accessed September 13, 2012).

Paul describes the judgment or condemnation for treating the sacred ritual of the Eucharist incorrectly. By *profaning* the two aspects of the Communion, the member is unable to join the body or be encompassed by the body. Further, the member is left with an inability to manifest the body politic of Christ. He is *judged* and alienated from the earthly body, or Church, as well as stripped of eternal life and membership within the eternal body.

This concept of earthly versus eternal bodies derives from a literal interpretation of what is known in the modern Catholic Church as *The Bread Discourse* found in the Book of John

53 So Jesus said to them "Truly, truly, I say to you, unless you eat the flesh of the Son of man and drink his blood, you have no life in you; 54 he who eats my flesh and drinks my blood has eternal life, and I will raise him up at the last day. 55 For my flesh is food indeed, and my blood is drink indeed. 56 He who eats my flesh and drinks my blood abides in me, and I in him. 57 As the living Father sent me, and I live because of the Father, so he who eats me will live because of me. 58 This is the bread which came down from heaven, not such as the fathers ate and died; he who eats this bread will live for ever.⁵³

Consumption is the only way for the followers of Christ to become one with Christ's body. By taking his two pieces inside themselves, believers of the Christian faith assert that their own bodies will become dichotomous like Christ's own- with one part mortal and one part immortal, the soul. At the moment of their taking of the Eucharist the members of the body act as if they have entered into this body politic of Christ where Christ dwells within his members, while his members dwell within his house, or Church. Christ is then able to exist eternally through his mortal body politic, while promising those within this body an existence with him in Eternity. The use of the

⁵³ John 6:53-58, *The Holy Bible, Revised Standard Version*, n.d., <http://www.biblegateway.com/passage/?search=John%206:53-58&version=ESV> (accessed September 14, 2012).

word *father* here is also important. Christ talks of the Father in these verses in reference to God, his Father who sent Christ to be a father of his own to his followers. Therefore, Christ is cast in the dichotomous roles of both father and son. By offering his body to his children, Christ makes each of his disciples (or children) his own father when they are given the ability to pass down the tradition of the Eucharist to the next generation, generating fathers of their own. Because they subsist on the bread of Christ, though, the members that partake in the Eucharist, as described, have both the ability to live eternally and sustain the body by giving birth to new generations of followers. In essence, they abide in both the mortal body of Christ and a place in the eternal abode of Christ in heaven.

The ceremony involving the Eucharist in the Catholic Church can be dated back to the middle of the second century A.D. to the writings of Justin Martyr. Martyr wrote in the *First Apology* about the Greek word εὐχαριστία (meaning thankful or gratitude) which would later be translated into the Catholic Church's conception of the Eucharist.⁵⁴ He claimed the wine and bread in the ritual represented the blood and flesh of Christ and through its consumption would assist in a kind of regeneration from mortal (marked by the presence of sin) to divine through the in taking of Christ's blood. He wrote, "For not as common bread and common drink do we receive these; but in like manner as Jesus Christ our Savior, having been made flesh by the Word of God, had both flesh and blood for our salvation ... and from which our blood and flesh by transmutation are nourished,

⁵⁴Justin Martyr and Leslie W. Barnard. *The First and Second Apologies*. (New York: Paulist, 1997) 69.

is the flesh and blood of that Jesus who was made flesh.”⁵⁵ This metaphor of flesh to flesh and blood to salvation (or immortality) is seen here again, further representing the concept of the two bodies of Christ being taken in by his followers through the Eucharist.

The concept of Christ’s two bodies would not end here, though. Throughout the twelfth and thirteenth centuries, theologians began to refer to and distinguish between the *corpus verum* (the alter or divine) and the *corpus mysticum* (the Church or body of worshippers). Pope Boniface VIII would extend the metaphor in the fourteenth century. He declared the Eucharist to be more than just transference of Christ from mortal to immortal which allowed his followers to receive the promise of immortality at the close of their own mortal lives. Instead, on November 18, 1302, Boniface VIII presented a more communal interpretation and claimed the Eucharist also represented the passing into a religious body where Christ acted as its metaphorical head. He wrote, “Urged by faith, we are obliged to believe and to maintain that the Church is one, holy, catholic, and also apostolic... and she represents one sole mystical body whose Head is Christ and the head of Christ is God.”⁵⁶ With this assertion, the metaphor of the Lord’s Two Bodies composes both a natural body of worshippers and their God at its apex. Even the term *living God*, which was and is still used to describe the Christian deity, houses these two dichotomous concepts of mortal and immortal, man and the divine. As worshipers die, the church carries on through new members that take over within the various metaphorical appendages of the body while the head remained ubiquitous.

⁵⁵ "ANF01. The Apostolic Fathers with Justin Martyr and Irenaeus," *Christian Classics Ethereal Library*, n.d., <http://www.ccel.org/ccel/schaff/anf01.viii.ii.lxvi.html> (accessed September 13, 2012).

⁵⁶ Pope Boniface VIII. "UNAM SANCTAM." UNAM SANCTAM, n.d., <http://www.papalencyclicals.net/Bon08/B8unam.htm> (accessed September 13, 2012).

Within this final form of the Christ analogy the precedent for the King's Two Bodies emerges. The idea behind this metaphor is that the King (divinely chosen by God) housed both a natural body and a body politic. The natural body is a mortal body, susceptible to disease, old age, and death. Within this natural body resides the immortal body politic representing the essence of the King's power and encompassing all those under his control. The body politic is immune to any effects on the natural body but sustains regardless of the fate of its natural counterpart. Ernst Kantorowicz, a twentieth century scholar of medieval politics, has extensively researched the metaphor of the King's Two Bodies. On the subject of the body politic and its relation to the natural body, Kantorowicz wrote

The other is a Body politic, and the Members thereof are his Subjects, and he and his Subjects together compose the Corporation. this Body is not subject to Passions as the other is, nor to Death, for as to this Body the King never dies, and his natural Death is not called in our Law the Death of the king, but the Demise of the King, not signifying by the Word Demise that the Body politic of the King is dead, but that there is a Separation of the two Bodies, and that the Body politic is transferred and conveyed over from the Body natural now dead to another Body natural.⁵⁷

Thus, the body natural represents the mortal man that serves as King, while the body politic houses the immortal power of the King's office. As Kantorowicz explains, the word demise is used when describing the end to the King's mortal life. This word implies the demise of the body natural but the continuation of the King's office and the power associated with it. It is at this point that the body politic was believed to pass from the natural body of the outgoing King into the next successor's.

⁵⁷ E. Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology*. (Princeton: Princeton University Press, 1957) 13.

Such an idea of immortality illustrates one aspect of the great deal of crossover between the theological body politic and the monarch model. A brief look at the writings of the thirteenth through sixteenth centuries C.E. can be used to illustrate this point. For example, fourteenth century Italian jurist Lucas de Penna wrote

The Prince is the head of the realm, and the realm the body of the Prince. Just as men are joined together spiritually in the spiritual body, the head of which is Christ, so are men joined together morally and politically in the *respublica*, which is a body the head of which is the Prince.⁵⁸

Penna's interpretation is joined by another jurist, Sir John Fortescue. In his text, *The Governance of England: Otherwise Called the Difference Between an Absolute and Limited Monarchy*, Fortescue claims the monarch's power derived from the angels in Heaven and stands separate from his natural body. Fortescue takes this even further by tracing this occurrence back to the first mystical King of England, Brutus. Fortescue writes that Brutus and all the men exiled along with him created the first body politic representing Brutus' second body and beginning the tradition of the *King's Two Bodies* within the English monarchy.⁵⁹ Such links to the theological model of the body politic is not where the similarities end though. Both conceptions possess another common thread— an understanding of the need for sacrifice.

Beginning with the theological model, the head of the Church's body politic is the prime example of martyrdom or sacrifice. Jesus Christ is thought by the followers of Christianity to have sacrificed himself for the good of his people (or the members of his body- the Church). As such, the Church encouraged a reciprocal opinion of self-sacrifice. Members of the Christ led body politic were prepared to sacrifice their natural

⁵⁸Kantorowicz, 67.

⁵⁹ Sir John Fortescue. *The Governance of England: Otherwise Called the Difference Between an Absolute and a Limited Monarchy*. (Cornell: Cornell University Library, 2009).

bodies in service to the head of the body if necessary. The same necessity would come about in the more secular *King's Two Bodies* metaphor. Here, the concept of *pro patria mori* (to die for one's country) or the more specific *dulceet decorum est pro patria mori* (it is sweet and seemly to die for one's country), derives from the theological sacrifice for the good of the body.⁶⁰ Here, though, the death of oneself in service for the body (or state) and by default the head of the body (or King) was considered compulsory for all members of the body politic. Beyond this natural death, the idea of a non-corporal sacrifice exists. The theological body politic requires sacrifice of funds for its body members in the form of a tithe. The same monetary sacrifice can be seen of members of the monarch metaphor in the form of taxes. Thus, in both examples of the body politic, there is an idea of the head of the body giving to its members while requiring a sacrifice in return for what it offers. This goes back to the embodiment of the metaphor in La Fontaine where he writes, "For royalty our fable makes, a thing that gives as well as takes..."⁶¹ Such an idea is consistent throughout both the theological and the monarch versions of the body politic where penance of some kind is required for membership.

Moving on from these two manifestations, there is one additional expression of the body politic that must be considered- the body politic formed by consent. In this conception, the head only possesses power because of the consent given by the rest of the body. The major proponent for this theory is John Locke. For Locke, the key to the building of civil society and the state lies in the concept of voluntarism. This is the idea that a political power can only have authority over you if you voluntarily consent to the

⁶⁰Kantorowicz.

⁶¹ La Fontaine.

authority of that power. Such consent was crucial to Locke, as he believed it was absolutely necessary to justify the state. Locke wrote

... where-ever any number of men, in the state of nature, enter into society to make one people, one body politic, under one supreme government; or else when any one joins himself to, and incorporates with any government already made: for hereby he authorizes the society, or which is all one, the legislative thereof, to make laws for him...⁶²

Locke believed consent formed the body politic of the state. The head of this newly formed body only possesses power because of the consent given by the members of the body. Once consent is given, only then can the power of the sovereign have any control or legitimacy over the body's members.⁶³ On this, Locke wrote

When any number of men have so consented to make one community or government, they are thereby presently incorporated, and make one body politic, wherein the majority have a right to act and conclude the rest.⁶⁴

So with consent, political power becomes legitimate and the people are formed.⁶⁵ This concept of consent and majority rule as laid out by Locke is seen in a multitude of documents following this writing. Many of these can be found within the United States. For example, the Declaration of Independence states in one section, "To secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."⁶⁶ Another example is within the Massachusetts Constitution written in 1780. It reads, "The body politic is formed by a voluntary association of individuals; it is a social compact by which the whole people covenants with each citizen

⁶² Locke, *Second Treatise*.

⁶³ Jonathan Wolff. *An Introduction to Political Philosophy*. (Oxford: Oxford University Press, 2006) 39-46.

⁶⁴ *Ibid*.

⁶⁵ John Dunn. "I. Consent in the Political Theory of John Locke." *The Historical Journal* 10.02 (1967): 153-82.

⁶⁶ "Declaration of Independence - Text Transcript," *Declaration of Independence - Text Transcript*, n.d., http://www.archives.gov/exhibits/charters/declaration_transcript.html (accessed September 14, 2012).

and each citizen with the whole people that all shall be governed by certain laws for the common good."⁶⁷

Such consent would be given in a variety of ways including tacitly. For Locke, enjoying the benefits of a state constitutes tacit consent. For example, walking on state funded highways, receiving benefits from the state, etc. all mean you are tacitly consenting to the state and becoming incorporated into the body politic. Both the need for this consent and the manner in which it is given is passed down through generations of members of the state. Locke writes

And to this I say, that every man that hath any possession or enjoyment of any part of the dominions of any government doth hereby give his tacit consent, and is as far forth obliged to obedience to the laws of that government, during such enjoyment, as any one under it, whether this his possession be of land to him and his heirs for ever, or a lodging only for a week; or whether it be barely travelling freely on the highway; and, in effect, it reaches as far as the very being of any one within the territories of that government.⁶⁸

As laid out here, even visitors to the state tacitly give their consent to the government based on their enjoyment of the state's benefits or resources while they remain within that state. Such tacit consent is not ideal for Locke but is adequate to provide the beginnings of civil society. With his consent model, Locke provides a method of incorporation to both create the consent driven body politic, as well as identify its members. Through their offering of consent, individuals create a political

⁶⁷ "Constitution of Massachusetts," n.d., <http://www.nhinet.org/ccs/docs/ma-1780.htm> (accessed September 14, 2012).

⁶⁸ Locke, *Second Treatise*.

community and simultaneously become members of a political body. They are incorporated into this body upon their consent and exist within it until they withdraw such approval, thus removing them from the body politic itself.

Both the need for this consent and the manner in which it is given is passed down through generations of members of the body. The commonality of an immortal aspect of the body politic comes into play for the consent model at this point. Like the power in the previous two conceptions, the consent model of the body politic also has a source of authority that is passed through the generations, only this time it is not into the natural body of only one entity (as with the King), but it is passed into every individual in the state who consents. Whether this consent is given expressly as Locke would have preferred or tacitly through the use of state resources, each individual upon reaching adulthood must consent to the state in order for that state to have sovereign authority over them. Without consent, such authority cannot exist and does not exist prior to it. Political scientist John T. Scott explains, "A shared language of obligation is a centripetal force that helps the political machine work without a single ultimate authority."⁶⁹ Thus, members under Locke's social contract create the authority of the state through the act of consenting. As long as individuals continue to provide such approval, the sovereign authority created continues to exist in perpetuity. What are the ramifications of such a contract, though? To give consent to a state means to give up some form of autonomy. This is where the concept of self-sacrifice comes in for the consent based body politic example. In this instance, the individual is required to sacrifice some form of his natural liberty in order to become incorporated into the body.

⁶⁹ John T. Scott. "The Sovereignless State and Locke's Language of Obligation," *American Political Science Review* 94.3 (2000): 547.

For Locke, this sacrifice was necessary as it allowed for a civil society that was far better to live in than the hypothetical state of nature that lacked adequate protection of liberty and property. To create these protections, Locke believed it was for the collective good that such a contract exists in the first place. As such, yet again, the theme of sacrificing for the body is illustrated in this third body politic metaphor.

With this third model of the body politic explained, a final definition can be drawn out of the literature regarding the body politic. It has been shown that the body politic possesses four characteristics. First, there is some sort of sovereign authority presiding over the body. Whether this is a King, the figure of Christ or the sovereign authority sanctioned by the people through consent, the sovereign power acts as the metaphorical head of this body, with its members under its rule. Second, the body politic must exhibit some aspect of immortality where the body continues in perpetual fashion throughout generations. Then, there is some kind of sacrifice by the members of the body politic to become a part of that body. Finally, the members of the body politic choose to place themselves within the body. From the ingesting of the Eucharist in the religious body politic to the offering of tacit consent under Locke's model, all members of the various embodiments of the metaphor partake in some action that signifies their passing into the body's membership. Under these specific requirements, the argument can now be made for the corporation driven body politic.

CHAPTER IV

THE CORPORATION DRIVEN BODY POLITIC

*"The line between what is me and what is mine is very hard to draw."*⁷⁰

Now that the traits involving the body politic have been identified, the application of these to the corporate model may proceed. All four characteristics must be observed within this proposed incarnation in order for the argument for its existence to be valid. Prior to this, though, it is useful to briefly summarize the history of the corporation within the Western capitalist system. Both its development and the environment in which it has been nurtured are crucial when attempting to explain both its actions and meteoric rise to power. The word corporation comes from the Latin word *corpus*, meaning body, or more specifically, body of people. The history of the corporation dates back to the sixth century C.E. under the rule of Byzantine Emperor Justinian the Great. Corporate entities of the time included political groups, craftsmen guilds, and religious sects which possessed a variety of state protected rights including the right to make contracts, file suit against other corporations and own property as a collective body of members.⁷¹ Such associations continued throughout the coming centuries extending into Medieval Europe where churches and local governments were incorporated in an attempt to ensure that organizations outlived their founding members. It would not be until the fourteenth century C.E., though, that the first commercial corporation formed. Created in Falun, Sweden, King magnus Eriksson chartered the Stora Kopparberg mining community in 1347 as an industrial corporation. Other

⁷⁰Anonymous.

⁷¹Ted Nance..*Gangs of America: The Rise of Corporate Power and the Disabling of Democracy.* (San Francisco: Berrett-Koehler, 2003) 83-137.

European nations would soon follow suit as the Dutch East India Company, the Hudson's Bay Company and other commercial corporations were created in the coming years. Referred to at the time as chartered companies, the foundations of the modern corporate sector can be found in these fledgling groups' activities throughout the 17th and 18th centuries C.E. For example, the Dutch East India Company is one of the first on record to participate in any sort of stock exchange to benefit shareholders. Those who were investors in the Company were issued certificates stating their ownership, which allowed them to trade any shares they possessed on the Amsterdam stock exchange. In addition, the British East India Company is a prime example of early corporations in terms of both make-up, as well as the potential for wealth. Established on the last day of 1600, the East India Company traded to and from Africa and the East Indies. Only eleven years later, shareholders in the Company were earning almost a 150% return on their original investment.⁷²

With the success of such chartered companies, a corporate law sector emerged. By the late 18th century, chartered companies were referred to as corporations, laying the foundation for the modern corporation to develop. In 1793, Stewart Kyd authored the first treatise on corporate law. In *A Treatise on the Law of Corporations*, Kyd lays out one of the first formal definitions of the corporation

A corporation may be defined as a collection of many individuals united into one body, under a special denomination, having perpetual succession under an artificial form, and vested, by policy of the law, with the capacity of acting, in several respects, as an individual, particularly of taking and granting property, of contracting obligations, and of suing and being sued, of enjoying privileges and immunities in common, and of exercising a variety of political rights, more or less extensive, according to the design of its institution, or the powers conferred

⁷²John Keay. *The Honourable Company: A History of the English East India Company*. (London: HarperCollins, 1991).

upon it, either at the time of its creation, or at any subsequent period of its existence.⁷³

The definition above makes the claim that the corporate entity acts as an individual under certain aspects of the law. Despite being made up of a collective group of members, the corporate body acts as one agent representing the interests of all under its auspices. These interests stem from those who own the corporation, its stock or shareholders. Today, stockholders make up the modern institution of the publicly traded corporation. These entities partake in a public stock exchange of shares where members of the general public can buy and sell claims. Those that do so become partial owners of the corporation in which they purchase stock. Prior to the mid-nineteenth century, though, these shareholders were not the focus of corporate law. Instead, the legal proceedings involving corporations focused on the protection of the public at large. Forming a corporation was difficult and required a corporate charter granted only by the government of a nation or an official act of legislature. The restrictions on the everyday actions of the corporations were also closely monitored leading to many refusing to partake in the corporate model at all.

Such cases caused governments to begin to rethink corporate proceedings. In the United States, during the nineteenth century, state governments controlled corporate laws. New Jersey and Delaware were amongst the first states to minimize corporate restrictions. In doing so, both states attracted more business. Then, the U.S. Supreme Court ruled in a landmark decision in 1819. In *Trustees of Dartmouth College v. Woodward*, the Supreme Court addressed the issue of the power of States to interfere or

⁷³Chitty, Joseph. *A Treatise on the Law of the Prerogatives of the Crown; and the Relative Duties and Rights of the Subject*. (London: J. Butterworth and Son, 1820) 121.

alter private charters. The case focused on Dartmouth College and the attempt of the New Hampshire legislature to force the academic institution to move into the public sphere. In the end, the Court upheld the original charter of the college and allowed it to remain a private corporation in the original sense of the word (a collective body of individuals). The decision would have far reaching implications for the American business corporation, though. By upholding of the original charter, the Court ruled that States did not possess the right to interfere with private charters, including charters that created commercial corporations. The charters that formed these corporations were no longer subject to the abolition of state governments.⁷⁴ With this ruling, the American business corporation began to flourish. Such prosperity would only be compounded with another victory for the commercial corporation in 1886. In *Santa Clara County v. Southern Pacific Railroad Company*, the U.S. Supreme Court ruled that the equal protection clause granted under the Fourteenth Amendment of the U.S. Constitution applied not just to individual persons but corporations, as well.⁷⁵ With the rulings of both *Dartmouth v. Woodward* and *Santa Clara vs. Southern Pacific*, the door had been opened for the era of the modern corporation to begin.

An Intangible Body is Formed

Within this modern era, corporations have played an influential role in the growth of a capitalist global economy. Throughout the Golden Age of Capitalism encompassing the close of World War II through the early 1970's, corporations grew exponentially alongside a booming world economy ending at what many label *late capitalism*. First used by Werner Sombart in *Der Moderne Kapitalismus* as a method of

⁷⁴*Trustees of Dartmouth College v. Woodward*, 17 U. S. 518 (1819).

⁷⁵*Santa Clara County v. Southern Pacific Railroad Company* 118 U.S.394, 396 (1886).

distinguishing between early capitalism and beyond, the term grew from these beginnings and began to be used by many Neo-Marxists, specifically those writing in the tradition of the Frankfurt School, as well as authors such as Frederic Jameson. While there are arguments amongst these writers as to the use of such a term, all employ the phrase to describe the form capitalism took in the mid-twentieth century and in which it still operates today. Fredric Jameson provides a definition of what is meant by late capitalism by saying

What 'late' generally conveys is... the sense that something has changed, that things are different, that we have gone through a transformation of the life world which is somehow decisive but incomparable with the older convulsions of modernization and industrialization, less perceptible and dramatic, somehow, but more permanent precisely because more thoroughgoing and all-pervasive.⁷⁶

For Jameson, this change included an evolution of capitalism to include a global reach unmatched at any other point in history. Jameson builds on the work of Ernest Mandel who described late-stage capitalism as a period marked by globalized markets, an increase in consumption of goods, and the emergence of the multinational corporation. Mandel argued this consumption is accompanied by an increase in the commodification of informal aspects of everyday life. The marketplace moves further into the confines of everyday living than ever before.⁷⁷ Such expansions, for many writers, also accompany alienation of producers within such advanced capitalist societies. For example, writers such as Theodor Adorno point to a furthering of Marx's commodity fetishism within the late capitalist stage.

⁷⁶Frederic Jameson. *Postmodernism, or, the Cultural Logic of Late Capitalism*. (Durham: Duke University Press, 1991) xxi.

⁷⁷ Jameson.

For Marx, within the marketplace, producers and consumers perceive one another through the means of commodities that are bought and sold. Objectification relates in great part to Marx's overall theory of the structure of commodities. Commodities are produced to be sold in a market and each possesses both a use-value and an exchange-value. While the use-value relates to the actual use derived from owning a product, the exchange value is more complicated. More than simply the price due for purchasing a commodity, the exchange value must include consideration of the cost to produce it, the labor needed for production, and the value placed on such labor. Exchange values must then be compared in an effort to determine why one commodity has a higher exchange value than another. In other words, Marx seeks the answer to such questions as what justifies one piece of clothing costing more than another within the same marketplace. He describes this conundrum by introducing the example of a table. He says the table is simply wood until, "...it emerges as a commodity, it changes into a thing which transcends sensuousness. It not only stands with its feet on the ground, but, in relation to all other commodities, it stands on its head, and evolves out of its wooden brain grotesque ideas, far more wonderful than if it were to begin dancing of its own free will."⁷⁸ What Marx refers to here, in part, is the fact that once the table moves from being simple wood to a commodity, two things occur. The transformation into a commodity means the former wood now possesses both a use and exchange value, and the producers of the commodity no longer have any connection to the determining of either value. Values are decided based on the commodity and not the labor that produced

⁷⁸Karl Marx, "Economic Manuscripts: Capital Vol. I - Chapter One," *Economic Manuscripts: Capital Vol. I - Chapter One*, n.d., <http://www.marxists.org/archive/marx/works/1867-c1/ch01.htm> (accessed February 21, 2013).

it. In essence, this constructed identity of value is attached to the product and considered to be inherent, rather than attached to the means by which the commodity is produced. For Marx this understanding marks an important move from a relationship between people to “the fantastic form of a relation between things.”⁷⁹ Thus, the structure of the commodity is based on the exchange of capital for commodities. The subjective value placed on the commodities by this process is replaced by the actual value (price) that must be met in order to obtain them. As a result, individuals are alienated from the market and things/objects within it. This alienation stems from a perceived lack of control over how values are determined.

The existence of such an exchange of commodities is one of the ways, from a Marxian perspective, distinguishes capitalism from other forms of economic production. Further, within this capitalist structure of the commodity, desires, choices, judgments, prejudices, etc. regarding commodities are all determined by the structure of the exchange in place. Adorno claimed that this structure in the late capitalist timeframe is so much more abstract than Marx could have predicted due to the emergence of new sectors of society. These culturally centered aspects, such as the film and television industries generate further means of producing the alienation Marx describes and play a role in enforcing the structures that uphold capitalist principles. Similarly, the global corporation could be viewed as another means of enforcing such a structure. The modern, global corporation plays a role in not only producing commodities but influencing the actual values placed on such commodities. This generation of value is done through a process of branding and marketing used by corporations to project an

⁷⁹Ibid.

image of both themselves and their product. The image becomes immediately recognizable as a symbol for all items produced, calling to mind not only the commodities but feelings the corporation wishes you to attach to their commodities. For example, the Nike logo of a simple white check mark combined with the marketing slogan, "Just Do It," speaks to consumers who wish to be viewed as motivated, hardworking athletes. Both the slogan and logo are recognizable apart from one another, calling to mind the feelings Nike wishes you to experience upon seeing their product. The idea is for consumers to place a different value on Nike products than other comparable corporations such as Asics or Sketchers. Because of these beliefs, Nike is considered to have a higher exchange value in Marx's terms, and the company charges more for their products because of it. Another example is the Louis Vuitton brand which features an ornate LV in dark brown on a light brown background. Such insignias are coveted by many women wishing to appear like the "Louis Vuitton woman" portrayed as fashionable, beautiful and most importantly, wealthy. Their brand conveys the entire image with a simple two letter logo, driving purchases of Louis Vuitton products beyond other purse and fashion wear designers such as Coach or Dooney and Burke. Yet again, the subjective exchange value is driven by the marketing campaign which translates into higher prices for products within the free market system. These two examples join a multitude of others that demonstrate corporations' hopes to produce an image with their product. It is an image they hope the customer will covet and spend good money to reflect. Due to this desire, advertising and marketing firms have sprung up since the late 1950's as large money making industries. From the font, to the color to the choice of

copy on print ads, as corporations continue to grow, the business behind producing the desired images of corporations grows along with it.

The image construction has more far-reaching effects than simply the free market, though. Such undertakings by corporations assist in developing the body politic of the corporate sector. As already described, in order for the corporate body politic to exist, it must meet four standards, the first that the members of the body act *as if* they are within the body. In essence, the members are willing subjects who are recruited into the body and choose to remain a part of it once absorbed. They remain despite there being no formal, tangible body with which they are connected. By directly targeting the consumer, the corporation is recruiting future corporate subjects who become members upon their purchase and display of commodities. As brands constantly change, corporate subjects are also consistently changing. With the dissolution of one corporate body, though, another is created. In addition, such a body politic fails to have any borders. It is intangible and through the emergence of the multi-national corporation, the corporate body politic is able to exist globally depending on the scale of the corporation, itself.

Jameson talks of such occurrences. He argues its late stage allows capitalism to evolve beyond even what Marx could predict it would become. With this evolution, Jameson identifies seven new traits, all of which benefit the emergence of the corporate body. They are

1. Capitalism expands beyond any national border.
2. There is an allowance of an internationalization of business where multinational corporations are no longer tied to one nation.
3. The international banking structure solidifies First World Dominance
4. New means of media allow for capitalism to flourish.
5. Advances in computer technology further the capabilities of mass production.
6. Planned obsolescence

7. American military domination⁸⁰

The first and second traits mark the evolution of capitalism into what is now the global economy. The international economic system is created in late capitalism and breaks down national barriers, opening the door for capitalist principles, markets and ways of life to permeate all corners of the world. Through this internationalization, the corporate sector expanded along with it. Major global brands such as Samsung or Microsoft now feature headquarters across the globe. The recruitment of corporate subjects in every nation is possible. Jameson argues that these corporations possess both more power and ability to influence than any single nation.⁸¹ This dominance is partly due to the third trait he identifies. Jameson argues the banking structure put in place in late capitalism exploits Third World debt and benefits First World markets through international banking's reliance on stock market exchanges.⁸² Through these means, multinational corporations housed within the First World maintain a staunch control over the world's free market economy. Moreover, the new forms of media developed in the late twentieth century assist corporations in spreading their influence and recruiting future subjects. The Internet, television and other inventions are now a part of everyday life for the average capitalist subject. Experiences with such media expose the subject to capitalist principles, reinforcing its ideals. In addition, these technological advancements disperse the corporation's branding and marketing through the means of purchased advertising bars to pop-ads. Compounding these advancements, social media has provided a way for consumers to place themselves within corporate bodies. For example, Facebook included

⁸⁰ Jameson.

⁸¹ Ibid.

⁸² Ibid.

an option of *liking* pages beginning in 2009. Over a short time period, this feature expanded from a simple show of support for friend's statuses or photographs to users being able to support a variety of items, one of which is corporations themselves. From Coca-Cola to Walmart and beyond, the Facebook user can choose to *like* a brand with a click of a button. This action triggers a sequence of events. First, the brand or logo from the corporation that is liked becomes a part of that user's homepage. When clicking on the like tab, the brand is located on their personal profile for all of the user's friends or the public (depending on personal security settings) to see. Second, the action of *liking* is included as part of that user's newsfeed. In a page directed at companies hoping to succeed in obtaining *likes* Facebook writes, "When the user clicks the Like button on your site, a story appears in the user's friends' News Feed with a link back to your website."⁸³ This link encourages other Facebook users to also show their support of the company or product being advertised in hopes of bringing that individual into the same corporate body politic. Such encouragement happens upon each log in. Rarely does a Facebook user open up their account and he not find an advertisement for a corporation, such as Verizon. Also included is a list of exactly who within their friendship group has already *liked* the company and an invitation to do the same. Such listings provide a concrete way to view corporate body politics in the making. Through the means of liking, the Facebook user is incorporated into the body, placing themselves inside of it and broadcasting such knowledge to friends and family. To date, the liking appears quite successful from the standpoint of the corporation. For example, as of January 13, 2013, Coca-Cola had received 57,293,722 likes; Microsoft- 2,171,892; Samsung Mobile-

⁸³ "Like Button," *Facebook Developers*, n.d., www.facebook.com/corporate (accessed February 20, 2013).

22,583,631; and Burberry- 14,735,699 to name just a few.⁸⁴ Adding to this process are other social media outlets attempting to take a cue from Facebook. Twitter offers the ability to *tweet* about products and companies. Four Square allows you to broadcast where you are, including purchasing centers, and Pinterest allows users to *pin* logos and products to user generated boards to show their interests to the entire Pinterest community.

Now it can be argued that such actions are done without consideration of the implications such information sharing could have on the formation of a corporate body. In essence, they possess no real desire to become a member of these bodies. A recent study done by the University Of Miami School Of Business Administration offers evidence to counter such claims. Conducted in early 2012, the Empirica Research and StyleCaster Media Group discovered that Facebook and Twitter users, specifically, are quite cognizant of what they choose to publically support. When it came to products they felt were “embarrassing” such as Clearasil or the women’s undergarment Spanx, they were less likely to even purchase said products on the Internet for fear of their purchase translating into an inadvertent *like* or *retweet* on their social media sites, 25 percent less likely in fact.⁸⁵ One professor involved in the study, Claudia Townsend said, “The mere presence of social media icons on a Web page when we’re shopping apparently causes us to feel as if our purchases are being 'watched' by our social network, and we adjust our buying decisions accordingly.”⁸⁶ While the study is not conclusive, it does give some

⁸⁴ "Social Media Icons on Shopping Sites Influence Purchase Decisions," – *Ecommerce*, March 2013, <http://www.bizreport.com/2012/03/facebook-and-twitter-icons-influence-online-buying.html>(accessed February 20, 2013).

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*

legitimacy to the claim that consumers broadcast their corporate and product preferences in a calculated manner. If so, then through the advancements of social media, corporate body politics are able to recruit subjects so the buyers do place themselves within the body in a very public way.

Such placement is compounded by Jameson's fifth trait that due to technological advances, mass production is possible on a scale greater than ever before. Mass production leads to higher profits for the corporation, increasing its capital power and allowing for an increase in the planned obsolescence he feels late capitalism encourages, or the production of goods that specifically have a limited life span or use. Aesthetics are of top priority in late capitalist production, despite their having no real impact on the use-value of an object at all. Jameson said, "What has happened is that aesthetic production today has become integrated into commodity production generally: the frantic economic urgency of producing fresh waves of ever more novel-seeming goods (from clothing to aeroplanes), at ever greater rates of turnover, now assigns an increasingly essential structural function and position to aesthetic innovation and experimentation."⁸⁷ Both of these are unnecessary in terms of use, but the exchange value is greatly increased in late capitalism when they are considered. Such observations by Jameson could be expanded and applied to companies producing products they advertise will become obsolete due to a new version replacing the old in just a short period of time. Take for instance the entire marketing campaign of Apple Inc. with regard to the iPod, the iPad and the iPhone. The previous model of these products is replaced by a newer version that the consumer is told they must purchase. A prime

⁸⁷Jameson, 4.

example involves the iPad 2 versus the iPad 3. Released approximately one calendar year apart, the iPad 3 improves upon the iPad 2 in very few ways. It features the same size and same color scheme as the second generation, but the iPad3 possesses the capability of more storage space (if a larger storage model is purchased for an increase in price), a slightly faster operating system, a slightly higher resolution camera and an overall higher resolution screen. While these upgrades are not wholly significant or revolutionary, the effect on price is palpable:

iPad 2:

- WiFi only with 16GB of Memory Space: \$399
- WiFi with 3G 16GB of Memory Space: \$529
- Wifi only with 32GB of Memory Space: Unavailable
- Wifi with 3G with 32GB of Memory Space: Unavailable
- WiFi only with 64GB of Memory Space: Unavailable
- WiFi with 3Gwith 64GB of Memory Space: Unavailable

iPad3:

- WiFi only with 16GB of Memory Space: \$499
- WiFi with 3G 16GB of Memory Space: \$629
- Wifi only with 32GB of Memory Space: \$599
- Wifi with 3G with 32GB of Memory Space: \$729
- WiFi only with 64GB of Memory Space: \$629
- WiFi with 3Gwith 64GB of Memory Space: \$829

This is not where it ends, though. Following the above alterations, Apple released an iPad 4 a year later in late 2012 and has released plans for an iPad 5 in March of

2013.⁸⁸ Are such advancements needed? Jameson would claim they are quite unnecessary and are merely symptoms of a capitalist system hoping to solidify corporate dominance. In addition, it can be said that such obsolescence assists the corporate body politic by not only recruiting new members but holding onto those members already under their control. The more constant the stream of products the consumer is offered, then perhaps the longer that consumer remains a member of said corporate body. The above is all combined with Jameson's last claim that late capitalism allows for American military and economic domination to occur on a global scale. Often thought of as a prime example of capitalist lifestyle and development, the American way of life has spread beyond its borders spreading its own image often inseparable from capitalist principles.

A Sovereign Authority for the Corporate Manifestation

A question may be raised, though, as to how this process of corporate recruitment occurs without being identified by the recruits themselves. While Marx provides one explanation through his alienation of the buyer, there perhaps is another reason that furthers Marx's original concerns. It requires a return to the state of exception first mentioned in Chapter II. While Schmitt claims the exception exists in a way to help identify the sovereign who not only decides the exception but exists within it, Agamben extends Schmitt's argument by claiming the exception is also the place where biopower is engendered through the means of the spectacle. Pulling from Guy Debord, Agamben refers to the spectacle as Debord once defined it as "a social relationship

⁸⁸ "Apple iPad Fifth Generation Release Date Tipped For March 2013; Device Will Be Thinner, Lighter, More Like iPad Mini: Report," *International Business Times*, March 2013, <http://www.ibtimes.com/apple-ipad-fifth-generation-release-date-tipped-march-2013-device-will-be-thinner-lighter-more-ipad> (accessed February 20, 2013).

between people that is mediated by images.”⁸⁹ Within this spectacle Debord claims, “All that once was directly lived has become mere representation.”⁹⁰ For Debord, this means the original world and the original meaning of life as the world perceived it no longer exist. Both have faded away leaving behind a series of pseudo-events, all manufactured by those in power. There is now only an *idea* of life constructed for those who believe they are living it, but the basic crux of that life has degenerated past the point of return for Debord. The capitalist global economy has seen “degradation of being into having...[which] leads to a generalized sliding of having into appearing...”⁹¹ Having directly refers to a desire for the commodities produced within the free marketplace. The spectacle uses images to tell the consumer what is worth having and to encourage them to purchase it. The spectacle upholds and disperses the exchange-value of commodities. The buyer is convinced he must have the commodity, and social relationships no longer are formed around the identities of the buyers but surround the images the buyer consumes through their purchasing of commodities. Thus, as Debord says, the buyer moves from being into having through the purchase of the commodity and from having into appearing once the buyer takes on the image of the commodity in place of their own.

As already mentioned the corporation takes part in the commodification process through various means not limited to but including branding. If we accept these processes assist in creating the corporate body politic, one of the reasons for such a creation then can be found in the images produced by the corporations through such

⁸⁹Guy Debord, "Society of the Spectacle," *Society of the Spectacle*, n.d. <http://www.marxists.org/reference/archive/debord/society.htm> (accessed November 12, 2012).

⁹⁰Ibid.

⁹¹ Ibid.

strategies. These images are integrated into the society of spectacle described by Debord. While globalization had not occurred as of Debord's writing, he was well aware of the effects of mass media on the spreading of such images. With the advent of the Internet to cable television and various other means, the corporate sector circulate these images to perpetuate the process Debord tells of transitioning into appearing from the original state of being. This process is exactly what Agamben refers to when he claims Schmitt's initial state of exception must be expanded to the point where we become incorporated into an exemplary state of exception.⁹² This exemplary state moves beyond Schmitt's conception which is grounded in the concepts of life and death. Within Agamben's extension of the exception, biopower is allowed to flourish and its tracks are covered through the spectacle Debord describes. As Foucault explained it, biopower regulates the customs, habits, and every other aspect of day to day life within a population. Its focus turns to the management, control and use of life. Once biopower is formed, nontraditional sovereign authorities can exert control over sectors of the *population*. Control moves beyond what Schmitt describes and specifically deals with the sovereign not deciding who lives and who dies, but, rather, who is forced to continue living and who is allowed to die. Those living are controlled through a variety of means, all centering on the sovereign authority's manipulation and use of biopower. Agamben agrees with Foucault's description of modern nontraditional sovereign/subordinate relations. He combines this theory with Schmitt's concept of the exception to explain how biopower can exist but not be observed by those being controlled. The power is hidden through the means of the spectacle engendered upon the generation of the exception by the

⁹² Giorgio Agamben. *State of Exception*. (Chicago: University of Chicago, 2005).

nontraditional authority. Through the spectacle, images are produced by the sovereign that decides the exception. The corporation is an example of such non-traditional authorities. The sovereign head exists and operates by generating the exemplary state of exception through its production of images directed at the consumer and future body member. As already argued, the images produced also create the spectacle in which the consumer is absorbed. Through such spectacle, the power the corporate authority begins to exert is masked, unperceived by those within the marketplace.

The Sacrifice Required of the Body Members

This expression of sovereign control has slightly nontraditional implications for Agamben, though. Within the exemplary state of exception described where biopower is produced, the sovereign controls its subordinates not through a type of physical force but through the means of subjectivities. The sovereign in this construct extends the type of bare life experienced within the exception as already discussed. Bare life, for Agamben, occurs when individuals are placed within the exception. They are devoid of all characteristics that link them to formal society and force them into a metaphorical gray area where they are subject to the law but not participants in the system governed by that law. Agamben furthers Debord's work on the spectacle by claiming within the exception the spectacle regulates the images of not just commodities but those consuming. The spectacle monitors the subjectivities of each within the exception producing images to be consumed that upon consumption assures each individual that they are *somebody*. Agamben argues the spectacle through this reproduction denies individual's potentialities to be anything other than just this "somebody"⁹³ and rather

⁹³*The Coming Community*

renders them just *a* body. Such rendering brings up the third trait of every body politic, which is a sacrifice made by the members in order to be absorbed by the body. With regard to the corporate body politic, each individual subject seeking admission gives up a sense of individual agency. Their own individuality is replaced by an image of a collective body of consumers. Upon consuming, the corporate subject offers up their agency to be sacrificed by the corporation, thus absorbing them into the exemplary state of exception and the corporate body politic.

This exemplary state is seen in another example of the body politic, the theological model. Within the Catholic Church, members are absorbed into the state of exception upon their consumption of the Eucharist. It is at this moment they are both absorbed into the body and inherit the duality of the two bodies of Christ- one mortal, one immortal. In essence, they are given a *right to sacrifice* that is a direct result of the mortal aspect of the Christ body that was sacrificed for them. With their absorption into the body, they, in essence, possess a right to be killed. This right is directly related to the concept of martyrdom discussed with regard to the Catholic religious body politic. The concept of the willingness to die for Christ or the Church is related to true membership within the body. Similar notions can be found in the King's two bodies metaphor and the consent driven model. By consenting to the state or by submitting to the King, the subject of either body sacrifices a similar type of agency that is then controlled by the sovereign head. In both bodies there are laws that could render a sentence of death upon the members of the body. By placing themselves within the bodies described, the member offers up a right to be sacrificed by the sovereigns upon their admittance to the body.

What is important to understand then is the far reaching implications of the corporate body possessing a similar power. If the corporate body is able to generate a similar state of exception, then the members absorbed into that exception offer up the right to be sacrificed to their corporate sovereign. These sacrifices do not come in the form of basic life and death decisions, but, rather, involve the minute aspects of everyday life as described by both Foucault and Agamben. The corporate sovereign as a nontraditional authority wields biopower as their form of control over its subordinates. By controlling the aspects of the consumer or member's identities or subjectivities, the member not only sacrifices aspects of their agency, but gives the corporate head the right to sacrifice as much or as little of their autonomy as they choose. If a corporate subject is a member of multiple corporate bodies at once, then this agency or identity is fractured further. Within a capitalist system, with multiple bodies coexisting, this fracturing could be exponential. Further, the right to sacrifice is hidden according to Agamben due to the spectacle produced through images. The reflection of these images through consumption mark the corporate subjects sacrifice to become part of the corporate body. In the end, such a body exists for the sole purpose of consumption and reflection of the images the corporate head produces. The corporate subject is the means through which this reproduction occurs. This sacrifice of identity, whether conscious or not, places the individuals under the rule of the corporate body. While Agamben does not directly write about the corporation as a means to produce the exemplary state of exception, based on his description, his definition can be logically extended to it. The corporate head through the reproduction of images in the form of branding or marketing produces an apparatus to perpetuate the spectacle Debord describes. Members that have placed themselves

within the body can look to such an apparatus to rebuild themselves as corporate subjects. The images produced instruct those within the body as to which commodities to consume and what such consumption means for their identity. The products they buy assist them in reproducing the images of the commodities themselves extending the economic exchange described by Debord between the member's subjectivities and the commodities that now enforce them.

It is important to note the structures that enforce such sacrificing and submission to the corporate body politic move beyond the commodification process as described by Marx and outside the exemplary state of exception defined by Agamben. The structures created by the sovereign head in the state of exception provide a structure that is intended to not just to regulate their own corporate body but to participate in the larger structure of the entire capitalist system. It is essentially a structure within a structure or in this instance a body within a body. The first is meant to regulate the biopower relations within the corporate body as described above, while the second is intended to maintain the status quo of capitalist principles within a capitalist dominated global landscape. By submitting to the first structure, the corporate subject is rendered a member of both the corporate body and simultaneously subjected to the entirety of the capitalist system. They are all pieces of a working whole. With such dual inclusions, the corporate body politic exists as a piece of larger bodies to which its subjects also belong. The structures of society and the body politics that enforce them all fold into one another, where one body is encapsulated by the larger bodies of which it is also a part.

Foucault had a name for such structures, *dispositif*. Throughout *The History of Sexuality Part I: An Introduction*, Foucault moves back and forth between defining this

term as a structure, apparatus, means of deployment, etc. *Dispositif* is intended to represent what he saw as the *heterogeneous ensemble* that makes up the traditional definition of apparatus or structure upon which societies are based. He defined the following as pieces of such an apparatus

...discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions—in short, the said as much as the unsaid. Such are the elements of the apparatus. The apparatus itself is the system of relations that can be established between these elements.⁹⁴

Foucault argued this system of relations illuminates a connection between these seeming individual elements that combine to influence the structure of society. The connection explains how certain processes occur, rationalizing what could possibly be viewed as the irrational. Agamben further explains Foucault's definition by stating the *dispositif* includes

... literally anything that has in some way the capacity to capture, orient, determine, intercept, model, control, or secure the gestures, behaviors, opinions, or discourses of living beings. Not only, therefore, prisons, madhouses, the panopticon, schools, confession, factories, disciplines, judicial measures, and so forth (whose connection with power is in a certain sense evident), but also the pen, writing, literature, philosophy, agriculture, cigarettes, navigation, computers, cellular telephones and--why not--language itself...⁹⁵

All of these aspects of society coalesce to form the structures upon which society is built, including those within the economic sector. The corporate body politic is one example of such a structure. Agamben describes it as including anything that can assist in controlling of subjects. The *dispositif* then plays a role in the formation of the corporate body politic. It displays images to recruit subjects and then convinces those

⁹⁴Johanna Oksala. *Foucault on Freedom*.(Cambridge: Cambridge University Press, 2005) 97.

⁹⁵Giorgio Agamben. "What is an Apparatus?" in *What is an Apparatus? And Other Essays*. (Stanford: Stanford University Press, 2009) 14.

subjects to sacrifice aspects of their identity to become encapsulated by the body of their choosing. Upon this sacrifice, they become members of the corporate body whose image they purchase.

The Immortal Aspect of the Corporate Power

Such structures are everlasting, existing in perpetuity until the overall structure is overturned. For the structure of the corporate relationship to its subjects to alter, the entire capitalist system would have to change. The difficulty required to bring about such change implies a lasting sense of power of both capitalism, and the corporations under its auspices. Such longevity sheds light on the last trait the corporate body politic must display- a sense of immortal power. As already stated, the corporation can be defined as one individual entity to represent a group of individuals that have, "perpetual succession under an artificial form."⁹⁶ Artificial forms allow for the existence of the corporation beyond the death of the founders of that corporation. In essence, the corporation itself is immortal, with the power of the institution passing down through time to whichever individual holds the seat of power at that moment. While certain decisions may be made by incoming CEO's or Chairmen of the Boards of the world's largest companies, the power held by the corporation over its subjects in the form of branding, marketing or encouragement for consumption remains the same. For example, Bill Gates' departure from Microsoft would not mark the end of Microsoft. The company would continue on without its founder. While the short-term direction of Microsoft might change, it would not lose any of its long-term intentions. It would

⁹⁶Kyd.

remain directed at the sale of computer goods to a public Microsoft is hoping will be recruited into their own body politic as consumers of the Microsoft label.

With the final trait of immortal power identified, it can be said that the proposed corporate body politic meets the requirements derived from traditional models of the metaphor. The corporation model possesses a sovereign head with an immortal aspect to its power. It possesses a body that does not literally exist but in which its members place themselves to act *as if* there is such a body, and there is a sacrifice required of those members to be considered as a part of that body. To this point, though, the argument for a corporation driven model remains theoretical in nature. A case study is needed that displays the phenomenon of how a corporate body politic is formed and operates. To this end, one of the world's largest and arguably most successful corporations can be used. The Apple Inc. corporation from 1984 to present can be examined to identify these four traits and offer tangible evidence of the corporate body politic forming over the past thirty years.

¹⁰ "Apple Takes Down 'You Can't Be Too Thin' (Mac Ad)," *PopSugar Tech*, n.d. <http://www.popsugar.com/apple-takes-down-you-cant-be-too-thin-mac-ad-369149> (accessed October 21, 2017).

CHAPTER V

OBSERVING THE PHENOMENON: A CASE STUDY

*"You can't be too thin, Or too powerful."*⁹⁷

-Slogan used by Apple, Inc. in 2007

Often heralded as one of the most successful corporations in history for its innovation, longevity and capital generated, Apple Inc. is a prime example of the relationship between buyer and producer in the late capitalist system. Apple, Inc., formally Apple Computer, came out of the friendship of Steve Jobs and Steve Wozniak. Together, Jobs and Wozniak developed the Apple I as a personal experiment within the fledging computer industry in the United States. With the success of what was a fairly forward thinking design for the time, Jobs and Wozniak received funding for a second generation of the Apple computer and officially formed the Apple Company in 1970 to produce it. Over the next decade, both the home computer industry and the Apple Company would grow in size and technological advancements. By the 1980's, Apple was at the heart of the soon to be prolific computer consuming culture but was seated behind the more successful brands of the time, most specifically Microsoft. All would change with one ad in the early 1980's. During the third quarter of Super Bowl XVIII, Apple Computer made its mainstream debut January 22, 1984. In a Ridley Scott directed commercial, a woman runs with a sledge hammer into a room full of bald men seated in front of a large screen. The screen features a dictator like character issuing instructions to his followers. All the men are dressed alike in total conformity and the tone of the Big

⁹⁷ "Apple Takes Down 'You Can't Be Too Thin' iMac Ad," PopSugar Tech, n.d. <http://www.geeksugar.com/Apple-Takes-Down-You-Cant-Too-Thin-iMac-Ad-560149> (accessed February 21, 2013).

Brother like character is a direct reference to the science fiction dystopian novel, George Orwell's *1984*. Toward the end of the commercial, the woman throws the hammer into the screen freeing the men in the room and prompting the voice over to say, "On January 24th, Apple Computer will introduce Macintosh. And you'll see why 1984 won't be like *1984*."⁹⁸ With this, the entire world was suddenly talking about Apple computers.

From its dramatic entrance into the mainstream market, Apple, Inc. has made a name for itself by claiming to be a company that provides forward thinking, chic products for its consumers. Directly pitted against the corporate slaves or Microsoft users (later expanded to include all other PC brand names), Apple products through the years have provided a distinct image of beauty, technological savvy, and an immaterial air of elitism associated with both its computers and its buyers. What has resulted is a company whose followers are almost religiously devoted to their consumption of Apple goods and a capital powerhouse that overshadows almost all others within its field. Apple's business success is due in part to a dual image constructed by Apple, Inc, one directed toward a particular body of clients and another directed toward the market. The first will be addressed shortly, but the second market or competition directed image is important to help illustrate both why Apple, Inc. overshadows almost all others within the marketplace, as well as how this image of superiority trickles down to the level of the consumer. Somehow within the past three decades, Apple, Inc. grew to dominate everything it touched, growing its market shares along with its faithful audience as each year passed. Despite a brief downturn in the 1990's, now in 2013, the Apple name is associated with not just certain products, but entire markets are characterized by the

⁹⁸"Apple – 1984," *YouTube*, n.d., <http://www.youtube.com/watch?v=R706isyDrqI> (accessed February 21, 2013).

Apple version of goods. This success is due to the company making advancements into new market areas, as well as focusing on the aesthetics and originality of products its competitors already produced. Such a combination of ingenuity and design led to other brands being compared to the Apple version, most of the time not measuring up. For example, no longer do people want to purchase just an MP3 player; instead, they talk about owning an iPod. Smartphones are simply not good enough; the iPhone is what is coveted and so on. In a way, the company has been successful at marketing their products to appear as the only legitimate offerings in these arenas. All others are simply viewed as generic brands that might work just fine but cannot match up to the perceived luxury that is the original product, the Apple version. The success of generating such a dominant image can be directly observed in the smart tablet industry began by Apple, Inc. with the introduction of the iPad. Take for instance the snapshot of just the 2012 holiday season which *Fortune* categorized as a “very appy”⁹⁹ Christmas. The magazine reports that Apple app purchases for the iPad were up 87% from the holiday season of 2011, and according to the organization Chitka, 87% of all tablet Internet traffic in North America now stems from iPad devices as of early 2013. The organization reports that on a scale of 100 iPad views, “For every 100 web page views on an iPad, a Kindle gets 5, a Galaxy gets 3 and a Surface gets 0.22.”¹⁰⁰ Samsung’s Galaxy tablet and the fairly new Microsoft produced Surface do not lack in functionality or usefulness when compared to the iPad, but for some reason consumers simply do not respond as well to them. This is despite a marked difference in price between the iPad and the Galaxy. As shown in the

⁹⁹ "iPhone and iPad Sales: Two Christmas Day Data Points," *Fortune Tech Technology Blogs News and Analysis from Fortune Magazine RSS*, December 28, 2012, <http://tech.fortune.cnn.com/2012/12/28/apple-iphone-ipad-christmas-sales/> (accessed January 21, 2013).

¹⁰⁰ Ibid.

previous chapter, the now outdated iPad 2 retails for \$399.00 at its least expensive and \$529.00 at its most, while the iPad 3 retails for anywhere between \$499.00 to \$829.00.¹⁰¹ On the other hand, the Samsung Galaxy is available for as cheap as \$199, and the most expensive, newest model is priced at just over \$500.00.¹⁰² The difference in price does not seem to matter, though, and customers continue to purchase the iPad in droves. This brings up the question of the Microsoft Surface. Introduced in 2012, the Surface tablet has been marketed as the first truly comparable alternative to the iPad in style, functionality, as well as price. Listed at anywhere between \$499.00 and \$899.00,¹⁰³ hopes for the Surface's performance in the marketplace, especially throughout the holiday season were not met. At the end of their first major push, sales fell far short of the 1 million mark with only an estimated 680,000 to 750,000 sold. In addition, return rates for those purchased were quite high. Compare this to the 22.9 million iPads sold only in its most recent quarter and the picture of an Apple dominated Tablet industry is fully formed.¹⁰⁴ Thus, with just this one example, it can be argued that Apple, Inc, in short, has made a habit of being the first to set a trend while maintaining its dominance within that industry for all future products to be compared. In addition, there is the idea of the tablet industry itself. Companies competing with Apple, Inc. had to actually invent the term *tablet* to market what an iPad was meant to designate. It was a whole new product altogether. The iPad was not a computer, not a phone, but something else

¹⁰¹"Shop iPad," *iPad*, n.d. http://store.apple.com/us/browse/home/shop_ipad (accessed December 17, 2012).

¹⁰²"Galaxy Tab: Android Tablet - Portable & Light Tablet| Samsung," *Samsung Electronics America*, n.d., <http://www.samsung.com/us/mobile/galaxy-tab> (accessed December 17, 2012).

¹⁰³"Surface by Microsoft, Buy the New Windows Tablet," *Surface by Microsoft, Buy the New Windows Tablet*, n.d., <http://www.microsoft.com/Surface/en-US> (accessed December 29, 2012).

¹⁰⁴Brooke Crothers, "Microsoft Surface Sales Well below Shipments, Says ISuppli," *CNET News*, January 30, 2013, http://news.cnet.com/8301-10805_3-57566759-75/microsoft-surface-sales-well-below-shipments-says-isuppli/ (accessed January 6, 2013).

entirely. The idea surrounding the iPad was that if you had it, a smart phone, a laptop and an e-reader were rendered unnecessary. Other companies had to compete with Apple's newest launch, so the term *tablet* began to be used to refer to this all-in-one product. The iPad and other tablets that compete with it represent a total accumulation of commodities. This all in one shop is something Apple, Inc. began with the introduction of the App store on iPhones and MacBooks, as well as iTunes as a standard feature with all products. With these two applications, the company provides a way for their products to double as a store and a storage facility. It is a commodity that offers a direct means for purchasing other commodities. With the purchase of one Apple, Inc. product, the consumer has a line for obtaining more and sustaining themselves as an Apple user.

The appearance of such overt dominance has lasting impacts on the consumers within the marketplace. The first image directed at the potential buyer by Apple, Inc. is an image of pre-eminence within the electronics sector. It is a type of superiority crafted into a higher exchange value for Apple goods as opposed to all others. This value does not end, here, though. There is another side to the Apple image that assists in the generation of consumers, one directed at the buyer himself. Apple's image construction began with the 1984 Superbowl ad and continued with a series of novel, provocative advertising campaigns to vividly paint a picture of just who the Apple consumer was and what those without the product yet could potentially become. The common theme throughout focuses on both independence and originality with the image of the non-conformist profuse throughout marketing materials over the course of Apple's history. One of the most obvious examples of such tactics are the "Think Different" ad

campaigns of the late 1990's. The script for the advertisements in both print and television read as follows

Here's to the crazy ones. The misfits. The rebels. The troublemakers. The round pegs in the square holes. The ones who see things differently. They're not fond of rules. And they have no respect for the status quo. You can quote them, disagree with them, glorify or vilify them. About the only thing you can't do is ignore them. Because they change things. They invent. They imagine. They heal. They explore. They create. They inspire. They push the human race forward. Maybe they have to be crazy. How else can you stare at an empty canvas and see a work of art? Or sit in silence and hear a song that's never been written? Or gaze at a red planet and see a laboratory on wheels? We make tools for these kinds of people. While some see them as the crazy ones, we see genius. Because the people who are crazy enough to think they can change the world, are the ones who do.¹⁰⁵

These *crazy ones* are identified by Apple in an attempt to create an image of just who the Apple consumer is and what they look like. The direct appeal to the outcast or outsider is done in an attempt to ensure their users feel a sense of entitlement to the image owning an Apple will provide. Direct appeals to those customers that want to be perceived as inspiring, explorers, artists, etc. are made in the language of the advertisement. The ad portrays that these types of people own Apple products, so those wishing to see themselves differently could be potentially motivated to buy an Apple in order to be included amongst the collective group of users categorized above. Moreover, there are those consumers who already view themselves in this way. The individual who feels entitled or an outsider due to their possessing the qualities described will be equally enticed. For these clients, once purchased, the commodity is meant to provide a feeling of validation for finding a company they *belong* to that appreciates just how different they've always felt, while rewarding them for being just that. They are recruited by the

¹⁰⁵ "The Crazy Ones," *YouTube*, n.d., <http://www.youtube.com/watch?v=cFEarBzelBs> (accessed January 2, 2012).

body that is telling them through the image that they have always been subjects. They just have to consume to officially belong. The consumption begins an incredibly intimate transference of desire for a commodity to ownership of that commodity where the purchaser feels satisfied beyond the simple use-value of their electronic device. Instead, there is a much greater exchange value of acceptance and belonging the consumer is led to believe the Apple product will provide them.

Apple, Inc.'s image construction makes use of spectacle as defined by Debord to envelop and entice potential as well as current members of its body politic. As previously stated, Debord described spectacle as "a social relationship between people that is mediated by images."¹⁰⁶ The idea of not only what is important but how to live life is constructed for those absorbed by the spectacle. Apple, Inc. users are told Apple products are worth having and encouraged to purchase them in order to obtain the image associated with their ownership. Through their formation of the Apple image, the exchange-value of Apple commodities is set. This begins a process for Debord where Apple users will form identities based on the images consumed through their purchasing of Apple commodities. These images are set by the sovereign head of the corporate body politic as laid out in chapter four. This sovereign generates a state of exception (referred to by Agamben as the exemplary state of exception) where control is exerted over sections of the population through the means of biopower where customs and habits are regulated by the sovereign. The images produced by Apple to encourage the consumption of their goods are part of this biopower, and the generating of the image of the non-conformist, chic, outsider forms the exception into which all members that

¹⁰⁶Debord.

choose to join the Apple body politic to reflect such an image will be absorbed. The image does not exist in any material sense, nor does the consumer change in any material way upon being absorbed by the Apple body, but the exception hides this fact through the means of the spectacle where power is utilized in the form of shaping the consumer's subjectivities. This image construction tells them how to rebuild themselves as Apple corporate subjects in order to reflect the image of being an Apple user. With this, those absorbed by the Apple body are reduced to Agamben's concept of bare life. The Apple consumer is placed in a setting where the images of the commodity are regulated by the Apple sovereign and thus the images reflected by those within the body are also monitored and shaped.

So, with its image defined, the customers of Apple, Inc. begin their transition through spectacle engendered by Apple marketing. As Debord describes, the consumer first goes from being into having. With the action of purchasing Apple goods, consumers make the transition into the having stage where the images offered by the commodities produced by Apple, Inc. are obtained in an attempt to reflect that image. This is a deliberate action that can be directly observed beyond the simple purchasing of goods. An example of such observation is the phenomenon of *unboxing* related to Apple products. Purchasers of Apple, Inc. products, particularly its laptop and desktop computers, keep the packaging for long periods of time after its initial opening. This has led to the practice of *unboxing* by Apple consumers. It entails new customers or returning, frequent users videotaping their opening of Apple products and viewing the contents for the very first time. These videos are then posted on various social networking sites, as well as YouTube. As of January 30, 2013, the search string *Apple*

Unboxing returned 282,000 results; *MacBook Unboxing*, 117,000 results; *iPhone Unboxing*, 295,000 results; *iPod Unboxing*, 204,000 results; and *iPad Unboxing*, 230,000 results.¹⁰⁷ These search strings do not include the “unboxing” videos with recorded customer reviews accompanying them. Instead, most of these videos posted are simply the user coming face to face with the Apple product for the very first time. Through the recordings, the viewer of the video observes the transition between desire to own the Apple commodity and the moment having it becomes a reality.

Now, a discussion of *unboxing* related to Apple goods is not meant to imply that Apple customers are the only ones that post their interactions with commodities in this way. Search strings for other electronic users provide *unboxing* results, as well, but not in numbers that come anywhere near those for the Apple versions. For example, the terms *Microsoft unboxing* returned 82,000 results; *Microsoft Surface Unboxing* (the Microsoft alternative to the iPad), 908 results; *HP Unboxing*, 44,500 results; and *Dell Unboxing*, 23,100 results.¹⁰⁸ These numbers are less than half of those associated with Apple, Inc. commodities, making the *unboxing* phenomenon more prolific with relation to Apple goods than its direct competitors. In essence, the transition into the *having* stage of the spectacle is more observable amongst Apple consumers than others like it. This moment also marks the beginning of the transition into the last stage of the spectacle for Debord, appearing. It is here that consumers cease having and begin to merely seem as if they are living life. Instead, the individuals reflect the images of the commodities themselves, rather than their own. As described in Chapter IV, this is also the moment these consumers not only become absorbed by the spectacle but also are

¹⁰⁷ Google search conducted January 30, 2013.

¹⁰⁸ Google search conducted January 30, 2013.

incorporated into the corporate body politic, sacrificing an aspect of their identity in order to reflect the commodity's instead.

Upon this reflection, the members of the body complete the transition as described by Debord and move from having into being. The individual lives a constructed life where images are reflected to generate the *appearance* of life. Autonomy is no longer possible, and it is the images that both maintain this appearance, as well as maintain the body politics created within the spectacle. What results is an interesting phenomenon where Apple users sustain themselves within their body politic through a sense of overt loyalty and commitment to Apple products. Now, the Apple body politic is not the first to display the characteristics described by Debord. The processes and transitions he argues exist date back decades, even to the 1960's when Debord himself was writing. Instead, I use this particular example to explain how Debord's spectacle can be observed in the late capitalist system. With the Apple, Inc model, over time, this body politic begins to resemble the other models discussed most specifically the religious body politic of the Christian Church. Instead of worshipping the immortal power of Christ, though, the Apple body worships at the altar of the commodity. Such a statement may seem a bit of a stretch, but social scientists have been studying the phenomenon of Apple consumer loyalty for years questioning exactly what generates the commitment of its consumers to the Apple product. Anthropologist Dr. Kristen Bell from the University of British Columbia declared in 2012 that such loyalty stems from Apple users subconsciously treating the Apple Corporation like a religious body. Specializing in religious movements, Bell claims that Apple, Inc. has transitioned into what is now a legitimate religion for their consumers. Bell explains that the

company employs their version of sacred symbols to draw consumers together in a unifying way. Instead of a cross, Star of David, Crescent and Star or other traditional religious symbol, the Apple consumers point to the iconic Apple logo as the unifying image of their *religion*. Bell also identifies what she calls sacred ceremonies that religions hold to help spread both the word of their message, as well as recruit converts. Bell claims Apple's strategic media events are constructed in a way that directly mirror such ceremonies. She writes, "Like many Sacred Ceremonies, the Apple Product Launch cannot be broadcast live. The Scribes [and] tech journalists act as Witness, testifying to the wonders they behold via. live blog feeds."¹⁰⁹ Once recruited, Apple consumers showcase their worship through the purchasing of Apple products (their version of tithing), as well as through grandiose gestures. Examples of these can be found in droves on the blog entitled Cult of Mac. For instance, there are Apple body tattoos ranging from ornate workings of the Apple logo to Steve Jobs himself. Then, there are homemade shrines to now broken down or outdated Macintosh products that stretch the lengths of entire rooms. Finally, there are the cases of pilgrimages to the first Apple store in Virginia to pay homage to the company's beginnings. These are just some of the commonly reported acts of devotion by Apple consumers.¹¹⁰ These religious connections are furthered by empirical evidence first released in a BBC documentary entitled *Secrets of the Superbrand*. Scientists found through magnetic resonance imaging (MRI) scans of Apple fanatics that images of Apple goods activated the same parts of the brain as

¹⁰⁹Matyszczyk, Chris, "Anthropologist: Apple Is a Religion," *CNET News*, October 25, 2012, http://news.cnet.com/8301-17852_3-57540154-71/anthropologist-apple-is-a-religion/ (accessed December 21, 2012).

¹¹⁰*Ibid.*

images of deities activated in the brains of religious people.¹¹¹ With such evidence, scientists such as Bell believe the Apple brand has moved from being simply a company that produces commodities to participating in a larger exchange of ideals and identities beyond the basic market. As Bell puts it, "They are selling something more than a product."¹¹²

I claim this something more is a construction of an identity by Apple, Inc. not to engender a new religious body but the Apple corporate body politic. While similar in nature to the previous manifestation of the religious body politic, the two are separate, placing the Apple corporate body politic in direct conflict with members of the modern Christian body politic. For example, previous head of the Catholic religious body politic, Pope Benedict XVI, claimed in his 2012 Palm Sunday address that consumption of technology on a grand scale poses a threat to both religion and the future of the Roman Catholic Church.¹¹³ Further, certain members of the same religious body politic directly targeted Apple that same year with their outcry against the blasphemous makeup of some corporations. Pointing to the Apple logo specifically, a sect of orthodox Christians in Russia claim the half-bitten Apple symbol is a direct reference to the original sin of Adam and Eve and is meant to be anti-Christian. In response, members of this sect are removing themselves from the Apple body by replacing the Apple logo with their religious symbol of the Christian cross. In addition, they are moving for the Russian government to make it illegal to have any anti-religious symbols on products sold within

¹¹¹"Cult of Mac | Breaking News for Apple Fans," *Cult of Mac | Breaking News for Apple Fans*, n.d., www.cultofmac.com (accessed January 21, 2013).

¹¹²*BBC News*. "Secrets of the Superbrand." Video. (accessed January 7, 2013).

¹¹³Tim Worstall, "Is The Apple Logo Blasphemous? Depends Upon Your Definition of Blasphemy," *Forbes*, October 11, 2012, http://www.forbes.com/fdc/welcome_mjx.shtml (accessed February 21, 2013).

the nation.¹¹⁴ These occurrences symbolize how the religious body politic recognizes the Apple body politic as a separate entity. The similarities between the two, though, give credence to the argument that the corporate body be considered its own body politic. Just like the religious body, the Apple body politic possesses an iconic figure head that acts as sovereign. While the Christian religious body imbues the Pope with this role, within the Apple body, the sovereign head is the CEO, most famously Steve Jobs. A wealth of information has been collected and written regarding Jobs and his control of Apple, Inc. Moreover, the respect and for lack of a better word reverence with which Jobs' time at Apple likened him to a religious leader. In fact, it is common to come across religious imagery of Jobs on the Internet. One popular image depicts Jobs as Moses carrying two iPads, rather than the traditional ten commandment tablets.¹¹⁵ In addition, there are multiple websites which literally deify Jobs to Facebook fan pages dedicated to likening the Apple founder to the Christian deity. Despite this, though, the role that Jobs and his successor Tim D. Cook play within the Apple body politic help illustrate a tangible example of the immortal power associated with the body politic metaphor.

No one can deny that the death of Jobs caused some within the business world to question the future of Apple, Inc. Seen as the total embodiment of all Apple represented from its simplicity to its genius, Jobs transcended the role of CEO and became the prime spokesperson for the computer brand. His death from pancreatic cancer in 2011 caused a maelstrom of media coverage. News outlets focused on expressions of sadness from everyone from the President of the United States Barack Obama to the average Mac user. Shrines were constructed worldwide in Jobs' honor, and multiple news programs

¹¹⁴Ibid.

¹¹⁵ JobsisGod.com

and media outlets began to analyze the cryptic last words Jobs uttered, "Oh wow. Oh wow. Oh wow."¹¹⁶ Weeks of coverage followed the reactions to Jobs' death in an unprecedented fashion when compared to the loss of other CEO's. Then, when the calm arrived after the storm of Jobs' passing, the question of whether or not Apple, Inc. would survive the death of its founder began. This inquiry would serve as a true test of both the strength of the Apple name, as well as provide a concrete way to observe my claim that the corporate body politic, like all other models, possesses a sovereign that is imbued with an immortal power. This power belongs to the corporate body, not the current sovereign. Much like the King's Two Bodies metaphor, the power vested in the corporation's sovereign head passes from one natural body of the CEO into the next. Jobs had both a natural body and an immortal sovereign body. The first passed away in 2011, while the second transitioned into the next sovereign of Apple, Inc., Tim D. Cook. The Apple body politic has fared well under this new leader. An analyst from the research firm Gartner declared on the one year anniversary of Jobs' death that, "Apple had a better 12 months than many firms have in 12 years."¹¹⁷ The corporation is currently the most valuable U.S. company of all time, with a market capitalization of \$629.4 billion. While some question Apple's ability to sustain such growth, for now the corporation moves forward without any competition. For example, with the introduction of the iPhone 5, the total number of iPhones sold has now passed 243 million. This figure is expected to surpass 500 million by the close of 2013. This is but one example

¹¹⁶ Jones, Sam, "Steve Jobs's Last Words: 'Oh Wow. Oh Wow. Oh Wow,'" *The Guardian*, October 31, 2011, <http://www.guardian.co.uk/technology/2011/oct/31/steve-jobs-last-words> (accessed November 2, 2012).

¹¹⁷ "A Year after Steve Jobs' Death, How High Can Apple Fly?" *USA Today*, October 4, 2012, <http://www.usatoday.com/story/tech/2012/10/04/steve-jobs-apple-year-later/1577271/> (accessed February 21, 2013).

of the continued success of Apple, Inc. products for the time being. Such numbers signify that the loss of Jobs did not mark a loss of Apple prosperity. Thus far, the Apple body consumes under Cook as it did with Jobs. It appears that despite Jobs' charisma and unique ability to create, the power of Apple did not lay with the man but the machine of the corporate body, as well as the capitalist system itself.

The argument for the corporation driven body politic is strengthened through this brief examination of Apple, Inc. Before moving forward, though, an aspect of the corporate body politic and specifically the Apple, Inc. body deserves attention. The interaction between the corporate sovereign and the labor utilized to produce the commodities that support the body play yet another crucial role in this argument. Thus far, this group that produces tangible goods for consumption has not been identified or discussed, but in terms of a late capitalist system, the labor must be addressed in order to understand how the commodification process interacts with the corporate bodies that form around it. Marx argued that an innate trait of the capitalist system was that workers were alienated from their labor. Alienation came in a variety of forms. To begin, there is the idea that workers produce a good but are denied ownership of that good. The ownership belongs to the one who makes a profit and can control the future of the commodity. Basically, the more this worker produces, the more alienated he becomes from his labor as more goods are stripped away from him. Thus, alienation is derived from the loss of the product his labor creates. But who owns the good if the one producing it does not? For Marx, this introduces the problem of further alienation felt by the worker derived from his relationship not only to the commodity generated, but the capitalist responsible for that commodity. He writes

If the product of labor does not belong to the worker, if it confronts him as an alien power, this can only be because it belongs to some other man than the worker...man's relation to himself only becomes objective and real for him through his relation to other men. Thus, if the product of his labor, his labor objectified, is for him an alien, hostile, powerful object independent of him, then his position towards it is such that someone else is master of this object, someone who is alien, hostile, powerful, and independent of him...Every self-estrangement of man from himself and from nature appears in the relation in which he places himself and nature to men other than and differentiated from himself.¹¹⁸

This differentiation for the worker is between the laborer and the capitalist. The capitalist is as alien to the worker as the product of his labor, increasing the estrangement felt toward the entire system of private property and production of capitalist goods. The worker begins to understand that he does not own his product despite his labor, but that there is a man who does. This man does not produce but has dominion over the product. Marx describes this individual as "the capitalist, or whatever one chooses to call the master of labor."¹¹⁹ Through this transference of the product of his labor to an alien power, the worker is fully estranged from the capitalist system as the loss of product represents, for Marx, a loss of human identity. The worker is forced to participate in a capitalist division of labor in order to survive. He is made to do repetitive tasks that are demeaning and often completely devoid of creativity. Marx specifically is referring to the model of production seen in factories during the Industrial Revolution where workers were given one menial task, such as punching a hole in a piece of metal, to repeat throughout the day. This lack of intellectual or creative stimulation alienates the worker from not just the capitalist system but in a sense from himself.

¹¹⁸ Marx, Karl, "Private Property and Communism, Marx, 1844," *Private Property and Communism, Marx, 1844*, n.d., <http://www.marxists.org/archive/marx/works/1844/manuscripts/comm.htm> (accessed February 21, 2013).

¹¹⁹Ibid.

The loss of identity is reminiscent of the type of identity loss described in relation to the members of the corporate body politic. Instead of choosing to enter into the body, though, the laborer in the capitalist system is *forced* into the body as a third party who is absorbed into the state of exception decided by the sovereign. Within this exception, the depiction of the laborer as elucidated by Marx is reminiscent of the bare life as described by Agamben. The worker exists both outside of the body, as they are not consuming commodities, and inside the body, as the body is dependent on the goods the workers produce. Moreover, the alienation described by Marx, as well as the bare life defined by Agamben are further exacerbated by an alienation from the spectacle in which these works participate. The laborer in the capitalist system is reduced to a bare life where they exist as a bridge between the production of the commodities that possess images produced by the corporation and the reflection of that image. In essence, they are alienated from the commodity on a further level. They are estranged from the product in terms of their producing the means through which images are transferred but unable to reflect those images. They are both inside the body, but systematically denied membership. They are what Agamben would label as bare or naked life and what I label as bodiless.

A tangible example of this within the Apple, Inc. body politic is the scandal involving Foxconn Technology Co Ltd. In May 2011, aluminum dust used in the polishing of iPads caused an explosion at a Foxconn plant in Chengdu, China killing two and injuring dozens. The tragedy began a series of investigations into the plants and working conditions utilized by Apple, Inc. in producing their products. The findings were not positive. According to the *New York Times*, investigators found that employees

of Foxconn (the world's largest manufacturing company) while laboring on the production of Apple products worked

...excessive overtime, in some cases seven days a week, and live in crowded dorms. Some say they stand so long that their legs swell until they can hardly walk. Under-age workers have helped build Apple's products, and the company's suppliers have improperly disposed of hazardous waste and falsified records...¹²⁰

In addition, investigators claimed the Foxconn workers experienced a variety of illnesses and threats to their health because of demands placed on them by the supplier, Apple, Inc. Some highlights from these reports include 137 workers injured after being forced to clean iPhone screens with a poisonous chemical and two additional explosions at other iPad factories that resulted in four deaths and seventy-seven injuries, all occurring within the last two years.¹²¹ Conditions and hazards such as these seem to be ubiquitous for the some 1.2 million individuals employed by Foxconn in China where the vast majority spend their days assembling Apple products. These tragedies all came at a time when ironically Apple, Inc. experienced one of the most successful quarters not only in its history but in any corporation's history. The company took in \$13.06 billion in profits and \$46.3 billion in sales.¹²² But how does such human loss translate into financial gain (a contradiction that underlies all of capitalism)? Well, it all boils down to measures taken by executives at Apple, Inc. According to reports, when doing business abroad, Apple, Inc. determines all costs associated with manufacturing plants and begins to cut corners everywhere possible. These cuts occur even if they are deemed detrimental to worker's health. One executive at an unnamed company that helps to produce the iPad

¹²⁰Duhigg, Charles And David Barboza; GuHuini Contributed, "THE iECONOMY; In China, the Human Costs That Are Built Into an iPad," *The New York Times*, January 26, 2013, <http://www.nytimes.com/interactive/business/ieconomy.html> (accessed February 21, 2013).

¹²¹ Ibid.

¹²² Ibid.

was quoted in *The New York Times* as saying, "The only way you make money working for Apple is figuring out how to do things more efficiently or cheaper... And then they'll come back the next year, force a 10 percent price cut."¹²³ As a result, Apple manufacturing suppliers begin to scale down production costs themselves. Employees are pushed into longer hours, forced to work more quickly and told to use less expensive but more toxic chemicals on a daily basis.¹²⁴

As for the workers, the choice of whether to labor under such conditions is not much of a choice at all. This is especially evident in the Chengdu factory. On the wall at the plant's entrance, a banner hangs that translates to, "Work hard today or work hard to find a job tomorrow."¹²⁵ This statement summarizes in short the black and white options presented to these low earning, low income employees. In fact, the average Foxconn employee only takes home approximately what translates to \$244 a month-¹²⁶ a wage that is earned in terrible work conditions and an environment that is often not considered safe. Even if employees feel the need to rebel against their circumstances, the results thus far have not been positive. For example, another factory working for Apple, Inc., Wintek, experienced a strike by workers in early 2010. The strike came about due to rumors that employees were being forced to use toxins without proper protection. Such claims would be validated by a study that showed over 100 employees experienced negative effects from n-hexane. This chemical causes nerve damage and paralysis, and it

¹²³ Ibid.

¹²⁴ "Riots, Suicides and More in Foxconn Factories," *CBSNews*, September 25, 2012, http://www.cbsnews.com/8301-505124_162-57520067/riots-suicides-and-more-in-foxconn-factories/ (accessed February 21, 2013).

¹²⁵ "Shameful: World's Largest Company, Apple, under Pressure after Appalling Chinese Factory Conditions Exposed," *This Is Money*, n.d., <http://www.thisismoney.co.uk/money/news/article-2092620/Apple-Poor-working-conditions-inside-Chinese-factories-making-iPads.html> (accessed February 21, 2013).

¹²⁶ CBSNews.

is also what Apple, Inc. manufacturing plants employ to clean iPhone screens. This particular chemical dries quicker than standard rubbing alcohol, increasing the individual production of each Wintek employee.¹²⁷ Following this study, Apple made an official statement declaring that Wintek had been ordered to stop using n-hexane. As a follow-up, though, reporters interviewed Wintek employees who said Wintek had never been contacted by Apple, at all, and, instead, the injured employees and those on strike had been pressured to resign. Apple's response to these second reports was a swift cut in prices paid to Wintek annually.

With such poor recourse, employees in the manufacturing sector of Apple, Inc. have taken to drastic measures to break free of the cycle of mistreatment and exploitation. From January to November 2010, eighteen Foxconn employees alone attempted suicide, resulting in fourteen deaths. While these deaths are the most recent to receive media attention, they were not the first of their kind. Two particular examples stand out. In June 2007, an eighteen year old woman known simply as Ms. Hou hung herself in a Foxconn bathroom due to poor working conditions. Then, two years later on July 16, 2008, a twenty-five year old man, Sun Dan-yong, committed suicide by jumping out of a window. It is believed his decision to end his life stemmed from his losing an iPhone prototype at work. Mr. Dan-yong claimed that he had been beaten prior to his death by Foxconn employees sent to his home to try and retrieve the phone.¹²⁸

Significant about these two examples are that both directly involve and implicate Foxconn practices as a root cause of the suicides bringing forth a tangible example of the

¹²⁷Ibid.

¹²⁸David Barboza, "iPhone Maker In China Is Under Fire After a Suicide," *The New York Times*, July 27, 2009, http://www.nytimes.com/2009/07/27/technology/companies/27apple.html?pagewanted=all&_r=0 (accessed February 21, 2013).

exploitation and alienation of laborers as Marx described. These employees are subjected to poor conditions and expected to produce under these constraints beyond their capabilities. It is indicative of the trait of late capitalism that Jameson elucidates of first world domination of third world markets. The example of Apple, Inc. taking advantage or at least making use of the rural Chinese employees of Foxconn illustrates this exploitation, where the laborer is completely objectified and not afforded little if any human dignity and left with no power over their choice or method of labor.

Further, these employees are subjected to the type of biopower described by Foucault where control over every aspect of the laborer's lives is held by the sovereign authority, or in this case the Apple corporation. The reason for the blame falling onto Apple's shoulders is that once made aware of the conditions, the company could choose to change them. While Apple, Inc. generates an image of ethical foundations, in practice, it can be argued that ethical practices may be too expensive. As a result, poor working conditions continue in factories like Foxconn. Within the corporate body politic, this leaves a final check on the Apple sovereign. The members of the body, if made aware of these conditions, could hold their sovereign head accountable. Instead, though, through the means of spectacle, the laborers are alienated and absorbed by the state of exception created by the Apple head. Absorption is evident in a survey conducted by *The New York Times*. 56% of respondents that claimed to be Apple users reported that they could not think of anything negative to say about the company. While 14% claimed their prices were too high and another 28% listed various other negative responses, only 2% of those surveyed mentioned anything about their distaste for Apple, Inc's labor practices

overseas.¹²⁹ I argue results such as these are possible because the Apple body politic is structured so that the Apple sovereign can generate a state of exception that absorbs both the consumer and the laborer. Within this state, the two groups are held apart from one another, alienated from the other from the start. One group echoes the images of the commodities produced by the corporation, while the other serves as a bridge between the production of the image and its reflection. The worker is invisible to the consumer and alienated. This alienation is directly observed and functions as a final characteristic of the corporate body politic. Other corporations such as Hewlett-Packard, I.B.M., Motorola, Toshiba, Dell and Nokia to just a name a few also have factories in China with similar if not identical working conditions. These laborers are as alienated from the members of these distinct body politics as the Foxconn workers are from the Apple user. In essence, the laborer at a factory in Chengdu may work for Apple, but the closest they will come to owning one of its products is polishing the screen of an iPhone or piecing together the central processing unit on an iPad. It is this impossibility to join the body politic through consumption that marks the final trait of the corporate model, while truly grounding it in the realm of capitalism as described by Marx a little over a century and a half ago.

¹²⁹Ibid.

CHAPTER VI

THE FUTURE OF THE CORPORATE DRIVEN MODEL

In the previous five chapters I presented an argument for a corporate driven model of the body politic. This body exists due to its ability to recruit subjects as members where membership is registered through the relinquishing of aspects of the member's identities. This body politic is one that is unique to Western capitalist systems, where the commodification process as described by Marx creates the environment in which image production by the corporation and image consumption by the consumer and future body member take place. Consumers begin to desire the images associated with owning commodities that over time define their image, replacing any autonomy or sense of material life. Rather, once absorbed, the consumer/member in the corporate body becomes a reflection of that body's image. They give up aspects of their own agency in order to be incorporated by the body and to consume the products associated with membership. This corporate example can be shown to exist based on its meeting this standard, one of four attached to traditional conceptions of the body politic. As seen within the religious body politic, the King's Two Bodies model and the consent driven embodiment of the metaphor, the corporation driven body possesses this need of sacrifice by the member as well as: the body possessing a sovereign with immortal authority and the body's members acting as if they are a part of the body, despite there being no tangible borders that designate its membership. This sovereign authority in the corporate model is shown to be the CEO or head of the corporation whose immortal power is transferred through this position of power, rather than being attached to any one individual who takes the power with them when they go. At this point, it is important to

clarify again that this sovereign does not serve as a replacement for traditional constructs of the head of state. The corporate body politic as described is one that acts *inconcert* with the state, not in opposition to it. It operates as a part of the overall structure of a Western, capitalist system existing as one body amongst many. The corporate body politic is situated within the formal state where its members are subject to the sovereign authority of the corporate body, as well as the traditional sovereign of the state. The corporate bodies are numerous in number, each existing in separate spheres within formal institutions.

What has hopefully been illustrated, though, is that there is a need to distinguish the corporation driven model from these others. By understanding and exploring examples of the corporation model, aspects of the late capitalist system can be demystified. One particular example is the modern relationship between laborer and consumer that results in an alienation of the producer of the good from the buyer of that good. As shown in the previous chapter, the corporate body politic engages in an embodiment process that has direct consequences both on the body members, as well as the laborers associated with it. These laborers are denied access to the body, despite being absorbed by it. This denial is due to the body's reliance on the production accomplished by the laborer and results in a furthering of both the alienation and exploitation of the workforce as described by Marx. The alienation from the product involves not only ownership of that product, but now it includes the ability to reflect the image associated with the commodity. Further, the exploitation increases as the exchange values of the products increase. The disparity in the late capitalist system between laborer and capitalist has grown exponentially from the time of Marx's writing.

As described by Jameson, the first world's dominance in a globalized, capitalist market allows for the subordination and exploitation of third world workforces on a scale Marx could not have envisioned. The laborer is afforded less compensation for commodities produced than ever before as seen in great detail with the relationship between Apple, Inc. and Foxconn Technology Co Ltd. What derives from such interactions is an impersonal market where the buyer and laborer are alienated from one another while the worker is exploited by their employer in terms of both human dignity and remuneration. The situation as described here, though, paints a picture of a scheme where body members of corporate body politics, like Apple, Inc., are unaware of the system in which they participate. The laborer is equally unaware, perhaps not to their condition but to the root cause of their inequalities. This research project's attempted revelation of the existence of a corporate body politic is partially constructed in order to shed light on such potential consequences. In essence, its purpose is to make the body member aware of their membership and the latent costs afforded to them because of it.

But has such self-awareness ever existed in any form in the modern capitalist system? Maybe. There are some groups that have recently begun to talk around the issues addressed here. One example is The Invisible Committee, a band of French neo-Marxists, whose controversial text *The Coming Insurrection* describes how the global capitalist system is at a breaking point and the time is ripe for rebellion. They speak of the ever growing divide between classes in the European Union and United States and point to this division as a division not just of wealth but the entire breadth of the human experience. They declare, "There's no longer any language for common experience. And

we cannot share wealth if we don't share a language."¹³⁰ This lack of commonality stems from a loss of awareness about our own identities. The Invisible Committee talks of commodities as creating dependencies capitalist consumers employ to fill voids in their lives. These dependencies are, "contracted as the price of my identity,"¹³¹ where commodities provide new identities to replace the individual's original sense of being. These transactions are brought to bear by the capitalist system that tells us what we are supposed to be. This may in some cases be due to a muddying of our identities from birth by the various bodies and influences that shape our worldview. They write

Since childhood, I've been involved with flows of milk, smells, stories, sounds, emotions, nursery rhymes, substances, gestures, ideas, impressions, gazes, songs and foods... Tied in every way to places, sufferings, ancestors, friends, loves, events, languages, memories, to all kinds of things that obviously *are not me*. Everything that attaches me to the world, all the links that constitute me, all the forces that compose me don't form an identity... but a singular, shared living *existence* from which emerges- at certain times and places- that being which says 'I'.¹³²

This constructed *I* is one that best suits the capitalist structure. Consumers' lifetimes are marked by the continuing impact and influence from outside sources resulting in a shaped identity. Like my argument, though, despite evidence of this process taking place, The Invisible Committee claims those being subjected to it are ignorant to its effect. They say the individuals that I've placed within corporate body politics and they assign to competing spheres of capitalist commodities are directly unaware of the power being wielded over them. Still, there are cracks in the system. The Invisible Committee claims that slowly over time, consumers become conscious of their situation. They develop an abstract self-awareness where they feel out of place but

¹³⁰The Invisible Committee. *The Coming Insurrection*. (Los Angeles, CA: Semiotext(e), 2009) 26.

¹³¹*The Coming Insurrection*, 30.

¹³²*The Coming Insurrection*, 31.

unsure why. What the Invisible Committee calls the “hypothesis of the self”¹³³ or what we assume to be our identity as constructed by capitalist images and influences begins to crack. No exact remedy can be found, though, because of the members being trapped in spectacle. As a result, the Invisible Committee points to the overt dependence on substances that developed in the late capitalist period such as antidepressants, anxiety medication, etc. as empirical evidence of this phenomenon.¹³⁴ They say it is a drugging of a population to render them unaware of their situation- to keep them willful participants that above all else continue to consume.

I claim the images that generate these delusions, can be traced to the head of corporate bodies that disperse such images from the sovereign head down through the body. They both recruit members and sustain membership, and the body politic of the corporation is the mechanism through which the spectacle of capitalism is filtered to capitalists (or body members). As such, the long term effects of these relationships deserve attention. The question of how the corporate body politic will influence and interact with the overarching capitalist structure in the future is yet to be answered, though. As more corporations develop each day and the global culture of commodification grows, the prevalence and potential power wielded by these bodies will continue to increase. This increase will lead to new corporations offering membership within their bodies adding to the further fractioning of consumer’s identities. For the time being, though, the capitalist culture of wanting satisfied by purchasing will proceed, but what will occur if these body politics continue to form unchecked and without research? Could they mark a new stage of capitalism yet to be named- a sort of later than

¹³³Ibid.

¹³⁴*The Coming Insurrection*, 34.

late stage capitalism? Perhaps. Recent activity across the globe suggests that the growing giant that is the multi-national corporation is casting a shadow over consumers that do not wish to play by their rules. The Stop Online Piracy Act (SOPA) and the Occupy movement are two examples. SOPA presents an case where corporations directly attacked individual consumers in the legal system. Drafted as a bill to prevent copyright infringement on the Internet, SOPA was constructed to protect music, movie and other entertainment corporations from having their products traded for free online through the means of torrent programs or file sharing websites. If passed, SOPA would have instituted much harsher penalties for not just running these sites but using them, as well. As a result, there was a backlash in the general public against the bill where users argued that the legislation's stipulation that such illegal websites be unsearchable on the Internet was unconstitutional. Opponents of SOPA claimed that the removal of websites like The Pirate Bay or Limewire from being able to be found on Google or other search engines violated First Amendment rights. Eventually, these detractors would be heard and SOPA defeated, but the fact that a case of this nature was made to begin with offers new perspective from which to consider the modern relationship between consumer and corporation. What has happened is that the Internet has provided a new means for consumption that is susceptible to loopholes. These loopholes provide ways for goods to be shared outside of the traditional structure of the market. In essence, the exchange value of goods is altered. For example, a new movie sold at a store may cost between \$18 to \$25 dollars, but a movie downloaded online through a torrent server is free. The same movie, watched in the same household affords two different values. The use value is the same, but the exchange value is vastly different. This loss of exchange value is a

loss of control on the part of the entertainment corporation producing the film and, as such, must be addressed immediately in order for the corporation to maintain its power which is based on such values.

The Occupy movement provides a second perspective on the modern relationship between capitalist and capitalist corporation. Occupy intended to make a statement about the unequal distribution of wealth in Western free market based economies. Through a variety of protest measures the group spoke out against corporations and banks that they blamed for the disparity between the elite 1% and the 99% of average to below average earners. Their "We are the 99%" movement effectively grouped the world into a us versus them construct with the corporation playing the role of *them*, and those not earning at the top of the tax bracket firmly a part of the *us*. Part of making this declaration was taking to the streets in over 600 cities worldwide to protest the very institutions the Occupiers felt were responsible. The state then sent out police forces to protect the employees and executives at these corporations from the protestors. Now, while police forces are necessary during any protest, the reports of police brutality that occurred during Occupy walks, as well as the images of the people being kept out of public corporations and businesses by agents of the state sovereign provide a unique perspective. Through these photographs, one literally sees the corporation as an entity apart and set above the average consumer. Moreover, these corporations appear to absorb quite specific consumers into their bodies and reject those that deny offers of membership (in this case the Occupy protestors). In essence, those not incorporated stand outside the body and are subject to the consequences that come with it.

With all of this considered, at this point, the future of the corporation driven body politic is unknown, as are the changes it could bring about in the late capitalist system. For now, the structure of commodification appears to be sound, and there is no reason to think that the corporate driven model will not continue to play its role in upholding this process. Its power is seated in the corporate model's sovereign and his/her ability to influence consumers through the production and dispersion of images. These images convince future body members that it is not just a desire to purchase their commodities and thus be absorbed by the corporate body, but it is a necessity. This fallacy imbued on the consumer may best be summed up by Marx. He writes

A house may be large or small; as long as the neighboring houses are likewise small, it satisfies all social requirement for a residence. But let there arise next to the little house a palace, and the little house shrinks to a hut. The little house now makes it clear that its inmate has no social position at all to maintain, or but a very insignificant one; and however high it may shoot up in the course of civilization, if the neighboring palace rises in equal or even in greater measure, the occupant of the relatively little house will always find himself more uncomfortable, more dissatisfied, more cramped within his four walls.¹³⁵

While this quote is often interpreted in different ways, I intend to use it here as utilized by social movement theorists when trying to define the concept of relative deprivation. Relative deprivation is the awareness of disparity that comes from viewing those around you that may have more.¹³⁶ This quote is often used by social movement specialists to describe how once this relative deprivation occurs, the individual that registers this disparity will work endlessly to equalize their life with those around them. I use this awareness to relate to my understanding of the consumer's own relative

¹³⁵Karl Marx. "Relation of Wage Labor to Capital," *Karl Marx-Wage Labor and Capital*, n.d., <http://www.marxists.org/archive/marx/works/1847/wage-labour/ch06.htm> (accessed December 7, 2012).

¹³⁶Walker, Iain, and Heather J. Smith. *Relative Deprivation: Specification, Development, and Integration*. (Cambridge: Cambridge University Press, 2010) 1-87.

deprivation developed upon registering others having more or different commodities than they do. The constant desire to belong by matching the commodities of those around us is socially constructed and allocated to the consumer through many means. I argue, though, that one of the most prolific in the late capitalist period is the corporation driven body politic that has formed over the past sixty to seventy years. Hopefully what has become clear over the course of this piece is that the existence of this body is evident in concrete examples such as Apple, Inc. and the effects of its existence vast. I close by returning to one of my first points in the introduction. Choosing to employ the body politic metaphor to discuss the relationship between corporation and consumer and the corollary of these connections is quite calculated. The body politic is grounded in corporality, immediately introducing the concepts of mortality and immortality into the debate. The stakes of the discussion are high enough to accordingly require these notions. The corporate body politic as described here involves a loss of autonomy of choice. As a result, the power over everyday aspects of life and death are being wielded in new ways through the sovereign heads of these bodies. The palpable long-term consequences of their decision making remain to be seen, though. For the time being, all that can be done is further research by academics and for groups that oppose these bodies to bring awareness to their existence. It creates the potential for members of associations like The Invisible Committee to continue their encouragement of capitalist consumers to wake up and ask "*Who* am I?" If I am correct, though, and the effects of the corporate driven body are truly pervasive then the real question to ask members is not "Who?" but "*What* have I become?"

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