

Covid is the New Orange...

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Abstract: The Covid in France was at first underestimated by political and medical leaders. Everyone counted on the development of a group immunity and the virus circulated freely, therefore without sanitary cords. But death became too present and now the cordon could not be established from one region to another, but only virtually from individual to individual. Destitution came because medicine was not ready to face such a pandemic. The lie accompanied public policies that restricted freedoms by calling for confinement, distance work, and by producing a massive economic and social crisis due to a lack of social and health care. The dehumanization of social relations was particularly marked in the EHPADs, where each elderly person was treated as a supernumerary who was either imprisoned or left to die unaccompanied. Since then, nothing has been done to protect democracy or to protect the population. The change of course is that of a reinforcement of neoliberal norms.

Keywords: COVID, democracy, survival, lying, EHPAD, confinement, dehumanization

Covid Season 1, in France

“The alchemists try to take advantage of the passion we have for riches, by promising mountains of gold to those who listen to them (...) But the greatest weakness of men is the love they have for life; and we take advantage of this through our pompous *galimatias* and know how to take advantage of this veneration that the fear of dying gives them for our profession.” (Molière, *Doctor's Love*, Act III, Scene 1.).

1. Public health, herds, and individuals

Numerous, high-ranking, senior physicians stated from January to March 2020 that containment would not be necessary. The little flu, SARS-CoV-2 would certainly cause a few deaths, but we would also make our group immunity. We were a herd and were therefore to be thought of as such. Individuals are good for intimacy and an old revolutionary liberalism attached to human rights, the herd is statistical, from the Old Regime and very current.

Yet China seemed to have suffered a lot in Wuhan. But France was not China.

In France, Great Britain, Belgium, and the United States, the doctrine until the last moment was that of so-called group immunity. It would be obtained when a sufficient number of people had contracted the disease and produced antibodies. Then the virus could no longer circulate, it would be respected and thus useless to stop our activities, it is medieval, sang doctors and epidemiologists.

On February 24th, in a conversation with my local doctor, we were astonished at the lack of preventive measures known since antiquity...

Faced with a new fatal disease, we had to manufacture sanitary cords...

Then the West, under the name of Imperial London College, produced epidemiological curves that predicted the worst. If nothing more was done, the deaths would be counted in millions. So the curve had to be crushed, flattened, and the evil COVID-19 stopped circulating unchecked. So we had to admit that clusters were definitely not cloisters, and that from these clusters of infected people, the virus had penetrated almost everywhere, sowing death at random, because it had not been stopped by sanitary cords.

In France, there was a risk that the capacities of a hospital in a bad state of repair would be overwhelmed after the accounting and managerial treatments it had been undergoing for years, to the detriment of public service logic. Hospital saturation would bear witness to this destruction of a social health security system that, not so long ago, characterized the French welfare state, which was very proud of its hospital system.

From now on, the cordon could not be established from one region to another, but only virtually from individual to individual.

The citizens invited to vote for the municipal elections on Sunday, March 15, 2020, found it inconsistent to maintain the ballot when schools had already been closed following the speech of the previous Thursday.

On Monday, March 16 we were ordered to confine ourselves and had until Tuesday, March 17 at noon to make our arrangements. We were in the desocialization described by Saint-Just when he was worried about the loss of civil confidence fomented by the counter-revolution. According to him, the division of society had led each family to isolate itself from interest, to no longer speak the same language, to no longer have distant marriages and to exclaim “you are ferocious beasts (...) you are savages, you who isolate society from itself or who excite rumors to frighten away the trust that nourishes the citizens (...) each house was, so to speak, a society apart.”

But the confinement was to last only fifteen days, our government said.

2. Economic panic

The economist-chemists hoped to be able to maintain their love of gold rather than taking precautionary measures in favor of public health until the last moment. In the face of death, panic gripped Wall Street as investors became alarmed at the economic consequences of the coronavirus. The Dow Jones plunged, the Nasdaq fell, the CAC 40 dropped, and the London Stock Exchange lost points. The precautions were considered too drastic for the economy, too costly.

What does this mean? The real work could no longer be done. The capital gains extorted in an increasingly bellicose manner in France since the so-called labor law, which deregulates the hierarchy of norms of

protective law on the territory, could no longer be reaped. Consumption would be contracted, and the circulation of capital, which determines GDP, would be dangerously slowed down.

This is why what in France stopped on one side had to continue on the other, the incentive to telework for those who could manufacture a continuity of activity with digital tools was insistent. Muriel Pénicaud, Minister of Labor, did not want construction sites to fall behind by stopping. As for those who could provide care and supplies, they would stay at work... the same Pénicaud imagined that the working day could be increased to 12 hours and the week to 60... The alchemists had their jargon, even journalists put quotation marks “While the coronavirus epidemic is shaking up the world economies and financial markets, the High Council of Financial Stability decided Wednesday to remove by reducing to zero a cushion of “counter-cyclical” capital that banks could not use to lend money. According to Bercy, this gesture allows “to inject about 8 billion euros into the economy.”

3. Democracy plays the Chester cat

Control does not protect, it destroys ordinary democracy.

As early as March 18, the Minister of the Interior, Christophe Castaner, announced that “4,095 fines had been distributed to French citizens who did not comply with the containment rules imposed by the government. I underline “distributed” because for me they distribute sweets, end of the year prizes, good points... sometimes, of course, slaps, but it sounds strange to my ears a distribution of fines. One will admire the precision of the statistical facts.” “Our objective is not to punish but to protect the French,” he said. Should the stick replace a failing civic-mindedness for no longer being valued in a regime of unlimited rivalry? For having led people to believe for so long that “to be free is to declare oneself independent to do evil”, the first acts of the government consisted in declaring that we had to confront ourselves with self-constraint and the threat that hangs over us if self-constraint had not been internalized. The derogatory displacement attestations hurt the memory of wartime *laissez passer*. It was associated for better – the rejection of tyranny, and for worse - the confusion between racial discrimination during World War II and the bizarre incitement to civic equality in 2020 in the face of the virus. Very quickly this regime brought back bad memories and bad practices. The denunciation clogged the telephone lines of the police stations. One meditates on the Parisians who left to go green between the 16th in the evening and the 17th at noon. But didn’t they take their measures as the president had enjoined them to do? With the danger of death, all shamelessness seemed to vanish in good conscience for good soldiers who were delighted to be able to show once again that they knew how to be docile. Distinguishing between docility and alibi from civic conscience proved difficult. Bad officials told passers-by “tremble!” and instead of

making their power useful to the people, they made it disastrous. “said my friend Saint-Just in 1794. But it was happening close to home...around the corner, far from Rueil and near Saint-Denis. The certificates were printed with a lot of date and time slots. Then they were falsified for the sake of honor... to ratiboise a quarter of an hour of exit gave a vague feeling of resisting the inanity of this state of health emergency.

4. In the absence of welfare state, the lie of the State

Has the Welfare State reappeared? To a certain extent yes, since partial unemployment has been programmed and granted to face the social and economic crisis that the brutal stop of any activity would not fail to bring about. But producing bandages on open wounds is not really protecting, because protecting is foreseeing. The squirrel preparing its nuts for the winter has long been the fetish of the savings and provident books of our childhood.

But for us, the government had only snoring and worrisome words: “it’s war”, the president had repeated to us, expedients and no foresight, no instruments or equipment, no tests or masks.

“Recently there have been some logistical difficulties, but the masks have been arriving in pharmacies since yesterday,” Sibeth Ndiaye, the government’s spokesperson, told us at the end of the March 18 Council of Ministers. She explained that the State continued to release “strategic stocks” for the most affected departments. No masks came into the pharmacies and even patients labeled as such could not access them, they had to manage if they feared contaminating relatives and neighbors.

The State dared to say that the masks were in fact dangerous because they were difficult to use. Always the liar... I couldn’t help thinking about the cover of a little book published by Allia in 2016. A young woman with silver hair listens with an enigmatic smile, a puppet with a very long nose, Pinocchio in the role of state propaganda, this form of falsification of reality that interests the author of the text, Alexandre Koyré in his *Réflexions sur le mensonge* published in 1943. “If nothing is more refined than the technique of modern propaganda, nothing is coarser than the content of his assertions, which reveal an absolute and total contempt for truth. And even simple verisimilitude. Contempt that is unmatched only by the contempt that it implies for the mental faculties of those to whom it is addressed.” We are taken for fools.

Some were ecstatic that for the first time, for the first time, life was protected rather than profits, “whatever it takes. At first I succumbed to this assertion, but it was false, they were just taking the measure that too many deaths would produce an unheard-of protest. It was necessary to warn because this protest, after all, no one could foresee what it would be capable of doing.

It was necessary to prevent the disease of the social body that was already beginning to say that the State was putting us in danger

by not taking the necessary measures to protect bodies in danger of health. Caregivers were clamoring, alarmed, working hard and were contaminated. We lacked everything. We prepared lawsuits, we made banners for the windows, “money for the hospital,” “money for the public hospital,” “health is public...”

State lies arise when the State is afraid, it lies to defend itself by attacking reality. The lie is the weapon of those who have only this, lying to deceive the adversary and to take revenge for the fact that it frightens you. But the present State also lies for pleasure, in the intoxication of exercising this amazing faculty of creating by its word a world for which it alone is responsible and author. And at the same time.

5. The self-institution of society and its limits

A self-organizing civic-mindedness then appeared, it was necessary to believe the caregivers more than to lie to them. Tutorials were published on the internet to learn how to protect more than just oneself, seamstresses made hundreds of masks available in a courageous and voluntary way, people made, ordered, and offered masks for their relatives, neighbors, cousins, friends, and girlfriends.

Mutual aid sites led to mutual aid brigades which soon distributed meals to those who lacked the minimum, we discussed, we argued, we started again, we laughed, we fought again, but it was life taking back its rights.

In the south west of the country, care assistants made masks with old bras, it was funny, colorful, and indispensable, especially in the EHPAD. They laughed at the provocative character of their new attire but protected, with candor and responsibility, far from the manipulative and inconsistent State.

When the confinement had been decreed a fortnight earlier in the so-called EHPAD, only the provident directions had masks. As for the personnel, they entered and left the establishments with a temperature test, arriving and leaving. The security procedures had been left to the discretion of the establishments by the Regional Health Agencies, such as the exact date of confinement. However, these establishments had no access to any tests, and families were definitively excluded from the enclosure, which took on the appearance of a real prison. The State, i.e. the LRAs, had thus left the management of the establishments with a very heavy responsibility. They were at the mercy of an error of appreciation in the face of the virus, at the mercy of the groups that employed them, at the mercy of the State which was being relieved, at the mercy of the families who were alarmed. Crazy loneliness that drives people crazy and bruises them. The State, even in its reticular form, did not play its role of protection at all, neither for the staff, nor for the directors of institutions, nor for the confined elderly.

Confinement in these institutions was clearly not the right solution unless families, caregivers and the elderly were all confined together. The experiment was carried out in Beauvais for a month and was conclusive, zero contamination, but a labour inspector interrupted the extraordinary moment... and put everyone in danger. Tests would have been needed to separate virus carriers from the others and this concerned everyone who entered or lived in the facilities. These tests were put in place on April 5, in the meantime the dead have been gutted and the families have mourned.

6. Covid catastrophe

An EHPAD is today a company. It's listed on the CAC 40 and even with death lurking more than usual, shares are climbing. It's profitable. Speculation on this side of fragile human life is profitable. Can we measure the odious nature of such a statement? It is immeasurable as the loss of humanity. Far from any claim, the old and the old make it possible to make a return on investment for a profitable business, if they have the means, if they are solvent, but there are different consumer segments for this heritage vacuum cleaner and not much for those who have nothing and live in the odors of an abandoned body. They don't exist and if they have been confined, it is less to protect them than to keep overcrowded hospitals from becoming overcrowded. Some doctors said it crudely, wanting to deprive these poor people and their families of their freedom indefinitely. "These people were not supposed to clutter the hospitals. "We are a society of monsters and we acquiesce to the monstrosity, out of cowardice, fatigue, unconsciousness, in the feeling that our responsibility is not total since it is structural and we look back on our lives, on our quarrels, our despairs, our hopes, our fears now. We are sorry, and we do so with our feelings of guilt and also the relief of being able to look old age and therefore death in the face, the one that awaits us too.

The catastrophe is an end, and COVID-19 produces that, the knot that had been tied well is unraveling.

7. Approaching the denouement, on a scale of 1

In the EHPAD where my mother lives, the psychologist is a person at risk from Covid, and she quickly leaves the establishment. She was on a fixed-term contract, it is coming to an end. Our weekly visits that we each made, my sister and I, stopped. My brother who lives abroad can no longer come once a month. The animator does his best, but the so-called social distancing imposed makes it difficult, and every other week he has to take care of his young children.

Then the confinement becomes more drastic. Each resident must stay in his or her own room. Everything shrinks, mission impossible for life. The facilitator tries to go from room to room with the mail and jokes, but it's difficult, my mother is afraid of the virus, she relives her traumas once

again. The staff respond but are afraid, some stop, my mother no longer recognizes the people who are taking care of her, they have a hairnet, a mask, a gown and an over-blouse. Fear invades her world, death lurks.

We have organized with my brother and sister a tour to call her every day, we are almost her only landmarks in empty days between the toilet and the meals served on a tray, noon and evening. She fears that we will forget her sleeping medicine, that we will no longer wash her because once she was actually forgotten. I understand that the Covid killed that day and that the team is suffering. I learned this from a what's up list of families who have been watching the grain for months, and who are warning and angry because they have not been admitted to the bedside of the dying. Disaster then. They also complain that they weren't really warned, that they learned that it was the Covid at the time of the funeral from the croque mort. But without a test, what can we say? Every day for at least ten days I learn of someone's death, sometimes of two people on the same day, and I receive the list of condolence messages. I admire believers and unbelievers alike. To find out who we are talking about, some families send photos. I recognize some of them and I am amazed and sad.

I phone the management to find out if it is the Covid, I have the assistant director, I hear a hesitation and then a "yes it is true". I understand that the truth can only come out and not be told. Or that we will have to constantly go looking for it without being sure to get it. Here there is no lie-holder, but lies by omission. Truth will be the food of strong souls, and of his own, others are not invited to share it. Because some people think they can't stand a food of hard digestion, wouldn't this raw truth destroy them? Or would these families become impossible to "manage". It has to be neutralized, dressed, dosed. And then the trust between the institution and the families is already degraded. We cannot ask for miracles from overexploited and too few caregivers. There were malfunctions during the winter and the exchanges went very badly. Management refuses to trust. They do not know how the truth will be used. This sequence is too complicated. There are a thousand reasons to remain cautious, "not all truth is good, not all truth is bad".

And we are in a situation where lying is ultimately a lesser evil for management, it is otherwise recommendable, tolerable. Everyone lies more or less for the more or less good cause. The situation is crazy and for the residents, it resonates. They have all more or less lived through the war, and the war is there: its symptom is the lie that testifies to this deaf war between the institution and the families. Because in war, one must not inform but disinform the enemy, and so we are, as families, logical conclusions, enemies to be disinformed. More or less, to varying degrees, with intensities that change with the situations to be experienced. But still enemies; it reminds me of my years as a parent...

8. The law, a circular

The Regional Health Agencies (ARS) have issued a circular to the EHPADs. It is not distributed to families and we will understand why. It has a disturbing impact. “The place left to relatives in the decision-making process and in support may be limited by these exceptional circumstances,” she said. Such provisions would thus authorize a derogation from the rules of the Leonetti law on the right to benefit from the most appropriate care, which stipulates that any decision must be subject to prior consultation with the patient or his or her family if a decision is to be made. However, a circular cannot derogate from or authorize a derogation from a law, unless another law provides for this possibility, but this is not the case with the law on the state of health emergency of March 23, 2020. The Circular now provides that “any decision must...be the subject of clear, loyal and sincere communication with the entourage...”. It therefore authorizes a unilateral decision with subsequent communication. This decision, which would be taken unilaterally by the management of the EHPADs, concerns the continuation of care and admission to the hospital in intensive care. The circular recommends limiting this possibility according to availability. No old person, however valid he was before the Covid, should deprive a young person of a place in intensive care. Finally, the circular is silent on how palliative care should be provided in the institution, when hospitalization has been declared impossible.

It is impossible to know under what conditions this circular was applied in the EHPAD, but how can we not imagine that it was applied in a way that endangered the health and life of the residents, in defiance of the Leonetti law?

9. Responsibilities

Strangeness of the filial bond and the contemporary world. Those who have lost their parents want to sue the management of the establishment and Orpea. The judicialization of the conflict between the common sense of humanity and the way in which we have in fact been dehumanized does not seem to me to be a matter of course. It is true that this dehumanization appeared crude during COVID and was aggravated when the situation led to no longer assisting the dying, but the return to the ordinary is indeed a “return to the abnormal”: that of a great relegation of the very old who have become bodies rather than lives. Moreover, some of the dead in this sequence did not die of the Covid, but of slippage, this euphemism for the abandonment of the effort to live linked to solitude; they could not bear the drastic confinement, the absence of bonds, words and tenderness. Taking care of life is not only taking care of the bodies, but making it the point of support for human life, bios/zoé, we have been talking about it for so long but do not know how to get out of this politics of survival. There are cooperative nurseries, but very few EHPAD

cooperatives because you don't have to be dependent to cooperate and the families don't manage to risk such costly gestures when the parents are dependent. I began to imagine EHPAD floors in ordinary buildings, to stop confinement and allow the collective, to get out of places where we only meet old people who know that it is the end. I learned that caretakers had invented forms of EHPAD in the southwest, people live at home but are grouped together for activities, meals. It is not simple, but they are trying because these caregivers no longer wanted to collaborate with ordinary HITCHes. They wanted to give real ripe fruit to their protégés, real care, time to talk after the toilet, to laugh and to love life.

But the ordinary ones are in fact bodies reduced to simple objects of commercial investment, for a return on investment. Mortality will have jumped by 249% in the Paris region between March and May 2020 in the EHPADs. The share prices of the major groups in this old-age economy will also rise.

It will be possible to continue to take exorbitant sums from the family patrimonies of the ascending middle classes of the Fordist period without the need to make new investments since places will have become available. Pretend to protect and speculate in the crudest sense on death.

There are a thousand responsibilities involved, and I fear that lampists will be charged more than the State, the LRAs and these large groups. The secret business law passed quickly during the confinement by our government and our Chamber of Deputies will protect Orpea... Will the LRAs be worried? We will have to follow this closely because criminal justice, revenge and war are three ways to obtain some semblance of reparation for those who are on trial. But if there is to be reparation, I don't believe that it is the function of justice to repair individuals, it is necessary to repair the social body and it is so damaged that I only believe in a political outburst, which would also affect the functioning of the EHPADs. But I may be wrong.

Interlude

Certain colleagues, from the Collège de France, had promised us a reinforcement of the State Leviathan which we would probably not be able to avoid. We would adopt stop-covid tracing and be those serfs who volunteered for fear of death. This eternal fear and bad counselor for whoever wants to live in a democracy. But refusing to be subjected to a condition of being-for-death is at the basis of utopian thought, not denying death, but refusing that it dictates its laws, and preferring to the resignation linked to the thought of death, the organization of fraternal disorder and life in spite of our human condition, thanks to our human condition.

Between Leviathan and utopia, let's say that life has really made its way during this confinement. Sometimes strangely, sometimes awkwardly, but death, however close it was, did not prevail.

The thought of death and the fear it engenders produce “government machines. “The thought of life produces democracy, autonomy, citizen control over safeguard laws.

We undeniably have in France a “machine of government”, which in order to carry out its neoliberal revolution has produced laws of destruction of the social state and “laws of constraint” on living bodies, on free life. This government machine is today disowned by two-thirds of France’s citizens for not having taken measures in time to protect the population and caregivers in the face of the pandemic, and for having lied. The request for a trial for “great culprits”, those of the government, depends on the Court of the Republic. It is possible that they could take place.

Faced with this “government machine,” the French have declared that they trust the health care workers more than they trust the elected mayors, and that they trust the elected deputies with a representative mandate, but that they are no longer in dialogue with their representatives, and that they are merely the transmission belt for government failures under the laws of constraint.

When Saint-Just in the spring of the year II (1794) closed the factional struggle, he was convinced that a revolution could not be won with the laws of constraint and the “government machine” alone. He appealed to civil institutions which, around nuclei of affective communities, would make it possible to consolidate the revolutionary art of living, the love of equality and liberty, and would finally found the homeland as a “community of affections”.

Emmanuel Macron has succeeded in building a government machine, but he cannot count on this community of affections. Those who have shown their civic valour by caring, sewing, teaching their children, teaching their children, supporting their elderly single parents, distributing food baskets to the poor, housing those who had no housing, are radically opposed to this government. Paradoxically, the Covid crisis has made us rediscover the worst as well as the best, the denunciation but also “a society of mutual aid”.

This is why we can fear not only that the laws of constraint will continue to produce their stranglehold on public liberties, but that everything possible will be done to ensure that this community, this paradoxical sociality leaves no traces, will be repressed and challenged. The return to the abnormal would be a return to procedures that in the long term desocialize and lead to a kind of generalized frigidity of ties, a “loss of civil trust.

Always according to Saint-Just, without civil trust, men flee and can no longer think that they are free because they make a link, they end up believing that others are always obstacles to their freedom, even dangers that jeopardize their happiness. Thus begins the reign of war of all against all, the reign of fear and a new kind of civil war. Not a bellicose front with a real war scene, but a class front that does not say its name.

Today this name is “social distancing”, it segments the social body. If telework has been a safeguard, without a place to gather, the social relations of teleworkers risk losing their fluidity, their familiarity, their obviousness and their reflexive efficiency, because it is with others that one invents, projects, criticizes, struggles, teaches...

Assuming that the pandemic is resistant, how will we be able to resist this machine, which, far from protecting us, is defeating us?

The question was a nagging one for revolutionaries: how can a people protect itself from a disastrous government?

The right of resistance was a resource but an ultimate one, and today resistance is violently repressed by a police force that has its hands free through the ordinary state of emergency.

The possibility of judging civil servants, dishonest representatives was a resource, but today it is still necessary for prosecutors to agree to act, to put this justice into action.

It was also possible in the constitution of 1793 to declare a law unacceptable, to censor it, to revoke it. This is called democratic control, and since our rulers talk so often about democracy, we must undoubtedly take them at their word and demand the political institutions that will allow this democratic control to be exercised.

The yellow vests to evoke a so-called democratic regime but where the people no longer have the right to speak of democracy.

To regain the possibility of declaring oneself a democrat, everyone will have to make this democratic control the touchstone of the future regime. It must become the center of our public debate.

We no longer want to be controlled by faulty and despotic government machines, we want to control these machines, and to control ourselves, that is to say, to become once again a sovereign people able to decide under which laws they want to live, even in times of pandemic, especially in times of pandemic.

10. Covid Season 2

What characterizes this second season is undoubtedly the exhaustion of the social actors.

Death lurks in its diminished forms: depression, fatigue, autoimmune diseases...resignation of the nursing staff who do not have the strength to start again in working conditions and therefore scarcity that have not changed. Many people want to change jobs. It is too hard.

The public service is retreating.

The change of course is that of a reinforcement of neoliberal norms and a terrible discourse on social security which of course now has a clear deficit since it has been used to pay partial unemployment benefits.

A world is collapsing everywhere.
The one that I still believed in a little.
The one where the law protects a little.
But the law will still serve to repress more than to protect.
The establishment of a curfew keeps the warrior's imagination alive.
Then life loses its right to joyful expansion.
It is the social places of life as such, friendly, family life itself, which
are now forbidden by this curfew at 9 pm. Curfew? Life snuff, where are
the embers?
So everything was already there in season 1, but it's becoming more
routine:
From now on, the cordon sanitaire is established from person to
person.
The compulsory mask in the empty streets of Paris on Sundays,
testifies that this individual can already be ghostly.
The pressure at work remains.
The sanitary state disappears.
In the Ehpad we have had to make an appointment for a visit for a
month now.
The politics of the stick infantilizes us.
Life is shrinking.
It is necessary to defend society, Foucault affirmed,
"Society doesn't exist," Thatcher said.
"A people has only one dangerous enemy, it is its government," said
my friend Saint-Just.
Our civic task is to regain our strength, I don't know how, but
reading, the voice, the simmered food... the beauty must break the silence
that is beginning to reign.

17 October 2020, Paris

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