

Bioethics as a Mediator in Times of Pandemic

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During the last months, as the world has been marked by the pandemic, there has been much discussion about the role that bioethics could have as a guide for decision making at times when human life is in crisis. Among the flow of academic reflections on the current state of humanity and the epidemic, one that stands out comes precisely from the field of bioethics. One of the factors that this discipline has highlighted about the problem that we are currently facing is the issue of vulnerability. What makes us vulnerable is not exclusively the weakness of our bodies, if we talk about them in a strictly biological sense, but also the factors that make some bodies more vulnerable than others. The elements that make this happen are rooted in economic, social and political issues that preexist the pandemic but continue to generate greater vulnerability for some bodies and lives. Vulnerability in this regard is produced by the intersection of biology and epidemiology to state policies. Therefore, any bioethical view of the pandemic cannot dismiss the factors involved in the creation and maintenance of social difference.

In this time of COVID-19, there is an urgency among researchers to find a vaccine that will save human lives. However, this crisis - which started because of the virus - has brought to our attention deep social problems that will not be solved with immunity to COVID-19. Scientific research to find a vaccine is an important issue in bioethics, but here another ethical problem emerges: medical research using animal models. This is a problem because the bodies of other species are used and violated. Bioethics should focus not only on the viral problem, but also on how to solve social problems, as well as how to develop medical research without harming other species. This virus is not the only one that we have faced as humanity and although we solve the current crisis, if we do not rethink the place we occupy in the biosphere by removing ourselves from the center, we will not have a real solution to all the warning areas that this crisis has made visible. As Emanuele Coccia, professor at the *École de Hautes Études en Sciences Sociales*, suggests:

Contrary to what we would like to imagine, this pandemic is not the consequence of our ecological sins: it is not a divine scourge that the Earth sends us. It is only the consequence of the fact that all life is exposed to the life of others, that each body harbors the life of other species, and is capable of being deprived of the life that animates it. No one, among the living, is at home: the life that lives deep within us and that animates us is much older than our bodies, and it is also younger, because it will continue to live when our body decomposes (2020, p. 123).

There is no hierarchy of species as such in nature and we must challenge the notion of a smaller life as 'primitive'. When we speak of life, we speak of something transversal, of continuity, life constitutes whether we speak of plants, humans, bacteria or cows.

Something that has fed this idea of superiority is the trust we have placed into the artificial mechanisms that we, as a society, have constructed to feel protected from others. One of these mechanisms is the notion of sovereignty.

In the Seminar on the beast and the sovereign, Derrida works on the issue of sovereignty, taking into account some representations of animals to talk about the political and that which is "proper to man". He disarticulates the logics of submission in which we subject animals or what he conceptualizes as the beast.

Talking about sovereignty throws us three key figures to analyze: the human, God and the animal. Derrida plays with the beast / sovereign dichotomy, which most of the time results in suspicious and problematic representations because bestiality tends to be related to animality, and sovereignty is analogous to the human or divine. These analogies are problematic, like any dichotomy, in the sense of not being pure categories: there is bestiality in the sovereign and sovereignty in the beast. There are holes in both the notion of beast and that of the sovereign that make it possible to penetrate one or the other, to "contaminate" that purity in which we clearly distinguish one category from the other. Following Schmitt, Derrida defines sovereignty as follows:

... ...a certain power to give, to make but also to suspend the law; it is the exceptional right to place oneself above right, the right to non-right, if I can say this, which both runs the risk of carrying the human sovereign above the human, toward divine omnipotence (which will moreover most often have grounded the principle of sovereignty in its sacred and theological origin) and, because of this arbitrary suspension or rupture of right, runs the risk of making the sovereign look like the most brutal beast who respects nothing, scorns the law, immediately situates himself above the law, at a distance from the law [...] sovereign and beast seem to have in common their being-outside-the-law. (2009, p.16-17)

As Derrida notes, impurity occurs when the law places both figures (sovereign and beast) in the same category, along with the figure of the criminal who also shares the state of being outside the law. In *Leviathan*, Hobbes defines sovereignty as absolute and indivisible, a product of mechanical artificiality created by man. For Derrida, the fact that it is a human artifact means that it is not natural and, therefore, it is deconstructable and historical, it is subject to infinite, precarious, mortal and perfectible transformation. Sovereignty is an artificial steel lung and the State is a kind of robot stronger than the natural man (Derrida, 2010). If the natural man places himself above the beasts and is weaker than this robot called the State, we can easily glimpse the hierarchy in which this natural man is found between the State and the beast.

For Derrida, fear is the correlate of sovereignty. Sovereignty claims fear as its condition of possibility, as well as its greatest effect: fear makes the sovereign. The political subject is subject to this fear, which is a fear for the body and, in that sense, for life. Fear urges us to respect the laws and as long as we respect them we are protected, this fear of the laws is for Derrida something proper to man. If we have felt anything in these uncertain times, it is fear. Laws, state and sovereignty are artificial and have been established by convention. This convention lasts as long as it is able to protect its subjects from what they fear. We obey the law that protects us and we delegate that protection task to the State in exchange for obedience. To illustrate this, Derrida quotes Schmitt's phrase: "" *Protego ergo obligo* is the *cogito ergo sum* of the state (2009, p.43) "".

For Derrida, (2009, p. 45) "conventionalist theory makes prosthetic sovereignty proper to man". Today, Covid-19 has turned the "superior" species upside down and there is no convention or contract that can mediate our relationship with the virus. None of our wonderful characteristics that we call proper to man can save us. Not even our blind faith in the State and in the protection it owes us in exchange for obedience. The sovereign system has proven to be deficient in its function of protecting. The inability of the State to protect all its citizens has been demonstrated,

leading to the collapsed health systems around the world, an unprecedented economic crisis and rampant social inequality.

If we think that bioethics can be a light on the road in these moments of uncertainty, we have to think about all those items that the State has not considered important and help bioethics to be a mediator who is up to the task. . Perhaps, through bioethics we can create conventions to protect each other and protect the other species that coexist with us, we can create strategies that appeal to a fairer and more equitable paradigm. The real epidemic today is our own arrogance that has mutated through the centuries and has spread globally. The question would be, is there a vaccine that could protect or make us immune to that particular epidemic?

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