Neoliberalism Against Society? Spontaneous Order and Governance of Desire in Digital Societies

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Abstract

Critical scholarship often argues that neoliberalism has caused the 'crisis' or 'destruction' of society. Drawing on Foucault's concept of power as 'productive' and focusing on digital societies, we argue that neoliberalism seeks not to dismantle society but to create societies that govern desires through market freedom. We explore Friedrich Hayek's idea that a free society is not based on social well-being or equality, but on spontaneous norms arising from the market order. Digital societies, we contend, are neoliberal but not spontaneous; they emerge from the market order yet are shaped by algorithmic codes that intercept, manipulate, amplify, and promote the voluntary self-exploitation of individual desires. The article combines the latest critical scholarship on neoliberalism with a fresh interpretation of Hayek's thought and recent work on digital societies and algorithmic governance, highlighting the often-overlooked role of desire in the neoliberal governance of the digital age.

Keywords

neoliberalism, digital societies, governance of desire, Friedrich Hayek, repressive and productive power, code as law, algorithmic governmentality, surveillance capitalism

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Introduction

An important strand in the critical scholarship on neoliberalism maintains that neoliberalism has a negative and hostile view of society which has resulted in the latter's 'crisis', 'disintegration' and 'destruction' (Brown, 2015, 2019; Chomsky, 1998; Fuchs, 2021; Hartwich and Becker, 2019; Harvey, 2005; Jessop, 2024; Klein, 2007; Laurell, 2015; Munck, 2003). This idea is often conveyed by evoking British Prime Minister Margaret Thatcher's (1987) (in)famous remark that 'there's no such thing as society . . . there are individual men and women, and there are families. And no government can do anything except through people, and people must look to themselves first'. Thatcher – whose policies of privatization, deregulations, scaling down of welfare provisions and dismantlement of trade unions are widely regarded (together with those of Ronald Reagan in the United States) as having ushered the neoliberal era (Dardot and Laval, 2013) – later complained that her view had been 'distorted beyond recognition'. What she meant was that 'society was not an abstraction, separate from the men and women who composed it, but a living structure of individuals, families, neighbours and voluntary associations' (Thatcher, 1987).

The idea of society as a 'concrete' phenomenon, not separable from 'the men and women who compose it' acquires a clearer meaning considering the thought of one of Thatcher's main sources of inspiration: neoliberal founding father Friedrich Hayek. Hayek (1998: 32), whose books Thatcher praised and recommended to the members of the House of Common in 1981, did not oppose the term 'society' per se, but its understanding as an organic whole underpinned by a shared sense of justice and common purpose. This idea, Hayek warned, conceals the threat of coercion by governments in the name of the greater good. Hence, society should not be identified with the common good and the pursuit of 'social justice' – a dangerous abstraction that curtails individual freedom – but with a pluralistic order in which 'the chances of anyone selected at random are likely to be as great as possible' (Hayek, 1998: 132). Society for Hayek is the order of rules, norms and procedures that has emerged *spontaneously* from 'men's [sic] submission to the impersonal forces of the market' (Hayek, 2001 [1944]: 210) and carries no defined set of 'values' (Hayek, 1998: 75).

In this article, we wish to question both the idea that neoliberalism is bent on the destruction of society, as some critics of neoliberalism suggest, and the idea that the market society is a spontaneous ensemble of norms and rules that maximizes individual freedoms, as Hayek maintains. Our contention is that neoliberalism strives to establish societies that govern desires through market freedom. These societies are not just averse to the common good and social justice but are also *not spontaneous*. To advance this argument, we draw on Foucault's idea of power as productive and focus on the case of digital societies.

As Foucault (1991: 194) argues in Discipline and Punish, 'we must cease . . . to describe the effects of power in negative terms: it 'excludes', it 'represses', it 'censors', it 'abstracts', it 'masks', it 'conceals'. In fact, power produces; it produces reality; it produces domains of objects and rituals of truth'. For Foucault, power is productive and not simply destructive. Whereas to explore its impact on individuals we need to look at biopower – the transformation of power from regime of deduction of wealth, labour, services and 'ultimately life itself' to system of production aimed at 'generating forces' (Foucault, 1978: 136) – to understand how it affects societies we need to focus on neoliberalism, which is 'the general framework of biopolitics' (Foucault, 2008: 22). As Dardot and Laval (2013: 14, 8) observe drawing on Foucault, the distinctive feature of neoliberalism is 'its creation of a new set of rules defining not only a different "regime of accumulation," but, more broadly, a different society' to the effect that neoliberalism can be regarded as 'a mode of governing societies' by 'align[ing] social relations with the model of the market'.

While Foucault (2008: 120, 143, 160) and Foucauldian scholars have extensively discussed how neoliberal governmentality deploys 'competition' as a 'principle of formalization' of social

relations, the 'enterprise' as a 'model for society' and inequality as 'general regulator of society that clearly everyone has to accept and abide by', they have paid less attention to how it harnesses, mobilizes, and governs desire. To explore this question, we focus on digital societies, which we approach as spaces of interpenetration and continuity between the 'digital' and 'physical' worlds. We contend that digital societies are neoliberal, as they emerge from the extended order of the market, but not spontaneous in the sense that, reading Hayek in reverse, they are not solely the product of human action but of human (algorithmic) design.[1] Far from delivering the freedom theorized by Hayek, they are engineered to promote, through their algorithmic codes-laws, the integration of individuals' desires and their inscription and voluntary self-exploitation in the digital apparatus of neoliberalism. Our argument rests on three conceptual steps.

First, we ground the notion of society not in the concept of social justice but in the existence of the law. We follow Hayek's (1998: 72) view that 'Law in the sense of enforced rules of conduct' is 'coeval with society' and combine this perspective with Larry Lessig's (1999) seminal observation that 'code is law'. This is the idea that the architecture and design of computer systems, software, and digital and social media platforms crucially shape the behaviour of individuals and the interaction among them. Accordingly, social media platforms can be regarded as digital societies because their 'code is law', and law, in the Hayekian sense of the term, establishes society.

Second, we approach digital societies not just as the virtual translation of the 'real' society or as platforms that can shape existent societal relationships, but as zones of overlap and connection between the 'digital' and 'physical' realms. This point requires some elaboration. The concept of 'digital society' has attracted the interest of many scholars and prompted several definitions (Lupton, 2015; Katzenbach and Bächle, 2019). While it would be beyond the scope of this paper to review them all, it is possible to distinguish at least two main versions of how the concept is utilized in the academic literature. In one version, the digital society is presented as a set of technologies – social media platforms, algorithmic computing, machine learning, and so on – which is increasingly penetrating the socio-political world, so much so as to influence its decision-making processes (Chandler and Fuchs, 2019), democratic institutions (Macnish and Galliott, 2020), the distribution of resources (Crawford, 2021), public values and cultural models (Van Dijck et al., 2018). For scholars operating within this framework, the digital or virtual society has an ever-greater influence on the real one, even if the two remain distinct (Burrell and Fourcade, 2021).

The second theoretical position, which is closer to ours, approaches the relationship between the virtual and the real in terms of merging worlds, that is, as a single social assemblage in which, nonetheless, the digital architecture has become the dominant normative system of all socio-political relationships, digital and otherwise (Lessig, 1999). Inspired among others by the pioneering work of Lawrence Lessig (1999) and Shoshana Zuboff (2019), this theoretical perspective stresses the non-dialectical but hegemonic relationship between the digital and the real. For, as Lessig (1999) has argued, within the new digito-physical assemblage, the codes written by software engineers provide the rules of behaviour and embody value judgements that set the norms for how individuals interact in both the virtual and real worlds.

This leads us to the *third* conceptual foundation of our argument. In recent years, these 'codes' have garnered increasing scholarly attention, aimed at discerning the features and dynamics of a nascent algorithmic regime of governance. This has been variously described as 'algorithmic governmentality' (Cooper, 2020), 'algorithmic control' (Beyes, 2022), 'algorithmic management' (Armano et al., 2022), 'algorithmic regulation' (Jiménez González, 2022), 'algorithmic reason' (Aradau and Blanke, 2022) and 'machine learning algorithms' (Amoore, 2023). As Louise Amoore (2023) has recently argued, the primary function of these new algorithmic logics is 'supplying new instruments . . . for the governing of society' (p. 21). Surprisingly though, and with the notable exception of Matthew Flisfeder's (2021) seminal concept of 'algorithmic desire', this scholarship

has paid very limited attention to the concept of desire and how it is mobilized and acted upon by algorithmic rationalities.

Moving from these three conceptual steps, our main thesis is that *while neoliberalism is attacking, wounding, and dismantling society as the pursuit of the common good and social justice, it is also reconstituting it, through digital codes and algorithmic rules, as a space of manipulation and governance of desire because neoliberalism requires society to function and thrive*. To defend this argument, our analysis proceeds in two main stages.

In the first part of the article, we survey the idea that society is being attacked by neoliberalism focusing on Wendy Brown's recent critique. Paraphrasing the title of Foucault's (2003a) famous 1975–1976 lectures 'Society Must Be Defended' – in which the French philosopher argues that 'politics is a continuation of war by other means' and that the model of war should be used as a framework for analysing social relations – Brown contends that for neoliberalism, 'society must be dismantled'. We propose a contending reading by suggesting that Hayek is not opposed to society per se, but to the idea of society as the embodiment of the common good and pursuit of social justice. We consider how Hayek (1998: 72) understands society as the spontaneous ensemble of norms, rules, and principles – which he calls 'law' – that emerge from the extended order of the market. For Hayek (1998: 72), law is the defining and qualifying prerequisite of society, in the same way that a free society is the very condition of possibility of law and of the spontaneous and uncoerced market order that can enable freedom and oppose the potentially tyrannical power of the legislator. Hence, we will show, for Hayek neoliberalism *needs* society.

In the second part, we explore what *kind* of society neoliberalism *needs* focusing on digital societies and moving from Lessig's s view that 'code is law'. By restricting or enabling actions, encouraging conducts, prompting specific forms of engagement and communication, Lessig contends, the 'code' in the digital sphere acts like the law that regulates behaviours in the physical world. Approaching Hayek's idea that 'law is coeval with society' from Lessig's argument that 'code is law' and moving beyond the separation between 'digital' and 'physical', we contend that social media are not just digital platforms, but societies that institute and govern regimes of desire across the digital and the physical. Digital societies are neoliberal societies in the sense described by Hayek (ensembles of norms, rules and principles that emerge from the extended order of the market). Yet, contrary to Hayek, they are not spontaneous but, as Foucault (2008: 121) would argue, 'produced by an active governmentality'. Building on, but also departing from, Zuboff's notion of 'surveillance capitalism', we suggest that neoliberalism does not aim to dismantle society, but to establish societies that control and govern desires by mobilizing the very market freedom that for Hayek is central to ward off authoritarianism.

The conclusion ties together the threads of the argument. It provides final insights on how the analysis carried out in this article enriches the theoretical discourse on neoliberalism and society beyond the notions of 'crisis' and 'destruction', and how it advances our understanding of desire as a crucial category of governance in digital societies.

Neoliberalism Against Society?

In a 2004 editorial, the editors of *The Economist* complained that 'the term neoliberal had been shorn of this original meaning' – championing individual freedom against 'over-mighty government and other forms of power' – and turned into 'a signifier for a new breed of "market-worshipping, nihilistic sociopaths" bent on the destruction of not only the state but perhaps even society itself' (cited in Peck, 2010: 2). A few years later, commenting on the social devastation caused by the 2008 financial crisis, scholars like Joseph Stiglitz (2009), Eric Hobsbawm (2009), and Fred Block and Margaret Somers (2014), among others (see Mavelli, 2022), denounced neoliberalism

as a form of 'theology' and 'religious fundamentalism' which has ravaged society by heightening poverty, marginalization, social exclusion, and inequality. In making this argument, Block and Somers drew on Karl Polanyi's (2001 [1944]) 'theory of embeddedness' which maintains that individuals are primarily social, rather than economic beings, and therefore, markets should be 'embedded' within society.

According to Polanyi (2001 [1944]: 136), '[I]f left to evolve according to its own laws', the market economy 'would create great and permanent evils' to the point of causing its own demise. Leaving 'the faith of soil and people to the market would be tantamount to annihilating them' (Polanyi, 2001 [1944]: 137). 'To allow the market mechanism to be sole director of the fate of human beings and their natural environment', Polanyi (2001 [1944]) warned, 'would result in the demolition of society' (p. 76). What capitalism – and, specifically, neoliberalism as an acceleration of the capitalist logic – has done is to progressively disembed markets from social and political constraints. The idea and practice of self-regulating markets that answer none but to themselves has ultimately produced social 'dystopian consequences' (Block and Somers, 2014: 9).

David Harvey's Marxist reading of the devastating consequences of neoliberalism follows in the footsteps of Polanyi's argument. For Harvey, neoliberalism was born out of the crisis of accumulation of the 1970s, with the bourgeoisie seeing this as an opportunity to disembed capital from the web of social and political constraints (labour protections, welfare provisions, state ownership of public goods, progressive taxation, financial regulations, among others) in which it had been enmeshed following the post-Second World War class compromise. Hence, neoliberalism has been from the onset 'a project to achieve the restoration of class power' by re-establishing 'the conditions for capital accumulation' and 'the power of the economic elite' (Harvey, 2005: 16, 64). The ensuing dynamics of exploitation, extraction, dispossession, alienation, mystification, and disposal of those superfluous to the needs of capital stand for Harvey (2005) as a tragic manifestation of the '[t]he destruction of forms of social solidarity and even, as Thatcher suggested, of the very idea of society itself' (p. 80).

Harvey's argument reflects a Marxist perspective that privileges a 'negative' and 'repressive' notion of power as opposed to the Foucauldian 'productive' understanding mentioned in the introduction. The latter places less emphasis on the restoration of class power and approaches neoliberalism not just as capitalism in an accelerated form – that is, as an enhanced regime of extraction, exploitation, and dispossession – but as a momentous transformation that involves the creation of new rationalities of government, social relations, and subjectivities in the image of the market (Foucault, 2008). Nonetheless, Harvey, like other Marxist scholars, is also mindful that 'destruction' inevitably requires some 'reconstruction'. He considers that the 'destruction of society' has left 'a gaping hole in the social order' which has resulted in the 'reconstruction of social solidarities' through the 'revival of interest in religion and morality' and 'older political forms (fascism, nationalism, localism, and the like)' (Harvey, 2005: 80–81). 'Neoliberalism in its pure form', Harvey (2005) concludes, 'has always threatened to conjure up its own nemesis in varieties of authoritarian populism and nationalism' (p. 81).

This argument has been recently reprised by Wendy Brown (2019), who regards the 'popular enthusiasm for autocratic, nationalist, and in some cases neofascist regimes, fueled by myth mongering and demagoguery' (p. 9), as the unintended 'spawn' of neoliberalism – its own 'Frankensteinian creation'. Interestingly, even if Brown (2019) moves from a Foucauldian understanding of power and thus regards neoliberalism as a 'worldmaking rationality' that aims to 'economize all features of existence, from democratic institutions to subjectivity' (p. 11), she (Brown, 2019: 23) embraces a 'repressive' understanding of power in arguing that for neoliberalism 'society must be dismantled'.

These considerations suggest that the idea of the neoliberal destruction of society, while primarily advanced by Marxist critics, partially transcends the distinctions between Marxist and

Foucauldian perspectives, making a critical evaluation of this argument even more urgent. In the remainder of this section, we first offer a brief overview of Brown's argument, which provides one of the most recent and articulate discussion of this idea through an in-depth engagement with neoliberal founding father Friedrich Hayek. We then advance the view that Hayek's neoliberalism not only is compatible with society but also requires it.

Brown's analysis begins with a definition of the social. 'Situated conceptually and practically between state and personal life', she argues, 'the social is where citizens of vastly unequal backgrounds and resources are potentially brought together and thought together' (Brown, 2019: 27). The social is the site of political enfranchisement, where inequalities are revealed and 'may be partially redressed' through social justice (Brown, 2019: 27). Social justice is a vision of the common good in which we become 'more than private individuals or families, more than economic producers, consumers, or investors and more than mere members of the nation' (Brown, 2019: 28). Social justice is an 'essential antidote to otherwise depoliticized stratifications, exclusions, abjections, and inequalities attending liberal privatism in capitalist order' (Brown, 2019: 27). Why is neoliberalism 'set out to destroy conceptually, normatively, and practically' this idea of society, Brown (2019: 28) asks? The reason is not merely instrumental or part of a strategy of false consciousness (producing the allegedly 'free, responsibilized individuals' celebrated by Thatcher who, in reality, will be disempowered selves stripped of public goods and welfare protections, left at the mercy of market forces). For Brown, neoliberalism's hostility stems from a political understanding of society as a potential site of coercion, oppression, and tyranny. To understand this view, Brown suggests, we need to delve into the thought of one of neoliberalism's most prominent architects: Friedrich Hayek.

In Brown's reading, Hayek sees two main problems with 'society'. First, this notion is 'inappropriately used to denote impersonal, unintentional, and undesigned human cooperation on a mass scale' (Brown, 2019: 31). It is used, in other words, to indicate the spontaneous emergence of some universally valid principles concerning the common good. For Hayek, this is analytically unfounded because what has arisen spontaneously are some generalizable rules of conduct which enable the extended order to function (an order in which its members do not have personal ties and contacts with each other). The carriers of the emergence of this spontaneous order are the markets – which effectively coordinate the actions of 'millions who are connected only by signals resulting from long and infinitely ramified chains of trade' and have only scattered and fragmented pieces of information (Hayek, cited in Brown, 2019: 31) – and morals – which are not substantive, comprehensive, and prescriptive principles, but only universal rules of conduct which have been developed over time through trials and error.

The second problem Hayek has with society stems directly from the first: once it is assumed that society is the spontaneous expression of an idealized idea of the common good, it is believed that society may be 'engineered', acted upon, and governed to better achieve the pursuit of this common goal. This idea, Hayek maintains, is the expression of 'an erroneous rationalism', which ascribes to individual planners (be they states, socialist governments, central banks, or other national and international institutions) a superior capacity of organization and coordination, far greater than that of the market. For Hayek (2001 [1944]), this is simply not possible as 'co-ordination of the multifarious individual efforts in a complex society must take account of facts no individual can completely survey' (p. 210). To deny the superior capacity of the market in coordinating and developing our lives and claim that some elected or unelected individuals may do better is to dangerously pave the way for totalitarianism. The market order is for Hayek the fundamental condition of possibility of freedom and its existence requires that any idea of social justice and of society as the embodiment of the common good is abandoned. According to Brown

(2019: 28), it follows that for Hayek and for neoliberalism more broadly, 'society must be dismantled'; it must be 'destroy[ed] conceptually, normatively, and practically'.

While we agree with Brown's reading of Hayek, we would like to propose a different conclusion. As mentioned in the introduction, Hayek is not opposed to society per se, but to society as the embodiment of the common good. The 'end of society' he advocates is not the end of society *tout court* but 'the erosion of a particular kind of society: the society of the welfare state' (Ventura, 2016: 29). Hayek, in fact, does not jettison the idea of social justice but reframes it, as Brown reminds us, as the product of the spontaneous order the market. This is an order that rewards contribution, 'like wealth or innovation', not effort. Contributions 'may or may not be the fruit of great effort and, conversely, long and intense labors may come to little' (Hayek, discussed in Brown, 2019: 34). While it could be argued that this idea of justice is 'social' just in the name and therefore justifies the claim that neoliberalism aims to destroy society, there is a further and deeper reason that cautions against this conclusion, which requires us to return to Polanyi's argument.

As Block and Somers (2014: 9) observe, 'the free market celebrated by economists and political libertarians has never – and cannot ever – actually exist. For Polanyi, the human economy is always and everywhere embedded in society' because 'even "free" market economies consist of cultural understandings, shared values, legal rules and a wide range of governmental actions that make market exchange possible'. Neoliberal economists that seemingly set the 'the market free from the state' are in fact '*re-embedding* it in *different* political, legal and cultural arrangements, ones that mostly disadvantage the poor and the middle class and advantage wealth and corporate interests' (Block and Somers, 2014: 9). The market, according to this reading, needs society to function. This argument is a crucial, albeit largely neglected, feature of Hayek's idea of the spontaneous order of society.

This idea rests on a dichotomous construction that juxtaposes *kosmos* and *taxis*, namely 'evolution vs. construction, [which] draws a line between (supposedly natural) spontaneous orders and human (political and technological) planning' (The Onlife Initiative, 2015: 10; see also Dale, 2018). As previously considered, this distinction is both analytical and political. It is analytical in that 'very complex orders', such as the extended society in which we live, comprise 'more particular facts than any brain could ascertain or manipulate' and 'can be brought about only through forces inducing the formation of spontaneous orders', specifically market and morals (Hayek, 1998: 38). It is political since any attempt to act upon this order should be regarded as a form of tyranny and coercion. The primacy Hayek ascribes to *kosmos*, however, should not be mistaken with a merely negative role for *taxis*. This argument becomes clearer if we consider how the *kosmos-taxis* distinction maps onto another crucial distinction that characterizes Hayek's thought: the distinction between *law* and *legislation*.

With the term *law*, Hayek understands the rules of conduct, norms and practices that have emerged and enabled the development of the spontaneous extended order. 'Law in the sense of enforced rules of conduct is undoubtedly coeval with society; only the observance of common rules makes the peaceful existence of individuals in society possible' (Hayek, 1998: 72). Law belongs to the domain of *kosmos* and 'is older than legislation', which in turn should be understood as 'the deliberate making of law' and therefore as belonging to the domain of *taxis* (Hayek, 1998: 72, 154, ff.). For Hayek, however, the role of legislation is not merely that of codifying existing laws that have emerged spontaneously. As he explains,

> The fact that all law arising out of the endeavour to articulate rules of conduct will of necessity possess some desirable properties . . . does not mean that in other respects such law may not develop in very undesirable directions . . . . For a variety of reasons, the spontaneous process of growth may lead into an impasse from which it cannot extricate itself by its own forces or which it will at least not correct quickly enough. (Hayek, 1998: 88)

Hence, apart from a ratification of existing rules of conduct, *legislation/taxis* also serve the purpose of correcting evolutionary mistakes in the development of the spontaneous order.

Yet, how is it possible to distinguish a legislation that genuinely aims to correct a glitch in the spontaneous order of the market from one that aims to manipulate and modify it, thus potentially paving the way for tyranny? For Hayek (1998), the solution lies in the rejection of legal positivism and its claim that 'anything laid down by that supreme legislator is law and only that which expresses his will is law' (p. 91). Hayek (1960: 347, 348) argues that this approach, which he identifies with Hans Kelsen, 'signaled the definite eclipse of all traditions of limited government', as it was unable to envisage any 'possible limits to the power of the legislator'. Rejecting the 'positivist doctrine' means rejecting the metaphysical and absolute power of a legislator (i.e. Kelsen's *Grundnorm*). This means rejecting the idea that 'legislation is the sole source of law' and acknowledging that the authority of the legislator rests on a source other than 'an act of will' (Hayek, 1998: 92). 'This source', Hayek (1998) maintains, 'is a *prevailing opinion* that the legislator is authorized only to prescribe what is right' (p. 92).

This 'prevailing' or 'common opinion' that Hayek sees as a crucial counterpoint to the misuse of legislative power is a law in the Hayekian sense of the term, namely a set of basic principles which have emerged organically from the development of the spontaneous order. In the name of this prevailing opinion which has the force of law, it will be possible to ascertain whether 'the decision has been arrived at in a prescribed manner' and 'whether it consists of a universal rule of just conduct' (Hayek, 1998: 93). Yet, to the extent that the law is 'coeval with society', it follows that *the* '*common*' or '*prevailing opinion*' *is nothing but the expression of a* '*free society*'. In such a society, where 'all power rests on opinion, this ultimate power will be a power which determines nothing directly yet controls all positive power by tolerating only certain kinds of exercise of that power' (Hayek, 1998: 93).

We thus reach two important conclusions. First, for Hayek, the spontaneous and uncoerced market order that can deliver freedom *requires* society as the latter is essential to enact the law without a Kelsenian *Grundnorm*. Differently said, society is the source of law that can oppose the potentially deviant and tyrannical power of the legislator. This argument suggests that while neoliberalism is keen on the destruction of society as common good and pursuit of social justice, it nevertheless champions an idea of society as the spontaneous order of the market and embodiment of the law. This view is the mirror image of Polanyi's. Whereas Polanyi considered that 'the human economy is always and everywhere embedded in society' (and that capitalism pursues a process of disembedding of the economy with great risks for society), Hayek argues that society is always embedded in the market and that only this identity between society – as the embodiment of law without legislation – and market – as the condition of possibility of the spontaneous order – can guarantee freedom.

Second, for Hayek, there can be evolutionary mistakes in the development of the spontaneous order that require correction through *legislation/taxis*, that is, through an 'external intervention'. This equates to acknowledging that, at least in certain circumstances, 'individual planners' might possess a capacity of coordination superior to that of the market. Although Hayek hastens to add that any intervention on the spontaneous order of the market may only be carried out in the name of the prevailing opinion of society, which is ultimately the expression of the market, his tautological solution appears to further undermine his philosophy of spontaneity and the idea of freedom it champions. As Quinn Slobodian (2018: 39) observes, for all his criticism of 'deliberate design' and how it may result into a 'road to serfdom', Hayek ultimately turns human planning into 'the lynchpin of the whole system', without which his edifice would simply 'dissolve'. Paradoxically, then, '[t]he Hayekian disavowal of design does not transform his proposals into anything other than precisely that' (Slobodian, 2018: 271). Hayek's project is one of 'constitutional design' as his

interest ultimately lies in 'those rules which, because we can deliberately alter them, become the chief instrument whereby we can affect the resulting order, namely the rules of law' (Hayek, cited in Slobodian, 2018: 239). And given that for Hayek law is coeval with society, his project and ambition is designing the very order of society in the image of the market.

In the next section, we explore this argument in relation to digital societies. We argue that neoliberalism does not aim to dismantle society altogether but to establish (digital) societies that control, manipulate and extract resources by governing people's desires. Hence, we will show that whereas digital societies are neoliberal in the sense described by Hayek – as they encompass norms, rules, and principles which are embedded in the market – they are far from being the expression of the spontaneous and uncoerced order of freedom he envisaged. Instead, they are a product of neoliberal corporate design – a design concealed and longed for in the folds of Hayek's argument.

Spontaneous Order and Governance of Desire in Digital Societies

The concept of 'digital society' has become central to theorizing on the role that digital technologies play in social life. José van Dijck, for example, uses this notion to explore how tech companies penetrate and shape democratic institutions, social norms, and public values (Van Dijck, 2020; Van Dijck et al., 2018). Nicholas Negroponte (1995), in his now classic *Being Digital*, defined the concept as referring to the diffusion of digital technology 'directly into the hands of very creative individuals at all levels of society, becoming the means for creative expression in both its use and development' (p. 82). This essentially positive vision of digitization processes has been challenged by critical scholars, who have emphasized how the digital society is crossed by dynamics of knowledge formation and power relations, and by mechanisms of subjectification, control, and veillance (Beer, 2013; Beer and Burrows, 2013; Lupton, 2015: 27–38). Despite their differences, these lines of research share an underlying dualism: the digital apparatus is thought of as something that is separate from the 'real' society and can influence and shape its relationships.

More recently, though, several authors have stressed the interpenetration between digital and social networks so much as to speak of a single system in which our technological tools have become our informational and relational environment (Ford et al., 2013; Han, 2015; Williams, 2018). As the former Google strategist, James Williams (2018), blatantly put it, 'when most people in society use your product, you aren't just designing users; you are designing society' (p. 10). This idea has been explored by Zuboff in *The Age of Surveillance Capitalism*. For Zuboff (2019), the digital apparatus and social world are becoming increasingly indiscernible to the extent that today human 'experience is seemingly rendered across the once-reliable borders of the virtual and real worlds' (p. 472). This process of hybridization between digital and social is not dialectical but driven by AI-powered algorithmic technologies that seek to control and shape social behaviour through continuous datafication. Through these dynamics, the social is degraded to an apparatus for data collection, coding, and manipulation of experiences and desires, which are thus 'tuned' to achieve certain 'guaranteed outcomes' (Zuboff, 2019: 444).

Moving from these considerations, we advance two main arguments. First, we use the concept of 'digital society' to identify the techno-semiotic assemblage that produces the social environment and imaginary in which people's behaviours and relationships are shaped. Second, we contend that this societal assemblage has a distinctively neoliberal character in that it relies on and exploits the Hayekian conception of individual freedom and is a direct product of the order of the market. This latter claim requires differentiating between the origin of the Internet and the emergence of digital societies, while also introducing the concept of 'economization'.

As it is well documented (see, for instance, Radu, 2019), the emergence of the Internet stemmed from a partially voluntarist and partially designed ensemble of academic efforts, notably by computer scientists working with the US Advanced Research Projects Agency (ARPA), and political and military backing, particularly by the US government. It thus involved both nation-states and enthusiasts (from scholars to gamers and bloggers). From the mid 1990s, however, market actors have increasingly co-opted and commodified these innovations, transforming the Internet into a commercial enterprise. The emergence of digital societies belongs to this second phase. Facebook, for instance, began as a platform for young men at Harvard to rate the attractiveness of their female classmates. While not seemingly profit-oriented in its origins, Facebook was from its very inception a product of what Brown, building on Foucault, labels 'economization'.

Economization describes the process whereby neoliberalism occupies and rewrites all domains of human existence in the image of the market, even in the absence of monetary transactions (Brown, 2015: 31). Facebook's ranking of female students was not just sexist and misogynistic, but distinctively neoliberal in that the commodified female body was inscribed in a regime of preferences, valuation, and maximization of utility (with young men enabled to 'identify' and 'target' the most 'valuable' female students) even if no money was exchanged. The subsequent evolution of Facebook into one of the world's largest corporations further speaks to the economization of digital media platforms and digital societies, highlighting how these platforms increasingly function to commodify social interactions and human relationships across multiple spheres of existence that transcend real/digital divides.

We argue, therefore, that digital societies should not be understood as mixtures of ontologically heterogeneous planes of existence (the virtual, the real, the digital, the analogical, etc.) but rather as spaces of coexistence of these different levels which are *coordinated* and *modulated* by algorithmic codes. As mentioned in the introduction, we follow Lessig's pathbreaking work, which suggests that 'code is law', namely that the algorithmic codes developed by tech companies and used by digital platforms represent the nodal points of propulsive mediation between the virtual and the real, the digital and physical society. More recently, Dufva and Dufva (2019) have echoed this position by arguing that

> the switch to digital has created a significant change in technologies by introducing a 'meta layer' of code. [. . .] The flexibility and adaptability of code connects humans more closely to machines, creating new forms of aggregates between human and nonhuman actors. (p. 17)

This digital society cannot be said to be 'spontaneous' because the code *qua* 'meta layer' represents the switcher through which it is possible to modulate users' perceptions, desires, and social behaviours. In this sense, the digital society is constantly produced and reproduced by the regulation of codes.

Accordingly, digital societies cannot be described as the outcome of 'the spontaneous forces of the economy' (Hayek, 1960: 331) but, rather, as the deliberate design and organization of social behaviour by corporations to maximize their profits. This means that, *contra* Hayek, the embedding of society in the market, far from automatically generating a spontaneous order, has produced a society in which its members' behaviour is not free and uncoerced but responds to the dictates – the 'laws' and the 'codes' – of the market. To better appreciate this argument, we need to consider that the entire neoliberal conceptual edifice, despite its intrinsic complexity, rests on a political myth that is as simple as it is problematic: the existence of a sacred and inviolable space called the private sphere in which the individual is sovereign. For Hayek, this is the *sine qua non* condition for establishing free societies. As he puts it, 'The "legitimacy" of one's expectations or the "rights" of the individual are the result of the recognition of such a private sphere. Coercion not only would exist but would be much more common if no such protected sphere existed' (Hayek, 1960: 206).

Yet, it is precisely this political myth that is mobilized in digital societies by a new rationality of power that Shoshana Zuboff has termed 'surveillance capitalism'. According to Zuboff (2019), the evolution of digital technologies – driven by artificial intelligence and machine learning – has produced a new social and economic order that claims 'human experience as free raw material for hidden commercial practices of extraction, prediction, and sale' (p. i). In this new phase of capitalism, exploitation does not simply refer to the forced sale of labour power or the extraction of surplus value. Rather, exploitation now works through social engineering and behavioural modification so that individuals are stimulated to integrate within the capitalist apparatus and *actively* participate in its new economies of action.

For Zuboff, the epochal transition from an industrial to a surveillance economy has been achieved by three important stages of interpenetration between the digital and the social. The first step is the discovery of the 'behavioral surplus', that is, the realization that 'the "data exhaust" clogging Google's servers could be combined with its powerful analytical capabilities to produce predictions of user behaviour' (Zuboff, 2019: 337). Big tech companies like Google and Facebook were the first to understand the computational power generated by the datafication of online behaviour. With its 40,000 search queries every second on average and 3.5 billion searches per day, Google has in fact at its disposal an increasingly precise computational mapping of the tastes, desires, and networks of its users, which can be used to create 'a new kind of marketplace in which its propriety "prediction products" manufactured from these raw materials could be bought and sold' (Zuboff, 2019: 93–94).

Once the cycle of mapping, analysing and predicting users' behaviour is established, the second step is to extend and intensify the data mining system. To this end, the digital apparatus seeks to penetrate more and more into the social world, sucking it into its computational mapping so that not only a few online choices but, potentially, all users' preferences can be statistically described. Hence, to maximize screen time means to maximize the production of data and, consequently, the statistical mapping of the users' preferences and behaviours. In this regard, tech corporations have developed real 'surveillance tools' that exploit the 'free' participation of users in order to capture their preferences. The 'Like' button of social media platforms, which has now entered the collective imagination, is an exemplary case in point. Introduced by Facebook in 2009 as an innovative tool of expression and communication which made it possible to connect with other users of the platform, this digital prosthesis has served – by the company's own admission – to profile its users through intensive use of their participation in the digital marketplace of desires (Zuboff, 2019: 160). In fact, it has been demonstrated that Facebook used this function as a data extraction tool, even installing cookies on users' computers (Roosendaal, 2013: 128–130). The underlying aim of the surveillance economy is the search for a statistical totalization of desires and preferences; the quest for the computational certainty that a particular stimulus (e.g. film, dress, book, etc.) will generate a particular response in the user (e.g. 'like').

With this aim in view, in the third phase, surveillance capitalism carries out a radical reversal by penetrating more and more into the social body in the attempt to actively shaping behaviour at its source. At this stage, surveillance capitalists do not simply utilize 'big data' and personal information to promote online marketing content and targeted advertising. In fact, the cycle of data extraction, behaviour prediction and future production is aimed at creating, shaping, and reinforcing the users' intentions and desires. As Stuart Russell (2020), one of the world's leading computer scientists, has argued, 'Once surveillance capabilities are in place, the next step is to modify your behavior to suit those who are deploying this technology' (p. 202). More specifically, the ultimate goal of big tech companies – the designers of digital societies – is the search for computational certainty by means of social simplification and manipulation of desires, because 'the more predictive the product, the lower the risks for buyers and the greater the volumes of sales' (Zuboff, 2019: 96).

This insightful analysis, however, struggles to fully explain how the digital apparatus envelops the social body to the point of turning mere 'users' into fully-fledged 'members' of digital societies. The reason is that Zuboff's concept of 'surveillance capitalism' is based on the idea that social relations are influenced by an omnipresent and covert force that monitors, controls, and manipulates them (the 'Big Other', as she calls it). It is no coincidence that in describing this new rationality of power, Zuboff (2019: 451, our emphasis) maintains that it 'denotes the social relations that orient *the puppet masters* to human experience', and that, behind this force, there is 'the *ubiquitous connected material architecture* of sensate computation that renders, interprets, and actuates human experience'. This view accounts for the obvious asymmetries of power between large tech corporations and individual users but overlooks the *mechanisms* through which users are attracted to the great digital puppet master. What drives millions of people to use these means of datafication every day, even though they are often at least partially aware of the process they are being drawn into?

What is missing in Zuboff's analysis is a consideration of the dynamics through which neoliberalism has shaped and transformed the consumer society – and digital societies – into a system of governance of desire. This relationship between the control of desires and political economy has already been the subject of classic works by Marcuse (1998 [1955]), Deleuze and Guattari (1983 [1972]) and, above all, Lyotard (1993 [1972]). The latter argues that 'every political economy is libidinal' and that contemporary capitalism should be analyzed specifically as an 'economy of desires' (Lyotard, 1993 [1972]: 108, 5). More recently, Samman and Gammon (2023) have taken up and advanced Lyotard's ideas by 'focusing attention on the role played by desire in capitalism's ongoing social reproduction' (p. 13). Despite their overcoming of an exclusively Freudian and essentialist perspective such as Lyotard's, according to which everything is libidinal, there is nonetheless one major absentee in this multi-theoretical project: Michel Foucault. In his 1980–1981 series of lectures at the Collège de France, Foucault (2017) explicitly discussed the problem of the origin of desire from a perspective that presents three strategic advantages (see de Beistegui, 2018 for a critical discussion).

First, unlike Lyotard and Freud, who regard the problem of desire as ontologically connected to the energy of the libido, Foucault uses the term 'desire' to denote a historical assemblage of forces and powers that constantly constitute and reconstitute its practices and meanings. Hence, the government of desire is subject to ever-changing configurations, with the digital society being, in our view, one of the most recent expressions. Second, the rationalities of power that constitute the 'problem' of desire do not have exclusively repressive and coercive purposes aimed at 'destroying' the private sphere, as Zuboff implies, but above all disciplinary ones, that is, the 'productive' control of bodies, pleasures, and individuals. As Foucault (2003b) put it, 'the system of "discipline-normalization," seems to me to be a power that is not in fact repressive but productive, repression figuring only as a lateral or secondary effect with regard to its central, creative, and productive mechanisms' (p. 52). With disciplines and normalization, a new type of power is then established 'that is not linked to ignorance but a power that can only function thanks to the formation of a knowledge that is both its effect and also a condition of its exercise' (Foucault, 2003b: 52). It follows that the production of desire is the condition for the exercise of libidinal power in digital societies *and* the effect of the constant reification of desire through which subjectivities are formed. This brings us to the last point.

This new rationality of power cannot be described, as Zuboff does, as the result of a control apparatus that penetrates society, but rather as a set of practices and discourses through which subjects are disciplined to govern themselves. In his genealogy of desire, for example, Foucault (2017: 249–267) shows how in the Roman and Hellenistic period, the 'historical-transcendental' schema of desire emerges when religious, philosophical, and political prescriptions are no longer limited to the control of sexual acts or external actions but instead create a new construct – the *intention* of

pleasure or *internal* desire – through which individuals are pushed to limit their bodily and social practices. This is the moment in which a new form of self-discipline and control – a novel 'art of conducting conducts' – is born, which Foucault (2017) defines as the 'government of self by self' (p. 281). Hence, Foucault (2017) concludes,

> [d]esire is isolated as the element that will anchor . . . subjectivation [. . .]. It is in the form of desire that I will establish the permanent relationship I have to my own sex. And it is in the form of desire . . . that what requires to be controlled, mastered, and known in me will be objectivized. (p. 286)

The problem of desire is, therefore, intrinsically linked to that of the formation of subjectivity and of the strategies of self-government.

In sum, without considering the libidinal and productive dimensions of neoliberal power – without recognizing how desire is mobilized and used as a 'technology for the government of the self' (Foucault, 2017: 276) – we risk, as Zuboff does, interpreting digital neoliberalism solely through the categories of coercion and exploitation. This perspective frames it as an invasion and violation of the private sphere and as a forced surveillance system. Instead, this new rationality of power, which modulates individual freedom to promote the economic goals of tech corporations, does not lend itself to being described as a violation and destruction of the private sphere but, if anything, as an enhancement of the 'free' and 'personalized' choice of individuals in digital societies. To return to the 'Like' button example, this digital prosthesis combines the free (i.e. uncoerced) participation of individuals in the social network with their statistical mapping. As such, the 'Like' button represents both a means of uncoerced individual expression and, at the same time, a tool for the control and manipulation of the population.

The logic that characterizes this new form of control is a script that has already been written and statistically edited by corporations. This is the 'code' that establishes the 'law' of digital societies, which is thus not *kosmos*/spontaneity but *taxis*, that is, the supreme will of the legislator of Kelsenian memory. As Byung-Chul Han (2015) argues from a neo-Foucauldian perspective, 'On this score, social media prove no different from panoptic machines. Communication and commerce, freedom and control, collapse into one' (p. 49). To better understand how neoliberal capitalism has managed to integrate individual freedom of expression with the manipulation of desire in digital societies, let us consider a case that, in its tragic exemplarity, allows us to closely examine the productive-libidinal face of digital neoliberalism.

In November 2017, Molly Russell, a 14-year-old from North London, took her own life. After the tragedy, her parents discovered that Molly, who had been suffering from depression, had conducted online searches related to self-harm and suicide, after which social media platforms like Instagram and Pinterest had 'suggested' images of self-harm to her. The latter had even sent 'personalized' emails to Molly's account with graphic content related to suicide. One of the emails was titled: 'I can't tell you how many times I wish I was dead' (cited in Griffiths et al., 2019). The seriousness of this story and the tenacity with which Molly's parents challenged media corporations led to a judicial inquiry, during which the senior coroner for North London stated,

> It is likely that the . . . material viewed by Molly, already suffering with a depressive illness and vulnerable due to her age, affected her mental health in a negative way and contributed to her death in a more than minimal way. (Crawford and Bell, 2022)

The ethically blind algorithm amplified a vulnerable teenager's 'desire' for self-harm and suicide by suggesting and promoting related content with the sole purpose of bringing her back to the website. This made her even more vulnerable, pushing her towards an act of self-harm, and

ultimately working against the very interests of the digital capitalism the algorithm was meant to serve. Following Molly's death, social media platforms introduced a series of 'safety features' to block dangerous material. AI-powered chatbots, like ChatGPT, have been developed with similar safeguards in place.

This 'algorithmic dissonance' between corporate goals, digital means, and individual desires illuminates the intersection and 'short circuit' between two crucial logics of digital neoliberalism: the coercive-repressive-destructive, on one hand, and the productive-libidinal, on the other. According to the first logic, everything is expendable for the purpose of greater economization, including the lives of digital users. The second logic, instead, assumes the integration, normalization, and manipulation of subjects as the most productive strategy of economization. Unlike other well-known cases, such as the Cambridge Analytica scandal or Amazon's use of algorithms in the workplace to measure employee productivity – both of which are tied to a coercive, repressive, and destructive economization – Molly's story also encompasses a productive-libidinal form of economization, ultimately culminating in a 'perfected' productive-libidinal regime of power. The introduction by social media and AI-powered chatbots of safety features blocking dangerous material – hence, reducing the possibility that other teenagers may 'pursue' their 'desire' for self-harm and suicide – should not be regarded as a rejection or scaling down of the governance of desire. It is the attempt to perfect the design of digital societies by balancing the amplification of desire with the preservation of participation and engagement; that is, maximizing screen time with minimum of legal attrition (Blum, 2022; Howard, 2023).

This critique, to be sure, does not mean to deny that juridical and formal protections are essential to protect minors and vulnerable individuals and that the invasion of the private sphere by new technologies poses fundamental problems from the point of view of law and civil liberties. What we wish to suggest, however, is that formal and juridical protections are also instantiations of the productive and libidinal power that tech companies deploy to map, manipulate, and amplify desires because, in digital societies, the dynamics of signification and sense-making – what we 'like' and 'want' – are shaped by the invisibility of the code-law and reinforced by 'uncoerced' user practices (e.g. such as click-throughs).

Molly Russell's tragic case thus allows us to see neoliberal economization both in its destructive–coercive and productive–libidinal manifestations and how the latter are 'subjectivating and individualizing' as 'they exercise their power at the level of every individual and require the active, wilful participation of every individual' (de Beistegui, 2018: 11). Within this libidinal regime, the code regulates the statistical processes of production, reproduction, and reinforcement of the user's desires through the capture of her initial intention that is seemingly free but semiotically predetermined (like a Google search or a digital 'like'). In the case of Molly, the algorithm constantly pushed her to 'express herself' to grasp and shape her desires, no matter the consequences. Its purpose can only be defined as 'irrational' from an ethical perspective, which considers life sacred. But the algorithm achieved its most intimate purpose precisely when – maximizing its utility function – submerged a vulnerable 14-year-old girl in the anonymous uniformity of data. When this resulted in the 'destruction' of Molly, the algorithm was revised and perfected to make sure that 'productive' expressions and articulations of desire could continue unabated.

This case suggests two further considerations. First, the algorithmic code-law per se *has* no content but simply *conveys* content. The digital society that the code-law articulates is in fact a regime of algorithmic mapping and control that rests on the presumed freedom of expression of its users. As such, it represents the perfect instantiation of Hayek's idea of society as manifestation of a market order that maximizes individual freedom – as Molly was enabled to pursue 'her' desire to the point of demise – and lacks any substantive, comprehensive, and prescriptive moral principle and underlying idea of the common good – as the ethically blind algorithm encouraged Molly's

'desire' for death in the same way it could have encouraged her desire for the latest fashionable shoes or tech items. At the same time, the neoliberal society that killed Molly was not spontaneous but algorithmically designed in the same way that Molly's 'desire' to kill herself was not really 'her' desire – the expression of the maximization of 'her' freedom – but the product of a neoliberal corporate regime of governance of desire.

The second consideration concerns how desire is mobilized in the algorithmic rationality of digital societies. In his seminal *Algorithmic desire: Toward a new structuralist theory of social media* (2021), Flisfeder (2021: 105) argues that 'algorithmic logic is built not by giving us what we seem to desire, but by constantly denying us this' because, in doing so, 'we continue to search and, in the process, to receive back a portion of surplus enjoyment . . . at the same time that we generate profit or revenue for the site'. Moving from a Marxist–Lacanian perspective, Flisfeder (2021) approaches desire through a logic of negation according to which algorithms keep us '*dis*-satisfied' and 'the more dissatisfied we remain, the more eager we are to search out the lost object of desire; the more we search it out, the more we generate in terms of surplus value' (p. 105). The case of Molly Russell as both an expression and perversion of Hayek's idea of individual freedom and society suggests a complementary trajectory: algorithmic desire as a mechanism of amplification that captures and normalizes desire as the ultimate manifestation of individual 'freedom'.

These considerations raise questions on the foundation of Hayek's neoliberal idea of a free and spontaneous society: the existence and preservation of the private sphere as a sacred space where the individual holds ultimate autonomy and sovereignty. Digital societies are far from being spontaneous and uncoerced and the private sphere is far from being truly private as it is the object of representation, manipulation, and extraction of desire. An inevitable question follows: What might an alternative to algorithmic control look like? Existing solutions often appear to fall within the very (neo)liberal paradigm they seek to challenge. Zuboff (2019: 19, 21), for instance, expresses a nostalgia for the 'moral integrity of the autonomous individual', to the extent that she defines the essence of surveillance capitalism of digital societies as 'an overthrow of the people's sovereignty'. Hence, her proposal is 'the right to sanctuary' (Zuboff, 2019: 475): a legal reconstitution of the private sphere, both physical and cognitive, which can act as a shield against the intrusions of digital neoliberalism.

In our view, the algorithmic capture, mapping, reproduction, and amplification of desire cannot be addressed solely with the introduction of awareness mechanisms and the protection of the 'private sphere'. Paraphrasing Foucault (cited in Rabinow, 1984: 74), it could be argued that the problem here 'is not changing people's consciousness' – their critical awareness – 'but the political, economic, [and] institutional regime of production' of desires, because it is the digital society – with its codes, computational apparatus, and desire-making practices – which confers meaning to what we 'do' and what we 'like' and, by doing so, over time, also shapes who we 'are'. Differently said, it is not the individual that, if uncoerced, spontaneously has the power to shape digital societies. It is no coincidence that even the most thoughtful and critical users of social media develop forms of abstinence and apathy when they suspend their daily use of digital platforms – their participation in the digital society – because 'social media dependence develops from "normal" usage habit that appears "harmless," and its negative effects tend to be "accepted" by the individuals concerned' (Wang et al., 2015: 40). This is precisely the logic of reinforcement of desires that we have encountered in the case of Molly Russell. In support of this argument, we quote the words of the coroner at Russell's trial, who stated that 'the *sites normalised her condition*, focusing on a limited and irrational view without any counterbalance of normality' (cited in Crawford and Bell, 2022).

This 'digital habitus' constituted through mechanisms of signification, capture, and reinforcement of desire, represents a fundamental and often-overlooked power of contemporary neoliberal capitalism. The force of this apparatus is that of presenting itself as 'spontaneous'. After all, what

is more spontaneous than the world in which we operate 'freely' by producing expressions of sense such as 'likes', sharing, and posting? This normalizing power, which also infiltrates 'the private sphere', transforming it into a kind of invisible shell of capital, is what remains of the neoliberal notion of a free society conceived by Hayek as a locus of independence (from external constraints) and autonomy. From this perspective, digital societies represent the most accomplished expression of Hayek's project, yet with an unexpected outcome: although embedded in the extended order of the market, digital societies are not the expression of *law* and *kosmos* but the embodiment of codes, that is, 'the software and hardware that make cyberspace what it is' and that 'constitute a set of constraints on how you behave' (Lessig, 1999: 89). This order is anything but spontaneous, as it uses the mechanisms of desire production and modification as essential elements of governance.

Conclusion

This article has reconsidered the question of the relationship between neoliberalism and society. Moving beyond existing critiques that emphasize neoliberalism's hostility to society and building on Foucault's notion of productive power, we advanced a complementary reading. While recognizing that neoliberalism rejects the idea of society as social justice and embodiment of the common good, through an engagement with Hayek, we explored how neoliberalism not only understands society as 'law' – the ensemble of rules, norms, and principles that spontaneously emerge from the extended order of the market – but considers it as the very condition of possibility of the market order and therefore of freedom. Having established that neoliberalism requires society, we proceeded to examine how digital societies can be regarded as the embodiment of Hayek's vision as they are a direct expression of the neoliberal order of the market. Yet, contrary to Hayek, we showed how these societies are not spontaneous but complex regimes of governance that, through the deployment of algorithmic infrastructures, govern desire by mobilizing the very market freedom that for Hayek is essential to repel authoritarianism.

Our contention, to be sure, is not that digital societies are authoritarian. As we have discussed, behaviour in a digital society is governed by the 'laws' and 'codes' of the market that reinforce individual desires by capturing their initial intentions and channelling them into a pattern of representation, construction, and modification. Far from idealizing the pre-digital, 'analogical' society as a site of autonomy and freedom, our argument is that the algorithmic sophistication of the code-qua-law that governs digital societies enables, at an unprecedented level, the integration of individuals' desires and their self-inscription and voluntary self-exploitation in the neoliberal digital apparatus. The latter becomes the techno-semiotic assemblage that describes and represents individuals through their voluntary expression and, in this very process, rewrites them. As the case of the 'Like' button suggests, uncoerced individual expression and the mapping, control, and manipulation of desire are indissolubly tied together.

Digital societies are systems of signification strengthened by practices – specifically, our simple, active, and enthusiastic participation. Yet, even if we could change people's awareness and how these technologies are used, we would not alter the system of signification – that is, the models, signs and representations of desires that circulate within the techno-semiotic assemblage, and which generate its power of attraction and compulsion. As Umberto Eco (1976: 3–5) reminds us, to function correctly, any *communication process* – even the most complex such as digital societies – must rest on a *system of signification* that precedes communication and establishes it. This means, in our case, that even a 'conscious' use of communication devices and digital platforms cannot avoid exposure to the underlying signification system created by tech companies and modulated by their algorithmic codes ('likes', 'posting' and 'sharing' are just some of these signification strategies).

In fact, although structured, the signification regime created by the code-algorithm and digital prostheses functions as a 'black hole' of meaning that can be filled statistically to maximize screen time and satisfy the logic of social datafication. Every input, every intention and whim, no matter how feeble it may be, can become the object of a desire-reinforcement strategy and be sucked into the digital regime if it is functional to its computational neoliberal rationality. Only when the cycle of algorithmic signification and digital communication is interrupted – or clashes with the goals of the system, as in the case of Molly Russell – it is possible to glimpse the ethical void on which this system of production and reproduction of desires is established and work. To expose, therefore, the code-law for what it really is – showing its intrinsic ethical inconsistency and hidden logic – also means exposing the randomness of *our* desires – the computational logic that informs them – and the absolute lack of ethical sense of the mechanisms that drive the system of signification and capture of desires of digital societies.

Our aspiration is that the theoretical perspective advanced in this article may broaden the horizon of the research agenda on neoliberalism and society and contribute to the articulation of a critical perspective that, by approaching digital societies as 'black holes' of meaning filled by the cycle of creation-circulation-stabilization of desires, may also prompt a debate on how this societal meaning may be reoccupied. To start imagining an alternative to algorithmic control, we must expose the logic of libidinal power and the instrumental semiotics that informs the government of desire. The paradigm of individual autonomy, which underpins the ontology of both leading neoliberals like Hayek and critics of neoliberalism like Zuboff, should be replaced with a paradigm that focuses on the techno-semiotic productive power of digital societies, aiming to study their mechanisms of signification and interconnections with other strategies of power.

If, as Foucault (2017: 288) argues, desire is indeed the historical product of assemblages of heterogeneous powers, then it becomes crucial to reveal the entanglement of forces that constitute the current digital regime of desire, which is presented as natural but is, in effect, merely contingent. In this sense, thinking of digital societies beyond the paradigm of the autonomous individual means rediscovering a form of critical resistance that exposes the gaps in the digital regime by revealing how its mechanisms of signification are not 'natural' but induced, and that alternative forms of signification are possible if we reclaim and reoccupy the sense and purpose of communication. This alone, however, is not sufficient because, as we argued following Foucault, the issue is not just changing people's critical awareness, 'but the political, economic, [and] institutional regime of production' of desires, because it is the digital society, with its intricate codes, computational systems, and mechanisms for shaping desires, that assigns meaning to our actions and preferences to the point of moulding our very sense of identity and who we become over time. Hence, is it possible to imagine a 'regime of production of desire' that transcends algorithmic control?

Alternative digital structures whose stated mission is to enable more genuine social interactions free of corporate power already exist. They include social media platforms that either offer spaces for expression and resistance free from algorithmic dictates and their mechanisms of subjectivation (like Mastodon) or 'replace the conventional "master algorithm," controlled by a single company, with an open and diverse "marketplace of algorithms"' that enables 'users' to 'customize their feed' (like Bluesky; Graber, 2023). While the latter eventually fall into the same neoliberal logic that its proponents seek to escape – by resorting to market competition as the ultimate saviour and ameliorator of digital interactions, thus strengthening the neoliberal myth of the autonomous individual – the former represent a more promising vision of digital society beyond neoliberalism.

Yet, even algorithm-free social media platforms cannot escape the fundamental problem of 'libidinal spill-over', that is, the massive diffusion of desires, models, and systems of signification that spread like wildfire from the digital society to the social tout court. As we considered earlier in the article, digital societies are not virtual 'replicas' of the 'real' society, nor are they self-enclosed spaces

that rest on their own systems of significations. Rather, they are the embodiment of a unified social order in which the digital architecture has become the dominant normative framework, shaping all socio-political relationships and the meaning-making processes across the social fabric, both online and offline.

It is no coincidence that many of the mechanisms of signification adopted by these alternative platforms closely resemble those of mainstream platforms. Features like 'favourites' and 'boosts' mimic the familiar 'likes', helping to determine what is 'trending' or 'popular', whether in terms of posts, hashtags, or individuals. The metrics of 'followers' and 'following' reinforce these dynamics, echoing the logic of popularity and visibility. These are clear manifestations of neoliberal rationality: quantitative metrics and ranking systems that assess content not based on its inherent quality or meaning, but through a framework of numerical valuation solely grounded in the capacity to generate attention and engagement. What we observe here is algorithmic rationality even in the absence of algorithmic corporate power as the users themselves are the enablers of algorithmic control. It follows that, despite the democratization brought about by these open-source platforms/digital societies, the question of resistance or alternative to algorithmic control must be addressed at both the levels of the regime of power and the regime of signification, since the suspension of the former – the algorithmic logic – does not necessarily free us from the latter – the system of signification and libidinal indoctrination that underpins it.

A more radical, and perhaps both utopian and dystopian, vision of a 'regime of production of desire' that transcends algorithmic control is explored in the documentary *Lo and Behold: Reveries of the Connected World* (2016) by German director Werner Herzog. Among the various aspects of digital society analyzed in the film, one is particularly relevant to our argument: Herzog interviews a group of individuals who claim to suffer from the rare condition of electromagnetic hypersensitivity, living with chronic illness in a world saturated with wireless signals, repeaters, and antennas. Some of them then decide to go and live within a 10-mile radius around the Green Bank Telescope in West Virginia, because no wireless transmissions are allowed in this area. In the final sequences, the film shows how precisely the drama of living in isolation – in a sort of technological prison and far away from their families – has pushed these people to create a convivial, authentically communal, and forcibly a-technological form of life: they play music and dance, cook together and share meals, undertake new jobs, and exchange favours. From the perspective advanced in this article, Herzog's message might suggest that through the *negation* of digital desires, alternative forms of communication, socialization, and desire could emerge: new societal forms with the potential to nurture our longing for authentic connections and solidarity, escaping the neoliberal techno-semiotic regime and its power dynamics, and revolving around the free relationality of the gift, instead of being driven by the induced imitation of neoliberal desires.

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Note

1. In his 1967 book *Studies in Philosophy, Politics and Economics*, Hayek (1967) adopts a sentence from Adam Ferguson to describe the spontaneous order of society as 'the result of human action but not human design' (p. 185).

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